

## **Brenham City Council Minutes**

A regular meeting of the Brenham City Council was held on Thursday, May 18, 2023, beginning at 1:00 p.m. in the Brenham City Hall, City Council Chambers, at 200 W. Vulcan Street, Brenham, Texas.

### Members Present:

Mayor Milton Y. Tate, Jr.  
Mayor-Elect Atwood C. Kenjura  
Councilmember Clint Kolby  
Councilmember Shannan Canales  
Councilmember Leah Cook  
Councilmember-Elect Paul F. LaRoche, III  
Councilmember Adonna Saunders  
Councilmember Albert Wright

### Members Absent:

None

### City of Brenham Staff present:

City Manager Carolyn Miller, City Attorney Cary Bovey, City Secretary Jeana Bellinger  
General Manager of Public Utilities Debbie Gaffey, Deputy General Manager of Public  
Utilities Alton Sommerfield, Director of Public Works Dane Rau, Director of Development  
Services Stephanie Doland Director of Finance Stacy Hardy, Police Chief Ron Parker, Fire  
Chief Roger Williams, Tourism and Marketing Director Jennifer Eckermann, Strategic  
Budget Officer Tim McRoberts, Teresa Rosales, Kyle Branham, Cherry Cash Prewitt,  
Shawn Bolenbarr, Idalia Avezuela, JoAnne Hynes, Stephen Draehn, Shauna Laauwe,  
Leigh Linden, Melinda Gordon, Nancy Joiner, Steven Eilert, and Lloyd Powell

### Citizens/Others Present:

Alice Hall, Douglas Falls, Jody Tyson, Susan Myer, Al Patch, Rocky LaRoche, Kelae  
LaRoche, Ben Wagner, Carson Campbell, Annette Wagner, Cole Wagner, Ken Miller,  
Lucas Banda, Kathryn Seifert, Sam Sommers, La Hollander, Wesley Brinkmeyer, Kyle  
Merten, Jonathan Ferguson, Phyllis G. Lock, Darrell Blum, Sabrina Roberts, Catherine  
Kenjura, Charlie Kenjura, Rem Mule, and Keith Hofmann

### Media Present:

Jason May, Brenham Banner-Press; and Josh Blaschke, KWHI

1. **Call Meeting to Order**
2. **Invocation and Pledges to the US and Texas Flags – Councilmember Adonna Saunders**
3. **Administer Oaths of Office to Elected Officials and Issue Certificates of Election for Mayor and Council Positions:**

**Mayor, At Large: Atwood C. Kenjura**

Milton Y. Tate, Jr., Mayor for the City of Brenham, administered the Oath of Office to Atwood C. Kenjura for the position of Mayor, At Large, for the City of Brenham for a four (4) year term.

**Place 2 – Ward 2: Albert Wright**

Milton Y. Tate, Jr. administered the Oath of Office to Albert Wright for the position of Place 2 – Ward 2 Councilmember for the City of Brenham for a four (4) year term.

**Place 3 – Ward 3: Paul F. LaRoche, III**

Carson Campbell, 21<sup>st</sup> District Judge, administered the Oath of Office to Dr. Paul F. LaRoche, III for the position of Place 3 – Ward 3 Councilmember for the City of Brenham for a two (2) year term.

**Place 4- Ward 4: Adonna Saunders**

Milton Y. Tate, Jr. administered the Oath of Office to Adonna Ann Saunders for the position of Place 4 – Ward 4 Councilmember for the City of Brenham for a four (4) year term.

4. **Citizens Comments**

There were no citizen comments.

**WORK SESSION**

5. **Discussion and Presentation on Guidelines for Filming in Brenham, Texas**

Director of Tourism and Marketing Jennifer Eckermann presented this item. Eckermann stated that certifying a city as a Film Friendly Texas Community (FFTX) has been found to stimulate the local economy by creating jobs for Texas-based crew members and residents, and by generating on-site spending on local goods and services within the community.

Eckermann stated there were three (3) steps to be designated by the Texas Film Commission as a Film Friendly Community:

1. Attend a FFTX workshop;
2. Pass administratively enforceable filming guidelines; and
3. Summit photo coverage of at least 5 potential filming locations in the community.

Eckermann stated that as per the State's requirements, a draft of Guidelines for Filming in Brenham has been developed for Council's review and will be brought back to Council for adoption at a later meeting. Eckermann went on to say that she has been working with both Chief Parker and Dane Rau concerning areas of interest for filming in downtown. Additionally, Eckermann stated the City will have exclusive authority - through the City Manager - to grant the use of public streets, rights-of-way, parks, public buildings of the City, regulate hours of production, and the general location of the production. Eckermann stated that all applications and approvals would be through the City Manager's office.

Eckermann advised Council that after looking through the draft guidelines, she would like to recommend two small changes:

1. Increase the number of days between filing an application and filming for commercials or episodic television from two (2) business days to five (5) business days.
2. Increase the number of days between filing an application and filming for feature films from five (5) business days to ten (10) business days.

The City Council was in favor of Eckermann's requested revisions and asked that she bring back the guidelines at a future meeting.

## **PUBLIC HEARING**

### **6. Public Hearing, Discussion and Receipt of Input Related to the Adoption of an Ordinance to Participate in the Texas Enterprise Zone Program and to Consider and Nominate Blue Bell Creameries, L.P., Located at 1101 South Blue Bell Road, Brenham, Texas to the Office of the Governor Economic Development and Tourism as a Texas Enterprise Project**

Economic Development Specialist Teresa Rosales presented this item. Rosales stated that Blue Bell Creameries was seeking to participate in the Texas Enterprise Zone Program and for Blue Bell to be eligible to participate the City of Brenham must nominate them as an Enterprise Project. Rosales continued, for the City to entertain an application to be nominated a Public Hearing must be held to receive public input.

Rosales explained that the designation was possible due to Blue Bell's plan to invest over \$10,000,000.00 in capital investments at the Brenham facility by way of new construction, phase two construction for the Milk Bay including the addition of an HTST system, in house pasteurization, increased dairy storage, expansion of the three-ounce cup line equipment as well as increased capacity, and inline operations and production area. Rosales went on to say this investment will result in retention of existing workforce as well as the potential for new jobs in the Brenham facility. Rosales noted that Jonathan Ferguson and Sam Sommers, both representing Blue Bell Creameries, L.P., were in attendance if anyone had any questions.

Mayor Kenjura opened the Public Hearing and called for citizen comments; there were no citizen comments heard.

Mayor Kenjura closed the public hearing.

## **REGULAR SESSION**

### **9. Discuss and Possibly Act Upon an Ordinance on its First Reading Nominating Blue Bell Creameries L. P. to the Office of the Governor Economic Development and Tourism as a Texas Enterprise Zone Project**

A motion was made by Councilmember Canales and seconded by Councilmember Saunders to approve an Ordinance in its first reading nominating Blue Bell Creameries, L.P., to the Office of the Governor Economic Development and Tourism as a Texas Enterprise Zone Project.

Mayor Kenjura called for a vote. The motion passed with Council voting as follows:

|                                           |                |
|-------------------------------------------|----------------|
| Mayor Atwood C. Kenjura                   | Yes            |
| Mayor Pro Tem Clint Kolby                 | Yes            |
| Councilmember Shannan Canales             | Yes            |
| Councilmember Leah Cook                   | Yes            |
| <b>Councilmember Paul F. LaRoche, III</b> | <b>ABSTAIN</b> |
| Councilmember Adonna Saunders             | Yes            |
| Councilmember Albert Wright               | Yes            |

### **7. Discuss and Possibly Act Upon the Election of a Mayor Pro Tem by the City Council**

City Secretary Jeana Bellinger presented this item. Bellinger explained that in accordance with the City's Charter, after each regular election, the City Council must elect one of their members to serve as Mayor Pro Tem.

A nomination was made by Councilmember Canales and seconded by Councilmember Saunders to re-elect Mayor Pro Tem Kolby as Mayor Pro Tem. Mayor Kenjura asked if there were any other nominations. No other nominations were offered.

Mayor Kenjura called for a vote on electing Mayor Pro Tem Kolby as Mayor Pro Tem. The motion passed with Council voting as follows:

|                                    |     |
|------------------------------------|-----|
| Mayor Atwood C. Kenjura            | Yes |
| Councilmember Clint Kolby          | Yes |
| Councilmember Shannan Canales      | Yes |
| Councilmember Leah Cook            | Yes |
| Councilmember Paul F. LaRoche, III | Yes |
| Councilmember Adonna Saunders      | Yes |
| Councilmember Albert Wright        | Yes |

**8. Discuss and Possibly Act Upon the Acceptance of a Donation from The Fortnightly Club for the Nancy Carol Roberts Memorial Library and Authorize the Mayor to Execute Any Necessary Documentation**

The Fortnightly Club President Susan Myer presented the City Council with a donation in the amount of \$42,500.00 for the Nancy Carol Roberts Memorial Library. Myer stated that this money was raised through book sales and solicitation of donations.

A motion was made by Councilmember Wright and seconded by Mayor Pro Tem Kolby to accept a donation from the Fortnightly Club for the Nancy Carol Roberts Memorial Library in the amount of \$42,500.00 and authorize the Mayor to execute any necessary documentation.

Mayor Kenjura called for a vote. The motion passed with Council voting as follows:

|                                    |     |
|------------------------------------|-----|
| Mayor Atwood C. Kenjura            | Yes |
| Mayor Pro Tem Clint Kolby          | Yes |
| Councilmember Shannan Canales      | Yes |
| Councilmember Leah Cook            | Yes |
| Councilmember Paul F. LaRoche, III | Yes |
| Councilmember Adonna Saunders      | Yes |
| Councilmember Albert Wright        | Yes |

**10. Discuss and Possibly Act Upon Award of Bid for Air Release Valves on Raw Water Main (Lake Line), Project No. 64C-68C and Authorize the Mayor to Execute Any Necessary Documentation**

Public Utilities Project Manager Shawn Bolenbarr presented this item. Bolenbarr stated that on April 5, 2023, City staff along with Strand Associates opened bids regarding the replacement of air release valves on the raw water main (Lake Line). A total of 4 bids were received with the lowest bidder being Capital Underground Utilities, LLC. Bolenbarr stated Capital Underground Utilities references have been checked, addendums have been acknowledged and bid bond requirements have been met.

Bolenbarr requested that City Council award of the bid to Capital Underground Utilities, LLC, in the amount of \$377,242.00. Bolenbarr advised the cost for this project was being funded by ARPA Grant proceeds, and time for project completion was estimated at approximately 4-5 months.

A motion was made by Councilmember Canales and seconded by Councilmember Saunders to award the bid for air release valves on raw water main (Lake Lin), Project No. 64C-68C to Capital Underground Utilities, LLC in the amount of \$377,242.00 and authorize the Mayor to execute any necessary documentation.

Mayor Kenjura called for a vote. The motion passed with Council voting as follows:

|                                    |     |
|------------------------------------|-----|
| Mayor Atwood C. Kenjura            | Yes |
| Mayor Pro Tem Clint Kolby          | Yes |
| Councilmember Shannan Canales      | Yes |
| Councilmember Leah Cook            | Yes |
| Councilmember Paul F. LaRoche, III | Yes |
| Councilmember Adonna Saunders      | Yes |
| Councilmember Albert Wright        | Yes |

**11. Discuss and Possibly Act Upon Resolution No. R-23-017 Regarding Policies and Procedures Required to be Adopted by Grant Recipients for the Award of the Federally Funded Texas Community Development Block Grant Program (Contract No. CDV21-0325) Related to Street and Drainage Improvements to Carrington Lane**

Public Works Director Dane Rau presented this item. Rau explained the City has been awarded a \$350,000.00 Texas Community Development Block Grant (CDBG) for the street and drainage improvements for Carrington Lane and in order to comply with the grant's requirements the City must approve this Resolution and all the required policies.

A motion was made by Councilmember Saunders and seconded by Councilmember Canales to approve Resolution R-23-017 regarding policies and procedures required to be adopted by grant recipients for the award of the Federally funded Texas Community Development Block Grant (CDBG) Program contract No. CDV21-0325 related to street and drainage improvements to Carrington Lane.

Mayor Kenjura called for a vote. The motion passed with Council voting as follows:

|                                    |     |
|------------------------------------|-----|
| Mayor Atwood C. Kenjura            | Yes |
| Mayor Pro Tem Clint Kolby          | Yes |
| Councilmember Shannan Canales      | Yes |
| Councilmember Leah Cook            | Yes |
| Councilmember Paul F. LaRoche, III | Yes |
| Councilmember Adonna Saunders      | Yes |
| Councilmember Albert Wright        | Yes |

## **12. Administrative/Elected Officials Report**

City Manager Carolyn Miller reported on the following:

- Bond rating call was on Wednesday, May 17<sup>th</sup>.
- A Special City Council meeting will be held on Thursday, May 25, 2023 at 1:00 p.m.
- A Joint Meeting of the City Council and the Washington County Commissioners Court will be held on Thursday, May 25, 2023 at 1:30 p.m. at City Hall in Conference Room 2A.
- May 23, 2023 is Washington County Leadership graduation ceremony will be held on May 23<sup>rd</sup>. City employees part of the Class of 2023 include Kyle Branham, Stephen Scheffer, and Fire Chief Roger Williams.
- Monday, May 29, 2023, City offices will be closed for Memorial Day.

Council adjourned into Executive Session at 1:49 p.m.

## **EXECUTIVE SESSION**

- 13. Section 551.071 Texas Government Code - Consultation with Attorney - Consultation with City Attorney Regarding Aviators Plus, LLC v. City of Brenham, Texas; Cause No. 37896; 21st Judicial District Court, Washington County, Texas**
- 14. Section 551.071 Texas Government Code - Consultation with Attorney - Consultation with City Attorney Regarding Legal Issues Concerning the City of Brenham Lake Somerville Raw Water Intake Structure, the Federal Emergency Management Agency, and Associated Matters**

Executive Session adjourned at 2:54 p.m.

**RE-OPEN REGULAR SESSION**

The meeting was adjourned.

*Atwood C. Kenjura*  
*Mayor*



*Jeana Bellinger, TRMC, CMC*  
*City Secretary*