

**REGULAR CALLED MEETING
City Council
May 25, 2021**

The City Council of the City of Brownwood, Texas, met in a Regular Called Meeting on Tuesday, May 25, 2021, 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	:	Council Member Ward 1
Ed McMillian	:	Council Member Ward 2
Melody Nowowiejski	:	Council Member Ward 3
Draco Miller	:	Council Member Ward 4
Walker Willey	:	Council Member 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.

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

PLEDGE OF ALLEGIANCE: Pledge of Allegiance was led by Council Member Nowowiejski.

INVOCATION: Invocation was given by Council Member Miller.

ITEMS TO BE WITHDRAWN: None

INTRODUCTIONS, ANNOUNCEMENTS, AND RECOGNITIONS: None

CITIZENS PRESENTATIONS: Jesse Laing, representing Strategic Alliance for Leadership and Social Action (SALSA), requested funding for additional improvements to Wiggins Park. SALSA plans to raise funds to make some additions to the park, like a new sign. Revitalize Our Community has pledged the addition of a drinking fountain. SALSA requests the city to contribute \$50,000 to be used towards a shelter/pavilion and a multi-purpose wall. Mayor Haynes stated that he was told by SALSA members that the order in which they wished to accomplish the park improvements was the multi-purpose wall, then the shelter/pavilion. Mr. Laing stated that is correct.

APPROVAL OF MINUTES:

A motion was made by Willey, seconded by McMillian, to approve the minutes of the Regular Called Meeting on May 11, 2021, and Special Called Meeting on May 11, 2021, as presented. Upon vote, motion carried unanimously.

CLAIMS AND ACCOUNTS:

Purchaser/buyer, Jenny Yazell, was available for questions regarding the checklist. A motion was made by McMillian, seconded by Miller, that the Claims and Accounts dated through May 21, 2021, be approved for payment as submitted. Upon vote, motion carried unanimously.

REQUESTS AND PRESENTATIONS:

Consider three payment options for a storm recovery charge in an amount of \$269,238.54.

City Manager, Emily Crawford, stated that the extraordinary February winter storm has resulted in some of the highest Energy and Ancillary Service Charges ever experienced by electric consumers in ERCOT. Since the City of Brownwood is a member of the Texas Coalition for Affordable Power (TCAP), our energy costs remained stable throughout the winter storm event. However, the impact of the storm resulted in high Ancillary Services costs that are billed to us under the agreement between the City of Brownwood and Gexa Energy. Our storm recovery charge amount is \$269,238.54 and this charge will be billed on our WWTP Gexa account. We were provided three options to pay this charge. If we want to take a more conservative, but more costly approach, then we should choose one of the payout options. Option 1: Pay the entire amount by June 4, 2021. Option 2: Pay the charges monthly beginning with the invoice for June 2021 usage and continuing through December 2022. The monthly additional charge would be \$14,493.63. This amount over the term would cost the city a total of \$275,389.42, which includes interest in the amount of \$6,150.88. Option 3: Pay the charges monthly beginning with the invoice for June 2021 usage and continuing through December 2028. The monthly additional charge would be \$4,049.08 and would cost the city a total of \$368,466.28, which includes interest in the amount of \$99,227.74. Currently we have 100 days of operating reserves. If we pay this charge in full, it will reduce the reserves by 2.7 days. We are expecting our Coronavirus Relief Funds by the end of July. We should be adding approximately \$512,615 to our reserves from these funds, which could be used to reimburse ourselves for this payment. Council Members asked what would happen if we refused to pay the fee. Mrs. Crawford stated that our contract with TCAP would be terminated. She explained that there may be legislative action at a later date that could allow TCAP to reimburse the funds. Mayor Haynes recommended paying the amount in full since we are in a good financial position.

A motion was made by Miller, seconded by Jones, to pay the entire amount of \$269,238.54 by June 4, 2021. Upon vote, motion carried unanimously.

ORDINANCES AND RESOLUTIONS:

Consider a resolution declaring surplus property and declaring disposition of items.

Director of Utilities, Henry Wied, presented a City-wide surplus list. He stated that there are a variety of surplus vehicles, equipment, and furniture in various states of condition. The request to council is to allow these vehicles, equipment, and furniture to either be sold, scrapped, donated to a nonprofit or advertised for public auction. Mrs. Crawford stated that there were some items that the Fire Department would like to donate to the Zephyr Volunteer Fire Department, such as bunker gear and items that our department has replaced. There is also a request from Greenleaf Cemetery to look through items before auctioned to see if they are of any use to them. Mayor Haynes requested items that are not sold and are requested for donation to come back to Council for approval. There was discussion regarding the shed structures on the list and why they were not being utilized somewhere else in the city. Mr. Wied stated that they are very difficult to dismantle and reassemble in a different location and did not feel they were of good enough quality to be

permanent structures. The Council asked if one of them could be used to cover the Jetter truck as it has been requested several times for it to be under a structure. Mr. Wied stated that it would cost more money to retrofit for that purpose than it would be worth.

A motion was made by McMillian, seconded by Jones, to approve the resolution declaring the items as surplus. Upon vote, motion carried unanimously.

RESOLUTION NO. R-21-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BROWNWOOD, TEXAS, DECLARING THE ITEMS LISTED IN THIS RESOLUTION AS SURPLUS PROPERTY AND AUTHORIZING THE DISPOSITION OF SAME.

APPOINTMENTS:

Consider ratification of Mayoral appointments to the Library Board.

Mayor Haynes requested the replacement of Karen Adams with Walter Allen, and Larry Mathis with Melody Nowowiejski. Both are filling unexpired terms through December 31, 2022.

A motion was made by McMillian, seconded by Miller, to ratify the Mayoral appointments to the Library Board as presented. 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 Willey, seconded by McMillian, to approve the item on the Consent Agenda as presented. Upon vote, motion carried unanimously.

Consider ratification of the Brownwood Municipal Development District Board action to approve a Building Improvement Incentive Program (BIIP) grant and infrastructure incentive to Harper's Food Store, LLC not to exceed \$30,723 for a property located at 508B N. Center.

REPORTS:

COVID-19 and Fiscal Review

Health Department Administrator, Lisa Dick, stated that there has been a significant decrease in the number of cases. Last week, there were four new cases reported and only one active case. There was one death. The Health Department continues to give vaccines. They are also working with local businesses to hold clinics at their location for their employees. They will be vaccinating at 3M and the Brown County Jail later today. Mrs. Dick stated that the City Council approved almost \$68,000 but the actual costs are about \$45,000. The City Manager recommends re-imbursing ourselves for this amount with the Corona Relief Funds when we receive them. We will be billing the County for their amount in the coming weeks.

City will be closed for Memorial Day, Monday, May 31, 2021.

REQUESTS AND PRESENTATIONS:

Tami Rodgers with TNR Brownwood will present a petition that was circulated regarding the cat colony in Riverside Park.

Mayor Haynes stated that the two issues we are struggling with are: 1) the population of feral cats living in City parks; 2) the population of feral cats in the whole City. We have had people building structures for the cats in the parks and feeding them. The city has received many complaints regarding the number of cats in parks, and feces around children play areas. We have asked TNR Brownwood to help remove the cats from the public parks including removal of structures and to stop feeding them. The city has not instructed for the cats to be euthanized. We did ask for the cats to be removed from Riverside Park in a humane manner. Mayor Haynes asked for proposals for solutions. The Council is open to contributing to the solution once one has been agreed upon.

Tami Rodgers stated that she is working on a proposal to address the whole City and may have it ready to present by the next meeting. She stated that they have an online petition that produced many electronic signatures, a lot of them were not from Brownwood. She requested to cease removal of the remaining Riverside Park cat colony and recommended the following :

- Cats currently at the park will be cataloged and vaccination records will be kept.
- Any new cats will be immediately trapped, neutered, vaccinated, and returned to the park as long as the numbers are acceptable.
- The colony size will be maintained at or less than 25 cats. Friendly cats will be put up for adoption through either the Corinne T Smith Animal Center, or the TNR Brownwood Facebook page. Feral cats will be made available as working cats to anyone who needs pest control and will agree to provide food, water, and shelter. They will continue to offer barn cats even if the colony size is acceptable.
- Complaints about the cats should be directed to TNR Brownwood. They will work with the public to resolve complaints.

Those that spoke in favor of keeping cats at Riverside Park are as follows:
Heather (Shane) Huff – stating that she visits the cats for therapy.

Steve Harris – encouraged Council to invest in the TNR program, educating citizens about not feeding, register the different cat colonies, and designating an area of town for a cat sanctuary.

Teenya Thomas asked what the role of the animal shelter was and stated that if the shelter closes, it will become a city issue. She asked if a cat sanctuary is chosen, how do you make them stay in that area, as cats are territorial.

Terry Igou spoke about the feral cats in Festival Park and how the population has not grown.

Amber Longley informed the Council that no kittens have been born at Riverside Park in a year. She received complaints that a bench was removed where people liked to come feed and visit the cats.

Monica Frenden with American Pets Alive spoke in favor of the TNR program.

Charity McCluskey spoke about having a healthy colony or a sick colony. She suggested three steps towards lowering the feral cat population. 1) Educate the public; 2) Mandatory spay/neuter of all pets; and 3) A low cost spay / neuter program.

Tami Rodgers read a letter from Katie Wishowski who used to live inside Riverside Park when her husband was employed at the city. She witnessed people dumping animals a lot.

Council Member Miller spoke about City Parks being for people, not for cats, as citizens of Brownwood paid for the new park equipment. He stated that we have bigger issues to tackle, like homeless humans. He asked everyone to be respectful of one another. The city gives a subsidy to the Animal Shelter but does not want to micro-manage what is done. He asked for a solution to be presented for the Council to consider. Mayor Haynes concurred.

EXECUTIVE SESSION:

Council convened into Executive Session at 11:40 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 551.071 – Consultation with Attorney

A. Fire Meet and Confer Agreement

Section 551.074 – Personnel Matters

B. Appointment of Public Works Division Director

Council Member Willey was not present during Executive Session but was back in time for the vote. Council reconvened in the Council Chambers at 11:58 a.m.

ACTION TAKEN AS A RESULT OF THE EXECUTIVE SESSION:

Section 551.071 – Consultation with Attorney

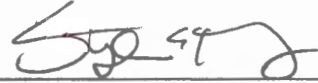
A. No action taken.

Section 551.074 – Personnel Matters

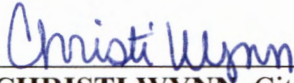
B. A motion was made by Miller, seconded by Jones, to ratify the City Manager's recommendation to appointment Henry Wied as the Public Works Division Director. Upon vote, motion carried unanimously.

ADJOURNMENT:

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



STEPHEN E. HAYNES, Mayor

ATTEST:

CHRISTI WYNN, City Secretary