

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on Thursday, November 7, 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 Water/Wastewater Bobby Keene, Director of Finance Stacy Hardy, Director of Public Works Dane Rau, Chief Financial Officer Julie Flagg, Director of HR and Risk Management Susan Nienstedt, Police Chief Lloyd Powell, Assistant Police Chief Curtiss Schoen, Assistant Fire Chief David Cella, Development Services Director Stephanie Doland, Economic & Community Development Director Teresa Rosales, Robin Hutchens, Karen Stack, Kyle Branham, Shawn Bolenbarr, Marisol Urbina, Jason Lange, Ande Bostain, Curtis Martin, Mason Patronella, Mason Guillen, Cyndi Boyd, Cyndi Longhofer, Brandi Garcia, Richard O'Malley, and Nancy Stafford.

Citizens/Others Present:

Robert and Ann Wilson.

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 - Councilmember Adonna Saunders**

3. Presentation of the Brazos American Institute of Architects Award

4. Service Recognitions

- ◆ Susan Nienstedt - Human Resources and Risk Management - 25 Years
- ◆ Alton Sommerfield - Public Utilities - 45 Years

5. Police Department Promotion

- ◆ Crystal Buckner-Reyes, Sergeant

6. Citizen Comments

Robert Wilson addressed the Council with a concern regarding the handicapped sections of the Simon Theater, stating they are not sufficient for the majority of key ticket holders. Wilson would like to see more accommodations made for the elderly and handicapped.

CONSENT AGENDA

7. Statutory Consent Agenda

- 7.a. Approve Ordinance No. O-24-029 on Its Second Reading Providing No Parking Zones on West Fifth Street in the City of Brenham**
- 7.b. Approve Ordinance No. O-24-030 on Its Second Reading Authorizing the Placement of a Stop Sign on Muse Street at Its Intersection with Harrington Street**
- 7.c. Approve Resolution No. R-24-018 Approving Amendment No. 3 of the Chapter 380 Economic Development Agreement Between the City of Brenham and BK Stringer, Ltd.**
- 7.d. Approve the Ratification of a Purchase from Brenntag Southwest Inc. in the Amount of \$51,111.00 for Water Treatment Chemicals and Authorize the Mayor to Execute Any Necessary Documentation**
- 7.e. Approve the City of Brenham 2025 City Holiday Calendar and Authorize the Mayor to Execute Any Necessary Documentation**
- 7.f. Approve a Three-Year License Agreement Between the City of Brenham and Milsoft Utility Solutions Related to the Outage Management System (OMS) in the Amount of \$34,500.00 and Authorize the Mayor to Execute Any Necessary Documentation**

7.g. Award ITB No. 25-002 for Fleet Fueling Services for the City of Brenham Vehicle and Equipment Fleet to Alexander Oil and Authorize the Mayor to Exectue Any Necessary Documentation

A motion was made by Councilmember Wright and seconded by Councilmember Saunders to approve Consent Agenda Items 7.a. through 7.g. 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. Discussion and Presentation on the City of Brenham Charter Article III - The City Council, Article IV - The City Manager; Finances, Article V - Improvement Bonds, Article VI - Taxation, and Article VII - Miscellaneous Provisions

City Secretary/Director of Administrative Services Jeana Bellinger presented this item. Bellinger began with a review from the City Council Work Session on May 16th related to three sections of Article III:

- Sec. 4 - Terms of Office: The City Council agreed to a three-term limit (12 years) for the offices of Mayor and Councilmember. The Council also agreed that any full or partial terms served prior to May 3, 3025 would not be considered for the purpose of term limitations. The Council directed staff to prepare the proposition wording to indicate that a member would need to sit out one-year before being elected to the office of Mayor or Councilmember again; however, a person could move between offices without the one-year lay off.
- Sec. 14 - Salaries - Bellinger explained that in May the City Council discussed increasing the salary for the Mayor from \$225 per month to \$550 per month and the salary for Councilmembers from \$225 per month to \$450 per month. After further discussion, the City Council agreed to move forward with this recommendation
- Section 17 - Bellinger explained that at the meeting in May, the City Council discussed at length whether city ordinances should require only one reading instead of two. Bellinger advised that based on the discussion in May, she was not recommending any change to this section and that all ordinances, except for

emergency ordinances, would continue to require two readings.

Bellinger explained that Article's IV through VII include mostly grammatical, punctuation, and modernization of wording changes. Bellinger stated that Article VIII, Section 7, Improvement bonds, is being revised to reflect the current procedure and if approved by Council that would be a separate Proposition.

Bellinger informed the City Council that she and City Attorney Cary Bovey would be meeting and going through the Charter one more time and at the December 5th meeting she would bring back the final list of Propositions to be considered by the City Council. Bellinger stated that at this time she is predicting there will be 9-12 Propositions.

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

Director of Economic and Community Development Teresa Rosales presented this item. Rosales stated that the Joint Compliance Committee for Tax Phase-In convened on June 25, 2024, to review potential modifications to the existing City of Brenham Tax Phase-In Policy adopted on May 4, 2023. The Committee recommended the following changes to the policy:

- Charge a \$500.00 application fee for all tax abatement applications. This fee will be refundable if the applicant does not qualify - it was decided that this will be brought back at a later time.
- The applicant must maintain or create within the first year and throughout the Tax Phase-In incentive period a minimum of ten (10) jobs with an average salary based on the current US Department of Labor minimum salary level for exempt positions. This average salary amount is whether the applicant's jobs are exempt or not. - it was suggested that the average salary be set at \$44,000.00.
- Eliminate all references to the Downtown Zone in the policy - it was suggested that the Downtown Zone be left with the first table valuation being raised to \$75,000.00.
- The project must add a minimum value to the tax roll, for eligible property, of \$2,500,00.00 - it was suggested that Level 1 and 2 be removed and begin valuations at Level 3, \$2,500,00.00.
- Added a definition of abatement to the glossary
- Mandated that the Washington County Chief Appraiser be given a copy of the complete tax abatement application.

City Manager Carolyn Miller advised that she attended the Main Street Advisory Board meeting on November 4th due to some concern about removing the downtown zone from the Tax Phase-In Reinvestment Zone. Miller provided the Board's feedback related to the changes being recommended:

- Brenham is part of the Texas Historical Commission's Texas Main Street Program. The Board questioned whether the comparison cities are also part of Texas' Main Street Program.
- The Board feels like there will be negative community perception if the Downtown District is eliminated from the tax phase-in process.
- The Board expressed concerns about insurance and taxes causing financial hardship for all downtown property owners and the tax phase-in incentives could determine whether a business prospect locates in downtown or chooses another location in Brenham.
- The Board expressed concerns that even though only two businesses have applied and been granted incentives in the past 10 years, they feel that other businesses may not have known about the tax phase-in program.
- The Board requested that, instead of removing downtown from the policy, that the minimum valuation be increased from \$50,000.00 to \$150,000.00.

REGULAR SESSION

10. Discuss and Possibly Act Upon Resolution No. R-24-019 Regarding Citizens Participation and Civil Rights Policies and Procedures Required to be Adopted by Grant Recipients for the Award of the Community Development Block Grant Program (Contract No. GLO 24-065-E764) from the Texas General Land Office (GLO) for Street and Drainage Improvements to Lott Lane and Shepard Lane

Director of Public Works Dane Rau presented this item. Rau explained that this Resolution is part of the requirements related to the Community Development Block Grant in which the City received \$1,044,500.00 for street and drainage improvements to Lott Ln and Shepard Ln.

A motion was made by Councilmember Canales and seconded by Councilmember Cook to approve Resolution No. R-24-019 regarding Citizens Participation and Civil Rights Policies and Procedures required to be adopted by grant recipients for the award of the Community Development Block Grant Program (Contract No. GLO 24-065-E764) from the Texas General Land Office (GLO) for street and drainage improvements to Lott Lane and Shepard Lane.

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 No. R-24-020 Designating Authorized Signatories for Contractual Documents and Documents Requesting Funds for the Community Block Grant Program (CDBG) Related to Street and Drainage Improvements

Director of Public Works Dane Rau presented this item. Rau explained that with the upcoming Community Development Block Grant a Resolution is needed to authorize certain staff and members of Council to act as designated signatories. Rau explained that the Mayor and the City Manager will be authorized to execute contractual documents associated to the Community Development Block Grant Program and execute environmental review documents between the Texas General Land Office and the City. Rau continued that the Mayor, City Manager, Public Works Director, and Finance Director will be authorized to execute the State of Texas Purchase Voucher and Request for Payment Form documents required for requesting funds approved in the Community Development Block Grant Program.

A motion was made by Councilmember Saunders and seconded by Councilmember Cook to approve Resolution No. R-24-020 designating authorized signatories for contractual documents and documents requesting funds for the Community Block Grant Program (CDBG) related to street and drainage improvements.

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-24-021 Authorizing the Submission of a Grant Application to the Texas Department of Agriculture (TDA) for the Community Development Block Grant (CDBG) Program for Street and Drainage Improvements

Purchasing/Public Works Project Manager Kyle Branham presented this item. Branham stated that TDA has increased these grant funds from \$500,000.00 to \$750,000.00 to help with the increase of construction costs, with the City needing to

contribute a match of \$125,000.00 . Branham explained that this is a two-phase application process; the first phase is mostly information about the city and our high-level project interest and if scored high enough, the City will be invited to the second phase where the City will hire an engineer to identify project details.

Branham advised that it is the City's intent to use these funds to provide a wider asphalt roadway and have concrete curb and gutter infrastructure to Lott and Shepard Lane. Branham explained that these roadways are less than 22' and have insufficient drainage, this grant will help bring these roadways up to city standards. Branham continued that this area was annexed in 2008 and only minor improvements have been made thus far.

A motion was made by Councilmember Saunders and seconded by Councilmember Wright to approve Resolution No. R-24-021 authorizing the submission of a grant application to the Texas Department of Agriculture (TDA) for the Community Development Block Grant (CDBG) Program for street and drainage improvements.

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-24-022 Requesting the State Legislature Designate Brenham as the Ice Cream Capital of Texas

Director of Tourism and Marketing Jennifer Eckermann presented this item. Eckermann explained that a City Councilperson from Deer Park approached the City informing us they have "The Birthplace of Texas" trademarked. Eckermann stated that the City began discussions concerning a change that makes the most sense for Brenham; therefore, pursuing official recognition as "The Ice Cream Capital of Texas". Eckermann advised that after speaking with Senator Kolkhorsts office, it was determined a Resolution would be needed in order to officially claim the title of "The Ice Cream Capital of Texas".

A motion was made by Councilmember Saunders and seconded by Mayor Pro Tem Kolby to approve Resolution No. R-24-022 requesting the State Legislature designate Brenham as the Ice Cream Capital of Texas.

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 Resolution No. R-24-023 Amending Resolution No. R-24-002 Approving the Submission of a Grant Application through the Office of the Governor (OOG), Public Safety Office, Homeland Security Grants Division for the 2024 State Homeland Security Program - Law Enforcement Terrorism Prevention Activities (LETPA) Projects

Lieutenant Steven Eilert presented this item. Eilert explained that in February 2024, Council approved Resolution No. R-24-002 authorizing the Police Department to apply for a grant from the Office of the Governor (OOG), Public Safety Office, Homeland Security Grants Division, (LETPA Projects) for One (1) DJI Matrice 350 RTK Drone and Applicable Equipment. Eilert explained that after applying for the grant, the City was notified by the OOG that the federal government had placed an exclusion on DJI Technology Co., Ltd (DJI) meaning the City is unable to make this purchase this drone. Eilert stated that an approved replacement manufacturer has been found with quotes for one (1) Autel Alpha Drone and Applicable Equipment, therefore requiring an amended Resolution.

A motion was made by Councilmember Canales and seconded by Councilmember Saunders to approve Resolution No. R-24-023 amending Resolution No. R-24-002 approving the submission of a grant application through the Office of the Governor (OOG), Public Safety Office, Homeland Security Grants Division for the 2024 State Homeland Security Program - Law Enforcement Terrorism Prevention Activities (LETPA) 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

15. Discuss and Possibly Act Upon Resolution No. R-24-024 Authorizing the Acceptance of a Grant through the Office of the Governor (OOG), Public Safety Office, Homeland Security Grants Division for the 2024 State Homeland Security Program - Law Enforcement Terrorism Prevention Activities (LETPA) Projects

Lieutenant Steven Eilert presented this item. Eilert advised that this is a companion item to the previous item changing the vendor on a grant Resolution. Eilert explained that the City has been notified that it was awarded the grant in the amount of \$28,041.00. Eilert explained that a Resolution is needed for Council's consideration to accept the award and there are no matching funds required.

A motion was made by Councilmember Canales and seconded by Councilmember Cook to approve Resolution No. R-24-024 authorizing the acceptance of a grant through the Office of the Governor (OOG), Public Safety Office, Homeland Security Grants Division for the 2024 State Homeland Security Program - Law Enforcement Terrorism Prevention Activities (LETPA) 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

16. Discuss and Possibly Act Upon a Project Proposal from Lower Colorado River Authority (LCRA) for a Five-Year Electric Engineering System Study with Electrical System Visual Inspection and Authorize the Mayor to Execute Any Necessary Documentation

Mayor Kenjura stated that this item will be passed on for consideration at a later City Council meeting.

17. Discuss and Possibly Act Upon the Purchase of One (1) Vermeer Hydrovac Unit for the City of Brenham Electric Department through BuyBoard Contract No. 597-19 and Authorize the Mayor to Execute Any Necessary Documentation

Fleet and Facility Supervisor Stephen Draehn presented this item. Draehn explained the electric Department is requesting to purchase one (1) Vermeer LP573XDT Hydrovac Unit for use in excavating and identifying underground utilities.

Draehn explained that vacuum excavation reduces the need for manual hand digging or abrasive excavation methods (via traditional hydraulic excavators), which lessens the associated health risks for workers on site. Draehn stated that the proposed unit will be trailer mounted and will contain a 24 hp diesel engine, 580 CFM vacuum pump, and a debris tank with a hydraulically operated rear door.

Draehn advised that a quote was obtained from Vermeer Texas-Louisiana through BuyBoard contract #597-19 for the amount of \$65,900.00 and includes the Hydrovac Unit, pre-delivery inspection, and BuyBoard Administrative Fee.

A motion was made by Councilmember Saunders and seconded by Councilmember Wright to approve the purchase of one (1) Vermeer Hydrovac Unit for the City of Brenham Electric Department from Vermeer Texas-Louisiana in the amount of \$65,900.00 through BuyBoard Contract No. 597-19 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:

- November 7th - Ladies Night Out 4:00 p.m. - 7:00 p.m.
- November 7th - Faith Mission Gala at 5:30 p.m.
- November 11th - Washington County Veterans Association Veterans Day Luncheon at 11:00 a.m.
- November 11th - City Offices Closed for Veterans Day
- November 21st - Regular City Council meeting

Council adjourned into Executive Session at 3:08 p.m.

EXECUTIVE SESSION

19. Section 551.074 - Texas Government Code - Deliberation Regarding Personnel Matters - Discussion Regarding the Appointment of a Brenham Municipal Court Presiding Judge

Executive Session adjourned at 3:53 p.m.

ADJOURN

Atwood C. Kenjura

Mayor

Jeana Bellinger, TRMC, CMC

City Secretary

