

**REGULAR CALLED MEETING
City Council
April 12, 2022**

The City Council of the City of Brownwood, Texas, met in a Regular Called Meeting on Tuesday, April 12, 2022, at 9:00 a.m., in the Council Chambers, City Hall, 501 Center Avenue, Brownwood, Texas, with the following members present:

Stephen E. Haynes	:	Mayor
HD Jones	:	Councilmember Ward 1
Ed McMillian	:	Councilmember Ward 2
Melody Nowowiejski	:	Councilmember Ward 3
Walker Willey	:	Councilmember Ward 5
Emily Crawford	:	City Manager
Pat Chesser	:	City Attorney
Christi Wynn	:	City Secretary

with Councilmember Draco Miller absent, constituting a quorum of the City Council.

CALL TO ORDER: Mayor Haynes called the meeting to order.

PLEDGE OF ALLEGIANCE: Pledge of Allegiance was led by Councilmember Willey.

INVOCATION: Invocation was given by Mayor Haynes.

ITEMS TO BE WITHDRAWN: None

INTRODUCTIONS, ANNOUNCEMENTS, AND RECOGNITIONS:

Mayor Haynes welcomed TML Health representatives. Mrs. Crawford recognized Keep Brownwood Beautiful board members, representatives from the Animal Shelter, and an HPU student.

CITIZENS PRESENTATIONS: None

APPROVAL OF MINUTES:

A motion was made by McMillian, seconded by Willey, to approve the minutes of the Regular Called Meeting on March 22, 2022, as presented. Upon vote, motion carried unanimously.

CLAIMS AND ACCOUNTS:

Chief Accountant, Leah Thomas was available for questions regarding the checklist. A motion was made by McMillian, seconded by Nowowiejski, that the Claims and Accounts dated through April 8, 2022, be approved for payment as submitted. Upon vote, motion carried unanimously.

REQUESTS AND PRESENTATIONS:

TML Health representatives will present the City Council with a Longevity Award.

TML representatives, Heather VonGonten, and Richard Walker presented the City with an award for being a member of TML Health for forty-three years. The City of Brownwood began in 1979 with TML Health when there were only sixteen cities in the health pool. At this time, TML Health has 995 member groups that have joined together with purchasing power.

Consider a request from the Central Texas Veteran's Committee (CTVC) for the City to petition the Airforce for a static display at Memorial Park.

Harold Stieber and Dr. Steve Kelly requested the City apply to the Air Force for a static aircraft for display at Memorial Park. The CTVC believes the application will score higher if submitted by a government agency than a volunteer entity. There is no guarantee of being issued an aircraft, nor an expected timeline. According to the agreement, the applying organization is responsible for all the costs of transport, installation, and maintenance of the aircraft. The CTVC has \$10,000 reserved for acquiring the aircraft and will pay all costs associated with the moving of the display. The agreement is like the other existing static displays that the City maintains at the Airport and Memorial Park and will have the same maintenance and reporting requirements.

A motion was made by McMillian, seconded by Jones, to approve the request to petition the Airforce for a static display at Memorial Park on behalf of the CTVC. Upon vote, motion carried unanimously.

Councilmember Jones stated that he would like one of the aircraft that is located at the Brownwood Airport to be relocated. Mayor Haynes asked Councilmember Jones to take the suggestion back to the Airport Board for consideration.

Discuss and consider approving a program for low-cost spay and neuter vouchers for Brownwood residents to be managed by the Corrine T. Smith Animal Shelter.

Animal Shelter Director, Braston Gray, and representative, Mandy Dorsey, spoke about low-cost spay and neuter vouchers for Brownwood residents. Funds received from the City would be set aside in a special bank account. Mr. Gray explained that the citizen's cost would be \$45 per cat, \$55 for a 1-60 lb. dog, and \$75 for a 61-120 lb. dog. This would include microchipping and rabies vaccination. The rabies vaccination is required by the State, and microchipping cost around \$5 per chip. Most of the veterinarians in Brown County have agreed to take the voucher. Mr. Gray stated that a monthly report would be given to the Council. Mrs. Crawford requested Council approve a one-time transfer to the Shelter of \$50,000 that was budgeted for this program to avoid processing a large number of invoices or risk crossing into a new fiscal year.

A motion was made by Nowowiejski, seconded by McMillian, to approve the low-cost spay and neuter vouchers program and authorize the transfer of \$50,000 to the Corrine T. Smith Animal Shelter to administer the program. Upon vote, motion carried unanimously.

Mrs. Crawford thanked Lieutenant, Troy Carrol, for all the work he contributed to this project.

Consider authorizing a budget amendment for the purchase of a skid steer and a broom attachment for the Street Department.

Public Works Director, Henry Wied, stated that the Street Department is assembling a second street patch crew to keep up with the growing number of utility cuts. The opportunity to purchase a new skid steer recently became available due to someone backing out of their order with John Deere. The Landfill had originally budgeted \$250,000 for a new windrower and tractor but the total price for both units came in at \$153,000 leaving \$97,000 available that has not been applied to any other capital. We are requesting to use these remaining funds to purchase a new skid steer for \$56,925 and a broom attachment for \$11,465 for the Street Department at a total cost of \$68,390. These items would have been requested in the 2022-23 fiscal budget. This equipment will be purchased through Yellowhouse Machinery of Abilene, Texas, through a BuyBoard contract.

A motion was made by McMillian, seconded by Nowowiejski, to authorize a budget amendment for the purchase of a skid steer and a broom attachment for the Street Department. Upon vote, motion carried unanimously.

Consider authorizing a budget amendment to purchase a 40-ton trailer for the Fleet Department.

Public Works Director, Henry Wied, stated that the Water Department's capital budget included purchasing a new service truck at \$110,000, but due to supply shortages this truck will not be available this year. Staff proposes using these funds to purchase a new haul trailer for the Fleet Department replacing the 1986 model haul trailer. We have reached out to our local trailer manufacturer (Liddell Industries) and have secured a Buyboard price of \$70,334.54 through Holt Truck Centers. The trailer's primary use is to haul the large excavator to house demolitions and disabled equipment back to the yard or a manufacturer's repair shop. The trailer will be able to haul everything that the City owns short of the D8 dozer and the compactor which are located at the Landfill. The trailer would have been included in the 2022-23 fiscal budget. The total capital budgeted funds available is \$110,000. The Fleet haul trailer is \$70,334.54 if purchased through Buyboard, with remaining funds of \$39,665.46. Councilmember McMillian expressed concern that this trailer would be too large and difficult to maneuver through streets, and he did not wish to spend this amount of money on a trailer that may not be used that often. Mr. Wied explained that the trailer would be used every week during house demolition season.

A motion was made by Willey, seconded by Nowowiejski, to authorize a budget amendment to purchase a 40-ton trailer for the Fleet Department. Upon vote, motion carried as follows:

For	Against	Absent
Haynes, Nowowiejski, Willey	Jones, McMillian	Miller

Consider authorizing the additional cost to repair leaks at Wiggins Pool discovered by Commercial Swim Management after performing the leak detection inspection.

Director of Development Services, Tim Murray, stated that on March 7, 2022, City Council authorized Commercial Swim Management to proceed with the repair to Wiggins Pool at \$164,128.43. It was anticipated that there would be additional costs after the leak detection survey was done, but the extent of the repairs was to be determined. On March 25, 2022, Commercial Swim Management performed the leak detection inspection. Two issues were discovered that contributed to the leakage. The cracked and damaged skimmers were one. The larger issue is that a seam had been sealed with caulking and was failing. It appears that the pool had been added onto at one time, and the seam is what used to be the top of the pool wall. Commercial Swim Management will re-pour concrete to remedy the leak. They did not charge the City for the leak detection and have submitted an updated bid for pool repairs for \$184,981.99. We budgeted \$150,000 for the pool repair in the Parks budget. We also budgeted \$20,000 for improvements at Wiggins Park, making a total of \$170,000 available in the budget. The difference in the amount budgeted and the bid is \$14,981.99. Staff recommends approval of the repairs and a budget amendment at the end of the year for the additional cost. Commercial Swim Management has advised the project will take approximately one month to complete and is working to identify a start date. City Manager Crawford stated City Staff advised her it would be mid-May before repairs could be made. Councilmember Jones expressed his desire to construct a new pool. City Manager Crawford stated that we would have to obtain sealed bids for the construction of a new pool.

A motion was made by Willey, seconded by Nowowiejski, to authorize a budget amendment for the additional cost to repair the leaks at Wiggins Pool discovered by Commercial Swim Management after performing the leak detection inspection. Upon vote, motion carried as follows:

For	Against	Absent
McMillian, Nowowiejski, Willey	Jones	Miller

ORDINANCES AND RESOLUTIONS:

Consider an ordinance on second and third/final reading changing the zoning classification of 2702 and 2708 Avenue C, being Block 13, Lot Part 2, 3, and 4, of the Hillcrest Addition, from M-H Manufactured/Mobile Home District to R-3 Multi-family Residential District.

Director of Development Services, Tim Murray, stated that on March 22, 2022, City Council Meeting, the zoning request was approved for R-3 Multi-family Residential District rather than a C-1 Local Business District. It was requested by Council for the other properties in this neighborhood to change the zoning from C-1 to R-3 because the neighborhood consists of residential property. The additional rezone requests will be discussed with property owners in the neighborhood, taken to the Planning and Zoning Commission for consideration, and then back to the City Council for ratification.

Mayor Haynes asked the City Secretary to read the ordinance. After the reading of the ordinance, a motion was made by McMillian, seconded by Jones, to approve the ordinance

on second reading changing the zoning classification of 2702 and 2708 Avenue C, being Block 13, Lot Part 2, 3, and 4, of the Hillcrest Addition, from M-H Manufactured/Mobile Home District to R-3 Multi-family Residential District. Upon vote, motion carried unanimously.

A motion was made by Willey, seconded by Nowowiejski, to approve the ordinance on third/final reading changing the zoning classification of 2702 and 2708 Avenue C, being Block 13, Lot Part 2, 3, and 4, of the Hillcrest Addition, from M-H Manufactured/Mobile Home District to R-3 Multi-family Residential District. Upon vote, motion carried unanimously.

ORDINANCE NO. 22-06

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF BROWNWOOD, TEXAS, CHANGING THE ZONING CLASSIFICATION OF 2702 AND 2708 AVENUE C, BEING BLOCK 13, LOT PART 2, 3, AND 4, OF THE HILLCREST ADDITION, FROM M-H MANUFACTURED/MOBILE HOME DISTRICT TO R-3 MULTI-FAMILY RESIDENTIAL DISTRICT; PROVIDING A SEVERABILITY CLAUSE; A SAVINGS CLAUSE; AND SETTING AN EFFECTIVE DATE.

Consider declaring fifty used water meters as surplus property and authorizing the donation of the water meters to the City of Carbon, Texas.

Public Works Director, Henry Wied, stated that the recent wildfires devastated the small town of Carbon. The City of Carbon reached out to our Water Department requesting 50 used meters so that they could replace the ones in their system that were destroyed. The department would usually scrap these meters for approximately \$2.87 each making the value of the donation approximately \$143.50.

A motion was made by McMillian, seconded by Nowowiejski, to approve the resolution declaring fifty used water meters as surplus property and authorizing the donation of the water meters to the City of Carbon, Texas. Upon vote, motion carried unanimously.

RESOLUTION NO. R-22-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BROWNWOOD, TEXAS, DECLARING FIFTY WATER METERS AS SURPLUS AND DONATING THEM TO THE CITY OF CARBON, TEXAS.

APPOINTMENTS

Consider ratification of Mayoral appointments to the Library Board.

Mayor Haynes stated that Councilmember Nowowiejski sits on the Library Board and has recommended the following: Reappointment of Amber Shugre, replacement of Alexandra Arredondo with Raul Garcia, and replacement of Ruth Smith with Eva Bush. The terms are three years and would expire on December 31, 2024.

A motion was made by Willey, seconded by McMillian, to ratify the Mayoral appointments to the Library Board. Upon vote, motion carried unanimously.

REPORTS:**Keep Brownwood Beautiful**

KBB Board President, Julia Rodriguez-Areola, and KBB Director, Pilar Roy, reported that they have a full board with nine new members. They have re-branded and have been working on getting that out on social media. They continue to work on litter prevention and cleanup, recycling, education, and beautification. They are launching two new programs 1) Neighbor to neighbor – to help those who may get a Code violation and are elderly, disabled, a veteran, or those considered in high need of help. 2) Pop-up clean-up – a way for citizens to volunteer to clean up for one hour, once a month, and can be a group or family wishing to help. 3) They are implementing an ambassador program to teach about litter prevention and recycling. She noted that they are continuing the recycling program in town every first and third Saturday. This month they are partnering with Kohler to plant new flower beds. Last month they partnered with Howard Payne University for a clean-up day in one of the parks. KBB will also partner with 3M Company for a recycling day.

Mayor Haynes stated that beautification is very important to the Council and thanked KBB for their improvements.

City to be closed for Good Friday, April 15, 2022.**EXECUTIVE SESSION**

Council convened into Executive Session at 10:05 a.m., in the Haynes Conference Room, pursuant to the provisions of the Open Meetings Law, Chapter 551, Government Code Vernon's Texas Codes Annotated, in accordance with the authority contained therein to discuss the following:

Section 551.074 – Personnel Matters

- A. Consider a candidate for the Information Technology Director.

Section 551.072- Deliberations Regarding Real Property**Section 551.087- Deliberation Regarding Economic Development Negotiation**

- B. Discuss and consider a request for incentives and use of city property located off FM 45 for a private business purpose.

Council reconvened into open session at 10:38 a.m.

ACTION TAKEN AS A RESULT OF THE EXECUTIVE SESSION:**Section 551.074 – Personnel Matters**

- A. A motion was made by Willey, seconded by Nowowiejski, to ratify the City Manager's appointment of Dana Sons as the new Information Technology Director. Upon vote, motion carried unanimously.

Section 551.072- Deliberations Regarding Real Property**Section 551.087- Deliberation Regarding Economic Development Negotiation**

Requestor, Curtis Powell, addressed the Council and discussed his plan to put in a motor cross track on the City of Brownwood property located off FM 45. He stated that he wanted to make several different track sizes for different age groups and rider experience. He also

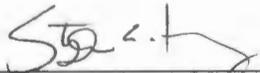
had an area mapped out for parking that included RV spaces. Mr. Powell stated that he would lease the property for \$1 per year plus gate revenue for five years, then it would increase once everything was established. He stated that he and his sponsors could begin clearing areas by hand and asked the City for help clearing the denser areas with City machinery. Mr. Powell stated that there have been a lot of motor cross tracks being built and thought that Brownwood would be a prime location.

Councilmembers expressed their concerns over a low return on such a large investment on the City's part, disturbing the current leases on the property, and the overall cost to the City for such a large project. They asked Mr. Powell why he didn't buy land on which to construct the tracks. Mr. Powell stated that he did not have the funds.

B. No action was taken on this item.

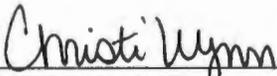
ADJOURNMENT:

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



STEPHEN E. HAYNES, Mayor

ATTEST:



CHRISTI WYNN, City Secretary