

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on Thursday, January 23, 2025 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, 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, Fire Chief Mark Donovan, Assistant Fire Chief David Cella, Police Chief Lloyd Powell, Economic & Community Development Director Teresa Rosales, Kyle Branham, Shawn Bolenbarr, and Richard O'Malley.

Citizens/Others Present:

None

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 Manager Carolyn Miller**
- 3. Police Department Promotion**

- ◆ **Grayson Marburger, Corporal**

4. Citizen Comments

No citizen comments were heard.

CONSENT AGENDA

5. Statutory Consent Agenda

- 5.a. Approve the Minutes from the January 7, 2025 Regular City Council Meeting**
- 5.b. Approve the Purchase of One (1) Chevrolet Silverado 2500 Pickup Truck for the City of Brenham's Wastewater Treatment Department from Lake Country Chevrolet Through The Interlocal Purchasing System (TIPS) in the Amount of \$55,070.25 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 5.a through 5.b. 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

- 6. Discuss and Possibly Act Upon an Order Calling a General Election to be Held on May 3, 2025 for the Purpose of Electing One Councilmember for Place 1 – Ward 1; One Councilmember for Place 3 – Ward 3; One Councilmember for Place 5 – At Large; and One Councilmember for Place 6 – At Large, Each for Four (4) Year Terms.**

Discutir y posiblemente actuar sobre una orden que convoca a una elección general que se llevará a cabo el 3 de mayo de 2025 con el propósito de elegir

a un concejal para el Lugar 1 - Distrito 1; Un concejal por el Lugar 3 – Distrito 3; un concejal por el Lugar 5 – En general; y un Concejal para el Lugar 6 – En general, cada uno por períodos de cuatro (4) años

City Secretary/Director of Administrative Services Jeana Bellinger presented this item. Bellinger explained that in accordance with the Texas Election Law and the City's Charter, the City must hold a General Election on Saturday, May 3, 2025 to elect one Councilmember for Place 1 – Ward 1; one Councilmember for Place 3 – Ward 3; one Councilmember for Place 5 – At Large; and one Councilmember for Place 6 – At Large. Each position will be for a four (4) year term.

A motion was made by Councilmember Canales and seconded by Councilmember Wright to approve an Order calling a General Election to be held on May 3, 2025 for the purpose of electing One Councilmember for Place 1 – Ward 1; One Councilmember for Place 3 – Ward 3; One Councilmember for Place 5 – At Large; and One Councilmember for Place 6 – At Large, each for four (4) year terms.

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

La Secretaria de la Ciudad/Directora de Servicios Administrativos, Jeana Bellinger, presentó este tema. Bellinger explicó que de acuerdo con la Ley Electoral de Texas y la Carta Constitucional de la Ciudad, la Ciudad debe celebrar una Elección General el sábado 3 de mayo de 2025 para elegir a un Concejal para el Lugar 1 – Distrito 1; un Concejal por el Lugar 3 – Distrito 3; un Concejal por el Lugar 5 – En general; y un concejal por el Lugar 6 – En general. Cada cargo será por un período de cuatro (4) años.

El Concejal Canales presentó una moción y fue secundada por el Concejal Wright para aprobar una Orden que convoca a una Elección General que se llevará a cabo el 3 de mayo de 2025 con el propósito de elegir un Concejal para el Lugar 1 - Distrito 1; Un concejal por el Lugar 3 – Distrito 3; un concejal por el Lugar 5 – En general; y un Concejal por el Lugar 6 – En general, cada uno por períodos de cuatro (4) años.

El alcalde Kenjura convocó a una votación. La moción fue aprobada con el voto del Concejo de la siguiente manera:

Si: Alcalde Kenjura, Alcalde Interino Kolby, Concejal Canales, Concejal Cook, Concejal LaRoche, Concejal Saunders, Concejal Wright

No: Ninguno

Ausente: Ninguno

7. Discuss and Possibly Act Upon an Ordinance on Its First Reading Ordering a Special Election on May 3, 2025 for the Purpose of Submitting to the Qualified Voters of Brenham Certain Proposed Amendments to the Existing Charter of the City of Brenham, Texas

Discutir y posiblemente actuar sobre una ordenanza en su primera lectura que ordena una elección especial el 3 de mayo de 2025 con el propósito de presentar a los votantes calificados de Brenham ciertas enmiendas propuestas a la carta constitutiva existente de la ciudad de Brenham, Texas

City Secretary/Director of Administrative Services Jeana Bellinger presented this item. Bellinger stated that the City will be holding a Special Election on May 3, 2025 to submit to the voters proposed amendments to the City's Charter. Bellinger explained that staff is recommending eleven (11) propositions be submitted to the voters for consideration:

1. Proposition A: Grammar, punctuation and spelling corrections, deletion of reserved sections, renumbering, and vocabulary changes.
2. Proposition B: Indicate that the city's boundaries will be determined in accordance with applicable state, federal or other laws.
3. Proposition C: Three-year term limit for the Mayor and City Councilmembers; term limits will not begin until after May 3, 2025.
4. Proposition D: Mayor and City Councilmember qualifications and move conflicts of interest provisions to another section of the Charter.
5. Proposition E: City Council's determination concerning the clarification of its members.
6. Proposition F: Indicate uniform election day instead of a specific day.
7. Proposition G: Indicate that runoff elections will be held in accordance with applicable law.
8. Proposition H: Clarify when City Council should meet after an election.
9. Proposition I: Increase salaries for Mayor and City Councilmembers.
10. Proposition J: Add conflicts of interest provision (companion to Proposition D).
11. Proposition K: Reflect current procedures related to bonds for elected officials and certain city employees.

Mayor Pro Tem Kolby inquired about the residency requirements of the City Manager. Bellinger explained that the residency requirements of the City Manager are found in Article IV, Section 1, and it currently states that the City Manager may or may

not be a resident of the City of Brenham when appointed, but shall establish his residence within the City as directed by the City Council. After further discussion, the City Council instructed Bellinger to add another Proposition that would permit the City Manager to live within Washington County. Bellinger stated that she and the City Attorney would work on the added Proposition and bring it back as part of the second reading of the Ordinance to call the Special Election.

A motion was made by Mayor Pro Tem Kolby and seconded by Councilmember Saunders to approve an Ordinance on its first reading ordering a Special Election on May 3, 2025 for the purpose of submitting to the qualified voters of Brenham certain proposed Amendments to the existing Charter of the City of Brenham, Texas, with the addition of one additional Proposition to require the City Managers residence be within Washington County, 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

La Secretaria de la Ciudad/Directora de Servicios Administrativos, Jeana Bellinger, presentó este tema. Bellinger declaró que la Ciudad llevará a cabo una Elección Especial el 3 de mayo de 2025 para presentar a los votantes las enmiendas propuestas a la Carta Constitucional de la Ciudad. Bellinger explicó que el personal recomienda que once (11) propuestas se presenten a los votantes para su consideración:

1. Proposición A: Correcciones gramaticales, de puntuación y ortografía, eliminación de secciones reservadas, renumeración y cambios de vocabulario.
2. Propuesta B: Indica que los límites de la ciudad se determinarán de acuerdo con las leyes estatales, federales u otras leyes aplicables.
3. Proposición C: Límite de mandato de tres años para el alcalde y los concejales de la ciudad; Los límites de mandato no comenzarán hasta después del 3 de mayo de 2025.
4. Propuesta D: Requisitos para el alcalde y los concejales y trasladar las disposiciones sobre conflictos de intereses a otra sección de la Constitución.
5. Proposición E: Determinación del Concejo Municipal sobre la aclaración de sus miembros.
6. Proposición F: Indicar un día de elección uniforme en lugar de un día específico.
7. Propuesta G: Indicar que las elecciones de segunda vuelta se llevarán a cabo de acuerdo con la ley aplicable.

8. Propuesta H: Aclarar cuándo debe reunirse el Concejo Municipal después de una elección.
9. Proposición I: Aumentar los salarios de los alcaldes y concejales.
10. Proposición J: Agregue la provisión de conflictos de intereses (complementaria a la Proposición D).
11. Propuesta K: Refleja los procedimientos actuales relacionados con los bonos para funcionarios electos y ciertos empleados de la ciudad.

El alcalde interino Kolby preguntó sobre los requisitos de residencia del administrador de la ciudad. Bellinger explicó que los requisitos de residencia del Administrador de la Ciudad se encuentran en el Artículo IV, Sección 1, y actualmente establece que el Administrador de la Ciudad puede o no ser residente de la Ciudad de Brenham cuando sea nombrado, pero deberá establecer su residencia dentro de la Ciudad según lo indique el Concejo Municipal. Después de una mayor discusión, el Concejo Municipal instruyó a Bellinger a agregar otra Proposición que permitiría al Administrador de la Ciudad vivir dentro del Condado de Washington. Bellinger declaró que ella y el Fiscal de la Ciudad trabajarían en la Proposición adicional y la devolverían como parte de la segunda lectura de la Ordenanza para convocar la Elección Especial.

El Alcalde Pro Tem Kolby y secundado por el Concejil Saunders para aprobar una Ordenanza en su primera lectura que ordena una Elección Especial el 3 de mayo de 2025 con el propósito de presentar a los votantes calificados de Brenham ciertas Enmiendas propuestas a la Carta Constitucional existente de la Ciudad de Brenham, Texas, con la adición de una Proposición adicional para requerir que la residencia de los Administradores de la Ciudad esté dentro del Condado de Washington, Texas.

El alcalde Kenjura convocó a una votación. La moción fue aprobada con el voto del Concejo de la siguiente manera:

Si: Alcalde Kenjura, Alcalde Interino Kolby, Concejil Canales, Concejil Cook, Concejil LaRoche, Concejil Saunders, Concejil Wright

No: Ninguno

Ausente: Ninguno

8. Discuss and Possibly Act Upon Resolution No. R-25-004 Authorizing the Submission of a Grant Through the Community Development Partnership Program (CDPP) Offered by the Lower Colorado River Authority (LCRA) for the Purchase of Six (6) Thermal Imaging Cameras for the City of Brenham Fire Department

Fire Chief Mark Donovan presented this item. Donovan explained that the fire department's current thermal imaging cameras are aging and that makes finding replacement parts harder which increases the time a thermal imaging camera is out of service, causing the fire department's life saving capabilities to decrease. Donovan

stated that with decreased capabilities, the time it takes for fire department personnel to search a smoke-filled building for potential victims is increased, reducing the survivability of any potential victims. Donovan advised that by purchasing new thermal imaging cameras, the time a camera will be out of service will be limited which will make the fire department's capabilities increase exponentially which will result in shorter times to search a smoke-filled building for victims, increasing the survivability potential. Donovan stated that the Brenham Volunteer Firefighters Association is covering the 20% match cost for this project so there will be no impact to the Fire Department's operating budget.

A motion was made by Councilmember Cook and seconded by Councilmember Canales to approve Resolution No. R-25-004 authorizing the submission of a grant through the Community Development Partnership Program (CDPP) offered by the Lower Colorado River Authority (LCRA), for the purchase of six (6) thermal imaging cameras for the City of 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

9. Discuss and Possibly Act Upon Resolution No. R-25-005 Authorizing the Submission of a Grant Application to the Office of the Governor (OOG), State Homeland Security Program - Regular Projects (SHSP- R) FY24 for the Purchase of Three (3) 5-Gas Monitors with Three (3) Year Maintenance Service Contracts for the City of Brenham Fire Department

Assistant Fire Chief David Cella presented this item. Cella stated that the Fire Department has six (6) multi gas monitors in service with only one (1) monitor having Photo Ionization Potential (PID) capabilities. Cella advised that all the monitors are reaching their life expectancy. Cella explained that as the area continues to grow and develop, the call volume that requires a multi gas monitor will only increase. Cella advised that such calls include CO alarms, gas leaks, unknown odor investigations, and hazardous material releases.

Cella stated that no match is required for this grant and there will be no impact to the Fire Department's operating budget; however, there will be annual maintenance costs of \$7,471.70 for the six units that will be built into the Fire Department's annual budget.

A motion was made by Councilmember Canales and seconded by Councilmember Saunders to approve Resolution No. R-25-005 authorizing the submission of a grant application to the Office of the Governor (OOG), State Homeland Security Program - Regular Projects (SHSP- R) FY24 for the purchase of three (3) 5-gas monitors with a three (3) year maintenance service contract for the City of 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

10. Discuss and Possibly Act Upon Resolution No. R-25-006 Authorizing the Acceptance of a Grant from the Texas Parks and Wildlife Department to Participate in the Local Parks Grant Program Related to Phase I of the Brenham Family Park

Director of Public Works Dane Rau presented this item. Rau explained that the grant application for the Brenham Family Park was approved by Council in 2018 and the City received the Notification to Proceed in October of 2024. Rau advised that this Resolution is officially accepting the \$750,000.00 grant from Texas Parks and Wildlife so that the City can move forward with the final design and bid out Phase I of the park.

Rau explained that Phase I will include amenity/retention pond, parking, signage, utility extensions, a restroom facility, 1-mile walking/biking trail, lighting, benches, pedestrian bridge, and wildflower areas.

A motion was made by Councilmember Saunders and seconded by Councilmember Canales to approve Resolution No. R-25-006 authorizing the acceptance of a grant from the Texas Parks and Wildlife Department to participate in the Local Parks Grant Program related to Phase I of the Brenham Family Park.

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 the Saeger Street Construction Cost Participation Agreement Between the City of Brenham and Southern Land of Texas, LLC Related to the Extension of Saeger Street and Authorize the Mayor to Execute Any Necessary Documentation

Director of Public Works Dane Rau presented this item. Rau explained that as development is occurring on N. Saeger St and Jefferson St with the Wilkens Valley Subdivision a new section of N. Saeger St will be built and extended by the developer, Southern Land of Texas, LLC (formerly Collier Construction LLC). Rau advised that part of the development obligation is that the developer be responsible for building 31' concrete curb and gutter roadways throughout the subdivision. Rau explained that that Saeger Street is categorized as a future Minor-Collector roadway, therefore, the City is interested in expanding this section to 41' which will match up to S. Saeger Street on the south side of Main Street by Grace Fellowship. Rau explained that by expanding this roadway and knowing that one day it will eventually extend to Blue Bell Road it is important for future growth of the City that we proactively expand this roadway now while it is being built.

Rau explained that Southern Land of Texas has provided a cost breakdown of the City's portion for the extension of the additional 10' all the way through to the northern property line. Rau stated that the total participation cost from the City would be \$285,112.15 with the total project cost being \$1,295,229.87. Rau stated that Saeger Street along with all the other streets in the subdivision will be dedicated to the City after construction and the one-year warranty period ends.

A motion was made by Councilmember Canales and seconded by Councilmember Cook to approve the Saeger Street Construction Cost Participation Agreement between the City of Brenham and Southern Land of Texas, LLC related to the extension of Saeger Street in the amount of \$285,112.15 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. Administrative/Elected Officials Report

City Manager Carolyn Miller reported on the following:

- January 30th - Chamber of Commerce Banquet
- February 6th - TIRZ Board Meeting
- February 6th - Regular City Council Meeting

Council adjourned into Executive Session at 2:13 p.m.

EXECUTIVE SESSION

- 13. Section 551.071, Texas Government Code - Consultation with Attorney - Consultation with City Attorney Concerning the Brenham Municipal Airport, Its Operations and Services, and Associated Matters**
- 14. Section 551.071, Texas Government Code - Consultation with Attorney - Consultation with City Attorney Regarding Settlement Demand Received by City of Brenham, and Associated Matters**
- 15. Section 551.071 and Section 551.072, Texas Government Code – Consultation with Attorney and Deliberation Regarding Real Property – Discussion and Deliberation, and Consultation with City Attorney, Regarding Legal Matters and Possible Acquisition of Real Property Related to the Texas Department of Transportation U.S. Highway 290/State Highway 36 Interchange Project, and Associated Matters**

Executive Session adjourned at 3:34 p.m.

ADJOURN

Atwood C. Kenjura

Mayor



Jeana Bellinger, TRMC, CMC

City Secretary