

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on Thursday, June 1, 2023 beginning at 1:00 p.m. in the Brenham City Hall, City Council Chambers, at 200 W. Vulcan Street, Brenham, Texas.

Members Present:

Mayor Atwood C. Kenjura
Councilmember Shannan Canales
Councilmember Leah Cook
Councilmember Dr. Paul F. LaRoche, III
Councilmember Adonna Saunders
Councilmember Albert Wright

Members Absent:

Mayor Pro Tem Clint Kolby

City of Brenham Staff present:

City Manager Carolyn Miller, City Attorney Cary Bovey, City Secretary Jeana Bellinger, General Manager of Public Utilities Debby Gaffey, Director of Finance Stacy Hardy, Police Chief Ron Parker, Public Works Director Dane Rau, Development Services Director Stephanie Doland, Economic Development Specialist Teresa Rosales, Main Street Manager, Leigh Linden, Legal & Legislative Manager Karen Stack, Kyle Branham, Cherry Cash Prewitt, Cynthia Longhofer, Kevin Boggus, Steven Eilert, Kelvin Raven, Casey Redman, Stephen Draehn, Curtiss Schoen, Lloyd Powell, Victor Ortiz, Jimmy Ha, Sierra Randle, Ashley Burns, David Randle, Tina Bruno, Nancy Stafford, Brett Schroeder, Carrie Derkowski, and Brian Schaeffer

Citizens/Others Present:

Myla Mills, Carlee Stephens, and Lindsay Martin Bilbrey

Media Present:

Jason May, Brenham Banner-Press; and Josh Blaschke, KWHI

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

3. Service Recognitions

- **Kyle Branham, Purchasing & Central Warehouse - 15 Years**
- **Victorino Ortiz, Parks Department - 20 Years**
- **Brett Schroeder, Fire Department - 20 Years**

4. Special Recognitions

- **Brenham Police Department Promotion - Tina Bruno, Corporal**
- **Brenham Police Department Promotion - Sierra Randle, Sergeant**
- **Brenham Police Department Promotion - Jimmy Ha, Sergeant**

5. Citizens Comments

Two citizens, Myla Mills and Carlee Stephens, addressed the City Council concerning the new summer hours for the Henderson Park Splash Pad.

CONSENT AGENDA

6. Statutory Consent Agenda

- 6-a. Approve a Noise Variance in Connection with the 2023 Downtown Concert Series (Hot Nights, Cool Tunes) to be Held from 5:00 p.m. to Midnight on July 8, 15, 22, and 29, 2023 and Authorize the Mayor to Execute Any Necessary Documentation**
- 6-b. Approve a Noise Variance Request from the City of Brenham and Boys & Girls Club of Washington County for Pop-Up Play Day on June 23, 2023, at Henderson Park from 6:00 p.m. to 8:00 p.m.**
- 6-c. Approve a Noise Variance Request from the City of Brenham Parks and Recreation Department for Movies in the Park to be Held June 23, 2023, at Henderson Park from 8:00 p.m. to 11:00 p.m.**
- 6-d. Approve a Noise Variance Request from the Washington County Historical Juneteenth Association for the Juneteenth Celebration on Friday, June 16, 2023, from 5:00 p.m. to 10:00 p.m., and Saturday, June 17, 2023, from 10:00 a.m. to 10:00 p.m. at Fireman's Park**
- 6-e. Approve Resolution No. R-23-018 Amending the Authorized Representatives for TexPool Local Government Investment Pool**

A motion was made by Councilmember Canales and seconded by Councilmember Saunders to approve the Statutory Consent Agenda Items 6.a through 6.e. as presented.

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

Mayor Atwood C. Kenjura	Yes
Mayor Pro Tem Clint Kolby	Absent
Councilmember Shannan Canales	Yes
Councilmember Leah Cook	Yes
Councilmember Dr. Paul F. LaRoche, III	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

WORK SESSION

7. Discussion and Presentation on City of Brenham's Noise Nuisance Ordinance

Legal and Legislative Services Manager Karen Stack presented this item. Stack explained that Section 17-8 of the Code of Ordinances currently prohibits any artificial noise that is plainly audible fifty (50) feet from the source. Stack also explained that staff has held two previous work sessions with City Council, met with the Economic Development Council Sub-Committee and met individually with some Council members, to discuss amending Chapter 17 and based on direction from those meetings, staff has prepared a draft noise ordinance with the following features:

1. Moving from a 'plainly audible' standard to a decibel-based system, with maximum decibels based on the zone and time of day.
2. An enforcement section that clarifies that the Noise Nuisance Ordinance will be enforced by the police.
3. Five types of noises that will be prohibited, no matter the decibel level.
4. Thirteen exceptions. These types of noises will always be allowed, no matter the decibel level.
5. Providing that when a property line also splits zones, the more permissive standard will apply at the border.
6. A specific section that provides for live music at venues in downtown or Industrial Zones, from 10 a.m. to 12:00 a.m.
7. A section allowing staff members to issue noise permits.
8. Violations will be a C misdemeanor, with initial fines of up to \$500.00.

REGULAR SESSION

8. **Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending Chapter 17, Offenses and Miscellaneous Provisions of the Code of Ordinances of the City of Brenham**

Legal and Legislative Services Manager Karen Stack presented this item. Stack explained that staff has two small changes to the Ordinance related to a decibel limit for music venues and a clarification of responsibility for Council's consideration.

A motion was made by Councilmember Canales and seconded by Councilmember Saunders to approve an Ordinance on its first reading amending Chapter 17, Offenses and Miscellaneous Provisions, of the Code of Ordinances of the City of Brenham with the following changes:

- Section 17-76: Adding a decibel limit of 85 dB to the music venue provision.
- Section 17-79: Change "owner or tenant" to "owner and/or tenant".

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

Mayor Atwood C. Kenjura	Yes
Mayor Pro Tem Clint Kolby	Absent
Councilmember Shannan Canales	Yes
Councilmember Leah Cook	Yes
Councilmember Dr. Paul F. LaRoche, III	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

9. **Discuss and Possibly Act Upon Resolution No. R-23-019 Authorizing the Execution of an Agreement with the Texas Department of Transportation for the Temporary Closure of State Right-of-Way in Connection with the 2023 Downtown Summer Concert Series, Hot Nights, Cool Tunes, to be Held on July 8, 15, 22, and 29, 2023, and Authorize the Mayor to Execute Any Necessary Documentation**

Main Street Manager Leigh Linden presented this item. Linden stated that the annual Summer Concert Series, Hot Nights, Cool Tunes will be returning July 8, 15, 22, and 29, 2023 featuring a variety of bands and classic car shows. Linden explained that due to the closure of Alamo Street to allow for the car shows and the stage for bands, the City must execute an agreement with the Texas Department of Transportation.

A motion was made by Councilmember Canales and seconded by Councilmember Saunders to approve Resolution No. R-23-019 authorizing the execution of an agreement with the Texas Department of Transportation for the temporary closure of state right-of-way in connection with the 2023 Downtown Summer Concert Series, Hot Nights, Cool Tunes, to be held on July 8, 15, 22, and 29, 2023 and authorize the Mayor to execute any necessary documentation.

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

Mayor Atwood C. Kenjura	Yes
Mayor Pro Tem Clint Kolby	Absent
Councilmember Shannan Canales	Yes
Councilmember Leah Cook	Yes
Councilmember Dr. Paul F. LaRoche, III	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

10. Discuss and Possibly Act Upon Resolution No. R-23-020 Adopting the Guidelines for Filming in Brenham, Texas

City Secretary and Director of Administrative Services Jeana Bellinger presented this item. Bellinger reiterated this item was discussed at City Council on May 18, 2023, and one of the requirements to being certified as a Film Friendly Texas Community is that the City must pass administratively enforceable filming guidelines that promote media production in a way that is beneficial for both residents and industry professionals alike.

Bellinger stated at the May 18th meeting a change to the minimum requirement between filing an application and filming was suggested to change from two (2) business days to five (5) business days for commercials and episodic television and from five (5) business days to ten (10) business days for feature films. Bellinger advised that these changes have been incorporated into the Guidelines being presented for approval.

A motion was made by Councilmember Canales and seconded by Councilmember Saunders to approve Resolution No. R-23-020 adopting the Guidelines for Filming in Brenham, Texas.

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

Mayor Atwood C. Kenjura	Yes
Mayor Pro Tem Clint Kolby	Absent
Councilmember Shannan Canales	Yes
Councilmember Leah Cook	Yes
Councilmember Dr. Paul F. LaRoche, III	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

11. Administrative/Elected Officials Report

City Manager Carolyn Miller reported on the following:

- First Friday Farmer's Market will be held on Friday, June 2nd
- July 6th City Council meeting will be moved to July 13th

Main Street Manager Leigh Linden reported on the following:

- On-line registration is now available for First Friday Farmer's Markets
- Summer Sip will be on June 10th

Public Works Director Dane Rau reported on the following:

- Henderson Park Splash Pad hours will be:

Monday – Friday	9:00 a.m. - 11:00 a.m. 5:00 p.m. – 7:00 p.m.
Saturday	10:00 a.m. – 4:00 p.m.
Sunday	1:00 p.m. – 6:00 p.m.

The meeting was adjourned.

Atwood C. Kenjura
Mayor



Jeana Bellinger, TRMC, CMC
City Secretary