

RESOLUTION NO. 4132

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DENISON, TEXAS ADOPTING A BRICK STREETS PRESERVATION POLICY; PROVIDING A SEVERABILITY CLAUSE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Denison, Texas (the “City”) is a Home Rule Municipality acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, the City Council of the City (the “City Council”) desires to adopt a policy for maintaining and preserving Denison’s historic brick streets; and

WHEREAS, the Brick Streets Preservation Committee has developed a set of guidelines for use by the City in regulating maintenance, preservation, and issues with existing historic City-owned brick streets within City rights-of-way; and

WHEREAS, after careful consideration, the City Council desires to adopt the Brick Streets Preservation Policy, attached hereto as Exhibit “A”, and incorporated herein for all purposes.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DENISON, TEXAS:

Section 1: Findings. The findings set forth above are incorporated into the body of this Resolution as if fully set forth herein.

Section 2: Brick Streets Preservation Policy Adopted. The City Council hereby adopts the Brick Streets Preservation Policy, as provided in Exhibit “A”, as an official policy of the City.

Section 3. Severability. Should any section, subsection, sentence, clause, or phrase of this Resolution be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Resolution shall remain in full force and effect. The City hereby declares that it would have passed this Resolution, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences clauses and phrases be declared unconstitutional or invalid.

Section 4. Open Meetings. It is officially found, determined and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place and subject matter of the public business to be considered at such meeting, including this Resolution was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 5. Effective Date. This Resolution shall be in full force and effect upon its adoption.

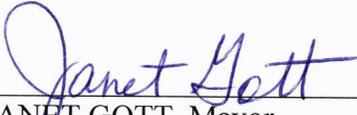
On motion by Council Member Hander, seconded by Council Member Courtright, the above and foregoing Resolution was passed and approved at a Regular Meeting of the City Council of the City of Denison, Texas, on this the 1st day of May, 2023.

Ayes: Hander, Courtright, Thorne, Gott, Doty, Crawley and Spiegel

Nays:

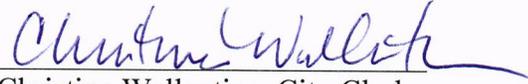
Abstentions:

Absent:



JANET GOTT, Mayor

ATTEST:



Christine Wallentine, City Clerk



Exhibit A
Brick Streets Preservation Policy



Brick Streets Preservation Policy

2023



Moving Forward. Kicking Back.

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1. PURPOSE AND INTENT

The Brick Streets Preservation Plan has been created by a dedicated committee of local citizens and business owners, city leaders and staff as a policy for maintaining and preserving Denison's historic brick streets. It is not intended to be a binding decision on future funding or restoration. The intent of this plan is to provide the City of Denison ("City") with a standard methodology for addressing issues with existing, historic City-owned brick streets within public rights-of way, which account for approximately 0.75 miles of streets located in downtown Denison, TX.

The inventory of Denison's brick streets was assembled from several sources, including the Brick Streets Preservation Committee and a Brick Streets Condition Assessment Report prepared by Applied Research Associates, Inc. These resources supplement the research completed by city staff on other historic brick street preservation programs in place in cities across the United States.

This plan does not establish funding or prioritize brick streets for maintenance; rather, it outlines the process for the treatment of brick streets in the event of utility, streetscape, development projects or other work that may require the removal of a brick surface on City-maintained streets. These projects may be initiated by the City, a developer, a utility provider, or another agency. The City may act singularly or as a partner in the repair, restoration, maintenance and preservation of streets on such projects. This plan does not bind the City to fund or otherwise participate in such projects.

2. HISTORY OF BRICK STREETS

Brick paving began as an experiment in Charleston, West Virginia in 1870 and quickly gained notoriety. Other cities began following suit as brick paving offered a durable, smooth surface that could be easily manufactured and required low maintenance. Brick pavers later became the standard as the process became more refined because they were larger than building bricks, typically weighing between 8-10 pounds, and because they were fired at a higher temperature, it made them more water and corrosion resistant. As bricks became increasingly popular, they were hailed as a municipal necessity and "evidence of progress in civilization."

When bricks began to show signs of wear, they were simply turned over to create a new smooth surface. By the 1920's and 1930's brick paving fell out of favor and concrete became the accepted standard for city-funded street paving.

It has been documented that the City of Denison was ahead of its time as a leader in providing quality streets for its citizens. The City of Denison's first brick street was installed in 1907 and was paid for with funds raised by local businesses, landowners and stakeholders. Brick was first laid from the MKT railroad tracks on the east side to Mirick Avenue on the west side and quickly included both Main Street and Woodard Street. The first carload of bricks arrived on June 28, 1907, from McAlester, I.T. It was estimated that over 200 railcar loads of brick would be needed for the project. Work formally began on August 26, 1907. In September 1907, Denison was featured in *The Dallas Morning News* as one of the first cities in Texas to enter into the work of road improvement in and around the city. Most cities did not begin paving

with brick until the 1920's.

3. BRICK STREETS INVENTORY

The "brick streets" classification includes historic, brick paved streets that have asphalt patches from previous utility work, whether historic or modern. The "brick under asphalt" category refers to streets that may be known to have a brick core that is unseen beneath the asphalt and streets that have been paved with asphalt that is delaminating to reveal bricks below the asphalt but are generally not included in this policy.

The remaining brick streets in Denison are as follows:

- 100 Block of Chestnut Street - 348 feet
- East Woodard Street – 179 feet
- 100 Block of West Woodard Street – 404 feet
- 200, 300, 400 Blocks of West Woodard Street – 1341 feet
- 100 Block of Fannin Avenue – 355 feet
- 200 Block of Rusk Avenue – 215 feet
- 200 Block of Burnett Avenue – 344 feet
- East Main at Traveler's Hotel – 74 feet

4. WHY BRICK STREETS SHOULD BE PRESERVED & MAINTAINED

Denison has the only brick streets located in Grayson County and has one of the largest collections of brick streets in North Texas. From all available research, Denison has the oldest brick streets in Texas, and they serve as important visual links to our deep historic past. The City has become a major motivator in the preservation of its downtown properties, including both businesses and residences, and can further that effort as a large contributor toward the preservation of its brick streets as historic assets. These brick streets have lasted more than 100 years, making them the most cost-effective thoroughfares in Denison.

5. RECOMMENDATIONS TO PRESERVE & MAINTAIN BRICK STREETS

Five categories have been created to describe existing conditions of the brick streets and include a range of restoration recommendations to identify those most appropriate for historic preservation and resurfacing.

Category 1: These brick streets are located in Denison's Downtown Historic District and are so critical to such a historic designation that they should be restored to their original appearance. Disturbing these bricks should be avoided. Rather, these streets should be carefully maintained and replaced to their former appearance should any necessary aforementioned utility repair or City emergency require street cuts. It is recommended, therefore, that additional efforts be prioritized to restore these brick streets in keeping with the historic integrity of this Downtown Denison Historic District. These streets are identified as follows:

200, 300, 400 Blocks of West Woodard Street – 1341 feet
200 Block of Rusk Avenue – 215 feet

Category 2: These streets are important enough to merit preservation, but not so important as to merit restoration. It is recommended that these bricks should be replaced, and the disturbed areas restored to their former appearance. These streets are identified as follows:

100 Block of West Woodard Street – 404 feet
East Woodard Street – 179 feet
100 Block of Fannin Avenue – 355 feet
200 Block of Burnett Avenue – 344 feet
East Main at Traveler’s Hotel – 74 feet

Category 3: While the City should use all efforts to preserve brick streets, resurfacing, and patching with materials other than brick may be allowed on these streets:

100 block of Chestnut Street - 348 feet

Category 4: The following streets are constructed of new brick or were reconstructed using historic brick. These bricks should be replaced, and the disturbed areas restored to their former appearance. Additional efforts should be made to maintain these brick streets as funds are available. These streets are identified as follows:

Intersection of Chestnut Street and Burnett Avenue (reconstructed with historic brick)
Intersection of Chestnut Street and Houston Avenue (reconstructed with historic brick)
Intersection of Burnett and Crawford (new brick)
100 Block of East Main Street and intersection at Houston Avenue (new brick)
100 Block of West Main Street (new brick)
200 Block of West Main Street (new brick)
Portion of 300 Block of West Main Street (new brick)

Category 5: The following streets and/or sidewalks are constructed of new granite pavers or other specialty finishes. The pavers or specialty finishes should be replaced, and the disturbed areas restored to their former appearance. These streets and sidewalks are identified as follows:

Intersection of Houston Avenue and Main Street (granite and specialty finishes)
Intersection of Rusk and Main Street (granite and specialty finishes)

6. BRICK STREETS POLICY

This policy is intended to preserve historic brick streets to the extent possible; increase the City’s supply of historic brick pavers; protect public health, safety and welfare; partner with utility providers and other agencies to improve the condition of brick and asphalt streets on an opportunistic basis; and to establish clear criteria for those working within the City’s brick rights-of-way. This policy does not establish or define how the City will pay for streetscape

projects, utility work, brick street restoration, or other projects. Rather, it defines how work within the rights-of-way of brick streets should be completed. All work done in City rights-of-way shall, in addition to this policy, be in accordance with applicable City ordinances, including those in Chapter 21, governing right-of-way management.

6.1 Repair Policy.

For brick streets in Category 1, Category 2 and Category 3 (if recommended by Historic Preservation Committee), the brick paving surface shall be preserved and returned to streets upon completion of the project/disturbance as follows:

- A. All surfaces disturbed by utility cuts, streetscaping, and other work shall be replaced with the original brick pavers. Utility companies shall be provided with guidance and City requirements on the removal of bricks, including how to conduct the repairs and timing for replacement of the existing bricks.
- B. When bricks are removed, they shall be palletized and stored in accordance with Section 6.2 below until such time as they are returned to the subject street as paving materials.
- C. Every effort should be made to restore the disturbed area with existing materials. Where gaps exist or materials are missing, stored reserve historic bricks shall be used first. If there are no reserve historic bricks, then like materials shall be used.
- D. It is expected that the utility companies will use original brick to replace cuts in historic brick streets. Temporary asphalt patches may be used, for a period not to exceed 12 months, under the following conditions:
 - 1. There are not enough historic bricks to fill the cut, but a planned project is expected to increase the supply within the allowed period of the temporary patch; or
 - 2. Additional cuts are expected within the temporary period, upon completion of which, all interruptions in the brick surface will be restored to brick.
- E. All work shall be completed in compliance with the City's standards and ordinances, including any necessary repairs/upgrades for ADA compliance to ramps, curbs, etc.

Streets that are known to have brick under asphalt are classified as "brick under asphalt" and brick paving surfaces may be considered for preservation under certain conditions. The primary criteria for determining the treatment of a "brick under asphalt" street is traffic volume, speed limit and condition of the underlying brick.

6.2 Handling and Storage of Bricks Removed from City Streets.

As previously stated, bricks may be removed for a variety of reasons. The intent of this section is to simply provide requirements for the proper handling and storage of these

bricks in order to minimize damage, loss and theft. Should bricks be removed, the following is required:

- A. Bricks can be removed based on City approval of a capital improvement project or an approved right-of-way permit acquired in accordance with applicable City ordinances.
- B. Prior to removal of any bricks or other historic paving material, contact shall be made to the City of Denison Streets Division (903) 465-2720 with the following information:
 1. Company/Name removing bricks.
 2. Location of brick removal (address, intersection, etc.)
 3. Purpose of brick removal
 4. Approximate number of bricks or area of bricks to be removed.
 5. Number of pallets requested.
- C. Bricks must have asphalt delaminated from them prior to storage.
- D. Contractor is responsible for removing bricks with care in order to minimize damage and loss of reusable bricks. Contractor is also responsible for palletizing the removed bricks and obtaining the required pallets from the City. Contractor shall pay the City's fee for such pallets as set forth in the City's Comprehensive Fee Schedule. The replacement cost due to careless removal resulting in loss of reusable bricks is the responsibility of the contractor.
- E. Contractor shall pick up pallets from the City at a City facility as designated by the Public Works Director, or their designee. If the City does not have pallets available, the contractor shall be responsible for providing their own pallets. Once stacked with bricks, pallets shall be labeled with the location of the removal.
- F. Once removed and palletized, all bricks shall be delivered to a City facility as designated by the Public Works Director, or their designee, on the same day. Under no circumstances shall bricks that have been removed be allowed to stay on the project site overnight.

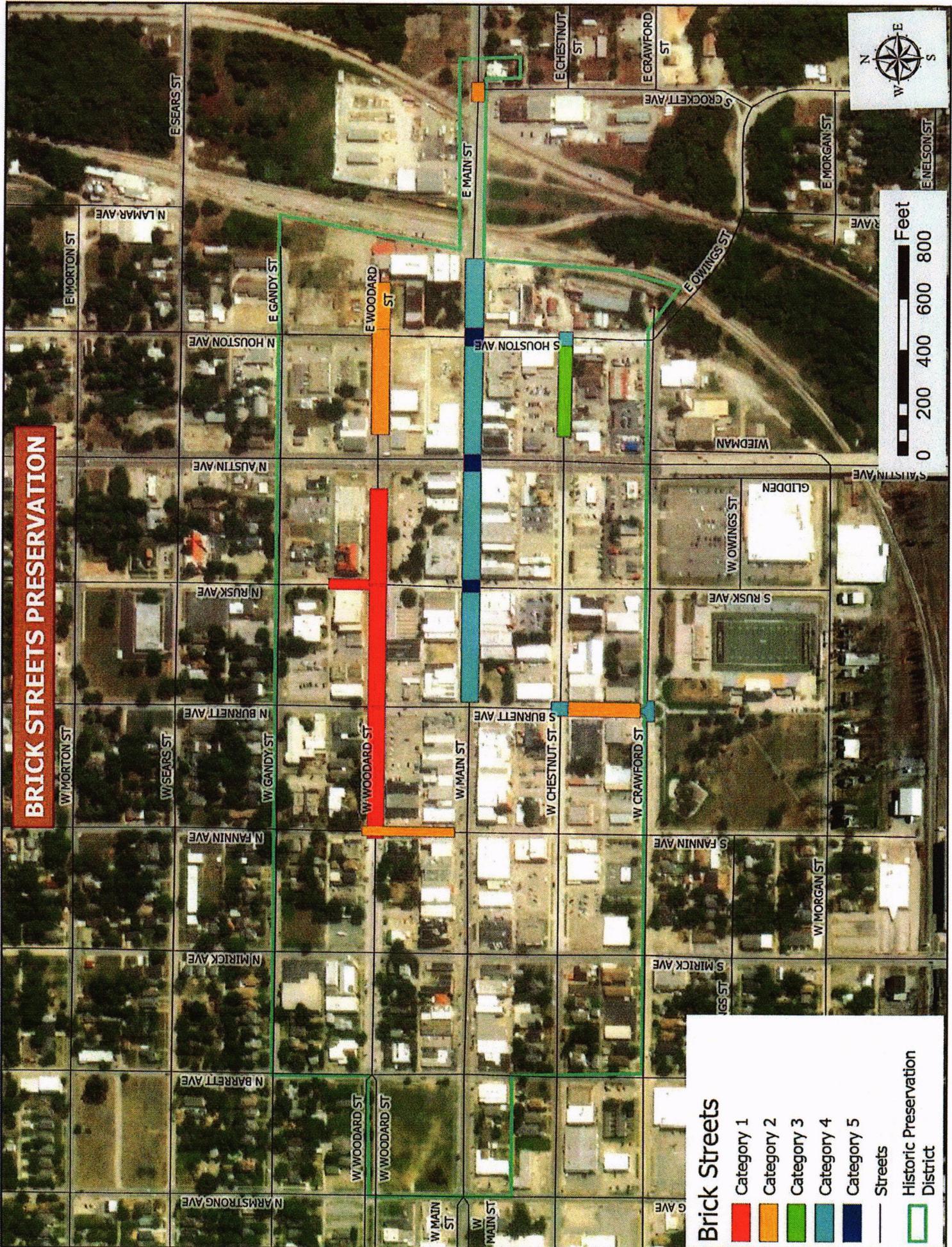
6.3 Long Term Maintenance Policy.

A long-term maintenance policy will be established once funding is feasible. The City would maintain the Brick Streets and Paving Committee to meet on an as-needed basis as different occurrences arise.

Ideas for potential funding sources that may be considered for the Brick Streets Policy:

- Utilize 1% of the Street Improvement Budget and put towards brick streets each year (Budget was \$439,766 in 2021 so \$4,397.66 could go towards brick streets)-possibly round up to \$5K, etc.
- Outside grant sources, fundraisers or other.

BRICK STREETS PRESERVATION



Brick Streets

- Category 1
- Category 2
- Category 3
- Category 4
- Category 5
- Streets
- Historic Preservation District

