

REGULAR CALLED MEETING
City Council
August 9, 2022

The City Council of the City of Brownwood, Texas, met in a Regular Called Meeting on Tuesday, August 9, 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
Draco Miller	:	Councilmember Ward 4
Walker Willey	:	Councilmember Ward 5
Emily Crawford	:	City Manager
Pat Chesser	:	City Attorney
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 Councilmember Jones.

INVOCATION: Invocation was given by Councilmember Miller.

ITEMS TO BE WITHDRAWN: None

INTRODUCTIONS, ANNOUNCEMENTS, AND RECOGNITIONS: None

CITIZENS PRESENTATIONS:

Charles Thompson II spoke about a nation-wide water filtration and transfer project.

APPROVAL OF MINUTES:

A motion was made by Nowowiejski, seconded by Miller, to approve the minutes of the Special Called Meeting on July 20, 2022; the Canceled Meeting on July 21, 2022; and the Regular Called Meeting on July 26, 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 Willey, seconded by McMillian, that the Claims and Accounts dated through August 5, 2022, be approved for payment as submitted. Upon vote, motion carried unanimously.

PUBLIC HEARING:

Conduct a public hearing and consider an ordinance on first reading regarding amendments to the City's zoning ordinance, Chapter 98 of the Code of Ordinances, regarding the placement of Wireless Telecommunication Facilities, including Towers.

Mayor Haynes opened the public hearing.

City Attorney Chesser explained that this is an amendment to the zoning ordinance regulating Wireless Telecommunications Facilities (WTF) and Towers and their placement. In a prior meeting, a moratorium on the approval of any building permits for a WTF located on a tower. This is the last month of that moratorium. This ordinance went before the Planning and Zoning Commission, and they unanimously adopted and recommended it to Council. Mr. Chesser went over the changes as follows: Clean-up for Section I. Ordinance Amendment. (a) is hereby amended to add zoning districts, including CO commercial office districts and A-1 agricultural districts, where WTFs located on towers may be permitted by special exception. (1) WTFs located on towers shall be permitted as a conditional right of use in the M-1 restricted industrial district and the M-2 industrial district, subject to the conditions and restrictions contained in the ordinance, and as a permitted use by special exception in the CO commercial office district, CN commercial neighborhood district, C-U college/university district, C-1 local business district, C-2 general business district, C-2A downtown business district and A-1 agricultural district. (b) Section 98-721(a)(2) is hereby amended to add zoning districts, including CO commercial office districts and A-1 agricultural districts, where WTFs for commercial use, not attached to towers may be permitted as a conditional right of use, subject to conditions and restrictions, and clarifying the definition of residential districts where WTFs may be permitted by special exception. (c) Section 98-721(b) is hereby amended to add residential zoning districts, including R-1B and RR residential rural designations, where WTFs attached to towers are prohibited from being constructed. (d) Section 98-741(a)(14) is hereby amended to add a minimum distance requirement for WTFs, either on a tower or not attached to a tower, equal to at least two hundred (200) feet or three hundred percent (300%) of the height of the WTF or tower, whichever is greater, from the nearest residential district boundary line and/or nearest structure used for or designed for residential purposes, including, without limitation, duplexes, multi-family structures, and other residential structures. (e) Section 98-741(b)(3) is hereby amended to add A-1 agricultural zoning districts where antennas for commercial use, not attached to a tower, are permitted as a conditional use, and removing the requirement that a special exception is required to be in a commercial district. The chart of permitted uses was changed to reflect all areas discussed.

Mayor Haynes asked if there was a need to define towers beyond Wireless Telecommunication. Mr. Chesser stated that this ordinance only addresses WTFs, but we do have other ordinances addressing other types of towers. Mayor Haynes asked if this ordinance could extend into the extra territorial jurisdiction (ETJ). Mr. Chesser stated that zoning requirements do not apply to the ETJ.

Mayor Haynes closed the public hearing and asked the City Secretary to read the ordinance. After the reading of the ordinance, a motion was made by McMillian, seconded by Miller, to approve the ordinance on first reading regarding amendments to the City's zoning ordinance, Chapter 98 of the Code of Ordinances, regarding the placement of Wireless Telecommunication Facilities, including Towers. Upon vote, motion carried unanimously.

ORDINANCE NO. 22-

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF BROWNWOOD, TEXAS, BY AMENDING CHAPTER 98 OF THE ZONING CODE WITH REGARD TO THE PLACEMENT OF WIRELESS TELECOMMUNICATIONS FACILITIES; PROVIDING A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

AGREEMENTS AND CONTRACTS**Consider Approval of a five-year (60 month) operating lease with Spectrum VoIP, Inc. for hosted VoIP services and Yealink Phone System.**

Information Technology Director, Dana Sons, stated that the Information Technology Department has been researching and reviewing phone system solutions and vendors to upgrade the aging equipment to meet the needs of the City of Brownwood. The current City Hall Avaya phone system 5-year lease with Sharco Technologies, Inc. expired in February 2021. Since that time, the City of Brownwood has been on a month-to-month lease. The new lease with SpectrumVoIP, Inc. will replace equipment currently in use and upgrade the operating system and components with additional soft-phone features. The soft-phone feature will allow employees to use the phone services while working from other locations as long as there is Wi-Fi connectivity. SpectrumVoIP has been vetted as a contracted vendor through the State of Texas Department of Information Resources (DIR) Contract and Buy Board Purchasing Cooperative. The migration of the current system will begin in August 2022 and will upgrade City Hall, Health Department, Service Center, Senior Citizen Annex, Adam Street Community Center, Lehnis Railroad Museum & Visitor Center, and the Central Fire Station. The Police Department and Municipal Court are still under contract but will be changed when possible. Mayor Haynes asked if there would be any budget increases. Mrs. Sons stated that there would be a small increase of around \$1,500 over five years or \$300 per year.

A motion was made by Willey, seconded by Jones, to approve a five-year operating lease with Spectrum VoIP, Inc. for hosted VoIP services and Yealink Phone System. Upon vote, motion carried unanimously.

Consider authorizing the Mayor to sign the updated Brown County Emergency Operations Plan.

Assistant Fire Chief, Jody Horton, stated that on April 22, 2003, Resolution No. R-03-13 established the Brownwood/Brown County Management Organization. That agreement requires that there be a Comprehensive Emergency Plan in place to guide responders to emergency incidents. Recently the Brownwood/Brown County Emergency Manager made updates to the existing emergency plan and entered the plan into a new virtual emergency management software called Veoci (Virtual Emergency Management Center Software). When changes are made to the plan it is required to be re-signed by each participating entity. The plan updates have recently been approved by the County, the City of Early, and the City of Bangs. The new plan is 813 pages, and a digital copy can be provided for review.

The Brownwood/Brown County Emergency Manager, Darrell Johnston, stated that the move to virtual management software is being recommended by The Texas Department of Emergency Management. They contribute the funding for this program and recommend obtaining approval from all involved entities. The plan is in draft form at this time and will be put online once approved by all Brown County entities. The online version makes the plan easier to use and will be searchable. This plan will include mutual aid agreements and cost sharing agreements. Training will be given once the plan is in place.

Mayor Haynes expressed concern that the members of Council have not read the document and therefore do not know exactly what is being agreed upon. Information regarding whether there had been any changes to the cost-sharing aspects of the agreement that might result in additional financial burdens for the City was also not available.

No action was taken, and the item will be brought back at the next meeting after further review and when Fire Chief, Eric Hicks, could be in attendance.

Consider authorizing the City Manager to sign a service agreement with UniFirst to provide uniforms for City employees.

Assistant City Manager, Marshal McIntosh, stated that the existing uniform agreement that was originally initiated with Ameripride in 2019 and was later taken over by Aramark is approaching its expiration date of August 27, 2022. City personnel have been working to establish a new service agreement with UniFirst because of an overall cost saving. The new agreement with UniFirst will be for 36 months and will include a fixed 3% annual increase per year. The UniFirst location that will be servicing us is in Abilene, Texas. We will be securing this agreement through BuyBoard Purchasing Cooperative.

City Manager, Emily Crawford, stated that we are trying something new as some departments would prefer changing from the uniform service to purchasing City logo shirts and pants.

A motion was made by Nowowiejski, seconded by McMillian, to authorize the City Manager to sign a service agreement with UniFirst to provide uniforms for City employees. Upon vote, motion carried unanimously.

Consider awarding an engineering contract to Enprotec / Hibbs & Todd, Inc. (eHT) for the 2021 American Rescue Plan Grant TX0225.

Assistant City Manager, Marshal McIntosh, stated that we are seeking an engineering service provider to assist the City in the overall implementation of proposed ARPA-Coronavirus Local Fiscal Recovery Fund project(s). City Staff solicited Requests for Purchase of Engineering Services from eight engineering service providers. Two proposals were received from Jacob and Martin, and Enprotec / Hibbs & Todd, Inc. (eHT). Staff is recommending Enprotec / Hibbs & Todd, Inc. because we have a great relationship established. They are a civil, municipal, environmental, and geotechnical engineering firm with offices in Abilene, Granbury, and Lubbock. Their staff consists of engineers, surveyors, geologists, scientists, construction material lab technicians, and field operations

professionals. The first and most high-priority project will be the Riverside Park road reconstruction project. The awarding of the engineering contract covers this specific project, and any/all prospective ARPA projects.

A motion was made by Willey, seconded by Nowowiejski, to award an engineering contract to Enprotec / Hibbs & Todd, Inc. (eHT) for the 2021 American Rescue Plan Grant TX0225. Upon vote, motion carried unanimously.

Consider authorizing the City Manager to sign an agreement with Justice Benefits Inc. (JBI) to investigate Federal Reimbursement Program funds.

Brownwood/Brown County Health Administrator, Lisa Dick, stated that this contract was approved two years ago, but due to the pandemic, JBI was never able to conduct their cost-saving research. The new contract with JBI will review current Health Department practices to investigate opportunities for additional Federal Reimbursement Programs. JBI will receive 15% of funds identified through their process.

A motion was made by Nowowiejski, seconded by Jones, to authorize the City Manager to sign an agreement with Justice Benefits Inc. (JBI) to investigate Federal Reimbursement Program funds. Upon vote, motion carried unanimously.

EXECUTIVE SESSION:

Council convened into a closed Executive Session at 10:00 a.m. in the Haynes Conference Room, pursuant to the provisions of the Open Meetings Law, Chapter 551, Government Code Vernon's Annotated, in accordance with the authority contained in the following section:

Section 551.074 – Personnel Matters

City Manager's annual evaluation

Council reconvened into open session at 10:45 a.m.

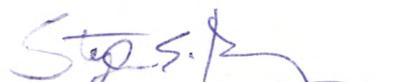
ACTION TAKEN AS A RESULT OF THE EXECUTIVE SESSION:

Section 551.074 – Personnel Matters

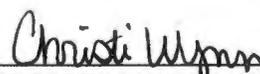
No action taken.

ADJOURNMENT:

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


STEPHEN E. HAYNES, Mayor

ATTEST:


CHRISTI WYNN, City Secretary