

**NOTICE OF REGULAR MEETING
CITY OF BROOKSHIRE – CITY COUNCIL**

The Board of Aldermen of the City of Brookshire will conduct a Regular Meeting on **Thursday, August 3, 2023, at 7:00 PM in the Council Chambers of the Brookshire Municipal Building, 4029 5th Street.** This Notice and the Agenda are posted online at:

www.brookshiretexas.org

A recording of the meeting will be made available to the public in accordance with the Open Meetings Act upon written request.

AGENDA

- (1) Call to order.
Laketra Glover Time: 7:00 pm
Mayor Branch: here
Mayor Pro Tem Hill: present
Alderman Branch: here
Alderman McAnelly: absent
Alderman Taylor: here
Alderman Neuendorf: present

- (2) Prayer & Pledge.
Prayer: Sherri Brandt
Pledge: The Body

- (3) Public comments.
1. Ruth Abigail Rodriguez – speaks to the city council members – the constituent from the City of Brookshire. She stated that as an American, she demands freedom from oppression. I demand all my grievances be honored through our city and hope all can understand my legitimate and unavoidable impatience. She demanded action be taken for the grievance process for the oppressed and then let them speak.

- (4) Department Head Reports. The following persons may provide an update to the Council regarding monthly activity in the respective department, but the Council may not discuss the report unless it relates to an item on the Agenda:
- a. Police Chief – Chief Miller- we appreciated the laptops, body camera systems
 - b. Public Works Director – Mr. Kelley – waiting on 811 to locate, on First Street to locate some gas lines. There were a couple of big trees, which had fallen, plus trash to be removed from Hovas Park. They were requesting 4 roll-offs to take care of the removal of the trash.
 - c. Code Enforcement Officer – Mayor spoke for him. Still in the process of becoming certified.
 - d. Municipal Court Director – Presented during executive session
 - e. Mayor -- state we're just trying to keep moving forward.

**THE CITY COUNCIL WILL DISCUSS AND TAKE POSSIBLE ACTION
REGARDING THE FOLLOWING ITEMS:**

- (5) Approval of Council Meeting Minutes: **May 18, June 30, and July 6, 2023.**
Motion: Alderwoman Neuendorf approved the council minutes as presented May 18, June 30 and July 6, 2023
Second: Alderwoman Taylor
For: Mayor Pro Tem Hill, Alderwoman Branch
Approved Mayor Branch Motion Carried
- (6) Authorizing Hotel Motel Grant request by Brookshire Bonified. (Henry Lasker) Justin Pruitt (City Attorney) that is benefits the hotels around the event and receipts
Motion: Mayor Pro Tem Hill moved to authorize Hotel Motel Grant request by Brookshire Bonafide not to exceed \$4815 subject to application and receipts.
Second: Alderwoman Neuendorf
For: Alderwoman Taylor, Alderwoman Branch
Approved Mayor Branch Motion Carried
- (7) Considering a request of the Brookshire Youth Sports League for various improvements to Hovas Park. (Mr. Daniel Jenkins)
No Action

- (8) Considering **Resolution 1468** – Granting approval of a Final Plat for the Twinwoods Substation, generally located at the southeast corner of the intersection of FM 1489 and Lakeside Drive.
CenterPoint Energy returned with officials regarding the 5% equivalent park dedication and waiver of the sidewalks easement. The equivalent is \$37,558.50.
Motion: Mayor Pro Tem Hill motions that we approve Resolution 1468 with the two conditions discussed
Second: Alderwoman Neuendorf
For: Alderwoman Taylor, Alderwoman Branch
Approved Mayor Branch Motion Carried
- (9) Consider **Ordinance 23-716-15** – Amending the Subdivision regulations to allow minor encroachments in certain circumstances without a variance.
Justin Pruitt (City Attorney) will be kept on file at City Secretary's office and will allow administrative staff to review and get administrative approval.
Motion: Mayor Pro Tem Hill motion, we approved Ordinance 23-716-15 and requested Agenda Item 10.
Second: Alderwoman Neuendorf
For: Alderwoman Taylor, Alderwoman Branch
Approved Mayor Branch Motion Carried
- (10) Consider a request for a variance to allow minor encroachments to a building setback line for a residential structure on 2 Donna Court.
See above Agenda Item 9
- (11) Authorizing Bureau Veritas to provide reports on the first score, complete inspection reports from the last inspections, and regular postings of ratings and inspection reports on the City's website. (Mayor Pro Tem Hill)
Motion: Mayor Pro Tem Hill motion that we authorize Bureau Veritas to provide reports on the first score, complete inspection reports from the last inspections, and regular postings of ratings and inspection reports on the City's website
Second: Alderwoman Neuendorf
For: Alderwoman Taylor, Alderwoman Branch
Approved Mayor Branch Motion Carried

Recess was taken at 9:31 pm.

- (12) Reviewing the City's Code of Ordinances regarding regulations for shipping containers and storage containers. (Alderwoman Branch)
No Action

- (13) Reviewing the City's Code of Ordinances regarding property maintenance and enforcement. (Alderwoman Taylor)
No Action
- (14) Awarding alternate bid items to James W. Turner Construction for GLO CBDG-DR project Contract #19-076-052-B705. (GrantWorks)
Motion: Alderwoman Branch approved Awarding alternate bid items to James W. Turner Construction for GLO CBDG-DR project Contract #19-076-052-B705.
Second: Mayor Pro Tem Hill
For: Alderwoman Neuendorf, Alderwoman Taylor
Approved Mayor Branch Motion Carried
- (15) Authorizing the Mayor to execute a professional services agreement for Bleyl Engineering to determine proposed costs for a three-phase street repair project based on the 2020 Comprehensive Plan (Mayor Pro Tem Hill)
No Action
- (16) Posting a request for qualifications for engineering services related to ARPA funded street projects in the City. (Mayor Pro Tem Hill)
No Action
- (17) Authorizing the rental of a truck to clean out culverts in the City. (Alderwoman Branch)
Motion: Alderwoman Branch moved to authorize the mayor to seek a bid from Double Oak for the same scope as the Tell quote, and if they can't perform the work or are higher in the quote, then allowed the mayor to approve the Tell bid. If, Double Oak can do the job. We bring it back before the council.
Second: Alderwoman Hill
For: Alderwoman Neuendorf, Alderwoman Taylor
Approved Mayor Branch Motion Carried
- (18) Setting the date for a public hearing regarding the substandard properties located at: 1023 Rouse Street; 1113 Rouse Street; 1216 Velasco Street; 3203 3rd Street; and, 4039 11th Street.
Motion: Mayor Pro Tem Hill directed Olson & Olson to work with staff to ensure proper notice and then the next available meeting.
Second: Alderwoman Branch
For: Alderwoman Neuendorf, Alderwoman Taylor
Approved Mayor Branch Motion Carried

- (19) Considering **Ordinance 23-714-15** – Amending Sections 8-93, 8-94, and 8-95 of the Code of Ordinances to allow veterinarians to distribute rabies tags and enforce rabies regulations. (Alderman Neuendorf)
Tabled, until further notice
- (20) Determination of surplus equipment of the Police Department, including vehicles, and the sale, auction, or disposal of the equipment. (Chief Miller)
No Action
- (21) Purchasing of two vehicles by the Police Department. (Chief Miller)
Chief Miller requesting to consider budgeting for two new vehicles as we enter the cycle. No Action
- (22) Entering into a professional services agreement with HDL for the administration of Sales Tax and Hotel Occupancy Tax. (Mayor Pro Tem Hill)
Ms. Vikers with HDL – Sales Tax may take a month to get setup and Hotel Occupancy Tax setup will be (2-3) months.
Motion: Mayor Pro Tem Hill motion that we approve the professional services agreement with HDL for the administration of Sales Tax and Hotel Occupancy Tax.
Second: Alderman Neuendorf
For: Alderman Taylor, Alderman Branch
Approved Mayor Branch Motion Carried
- (23) Reporting on all festivals from Christmas, 2022 to July 4, 2023, to include income and expenditures, such as all invoices, receipts, and deposit slips. (Mayor Pro Tem Hill). Tabled next agenda
- (24) Considering **Ordinance 23-717-15** – Setting the City's Fiscal Year to be October 1 through September 30.
Motion: Alderman Branch approves **Ordinance 23-717-15**, Setting the City's Fiscal Year to be October 1 through September 30.
Second: Alderman Neuendorf
For: Alderman Taylor, Mayor Pro Tem Hill
Approved Mayor Branch Motion Carried

(25) Adopting the proposed 2023 Budget and Tax Rate Schedule and accepting the Certified Taxable Values from the Waller County Appraisal District.
Table to next agenda

(26) Invoice payments and reports.

Motion: Mayor Pro Tem Hill motion to approve all invoices except: 1. Sparklets invoice (PD), 2. Tyler Tech for maintenance for taxes but no details, 3. Cliff Jones RV (Public Works) invoice had sales tax, 4. Brookshire Brothers National Day of Prayer receipt does not clarify what budget line item this is coming out of.

Second: Alderwoman Neuendorf

For: Alderwoman Taylor

Abstain: Alderwoman Branch

Approved Mayor Branch Motion Carried

(27) Request for Future Agenda Items.

Alderwoman Neuendorf – None at this time

Discussion and possible action regarding extending time for water park closing to the end closer to October instead of after Labor Day (Alderwoman Taylor).

Discussion and possible action Funding View Software (Mayor Pro Tem Hill).

Discussion and possible action EZ task website proposal (Mayor Pro Tem Hill).

Discussion and possible action purchase a vehicle for code enforcement office purposes (Mayor Pro Tem Hill).

Discussion and possible action outlawing flags for business signage (Alderwoman Branch).

Discussion and possible action purchasing more tables and chairs for the convention center (Alderwoman Branch).

(28) Council Reports and Community Announcements.

Aldерwoman Neuendorf: Royal FFA is being represented by Jaylyn Danz for Waller County Fair Queen, and she is actively selling season passes and super passes for the upcoming fair.

Aldерwoman Taylor: None at this time

Mayor Pro Tem Hill: Amphitheater is complete. Bostick Park will be completed this week and will start on Longenbaugh Park soon. The schedule for this project will be a week to a week in half to install new equipment.

Aldерwoman Branch: None at this time

(29) **Executive Session.** The City Council will meet in a closed session pursuant to Title 5, Chapter 551, of the Texas Government Code for the purpose of:

- a. Consultation with legal counsel (Section 551.071);
- b. Deliberations on personnel (Section 551.074) regarding the appointment, appeal, employment, evaluation, reassignment, duties, discipline, or dismissal of: **Mr. Anthony Marquez, Mrs. Stephanie Green, Mrs. Yolanda Richards, Mrs. Margie McFarland, the Police Chief, the City Secretary, the Public Works Director, the Municipal Court Director, and the City Administrator.**

Open: 8:22 pm

Closed: 7:03 pm

(30) Discussion and possible action regarding items discussed in Executive Session (if needed).

Margie McFarland – Asked to be on the agenda to see what steps have been taken about the grievance filed about Aldерwoman Branch and the Reprimanded that followed this. Justin Pruitt (City Attorney) stated she is on the agenda to appeal the Reprimanded and that her comments needed to be addressed. Margie McFarland stated that she wanted to know about the appeal she submitted regarding her grievance. She also stated what steps are going to be taken to make sure this doesn't happen in the future to someone else and mentioned that she feels harassed and bullied. What's the proper chain of command? Justin Pruitt (City Attorney) stated the clarification of the personnel policy. A letter of reprimand can be issued under the Personnel policy, and then you can appeal. The next step can be unpaid leave or dismissal, or termination. He also stated that she was issued a reprimand letter by the mayor and placed on file. Mr. Pruitt also stated that the letter must not be issued to the council.

Margie McFarland stated she was here to appeal the reprimand letter, which was based on hearsay from a co-worker (Beatrice Compean) telling Mrs. Branch, a lie about something she said. So basically, she was there because of hearsay and nothing factual. And this was the reason for her appeal. Margie McFarland also stated that Alderwoman Branch got her husband, Mayor Branch, to write her up. Alderwoman Branch stated that Ms. Compean was not the one who told her about the comments, and when she spoke to Margie McFarland agreed with Alderwoman Branch regarding the comments which were said. Margie McFarland said it was an opinion she said. Alderwoman Branch made a statement to apologize to Margie McFarland. And Margie McFarland states, that we should be able to speak freely.

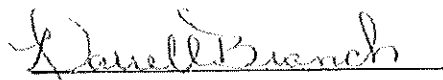
Adjournment.

Motion: Alderwoman Branch motions that we adjourn

Second: Alderwoman Taylor

For: Alderwoman Neuendorf, Mayor Pro Tem Hill

Approved Mayor Branch Motion Carried



DARRELL BRANCH, MAYOR

ATTEST:



NAME [SIGNATURE]

ERICA MOLWA

NAME [PRINTED]