

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on October 1, 2020 beginning at 1:00 p.m. in the Brenham City Hall, City Council Chambers, at 200 W. Vulcan Street, Brenham, Texas.

Members present:

Mayor Milton Y. Tate, Jr.
Mayor Pro Tem Andrew Ebel
Councilmember Susan Cantey
Councilmember Keith Herring
Councilmember Clint Kolby
Councilmember Adonna Saunders
Councilmember Albert Wright

Members absent:

None

Others present:

City Attorney Cary Bovey, Deputy City Secretary II Karen Stack, Assistant City Manager – Chief Financial Officer Carolyn Miller, Assistant City Manager - Public Services/Utilities Donald Reese, Public Works Director Dane Rau, Director of Tourism & Marketing Jennifer Eckermann, Development Services Director Stephanie Doland, Shauna Laauwe, Jared Campbell, and Todd Ashorn.

Citizens present:

Mary Thornhill, Dr. John McIntire, and Lisa Hibbeler

Media Present:

Alyssa Faykus, Brenham Banner Press; and Josh Blaschke, KWHI

- 1. Call Meeting to Order**
- 2. Invocation and Pledges to the US and Texas Flags – Mayor Tate**
- 3. Citizens Comments**

None.

4. Proclamations

- **Think Pink Thursday**
- **Fire Prevention Week**

CONSENT AGENDA

5. Statutory Consent Agenda

5-a. Minutes from the September 17, 2020 Regular City Council Meeting

5-b. Approve the Purchase and Installation of a New Roof for the Blue Bell Aquatic Center from CR Systems, Inc., Through The Interlocal Purchasing System (TIPS) Contract No. 10102116, in the Amount of \$70,380.00 and Authorize the Mayor to Execute Any Necessary Documentation

5-c. Approve Resolution No. R-20-028 Reauthorizing an Investment Policy for the City of Brenham

5-d. Acceptance of a Donation from The Dorothy Elaine O'Connor Living Trust in the Amount of \$2,500.00 for the Nancy Carol Roberts Memorial Library and Authorize the Mayor to Execute Any Necessary Documentation

5-e. Approve Change Order No. 1 and Final Payment on Contract No. 2016-03 to Angel Brothers Enterprises Ltd in the Amount of \$71,443.81 for Burleson Road Culvert Replacement and Authorize the Mayor to Execute Any Necessary Documentation

5-f. Approve Change Order No. 1 and Final Payment on Contract No. 2016-04 to Lonnie Lischka Company, LP in the Amount of \$21,690.32 for the Brenham Business Center Detention Pond Improvements Project and Authorize the Mayor to Execute Any Necessary Documentation

5-g. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the FY2019-20 Adopted Budget

A motion was made by Councilmember Wright and seconded by Councilmember Cantey to approve the Statutory Consent Agenda Items 5-a. through 5-g. as presented.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Keith Herring	Yes
Councilmember Clint Kolby	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

REGULAR SESSION

6. Discuss and Possibly Act Upon an Ordinance on Its First Reading Granting a Variance to Section 23-21(3)(a) and (3)(c) of the City of Brenham Code of Ordinances, Chapter 23, Subdivisions, (Case No. P-20-029)

This item was presented by Project Planner Shauna Laauwe. Laauwe explained that the subject property is an 8.156-acre lot in the City of Brenham's Extraterritorial Jurisdiction (ETJ). Laauwe advised that the property currently has two existing residences and accessory structures. Laauwe said that the owner wants to subdivide the property into two tracts, with Tract 1 being .75 acres and Tract 2 being 7.41 acres. Laauwe advised that the requested subdivision would require two variances from the City's Subdivision Ordinance.

First, Laauwe explained that Section 23-21(3)(a) requires rural tracts to be a minimum of 125 wide at the frontage road, whereas the requested division would result in Tract 2 having a strip of land that is only 24 feet wide. Laauwe explained this was necessary to give the resident of Tract 2 road access by deed rather than a travel easement. Laauwe further noted that providing this strip of land to Tract 2 would reduce the area of Tract 1 to 0.75 acres, which is below the 1 acre minimum required by Section 23-21(3)(c).

Laauwe reported that the Washington County Engineer reviewed the variance requests and has no objection, and that the Planning & Zoning Commission recommended approval on a vote of 6-1. Laauwe said staff recommend approval of the requested variance.

Councilmember Kolby asked whether a variance would still be required if Tract 2 was granted a travel easement. Laauwe replied that it would, because in that situation Tract 2 would not meet the requirement of having direct road access. Councilmember Cantey said she is concerned about the precedent that would be set by granting these variances. Mayor Pro Tem Ebel asked whether the lot of Tract 1 would be large enough for a septic system. Laauwe replied that Washington County determined that it was. Ebel also asked what the adjoining property owners thought of the variance request. Laauwe replied that staff had not received any comments from the adjacent property owners. Councilmember Herring asked who would be responsible for maintaining the driveway. Development Services Director Stephanie Doland replied that this would be a private driveway and would be maintained by the owner.

A motion was made by Councilmember Herring and seconded by Councilmember Saunders to approve an ordinance on its first reading granting a variance to Section 23-21(3)(a) and (3)(c) of the City of Brenham Code of Ordinances, Chapter 23, Subdivisions, (Case No. P-20-029).

Mayor Tate called for a vote. The motion passed 6-1, with Council voting as follows:

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	No
Councilmember Keith Herring	Yes
Councilmember Clint Kolby	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

7. Discuss and Possibly Act Upon the Appointment of Members to Serve on the City of Brenham's Historic Preservation Ordinance Committee and Authorize the Mayor to Execute Any Necessary Documentation

Tourism and Marketing Director Jennifer Eckermann presented this item. Eckermann said that on February 5, 2020, City staff held a public meeting to discuss an Historic Preservation Ordinance. Eckermann reported that the meeting was well-attended, and staff were pleased with the representation from the community. Eckermann said that after the meeting, she met with City Manager James Fisher, Assistant City Manager/Chief Financial Officer Carolyn Miller, Councilmember Cantey, and Councilmember Kolby to review recommendations for citizens to serve on a committee to develop an Historic Preservation Ordinance for the City. Eckermann said that the recommended members who have agreed to serve are:

- City Council Representatives: Susan Cantey and Clint Kolby
- P&Z Commission Representatives: Deanna Alfred and Cayte Neil
- Main Street Board Representatives: Jim Moser and John Hermann
- Public Representatives: Mary Thornhill, Katie Burch, Tina Henderson, Ed Owens and Tami Redshaw

A motion was made by Councilmember Herring and seconded by Councilmember Cantey to approve the appointment of eleven (11) members to serve on the City of Brenham's Historic Preservation Ordinance Committee and authorize the Mayor to execute any necessary documentation.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Keith Herring	Yes
Councilmember Clint Kolby	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

8. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending Chapter 25, Article II, of the Code of Ordinances of the City of Brenham, Regulating Speed Limits in Designated School Crossing Zones

This item was presented by Public Works Director Dane Rau. Rau said the issue of a school zone on W. Tom Green Street between S. Market Street and S. Austin Street (near Alton Elementary) was recently brought to the attention of staff. Rau explained that this area was not on the school zone list established in 2009, noting that in 2009 Alton Elementary was not being used as a school. Rau said that because the City is in control of W. Tom Green Street, staff recommend this section of roadway be added to Section 25-20 as a school crossing zone, which would reduce the speed limit to 20 mph during the hours of 7:30 a.m. to 8:30 a.m., and 2:45 p.m. to 4:00 p.m.

A motion was made by Councilmember Cantey and seconded by Councilmember Herring to approve an ordinance on its first reading amending Chapter 25, Article II, of the Code of Ordinances of the City of Brenham, regulating speed limits in designated school crossing zones.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Keith Herring	Yes
Councilmember Clint Kolby	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

9. Discuss and Possibly Act Upon a Professional Services Agreement Between the City of Brenham and Infrastructure Management Services Related to the 2020 Pavement Data Collection and Analysis Services and Authorize the Mayor to Execute Any Necessary Documentation

This item was presented by Assistant City Manager - Public Services/Utilities Donald Reese. Reese explained that Brenham currently uses the subjective “windshield observation” method to evaluate the condition of its roads, meaning only the top surface area of the street is viewed with no knowledge of the condition of the subsurface. Reese said that this method of evaluation does not give additional information such as the performance of the roadway over its lifetime, the location of microcracks, or the thickness of the pavement.

Reese explained that Infrastructure Management Services (IMS) will collect data using a Laser Crack Measurement System. This system completes a 3D millimeter-level scanning of the pavement surfaces and collects data on pavement distresses and structural strength as well as pavement elevation (range and intensity) and identifies cracking, rutting, roughness, potholes, and bleeding. Reese said a Pavement Management Report, with detailed analysis and surveys, will be submitted to the City complete with budget and pavement condition forecasts, recommended rehabilitation strategies and GIS maps of the surveyed network. Reese noted that the City’s road network is its largest asset by dollar value, and it is more cost effective to maintain the asset than to let it deteriorate and rebuild.

Councilmember Herring asked how often this service would need to be repeated. Reese estimated the service would need to be performed about once every three years. Mayor Pro Tem Ebel asked if IMS reports would be compatible with the City’s existing technology. Reese replied that it was and added that no software purchase would be required.

A motion was made by Mayor Pro Tem Ebel and seconded by Councilmember Herring to approve a Professional Services Agreement between the City of Brenham and Infrastructure Management Services, in the amount of \$77,828.00, for the 2020 Pavement Data Collection and Analysis Services and authorize the Mayor to execute any necessary documentation.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Keith Herring	Yes
Councilmember Clint Kolby	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

10. Discuss and Possibly Act Upon a Noise Variance for the City of Brenham's Community Picnic to be Held on November 1, 2020 from 4:00 p.m. to 6:00 p.m. at Henderson Park and Authorize the Mayor to Execute Any Necessary Documentation

This item was presented by Detective Jared Campbell. Campbell explained the purpose of the Community Picnic is to encourage members of the community to come together and get to know City and County Officials, Peace Officers, and other first responders. Campbell said the event will be held November 1st, 2020 from 4:00 p.m. to 6:00 p.m., and will include a DJ, hot dogs, and yard games. Campbell noted the event would have amplified sound; therefore, a noise variance is required.

A motion was made by Councilmember Cantey and seconded by Councilmember Wright to approve a noise variance for the City of Brenham's Community Picnic to be held on November 1, 2020 from 4:00 p.m. to 6:00 p.m. at Henderson park and authorize the Mayor to execute any necessary documentation.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Keith Herring	Yes
Councilmember Clint Kolby	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

11. Administrative/Elected Officials Report

Assistant City Manager Donald Reese reported on the following:

- The Scarecrow Extravaganza downtown started September 25th and will go through October 25th.
- On October 2nd, the Brenham Farmer and Artisan Market will be held downtown.
- Movies in the Park will be held at Park on October 2nd and 9th at Hohlt Park Amphitheatre.
- Hot Nights, Cool Tunes will be held on the 10th, 16th, 17th, and 24th of October.
- October 4th through 11th is the Clean Sweep Week at the Bluebell Aquatic Center.
- The Annual Kid Fish will be held at Bluebell Aquatic Center on the 24th.
- The Brazos Valley Gives online fundraiser for the Brenham Pet Adoption Center will be held on the 27th.
- Boo Bash Drive-Through Trunk or Treat will be held on October 31st at Boys & Girls Club in Brenham.
- Brenham Police Department Halloween Drive-Through will be held at Max Donuts on October 31st.

Sgt. Todd Ashorn reported on the following:

- National Night Out will be held on October 6th. Seven parties are scheduled, and Councilmembers are invited.

Councilmember Herring reported on the following:

- The High School Choir will be singing on October 1st at the Amphitheatre.

The meeting was adjourned.

Milton Y. Tate, Jr.

Mayor

Karen Stack

Deputy City Secretary II

