

Brenham City Council Minutes

A Regular Meeting of the Brenham City Council was held on Thursday, June 6, 2024 beginning at 1:00 PM in the Brenham City Hall, City Council Chambers, at 200 W. Vulcan Street, Brenham, Texas.

Members Present:

Mayor Pro Tem Clint Kolby
Councilmember Shannan Canales
Councilmember Leah Cook
Councilmember Albert Wright
Councilmember Paul LaRoche

Members Absent:

Mayor Atwood Kenjura
Councilmember Adonna Saunders

City of Brenham Staff Present:

City Manager Carolyn Miller, City Attorney Cary Bovey, City Secretary/Director of Administrative Services Jeana Bellinger, General Manager of Public Utilities William Bisette, Assistant General Manager of Public Utilities Alton Sommerfield, Chief Financial Officer Julie Flagg, Director of Finance Stacy Hardy, Director of Public Works Dane Rau, Director of HR and Risk Management Susan Nienstedt, Fire Chief Mark Donovan, Interim Fire Chief Ray Cooper, Interim Police Chief Lloyd Powell, Development Services Director Stephanie Doland, Robin Hutchens, Shawn Bolenbarr, Jessica Perez, Tammy Murphy, Stephen Draehn, Steven Eilert, Josh Sebastian, Steven Loving, Richard O'Malley, Carrie Derkowski, and Ande Bostain.

Citizens/Others Present:

None

Media Present:

Joshua Blaschke from KWHI, and Sarah Forsythe from Brenham Banner Press.

- 1. Call Meeting to Order**
- 2. Invocation and Pledges to the US and Texas Flags - Councilmember Albert**

Wright

3. Service Recognitions

- ◆ **Dustin Wendler - Street Department - 15 Years**

4. Employee Introductions & Promotions

- ◆ **Tammy Murphy - Librarian**
- ◆ **Mark Donovan - Fire Chief**

5. Citizen Comments

No citizen comments were heard.

CONSENT AGENDA

6. Statutory Consent Agenda

- 6.a. Approve the Minutes from the May 16, 2024, Regular City Council Meeting and the May 20, 2024, Special City Council Meeting**
- 6.b. Approve a Ground-Space Lease Agreement Between the City of Brenham and Dave Homeier for Hangar Space at the Brenham Municipal Airport (3175 Aviation Way, Hangar B-2) and Authorize the Mayor to Execute Any Necessary Documentation**
- 6.c. Approve Resolution No. R-24-009 Authorizing the Amendment of R-19-034 Changing the Designee of the Grant to Texas Parks and Wildlife for the Local Parks Non-Urban Outdoor Recreation Grant Program**
- 6.d. Approve Resolution No. R-24-010 Amending Resolution No. R-24-003 Approving the Submission of a Grant Application to the Office of the Governor (OOG), Public Safety Office, Criminal Division for the FY25 Rifle-Resistant Body Armor Grant Program**
- 6.e. Approve Final Payment for Project No. 2021-06-A to Dudley Construction, LLC in the Amount of \$56,610.04 for the 2022 Sanitary Sewer Improvements-Stone Hollow and Industrial Boulevard Lift Station Replacements and Authorize the Mayor to Execute Any Necessary Documentation**
- 6.f. Approve Change Order No. 1 and Final Payment to TGS Sports LLC in the Amount of \$53,323.50 for the Hohlt Park Synthetic Turf Improvement Project and Authorize the Mayor to Execute any Necessary Documentation**

A motion was made by Councilmember Cook and seconded by Councilmember Wright to approve Consent Agenda Items 6.a. through 6.c. and 6.e. through 6.f.

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

Yes: Mayor Pro Tem Kolby, Councilmember Canales, Councilmember Cook, Councilmember LaRoche, Councilmember Wright

No: None

Absent: Mayor Kenjura, Councilmember Saunders

REGULAR SESSION

7. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending Chapter 28, Impact Fees, of the Code of Ordinances of the City of Brenham, Texas

Director of Development Services Stephanie Doland presented this item. Doland advised that in the three months since the adoption of the Impact Fee Ordinance, City Staff has reviewed development in various stages of completion, met with members of the development community, researched additional municipalities with adopted impact fees, and further defined the best practices pertaining to the implementation of impact fees for residential, multiple-family, commercial and industrial uses. Doland stated that to further clarify how to administer the previously adopted Impact Fee Ordinance, staff recommends adopting an Ordinance implementing an Impact Fee Policy. Doland explained that the Policy will clarify such things as:

- The 1-year grandfathering period for subdivision plats currently in review by the Development Services Department but not yet approved or recorded.
- Service units must be determined by a licensed engineer.
- No impact fees will be charged for water taps utilized only for fire protection.
- ADUs will only be assessed an impact fee if the existing tap is increased in size to handle additional capacity.
- Assessment for new development will occur at time of building permit application.
- All replays trigger impact fees.
- If plat is not recorded timely and/or expires, impact fees will be assessed from the date of the new development application.
- No impact fees shall be charged for residential irrigation meters that are a sub-meter to the main meter.
- Non-residential irrigation meters that are 1.5" or greater will be assessed an impact fee.

- No impact fees shall be charged for development on properties that are determined to be the legal lot of record.
- Connection credits will be given to all properties relocating as a result of the Highway 36 and US Highway 290 Cloverleaf reconstruction.

A motion was made by Councilmember LaRoche and seconded by Councilmember Cook to approve an ordinance on its first reading amending Chapter 28, Impact Fees, of the Code of Ordinances of the City of Brenham, Texas.

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

Yes: Mayor Pro Tem Kolby, Councilmember Cook, Councilmember LaRoche, Councilmember Wright

No: None

Absent: Mayor Kenjura, Councilmember Saunders, Councilmember Canales

8. Discuss and Possibly Act Upon the Allocation of Additional Funds for the Purchase of a Fire Truck for the Brenham Fire Department from Siddons Martin Emergency Group, LLC and Authorize the Mayor to Execute Any Necessary Documentation

Director of Finance Stacy Hardy presented this item. Hardy advised that in January 2022 City Council approved the purchase of a new fire truck for \$880,358.00. Hardy advised that the total amount included a \$26,000.00 trade-in credit for Engine 4, a 2002 Ferrara pumper fire engine. Hardy stated that at the time this purchase and trade-in were authorized, it was not feasible to keep Engine 4 along with the new fire truck at the current station. Hardy stated that with the addition of Fire Station #2 in 2025, Engine 4 can now be retained as a reserve engine and housed at the new station. Hardy advised that in addition to having a backup engine, this will benefit the City's ISO rating, which gives credit for the number of engines which are front-line in-service and in reserve. Hardy advised that having a reserve engine and the additional ISO credit points will both provide more benefit to the City and citizens than the small amount of trade-in credit we were to originally receive.

Hardy stated that the new fire truck will be arriving in Brenham next week and payment will be due in the amount of \$906,358.00 (\$880,358.00 originally approved plus \$26,000.00 for the removal of the trade-in credit). Hardy advised that the fire truck purchase is being paid for from 2022 bond proceeds and the additional amount of \$26,000.00 can be covered by accumulated interest earnings from these bond funds.

A motion was made by Councilmember Canales and seconded by Councilmember Wright to approve the allocation of additional funds in the amount of

\$26,000.00 for the purchase of a fire truck for the Brenham Fire Department from Siddons Martin Emergency Group, LLC and authorize the Mayor to execute any necessary documentation.

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

Yes: Mayor Pro Tem Kolby, Councilmember Canales, Councilmember Cook, Councilmember LaRoche, Councilmember Wright

No: None

Absent: Mayor Kenjura, Councilmember Saunders

9. Discuss and Possibly Act Upon the Purchase of a Chevrolet Silverado 2500 for the City of Brenham's Gas Department Through The Interlocal Purchasing System (TIPS) and Authorize the Mayor to Execute Any Necessary Documentation

Facility & Fleet Supervisor Stephen Draehn presented this item. Draehn advised that the Gas Department is requesting a Chevrolet Silverado 2500 equipped with a Knapheide Service Body for fiscal year 2024. Draehn advised that the vehicle is in stock at the dealer with the service body already installed.

Draehn advised that staff obtained quotes on the truck chassis and body from Lake Country Chevrolet on TIPS contract 200206 for Transportation Vehicles. Draehn advised that the purchase price of the Chevrolet Service Truck is \$65,501.25, which includes the truck chassis and the Knapheide Service Body. Draehn stated that the truck is expected to be delivered one week after completion of the Purchase Order.

A motion was made by Councilmember Wright and seconded by Councilmember Cook to approve the purchase of one (1) Chevrolet Silverado 2500 from Lake Country Chevrolet for the amount of \$65,501.25 through The Interlocal Purchasing System (TIPS) and authorize the Mayor to execute any necessary documentation.

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

Yes: Mayor Pro Tem Kolby, Councilmember Canales, Councilmember Cook, Councilmember LaRoche, Councilmember Wright

No: None

Absent: Mayor Kenjura, Councilmember Saunders

10. Discuss and Possibly Act Upon Amendment No. 1 to the Professional Services Agreement Between the City of Brenham and Strand Associates Inc. for the Community Development Block Grant and Authorize the Mayor to Execute Any Necessary Documentation

Director of Public Works Dane Rau presented this item. Rau advised that in January 2024, staff presented information to City Council regarding the 2016 Flood Community Development Block Grant pertaining to Hogg Branch Creek. Rau advised that Council decided this project was not beneficial to the City of Brenham at the current time and focus would be put on the Hurricane Harvey 10 projects related to that grant. Rau advised that the City would return expended funds to the GLO.

Rau advised that the City will need to amend the Professional Services Contract with Strand Engineering to reflect that all services are no longer needed, change the value of the contract, and reflect what was actually completed and parallel the PSA with what was expensed. Rau stated that Amendment No.1 outlines these changes and will button up and finalize the amended agreement with Strand Engineering.

A motion was made by Councilmember Canales and seconded by Councilmember Cook to approve Amendment No. 1 to the Professional Services Agreement between the City of Brenham and Strand Associates Inc. for the Community Development Block Grant and authorize the Mayor to execute any necessary documentation.

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

Yes: Mayor Pro Tem Kolby, Councilmember Canales, Councilmember Cook, Councilmember LaRoche, Councilmember Wright

No: None

Absent: Mayor Kenjura, Councilmember Saunders

11. Discuss and Possibly Act Upon a Professional Services Agreement Between the City of Brenham and Strand Associates, Inc. for Engineering Services Related to Highway 105 Lift Station Improvements (Project No. 66C-20C) and Authorize the Mayor to Execute Any Necessary Documentation

Public Utilities Project Manager Shawn Bolenbarr presented this item. Bolenbarr advised that the scope of work listed in this agreement is to provide design, bidding-related, and construction-related services for upgrades to the HWY 105 lift station. Bolenbarr advised that this project will consist of replacing the existing lift station with a new 2,250 gallon-per-minute quadplex lift station with electrical controls, supervisory control and data acquisition integration (SCADA), a quick connect for a portable

emergency generator, and connections of the existing sanitary sewers and force main.

A motion was made by Councilmember Canales and seconded by Councilmember Wright to approve a Professional Services Agreement between the City of Brenham and Strand Associates, Inc. for engineering services related to Highway 105 Lift Station Improvements (Project No. 66C-20C) in an amount not to exceed \$345,000.00 and authorize the Mayor to execute any necessary documentation.

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

Yes: Mayor Pro Tem Kolby, Councilmember Canales, Councilmember Cook, Councilmember LaRoche, Councilmember Wright

No: None

Absent: Mayor Kenjura, Councilmember Saunders

12. Discuss and Possibly Act Upon a Professional Services Agreement Between the City of Brenham and Strand Associates, Inc. for Engineering Services Related to FY 2024 Water Main and Sanitary Sewer Replacements (Projects No. 64C-70C and 65C-57C) and Authorize the Mayor to Execute Any Necessary Documentation

Public Utilities Project Manager Shawn Bolenbarr presented this item. Bolenbarr advised that the scope of services is to provide design, bidding, and construction related services for the replacement of approximately 5,760 LF of existing water main and approximately 3,530 LF of existing sanitary sewer. Bolenbarr advised that the proposed water main replacements include 1,300 LF on Heritage Drive, 660 LF on Carriage Lane, 1,130 LF on Century Circle, 1,430 LF on Church Street, and 1,240 LF on West Mansfield Street. Bolenbarr advised that the proposed sanitary sewer replacements include 870 LF on Heritage Drive, 500 LF on Century Circle, 1,280 LF on Church Street, and 880 LF on South Blue Bell Road.

A motion was made by Councilmember LaRoche and seconded by Councilmember Wright to approve a Professional Services Agreement between the City of Brenham and Strand Associates, Inc. for engineering services related to FY 2024 Water Main and Sanitary Sewer Replacements (Projects No. 64C-70C and 65C-57C) in an amount not to exceed \$270,000.00 and authorize the Mayor to execute any necessary documentation.

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

Yes: Mayor Pro Tem Kolby, Councilmember Canales, Councilmember Cook, Councilmember LaRoche, Councilmember Wright

No: None

Absent: Mayor Kenjura, Councilmember Saunders

13. Administrative/Elected Officials Report

City Manager Carolyn Miller reported on the following:

- June 6th - Brenham Heritage Museum hosting Texas State Library and Archives Commission from 5:00 - 6:30 p.m.
- June 7th - Nancy Carol Roberts Memorial Library hosting Texas State Library and Archives Commission all day
- June 15th - Juneteenth Parade
- June 18th - Interim Fire Chief Cooper Retirement Party
- June 19th - City Offices Closed in observance of Juneteenth Holiday
- June 20th - Regular City Council Meeting at 8:30 a.m.

Council adjourned into Executive Session at 1:41 p.m.

EXECUTIVE SESSION

14. Section 551.071, Texas Government Code - Consultation with City Attorney - Consultation with City Attorney Concerning the Brenham Municipal Airport, Its Operations and Services, and Associated Matters

15. Section 551.071, Texas Government Code - Consultation with Attorney - Consultation with City Attorney Regarding Commonwealth Development, Inc. v. City of Brenham, Texas; Fair Housing Case No. 06-22-3294-8

Executive Session adjourned at 2:15 p.m.

ADJOURN

Atwood C. Kenjura

Mayor

Jeana Bellinger, TRMC, CMC

City Secretary

