

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on Thursday, December 5, 2024 beginning at 1:00 PM in the Brenham City Hall, City Council Chambers, at 200 W. Vulcan Street, Brenham, Texas.

Members Present:

Mayor Atwood Kenjura
Mayor Pro Tem Clint Kolby
Councilmember Shannan Canales
Councilmember Leah Cook
Councilmember Paul LaRoche
Councilmember Adonna Saunders
Councilmember Albert Wright

Members Absent:

None

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 Bissette, Assistant General Manager of Public Utilities Alton Sommerfield, Director of Finance Stacy Hardy, Director of Public Works Dane Rau, Chief Financial Officer Julie Flagg, Director of HR and Risk Management Susan Nienstedt, Fire Chief Mark Donovan, Assistant Fire Chief David Cella, Police Chief Lloyd Powell, Assistant Police Chief Curtiss Schoen, Development Services Director Stephanie Doland, Economic & Community Development Director Teresa Rosales, Robin Hutchens, Kyle Branham, Shawn Bolenbarr, Casey Redman, Marisol Urbina, Tammy Jaster, Kelsey Toy, Caroline Nowicki, Nancy Joiner, Kathrine Briscoe, Jason Lange, Ryian Marshall, and Curtis Martin.

Citizens/Others Present:

Karen Hall

Media Present:

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

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

3. Special Recognition

- ◆ **Blue Bell Aquatic Center - Best of the Best Top 10 Facility in the Nation**

4. Service Recognitions

- ◆ **JoAnne Hynes - Public Works - 10 Years**
- ◆ **Ryian Marshall - Electric Department - 25 Years**

5. Proclamations

- ◆ **Texas Tourism Friendly Community Recognition**

6. Citizen Comments

Karen Hall addressed City Council stating that she was speaking against TXDOT medians in City's. Hall explained that medians have been installed all over the City in Bryan and College Station and have become a problem not only for emergency vehicles but for businesses and citizens as well. Hall stated that studies have shown there are more accidents and emergency response times have increased tremendously due to the installation of these medians. Hall stated that she would like to encourage the City Council to fight against TSDOT's medians being installed in Brenham.

CONSENT AGENDA

7. Statutory Consent Agenda

- 7.a. Approve the Minutes from the November 7, 2024, Regular City Council Meeting**
- 7.b. Approve the Ratification of a Purchase from WhenToWork, LLC in the Amount of \$3,600.00 Related to the Purchase of a Four-Year Software Subscription and Authorize the Mayor to Execute Any Necessary Documentation**
- 7.c. Approve the Ratification of a Grant Payment to BK Stringer, Ltd. in the Amount of \$187,885.57 as Outlined in the Chapter 380 Economic Development Agreement Between the City of Brenham and BK Stringer, Ltd. and Authorize the Mayor to Execute Any Necessary Documentation**
- 7.d. Approve a Three-Year License Agreement Between the City of Brenham and DataVox, Inc. for Cisco Collaboration Flex Plan in the Amount of \$13,725.00 Per Year through Texas Department of Information Resources Contract No. DIR-TSO-4167 and Authorize the Mayor to**

Execute Any Necessary Documentation

A motion was made by Councilmember Canales and seconded by Councilmember Cook to approve Consent Agenda Items 7.a. through 7.d. as presented.

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

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

No: None

Absent: None

WORK SESSION

8. Update and Presentation on the Smithsonian's Museum on Main Street (MoMs) Exhibit

Tourism and Marketing Manager Kathrine Briscoe presented the update for this item. Briscoe stated that the exhibit is set to open on Saturday, December 7, and running through January 19, 2025.

Briscoe explained there are three separate exhibits to visit:

- Century Simon
- Freedom Colonies
 - Camptown Exhibit
 - Belles Alley Exhibit

Briscoe expressed that this has been a collaborative community effort – the response and participation has been outstanding – and staff believes the impact for heritage tourism will be felt for years to come.

No action action was taken.

9. Discussion and Presentation on the City of Brenham's Charter

City Secretary/Director of Administrative Services Jeana Bellinger presented an update on the City's Charter and possible amendments to the Charter for the City Council to consider for the May 3, 2025 election. Bellinger explained each of the proposed Propositions in detail:

- Proposition A: Grammar/spelling/punctuation, modernization of wording, and section references and numbering. These changes can be found in multiple sections all throughout the Charter.
- Proposition B: Article I, Sec. 2, Boundaries - Amended to state that any change to the city's boundaries, through annexation or disannexation, will be done in accordance with applicable federal, state or other law
- Proposition C: Article III, Sec. 4, Terms of Office - Adds a 3-term term limit (12 years) to the offices of Mayor and Councilmembers, requires an entire year off before being eligible to serve again, and non-consecutive terms will not be limited; terms, or partial terms, served prior to May 3, 2025 will not be considered for term limitations.
- Proposition D: Article III, Sec. 6, Qualifications to hold office of Mayor, Councilmembers and other offices and employees; conflict of interest - Clarifies that any officer failing to possess the qualifications to hold the office of Mayor, Councilmember or other officer shall automatically forfeit their office; and moves the conflict of interest language moved to another section within the Charter.
- Proposition E: Article III, Sec. 8 - Canvassing returns and declaring results of election; judges of its own election and qualifications - Clarifies that the City Council shall be the judge of the qualifications of its members and that City Council's determination is final.
- Proposition F: Article III, Sec. 9 - Regular election days; and Article III, Sec. 11 - Special elections; state election laws control elections - Amended to remove references to a specific election day.
- Proposition G: Article III, Sec. 10 - Runoff elections - Removed all the references to specific dates and specified that runoff elections will be held in accordance with the applicable law.
- Proposition H: Article III, Section. 13 - Organizational meeting; holding other meetings - Clarified when the City Council must meet, whether after a regular election or a special election, for Councilmembers to qualify and assume their duties.
- Proposition I: Article III, Sec. 14 - Salaries - Increase the salary for the Mayor to \$550.00 per month and the salary for Councilmembers to \$450.00 per month.
- Proposition J: Article III, Sec. 23 - Reserved - Conflict of interest wording moved from Article III, Section 6 to this section to clarify that Mayor, Councilmembers and other officers and employees must comply with Texas Local Government Code and other applicable laws related to conflicts of interest of local public officials.
- Proposition K: Article VII, Sec. 7 - Official bonds - Amending this section to reflect the current practice related to the issuance requirement and approval of official bonds for appointed officers of the City.

Bellinger explained that if needed there will be another review at the January 9, 2025, Council Meeting, otherwise the first reading of the Ordinance to call the Special Election will be brought to City Council on January 23, 2025.

10. Discussion and Presentation on the Guidelines and Criteria for Granting Tax Phase-In in a Reinvestment Zone Created in the City of Brenham

Economic and Community Development Director Teresa Rosales presented this item. Rosales stated that staff discussed possible changes to the Tax Phase-In Policy. Rosales advised those changes are as follows:

- Application Fee: \$300 application fee, no fee for businesses in the Downtown Zone
- Salary: Minimum annual salary changed to \$44,000.00 (including benefits)
- Downtown Guidelines: Leave all job requirements as they are; change the minimum capital investment to \$75,000.00
- Minimum Capital Investment: Change to \$2,500,000.00 for all businesses except for those located in the Downtown Zone
- Abatement Definition: Add a definition of the term "abatement" to the policy
- Application Process: Add a provision that a copy of the application be given to the Chief Appraiser
- Policy Review and Effective Date: Added a sunset provision to the policy

REGULAR SESSION

11. Discuss and Possibly Act Upon the Appointment of a Brenham Municipal Court Presiding Judge and Associate Judge, Both for a Two Year Term Ending on December 31, 2026, and Authorize the Mayor to Execute Any Necessary Documentation

City Manager Carolyn Miller presented this item. Miller explained that since January 2020, Mr. John Winkelmann has served as the Presiding Judge and will be stepping down in December to serve as the newly elected 335th Judicial District Court Judge. Miller explained that to fill this vacancy, staff is recommending Mr. Jonas Lacina be appointed by City Council. Miller advised that in 2015 Mr. Lacina served as the City Prosecutor and worked well with our Municipal Court staff and believes that with his knowledge and experience, he will serve the Municipal Court well in this position.

Miller also explained that Judge Robert Wright has served as Associate Judge since September 2005 and that staff is recommending the reappointment of Judge Wright to this position.

Miller stated that both Lacina and Wright, if appointed, will serve a two-year term beginning January 1, 2025 and ending on December 31, 2026.

A motion was made by Councilmember Wright and seconded by Councilmember Saunders to approve the appointment of Jonas Lacina as the

Municipal Court Presiding Judge and Robert Wright as the Associate Judge, both for a two-year term ending on December 31, 2026 and authorize the Mayor to execute any necessary documentation.

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

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

No: None

Absent: None

12. Discuss and Possibly Act Upon Compensation for the Municipal Court Presiding Judge and Associate Judge and Authorize the Mayor to Execute Any Necessary Documentation

City Manager Carolyn Miller presented this item. Miller explained that as Council appointees, the compensation for the Presiding Judge and Associate Judge are set by the action of City Council. Miller advised that staff is recommending an annual salary of \$30,000 for the Presiding Judge and \$27,000 for the Associate Judge for the two-year term beginning January 1, 2025 and ending December 31, 2026.

A motion was made by Councilmember LaRoche and seconded by Councilmember Cook to approve an annual salary of \$30,000.00 for Presiding Judge Jonas Lacina, beginning January 1, 2025, and an annual salary of \$27,000.00 for Associate Judge Robert Wright, beginning January 1, 2025, and authorize the Mayor to execute any necessary documentation.

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

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

No: None

Absent: None

13. Discuss and Possibly Act Upon Ordinance No. O-24-031 on Its Second Reading Amending the City of Brenham's FY23-24 Adopted Budget

Chief Financial Officer Julie Flagg presented this item. Flagg stated that as originally presented at the November 21 2024 meeting, the Budget Amendment for Fund 600 Operating Expenditures totaled \$2,527,490.00 and that due to an adjustment posted during the final closing of FY2023-24 financial statements, the Budget Amendment for Fund 600 Operating Expenditures has been revised to \$2,528,975.00. Flagg explained that this is an increase of \$1,485.00, which is an immaterial amount; however, the change is necessary for fund level budget purposes.

A motion was made by Mayor Pro Tem Kolby and seconded by Councilmember Saunders to approve Ordinance No. O-24-031 on its second reading amending the City of Brenham's FY23-24 Adopted Budget.

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

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

No: None

Absent: None

14. Discuss and Possibly Act Upon a Master Services and Purchasing Agreement Between the City of Brenham and Axon Enterprise, Inc. Related to Body Worn Cameras and In-Car Fleet Cameras for the Brenham Police Department and Authorize the Mayor to Execute Any Necessary Documentation

Sergeant Jason Derrick presented this item. Derrick explained that the existing camera system has reached the end of its life, and the current manufacturer is no longer producing body cameras or systems designed for law enforcement.

Derrick advised that to find a suitable replacement, the Brenham Police Department has researched new camera systems and engaged in demonstrations with various vendors and after careful evaluation, Command Staff identified that Axon is the most fiscally responsible and high-quality product that meets the agency's needs. Notably, the new camera system includes cloud-based storage, which will help resolve existing data storage issues.

Derrick stated that the agreement with Axon has a total cost of \$738,610.94 over five years and that the initial payment will be \$276,385.18 with four annual installments of \$115,556.44 each.

Derrick advised that the department has applied for a reimbursement grant through the Office of the Governor to help offset some of the costs related to the

purchase of body cameras.

A motion was made by Councilmember Saunders and seconded by Councilmember Wright to approve a Master Services and Purchasing Agreement between the City of Brenham and Axon Enterprise, Inc., for five (5) years in the amount of \$738,610.94, for body worn cameras and in-car fleet cameras for the Brenham Police Department and authorize the Mayor to execute any necessary documentation.

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

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

No: None

Absent: None

15. Administrative/Elected Officials Report

Main Street Manager Leigh Linden reported on the following:

- December 6th - Cold Night Holiday Tunes featuring Suede - 7:00 p.m.
- December 7th
 - Breakfast with Santa at Must Be Heaven - 8:30 a.m. and 10:00 a.m.
 - Christmas Stroll begins - 10:00 a.m. to 7:00 p.m.
 - Jingle Bell Market - 10:00 a.m. to 7:00 p.m.
 - Kids Zone Snow Village - 1:00 a.m. to 4:00 p.m.
 - Lighting of the Christmas Tree - 5:00 p.m.
 - Lighted Christmas Parade - 6:00 p.m.

City Manager Carolyn Miller reported on the following:

- December 19th - Regular Council meeting

Council adjourned into Executive Session at 2:19 p.m.

EXECUTIVE SESSION

16. Section 551.074, Texas Government Code - Personnel Matters - Discussion Concerning the Roles and Responsibilities of an Assistant City Manager and Associated Issues

Executive Session adjourned at 2:40 p.m.

ADJOURN

Atwood C. Kenjura

Mayor

Robin Hutchens

Deputy City Secretary

