

**REGULAR CALLED MEETING
City Council
August 11, 2020**

The City Council of the City of Brownwood, Texas, met in a Regular Called Meeting on Tuesday, August 11, 2020, at 9:00 a.m., in the Council Chambers, City Hall, 501 Center Avenue, Brownwood, Texas, with the following members present:

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| Stephen E. Haynes | : | Mayor |
| HD Jones | : | Councilman – Ward 1 |
| Ed McMillian | : | Councilman – Ward 2 |
| Larry Mathis | : | Councilman – Ward 3 |
| Draco Miller | : | Councilman – Ward 4 |
| Walker Willey | : | Councilman – Ward 5 |
| | | |
| Pat Chesser | : | City Attorney |
| Emily Crawford | : | City Manager |
| Christi Wynn | : | City Secretary |

with no members absent, constituting a quorum of the City Council.

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| CALL TO ORDER: | Mayor Haynes called the meeting to order. |
| PLEDGE OF ALLEGIANCE: | Pledge of Allegiance was led by Councilman McMillian. |
| INVOCATION: | Invocation was given by Councilman Willey. |
| ITEMS TO BE WITHDRAWN: | None |

INTRODUCTIONS, ANNOUNCEMENTS, AND RECOGNITIONS: Mayor Haynes recognized Joey Wilbourn.

CITIZENS PRESENTATIONS: None

APPROVAL OF MINUTES:

A motion was made by Willey, seconded by McMillian, to approve the minutes of the Regular Called Meeting on July 28, 2020, as presented. Upon vote, motion carried unanimously.

CLAIMS AND ACCOUNTS:

Assistant Finance Director, Melanie Larose, was present for questions regarding the checklist. A motion was made by Mathis, seconded by Jones, that the Claims and Accounts dated through August 7, 2020, be approved for payment as submitted. Upon vote, motion carried unanimously.

ORDINANCES AND RESOLUTIONS:

Consider a resolution naming the Mayes Park Pavilion the Nanda Wilbourn Family Pavilion.

Mayor Haynes stated that Nanda Wilbourn was a long-time principal at East Elementary

and served our community in the educational world for many years. She was loved by all her students and teachers. She had a long history of standing on the steps of East Elementary to greet her students as they came into school every morning. The pavilion is adjacent to the school. Mayor Haynes requested naming the Mayes Pavilion after Nanda Wilbourn as she has made a lasting contribution to the City.

A motion was made by Willey, seconded by Mathis, to approve a resolution naming the Mayes Park Pavilion the Nanda Wilbourn Family Pavilion. Upon vote, motion carried unanimously. Mrs. Crawford stated that signs would be installed on both sides of the pavilion with a sign unveiling ceremony.

RESOLUTION NO. R-20-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BROWNWOOD, TEXAS, NAMING THE PAVILION AT MAYES PARK THE NANDA WILBOURN FAMILY PAVILION.

Consider approving an ordinance on first reading changing the City Marshal position to be under the direction of the Police Department.

Chief Kading stated that currently, the City Marshal position is under the direction of the Municipal Court Judge. Since the Judge works one hour a day, the supervision of this position has been directed to the City Secretary. Due to the qualifications and nature of this position, we feel that it would be a better fit under the direction of the Chief of Police. The Marshal will not be a civil service employee and will perform bailiff duties and serve warrants for the Municipal Court as the job description provides. The Marshal may on a rare occasion, help the Police Department as a back-up for traffic control or other police related matters. None of the duties for this position will change. This position is currently vacant.

Mayor Haynes asked the City Secretary to read the ordinance. After the reading of the ordinance, a motion was made by Jones, seconded by McMillian, to approve an ordinance on first reading changing the City Marshal position to be under the direction of the Police Department. Upon vote, motion carried unanimously.

ORDINANCE NO. 20-

AN ORDINANCE AMENDING CHAPTER 2, DIVISION 3, SECTIONS 2-361 AND 2-364 OF THE CODE OF ORDINANCES OF THE CITY OF BROWNWOOD, TEXAS MOVING THE POSITION OF CITY MARSHAL UNDER THE CITY OF BROWNWOOD POLICE CHIEF; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A CUMULATIVE/REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE AND PROVIDING AN EFFECTIVE DATE.

REQUESTS AND PRESENTATIONS:

Consider approving Adams Street Community Center renovation cost estimates.

Director of Development Services, Tim Murray, stated that he received a request from the City Manager to conduct an inspection of the Adams Street Community Center and put together an estimated cost to renovate the building with new paint and flooring. This

estimated cost included contractor pricing as well as in-house city staff pricing. To avoid the additional cost of having to conduct an asbestos survey and abatement, flooring in the foyer, main area, kitchen, and rooms adjacent to the kitchen was estimated using tiling over the existing flooring. The two offices and two meeting rooms on the south side of the building were estimated using carpet tiles like that in the Council Chambers. The total estimated cost for the renovation by a contractor is \$43,943.25. The total estimated cost for the renovation by city staff is \$33,813.75. The current budget has \$28,000 for foundation repair that the Council desired to spend on renovations. Our estimate exceeds that by about \$6,000. Until materials are purchased, we do not know if we will exceed the budgeted amount. If so, a budget amendment will be presented at the end of the fiscal year. We anticipate the work to begin around January.

Mayor Haynes asked if the brick repair was included in the estimate. Mr. Murray stated that it was not but felt it could be repaired for around \$2,400. There was a discussion regarding the timeline if done in-house or by a contractor. Mr. Murray stated that he felt the City crew could complete the renovations in 90 days. Parks and Recreation Director, David Withers stated that when construction begins, the events for the building could be relocated to other City facilities until the construction is complete. Councilman Jones suggested putting a sealer on the floor to help level it up before adding the vinyl or tile flooring.

A motion was made by Willey, seconded by McMillian, to approve the purchase of materials to upgrade Adams Street Community Center. Upon vote, motion carried unanimously.

Council may vote to propose a 2020 property tax rate of \$.7448 per \$100 valuation for the FY 20/21 budget.

Finance Director, Walter Middleton, stated that Senate Bill 2 requires a very specific timeline of activities to adopt a tax rate. Once the calculations are completed for a No-New-Revenue (NNR) tax rate and a Voter-Approval tax rate and posted to our website (which has been done), the Council must vote on a PROPOSAL to adopt a tax rate. This is not a formal adoption of the tax rate and the actual rate adopted may change after the vote, but if it does, a new series of publications and public hearings may be necessary.

The rates we will be publishing are as follows:

| | |
|-------------------------|----------|
| Existing tax rate | \$.7869 |
| Proposed rate | \$.7448 |
| No-New-Revenue rate | \$.7448 |
| Voter-Approval tax rate | \$.7930 |

The NNR tax rate will produce the same amount of tax revenue as the prior year based on prior-year values. New valuations are in addition to this and we are not penalized for those. Since we are proposing the NNR rate for FY 20/21, there is no tax increase and public hearings are not necessary. Exceeding the Voter-Approval tax rate would require a vote of the public. We are well under this threshold. City Manager Crawford thanked City

Council for their leadership and City Staff for keeping budget requests down. This is the lowest property tax rate in twenty-four years.

A motion was made by McMillian, seconded by Mathis, to propose a 2020 property tax rate of \$.7448 per \$100 valuation for the FY 20/21 budget. A record vote was taken.

In favor:

Miller
Jones
Mathis
McMillian
Willey

Opposition:

None

Upon vote, motion carried unanimously.

AGREEMENTS AND CONTRACTS:

Consider authorizing the Mayor to sign a rental contract with Howard Payne University for use of the Coliseum for the 2020/21 Volleyball/Basketball Season.

City Manager Crawford stated that Howard Payne University (HPU) rents the Brownwood Coliseum for volleyball and basketball games and practices. The volleyball season will take place in the spring, due to COVID. Change to the Coliseum one-year agreement is:

- Flat rental fee of \$45,450.50

Rate History of Lease Contract:

2016/17 Contract - \$33,850.00 (0% increase)
2017/18 Contract - \$34,865.50 (3% increase)
2018/19 Contract - \$35,911.50 (3% increase)
2019/20 Contract - \$40,400.44 (12.5% increase)
2020/21 Contract - \$45,450.50 (12.5% increase)

Councilman Mathis asked about a timeline to begin renovations on the Coliseum. Mrs. Crawford stated that it would be the end of March, once approved.

A motion was made by Willey, seconded by Jones, to authorize the Mayor to sign a rental contract with Howard Payne University for use of the Coliseum for the 2020/21 Volleyball/Basketball Season. Upon vote, motion carried unanimously.

Bids:

Consider awarding a bid for the paving of River Oaks Drive.

Mayor Haynes filed an Affidavit of Conflict of Interest for this item.

Assistant City Manager of Public Works, Tim Airheart, stated that the City of Brownwood accepted sealed bids for the reconstruction of River Oaks Drive from Southgate to FM 2126. Bid packages were emailed to vendors as well as advertised in the local newspaper well in advance of the bid opening date of August 6th. Two bids were received, one each from Grider Paving, LLC in the amount of \$137,141 and Martin Earthworks for \$170,976.

Both bids were below the Engineering Department estimate of \$176,130. There was a discussion regarding which sections would be widened. Mr. Airheart stated that from FM 2126 to the alley of Tulane, the road would be four-feet wider. From the alley of Tulane to Southgate Drive, the road would be two-feet wider.

A motion was made by McMillian, seconded by Jones, to award the bid to Grider Paving, LLC. for the paving of River Oaks Drive. Upon vote, motion carried unanimously.

CONSENT AGENDA:

Mayor Haynes asked if the item on the Consent Agenda needed to be removed for discussion. There being none, a motion was made by McMillian, seconded by Willey, to approve the Consent Agenda as presented. Upon vote, motion carried unanimously.

Consider an ordinance on second and third/final reading for a request to change the zoning classification of 2313 Avenue B, being Block 16, Lot Pt. 5, of the Grandview Addition, from R-3 Multi-family Residential District to C-2 General Business District.

ORDINANCE NO. 20-09

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF BROWNWOOD, TEXAS, CHANGING THE ZONING CLASSIFICATION OF 2313 AVENUE B, BEING BLOCK 16, LOT PT 5, OF THE GRANDVIEW ADDITION, FROM R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO C-2 GENERAL BUSINESS DISTRICT; PROVIDING A SEVERABILITY CLAUSE; A SAVINGS CLAUSE; AND SETTING AN EFFECTIVE DATE.

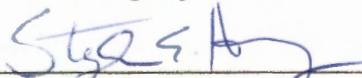
REPORTS:

COVID-19 Update

Health Department Administrator, Lisa Dick, stated that since Council last met, there have been 143 positive cases, 4 deaths, 131 that have recovered, and 104 negative tests. The Health Department has stopped publicizing pending tests as they don't know how many pending tests there are with the different methods of testing at this time. She stated that they are preparing for the beginning of school. They anticipate the first two weeks to be a trying time. Mayor Haynes stated that he is keeping an eye on how many hospitalizations we have.

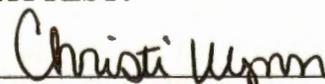
ADJOURNMENT:

There being no further business, Mayor Haynes declared the meeting adjourned.



STEPHEN E. HAYNES, Mayor

ATTEST:



CHRISTI WYNN, City Secretary