

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on Thursday, October 3, 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 Public Works Dane Rau, Chief Financial Officer Julie Flagg, Director of HR and Risk Management Susan Nienstedt, Fire Chief Mark Donovan, Police Chief Lloyd Powell, Assistant Fire Chief David Cella, Development Services Director Stephanie Doland, Economic & Community Development Director Teresa Rosales, Casey Redman, Robin Hutchens, Kyle Branham, Shawn Bolenbarr, Shauna Laauwe, Mason Patranella, Jason Lange, Daniel McCracken, Carrie Derowski, Brett Schroeder, Richard O'Malley, Jim Halley, Sierra Newell, Seth Klehm, Steven Eilert, Jean Luera, Alex Saenz, Kelvin Raven, and Brandy Testa.

Citizens/Others Present:

Hugo Lazauo Sr., Ronda Kilburn, Garrett Salmans, Amanda Klehm, Ginny Klehm, Cynthia Robinson, and Ella Losson.

Media Present:

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

- 1. Call Meeting to Order**
- 2. Invocation and Pledges to the US and Texas Flags - City Attorney Cary Bovey**

3. Proclamations

- ◆ **Lynette Sheffield Planning Excellence Recognition**
- ◆ **Fire Prevention Week**
- ◆ **Paint the Town Pink**

5. Service Recognitions

- ◆ **Mason Patranella - Public Utilities - 10 Years**
- ◆ **Sierra Randle - Police Department - 10 Years**
- ◆ **Seth Klehm - Police Department - 15 Years**

4. Brenham Police Department Recruiting Video

6. Citizen Comments

Fire Chief Mark Donovan gave an update on a structure fire that occurred the day prior at Del Sol Foods. Chief Donovan stated that firefighters were on scene for three hours with the building only sustaining some minor roof damage.

Chief Donovan introduced Asst. Fire Chief David Cella again since some Councilmembers were absent at the previous meeting.

CONSENT AGENDA

7. Statutory Consent Agenda

7.a. Approve the Minutes from the September 19, 2024 Regular City Council Meeting

7.b. Approve Ordinance No. O-24-025 on Its Second Reading Annexing the Hereinafter Described Territory into the City of Brenham and Adopting a Service Plan:

- **Section 2024-01: Approximately 1.4 Acres of Land, Called Dixie Road and its Right-of-Way, Situated in Washington County, Texas, from State Highway No. 36 North Extending Northward to the Northeast Corner of Vintage Farms Subdivision**
- **Section 2024-02: Approximately 2.6 Areas of Land, Called Dixie Road and its Right-of-Way, Situated in Washington County, Texas, from the Northeast Corner of Vintage Farms Subdivision,**

Extending North to the Current City Limit Line

- **Section 2024-03: Approximately 0.5 Acres of Land, Called Old Masonic Road and Right-of-Way, Situated in Washington County, Texas Extending Northward from the Little Sandy Creek to the Northeast Corner of a 2.869 Acre Tract Owned by OCC Construction Corp**
- **Section 2024-04: Described Generally as a 1.0 Acre Tract Extending Northward on Old Masonic Road from the Northeast Corner of a 2.869 Acre Tract Owned by OCC Construction Corp. to the Northwest Corner of a 2.168 Acre Tract Owned by David Ryan Klingler, et ux**
- **Section 2024-05: Described Generally as a 1.0 Acre Tract Extending Northward on Old Masonic Road from the Northwest Corner of a 2.168 Acre Tract Owned by David Ryan Klingler, et ux to the Existing City Limit Line**

7.c. Approve Ordinance No. O-24-026 on Its Second Reading Amending Appendix A – Zoning of the Code of Ordinances of the City of Brenham, in Washington County, Texas (Case No. P-24-031) to Include:

- a. **Appendix A: Zoning, Part II, Division 1, Accessory Uses and Structures, Section 10.02(1) Regarding the Placement of Detached Accessory Structures on Corner Lots; and Appendix A: Zoning, Part II, Division**
- b. **Accessory Uses and Structures, Section 10.02(4)(A) Regarding the Property Owner Residence Requirement for an Accessory Dwelling Unit**

7.d. Approve Ordinance No. O-24-027 on Its Second Reading Amending Chapter 23: Subdivisions of the Code of Ordinances, of the City of Brenham, Texas Article III, Design Standards, Section 23-17 to Allow Alleys in Townhome Developments (Case No. P-24-031)

7.e. Approve a Three-Year License Agreement Between the City of Brenham and Brightly Software, Inc. for Asset Essentials Work Order System in the Amount of \$21,416.75 Per Year and Authorize the Mayor to Execute Any Necessary Documentation

A motion was made by Councilmember Wright and seconded by Councilmember Saunders to approve Consent Agenda Items 7.a. through 7.e. 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

REGULAR SESSION

8. Discuss and Possibly Act Upon an Ordinance on Its First Reading Granting a Variance to Section 23-22(5)(a) of the City of Brenham Code of Ordinances, Chapter 23, Subdivisions (Case No. P-20-029)

City Planner Shauna Laauwe presented this item. Laauwe explained that the subject property, in its existing and proposed configuration, does not meet the minimum access requirements, with the only access being provided through an access easement along the northern property line that is approximately 1,500 feet in length, 10-feet in width and made of gravel. Laauwe advised that the neighboring properties (1727 and 1729 Burleson Street) are developed with single-family homes and use the access easement; however, they are considered to be nonconforming as they were developed before the area was annexed in 2009. Laauwe advised that it is not feasible to require the standard 55-foot right-of-way dedication and road improvements along the subject property.

Laauwe explained that this item was considered by the Planning and Zoning Commission on Monday, September 23, 2024. The Planning and Zoning Commission recommended unanimously (6-0) for approval of the subdivision variance. Laauwe advised that if the proposed variance is approved, the applicant will be required to formally plat the property into the proposed lot configuration.

A motion was made by Mayor Pro Tem Kolby and seconded by Councilmember Saunders to approve an Ordinance on its first reading granting a variance to Section 23-22(5)(a) of the City of Brenham Code of Ordinances, Chapter 23, Subdivisions (Case No. P-20-029).

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

9. Discuss and Possibly Act Upon the Purchase of Two (2) Fire Trucks for the City of Brenham Fire Department through Houston-Galveston Area Council (H-GAC) Cooperative Purchasing Program Contract No. FS12-23 and Authorize the Mayor to Execute Any Necessary Documentation

Facility and Fleet Supervisor Stephen Draehn presented this item. Draehn stated that the Brenham Fire Department is seeking approval to order one (1) Pierce Custom Enforcer Aerial, HD Ladder100 Foot, Mid-Mount Fire Truck and one (1) Pierce Custom Enforcer Aerial, HD Ladder 75 Foot Fire Truck for use on day-to-day operations with the Fire Department. Draehn explained that these two (2) ladders will be replacing Ladder 1 and Ladder 2, which will be twenty years old by the time delivery will be made on the new trucks. Draehn advised that the request for purchase is being made now due to estimated build times of forty-three (43) months and a seven (7) percent price increase that will take place on November 1, 2024.

Draehn advised that quotes were obtained for both trucks through Siddons Martin Emergency Group, LLC on HGAC Contract FS12-23 (Fire). Siddons Martin Emergency Group is also providing a Multi Truck Discount in the amount of \$10,000.00 per truck. The total unit price for the Pierce Custom Enforcer Aerial, HD Ladder100 Foot, Mid-Mount Fire Truck is \$2,332,091.70. The total unit price for the Pierce Custom Enforcer Aerial, HD Ladder 75 Foot Fire Truck is \$1,620,036.31. Draehn advised that the total prices include all discounts, HGAC contract fees, delivery to Brenham, and training on the operation and use of both trucks.

Fire Chief Mark Donovan explained that the fire trucks that are going to be replaced will be sold on the open market as they will receive more money back versus trading in the units.

A motion was made by Councilmember Saunders and seconded by Councilmember Wright to approve the purchase of two (2) fire trucks for the City of Brenham Fire Department from Siddons Martin Emergency Group, LLC in the amount of \$3,954,128.01 through Houston-Galveston Area Council (H-GAC) Cooperative Purchasing Program Contract No. FS12-23 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

10. Discuss and Possibly Act Upon Bid No. 2022-03 Related to Drainage and Flood Projects through the Hurricane Harvey General Land Office (GLO) Community Development Block Grant Mitigation (CDBG-MIT) Program and Authorize the Mayor to Execute Any Necessary Documentation

Director of Public Works Dane Rau presented this item. Rau stated that this is the long-awaited drainage project that will improve seven (7) different areas throughout Brenham. Rau explained that the grant was awarded to the City after having to compete with other cities throughout the region with a value of \$5.01 million dollars to help areas that either flood, have a need to be up-sized or have caused erosion within drainage areas. Rau advised that from the \$5.01 million that was awarded, the City is left with \$4,037,560 once engineering, grant management and environmental services were taken out.

Rau explained that the City, Strand Associates, and Public Management opened bids on August 14, 2024, and received two bidders. Rau explained that with so many projects on the initial grant and knowing that inflation would be higher since receiving the grant, and yet needing to meet the grant beneficiary guidelines, Strand Associates broke out the bid into a base bid and alternates. Rau stated that Solid Bridge Construction, LLC provided the lowest bid with all alternates at \$6,511,655.00, and the lowest base bid at \$5,422,110.00.

A motion was made by Councilmember Cook and seconded by Councilmember Saunders to approve the award of Bid No. 2022-03 related to drainage and flood projects to Solid Bridge Construction, LLC in the amount of \$5,422,110.00 through the Hurricane Harvey General Land Office (GLO) Community Development Block Grant Mitigation (CDBG-MIT) Program 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

11. Discuss and Possibly Act Upon Resolution R-24-014 Expressing Official Intent to Reimburse Certain Costs Related to the Purchase of Fire Trucks for the Brenham Fire Department

Chief Financial Officer Julie Flagg presented this item. Flag explained that the purchase of two (2) fire trucks was included in the 5-year Capital Plan presented to Council in May 2024. Flagg stated that these purchases are to be funded by future issuance of Certificates of Obligation and to allow the City to move forward with the purchases before a November 2024 price increase goes into effect, a Reimbursement Resolution is needed. Flagg explained that this will allow for the ability to reimburse certain costs related to the purchases of two (2) fire trucks.

A motion was made by Councilmember Saunders and seconded by Councilmember Wright to approve Resolution No. R-24-014 expressing official intent to reimburse certain costs related to the purchase of fire trucks for the Brenham Fire Department.

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 Resolution No. R-24-015 Expressing Official Intent to Reimburse Certain Costs Related to Drainage Projects

Chief Financial Officer Julie Flagg presented this item. Flagg explained that the City will need to provide funds of up to \$1,520,000 related to Bid No. 2022-03 for drainage improvement projects. Flagg explained that the remainder of the bid amount would be paid from a General Land Office Community Development Block Grant (Hurricane Harvey GLO CDBG-MIT program) that has been received. Flagg advised that this will allow for the ability to reimburse certain costs related to the drainage projects from a possible FY26 issuance of Certificates of Obligation.

A motion was made by Councilmember Wright and seconded by Councilmember LaRoche to approve Resolution No. R-24-015 expressing official intent to reimburse certain costs related to drainage projects.

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 Resolution No. R-24-016 Approving an Interfund Loan From the Electric Fund to the Drainage Fund to Pay for Drainage Projects

Chief Financial Officer Julie Flagg presented this item. Flagg explained that due to the timing of the drainage project construction and the possible issuance of Certificates of Obligation, the City is asking for the approval of an interfund loan from the Electric Fund to the Drainage Fund to cover the City portion of the drainage projects. Flagg stated the Electric Fund currently has sufficient reserves available for the interfund loan. Flagg advised this load would be for a maximum of \$1,520,000.00 and be interest free. Flagg explained that the principal amount of the loan would be paid in full within thirty (30) days of the receipt of the bond proceeds.

A motion was made by Councilmember LaRoche and seconded by Mayor Pro Tem Kolby to approve Resolution No. R-24-016 approving an interfund loan from the Electric Fund to the Drainage Fund for drainage projects.

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 the Purchase and Installation of a New Irrigation Pump Station at Hohlt Park through Buyboard Contract No. 705-23 and Authorize the Mayor to Execute Any Necessary Documentation

Parks Superintendent Casey Redman presented this item. Redman explained that since 2002, Hohlt Park has relied on the irrigation pump station near the pond to supply the 11 soccer fields, 8 softball/baseball fields, and numerous trees and flowerbeds with adequate water to keep them alive and in good condition. Redman stated that the current pump station has worked tremendously well throughout the years, but recently, a lot of maintenance has gone into the station to keep it operable. Redman advised that in the last inspection with the vendor, there is indication that the

pressure tank on the unit is degrading which was evident in the form of rust particles inside the rotors, which, in turn, cause problems for Parks staff with unclogging and/or replacing these rotors repeatedly throughout the summers. Redman explained that the new unit will be a tremendous upgrade in performance, energy savings, and ease of use.

A motion was made by Mayor Pro Tem Kolby and seconded by Councilmember Wright to approve the purchase and installation of a new irrigation pump station at Hohlt Park from Greenscapes Six through Texas BuyBoard Contract No. 705-23 in the amount of \$141,536.50 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. Discuss and Possibly Act Upon the Purchase and Installation of a New Shade Structure at the Blue Bell Aquatic Center through BuyBoard Contract No. 705-23 and Authorize the Mayor to Execute Any Necessary Documentation

Director of Public Works Dane Rau presented this item. Rau explained that during the past spring storms, the Blue Bell Aquatic Center suffered some wind damage to one of the original shade structures that covers the playground equipment by the outside pool area. Rau advised that this shade structure was original to the facility and was approaching 20 years old. Rau explained that due to the tight work area, existing fencing, and close proximity to the building, it adds to the costs to replace this structure. Rau advised that the City did claim this damage on insurance which the City is receiving original value plus some inflation totaling \$19,192.50. Rau stated the difference will be up to the City to fund.

Rau explained that of the three bids received, Adventure Playground Systems was the lowest bidder at \$51,721.90. Rau stated this vendor can install a 4-pole hip-roof structure similar to the current shade structure.

A motion was made by Councilmember Cook and seconded by Councilmember Saunders to approve the purchase and installation of a new shade structure at the Blue Bell Aquatic Center from Adventure Playground Systems through BuyBoard Contract No. 705-23 in the amount of \$51,721.90 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

16. Discuss and Possibly Act Upon the Approval of the Routine Airport Maintenance Program (RAMP) Grant Agreement No. M2517BREN with TxDOT for FY 2025 and Authorize the Mayor to Execute Any Necessary Documentation

Interim Airport Manager Jim Halley presented this item. Halley explained that this is the annual grant agreement with TxDOT for participation in the Routine Airport Maintenance Program (RAMP) from September 1, 2024, to August 31, 2025. Halley explained that the items include the monthly AWOS monitoring (AviMet Data Link connection fees and continued scheduled maintenance), annual AWOS maintenance contract, replacement lamps for the airport lighting system, herbicides, general maintenance, and a contingency for emergency repairs.

Halley stated that last year, TxDOT approved a change to the RAMP program and made it a 90/10 program with the City's share being a 10% match. Halley explained that the maximum annual reimbursement from the State for the grant is now \$100,000 with the City's match being \$11,111.11 for a total available grant amount of \$111,111.11. Halley stated that maintenance improvements are reviewed by Airport Staff based on priority of needs, with Airside needs being the highest priority.

A motion was made by Councilmember Saunders and seconded by Councilmember Wright to approve the Routine Airport Maintenance Program (RAMP) Grant Agreement No. M2517BREN with TxDOT for FY 2025 and authorize the Mayor to sign the 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

17. Discuss and Possibly Act Upon the Purchase and Installation of New Outdoor Lighting in Downtown Brenham through BuyBoard Contract No. 735-24 and Authorize the Mayor to Execute Any Necessary Documentation

Main Street Manager Leigh Linden presented this item. Linden stated that the City received multiple quotes for the purchase and installation of holiday lighting on the rooflines in Downtown Brenham with Glo Geeks submitting the most cost-effective for price and coverage area with a one-year warranty on labor and materials. Linden explained that the proposal includes customer extension cords, timers, custom-measured, cut, and installed lighting solutions tailored to specific locations, ensuring optimal placement and appearance. Linden advised that all lighting components, including LED bulbs rated for 70,000 hours, cords, and clips, will be brand new and of high quality.

Linden stated that the project will utilize premium C9 LED SMD Retrofit Bulbs with long-lasting LED chips, corrosion-resistant nickel bases, and an IP67 waterproof rating, that have a traditional warm white color temperature of 2700K.

Linden explained that to facilitate the project, a payment of \$28,795 (cost of materials) is required upon arrival and delivery of all materials with the remaining balance being due upon project completion and full customer satisfaction.

Linden explained that originally the Courthouse was included in this plan but due to the building being a historically protected building nothing is allowed to be changed. Linden also explained that this is Phase 1. Linden stated that other buildings will be included in future lighting plans.

A motion was made by Councilmember Saunders and seconded by Councilmember Wright to approve the purchase and installation of new outdoor lighting in Downtown Brenham from Glass Geeks in the amount of \$57,590.00 through BuyBoard Contract No. 735-24 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

18. Administrative/Elected Officials Report

City Manager Carolyn Miller reported on the following:

- October 17 - Regular City Council Meeting
- October 18-20 - TX Arts and Music Festival
- October 26 - Mask-erade on Main

ADJOURN

Atwood C. Kenjura

Mayor

Jeana Bellinger, TRMC, CMC

City Secretary

