

## **Brenham City Council Minutes**

A regular meeting of the Brenham City Council was held on Wednesday, April 20, 2022 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 Clint Kolby  
Councilmember Shannan Canales  
Councilmember Leah Cook  
Councilmember Atwood Kenjura  
Councilmember Adonna Saunders  
Councilmember Albert Wright

### Members Absent:

None

### City of Brenham Staff present:

City Manager Carolyn Miller, City Attorney Cary Bovey, City Secretary Jeana Bellinger, General Manager of Public Utilities Debbie Gaffey, Assistant General Manager of Public Utilities Alton Sommerfield, Director of Public Works Dane Rau, Director of Development Services Stephanie Doland, Director of Economic Development Susan Cates, Tourism and Marketing Director Jennifer Eckermann, Nancy Joiner, Crystal Locke, Director of Finance Stacy Hardy, Human Resources Director Susan Nienstedt, Deputy City Secretary Alyssa Faykus, Karen Stack, Shawn Bolenbarr, City Planner Shauna Laauwe, Purchasing Supervisor Kyle Branham, Kevin Boggus, and Debra Pinto.

### Citizens/Others Present:

Ben Menjares, Melinda Faubion, Billy Sutherland, James S. Brown, Doug Peck, and Margie Young.

### Media Present:

Trace Harris, Brenham Banner-Press; and Josh Blaschke, KWHI

## **1. Call Meeting to Order**

2. **Invocation and Pledges to the US and Texas Flags – Councilmember Adonna Saunders**
3. **Proclamations**
  - **National Day of Prayer**
4. **Citizens Comments**

## **CONSENT AGENDA**

5. **Statutory Consent Agenda**
  - 5-a. **Approve Ordinance No. O-22-007 on Its Second Reading Amending Appendix A – ‘Zoning’ of the Code of Ordinances of the City of Brenham, Part I, Section 5.02, Definitions; Part II, Division 1, Section 14.03(3) Limitations on Home Occupations; and Part II Division 1, Section 14.04, Specifically Prohibited as Home Occupations (Case No. P-22-012)**
  - 5-b. **Approve Change Order No. 2 and Final Payment for Project No. 63C-14C to Maguire Iron, Inc. in the Amount of \$30,625.00 for the Atlow Elevated Storage Tank Rehabilitation Project and Authorize the Mayor to Execute Any Necessary Documentation**
  - 5-c. **Approve the Appointment of Rachel Eckert Nordt to Fill a Vacancy on the Historic Preservation Board, for an Unexpired Term to Expire on December 31, 2023 and Authorize the Mayor to Execute Any Necessary Documentation**
  - 5-d. **Approve a Noise Variance from the Washington County Ministerial Association for a National Day of Prayer Event to be held on May 5, 2022 at the Washington County Courthouse Gazebo from 11:30 A.M. to 1:15 P.M.**
  - 5-e. **Approve a Noise Variance from the Brenham Maifest Association for the 132<sup>nd</sup> Maifest Celebration on May 6<sup>th</sup> and 7<sup>th</sup> at Fireman’s Park from 11 A.M. to Midnight**
  - 5-f. **Approve a Noise Variance from the Texas Department of Family Protective Services, Washington County Child Welfare Board, and CASA South Central Texas for a Child Abuse Awareness Vigil to be Held on April 24, 2022 at the Washington County Courthouse from 5 P.M. to 7:30 P.M.**

A motion was made by Councilmember Wright and seconded by Councilmember Cook to approve the Statutory Consent Agenda Items 5.a. thru 5.f. 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 Clint Kolby	Yes
Councilmember Shannan Canales	Yes
Councilmember Leah Cook	Yes
Councilmember Atwood Kenjura	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

## WORK SESSION

### 6. Discussion and Presentation of the City of Brenham Downtown Parklet Manual

Director of Tourism and Marketing Jennifer Eckermann presented this item. Eckermann presented the following information to the City Council:

- Introduction of Parklets
- Parklet process overview and eligibility requirements
- Parklet license agreement
- Parklet design standards
- Parklet sponsor responsibilities
- Parklet eligibility checklist
- Parklet application form and process

Councilmember Saunders asked how many parking spots a parklet sponsor would be allowed to use. Eckermann said three diagonal parking spots or two parallel parking spots.

Councilmember Canales asked how the committee would choose who gets a parklet on one block if two businesses wanted a parklet. Eckermann said it would be decided on a case-by-case basis, but whomever put in their application first may be a deciding factor.

Mayor Pro Tem Kolby asked what happens if a business that has a parklet shuts down. Eckermann said the business owner would have five days to remove the parklet before the city removes it. Eckermann also clarified that if a business sells to another owner, ownership of the parklet may be retained by the new owner if they pay the applicable permit fees.

Councilmember Canales asked about allowing umbrellas to have corporate sponsors, such as an umbrella a beer distributor gives to a business for free. Eckermann said allowing advertisement on umbrellas could have been written into the parklet manual, but staff was hesitant due to the city's current sign ordinance. Eckermann stated that staff was concerned a corporation could take advantage of this advertising space and felt that not allow advertising of any kind within the parklet to match would be best.

Several other concerns were discussed among councilmembers including things such as: allowing disposable dinnerware in parklets, allowing live music/amplification of music in a parklet, having city-provided trash cans at each parklet, and contingency plans for parklets.

## **7. Discussion and Update on the City of Brenham Comprehensive Plan**

Director of Development Services Stephanie Doland presented this item. Doland stated that staff wanted to update City Council on various projects underway, yet to be completed, or completed from Plan 2040, which was adopted in 2019.

Doland covered the following topics:

- Purpose of Plan 2040
- Land Use and Development
- Growth Capacity
- Economic Outlook
- Transportation Goals
- Parks and Recreation
- Strategic Action Priorities

## **REGULAR SESSION**

## **8. Discuss and Possibly Act Upon Approving Resolution No. R-22-020 Adopting the City of Brenham Downtown Parklet Manual**

Director of Tourism and Marketing Jennifer Eckermann presented this item. Eckermann said this was the Resolution to adopt the parklet manual as presented in the Work Session.

After much deliberation among Council and recommended revisions to the Manual, City Attorney Cary Bovey reviewed the suggested changes that included: a parklet taking up a maximum of two parallel parking spaces or three diagonal parking spaces; prohibition of advertising on umbrellas; prohibition of amplified music; and requirement to use non-disposable dishes would be limited to dine-in service only.

A motion was made by Councilmember Kenjura and seconded by Councilmember Wright to table the item due to there being lots of changes being recommended and pushing it back another week would allow City Council more time to review and consider this Manual.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Clint Kolby	Yes
Councilmember Shannan Canales	Yes
Councilmember Leah Cook	Yes
Councilmember Atwood Kenjura	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

**9. Discuss and Possibly Act Upon An Ordinance on Its First Reading Amending Appendix A – ‘Zoning’ of the Code of Ordinances and the Official Zoning Map of the City of Brenham to Change the Zoning District from a Mixed Residential Use District (R-2) to a Local Business Residential Mixed Use District (B-1) on 1.202-Acres of Land Currently Addressed as 1003 Hasskarl Drive and Being Further Described as Lot 1 of Fairview Terrace Subdivision, Out of the Arrabella Herrington Survey, Abstract No. 55 in Brenham, Washington County, Texas**

City Planner Shauna Laauwe presented this item. Laauwe said the property is an existing 1.202-acre property addressed as 1003 Hasskarl Drive with a current use as a 6,500 square foot community center for the Brenham Housing Authority’s property, Fairview Terrace.

Laauwe explained that the applicant desired to lease approximately 1,400 square feet of the existing 6,000 square foot community center facility for office use and the proposed use is in line with the proposed B-1, Local Business Residential Mixed-Use District. Laauwe also explained that the Public Hearing related to this zoning change request was held on March 17, 2022 and there were no citizen comments made at the hearing.

A motion was made by Councilmember Canales and seconded by Mayor Pro Tem Kolby to approve an ordinance on its first reading amending Appendix A – ‘Zoning’ of the Code of Ordinances and the Official Zoning Map of the City of Brenham to change the zoning district from a Mixed Residential Use District (R-2) to a Local Business Residential Mixed Use District (B-1) on 1.202-acres of land currently addressed as 1003 Hasskarl Drive and being further described as Lot 1 of Fairview Terrace Subdivision, out of the Arrabella Harrington Survey, Abstract No. 55 in Brenham, Washington County, Texas (Case No. P-22-004).

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Clint Kolby	Yes
Councilmember Shannan Canales	Yes
Councilmember Leah Cook	Yes
<b>Councilmember Atwood Kenjura</b>	<b>Absent</b>
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

**10. Discuss and Possibly Act Upon an Agreement Between the City of Brenham and Fifth Asset, Inc. d/b/a DebtBook for the Purchase of Lease and Debt Accounting Software Application and Support Services and Authorize the Mayor to Execute Any Necessary Documentation**

Director of Finance Stacy Hardy presented this item. Hardy said effective with the fiscal year ending September 30, 2022, the City will be required to implement Governmental Accounting Standards Board (GASB) Statement No. 87 – Leases. This requires governmental entities to consolidate lease agreements (lessee and lessor – copiers, vehicles, real estate, airport hangars, water towers, etc.), test each agreement to determine whether it is subject to reporting requirements, calculate lease beginning balances and schedules, and update financial statements and note disclosures with this new information.

A motion was made by Councilmember Canales and seconded by Councilmember Wright to approve an agreement between the City of Brenham and Fifth Asset, Inc. d/b/a DebtBook for the purchase of lease and debt accounting software application and support services for a three-year subscription at an annual cost of \$9,750.00 per year 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 Clint Kolby	Yes
Councilmember Shannan Canales	Yes
Councilmember Leah Cook	Yes
<b>Councilmember Atwood Kenjura</b>	<b>Absent</b>
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

**11. Discuss and Possibly Act Upon a License Agreement Between the City of Brenham and Stylecraft Builders Inc. Related to Parking Within the Public Right-of-Way, Along Trellis Pass, in the Vintage Farms Subdivision and Authorize the Mayor to Execute Any Necessary Documentation**

Director of Development Services Stephanie Doland presented this item. Doland said in December of 2018, a Planned Development District (PDD) zoning ordinance amendment was approved by City Council for the Vintage Farms Subdivision, being developed by Stylecraft. Stylecraft is in Phases 4 and 5 of development, which includes 2.3 acres of land dedicated to a multiple family development in the form of townhomes.

Stylecraft asked the city to allow the development nine parking spots partially in the city right-of-way for this development.

A motion was made by Mayor Pro Tem Kolby and seconded by Councilmember Saunders to approve a license agreement between the City of Brenham and Stylecraft Builders, Inc. for right-of-way parking at Trellis Pass, located within the Vintage Farms Subdivision, with the following modifications to the agreement: (1) denote the intended use of the parking in the ROW is for short-term use, primarily visitors, and is not for long-term use by the residents; (2) install signage at the cost of Stylecraft stating the above usage requirements; and (3) signage shall be maintained and parking enforced by the HOA and authorize 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 Clint Kolby	Yes
Councilmember Shannan Canales	Yes
Councilmember Leah Cook	Yes
<b>Councilmember Atwood Kenjura</b>	<b>Absent</b>
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

## 12. Administrative/Elected Officials Report

There were no reports given.

The meeting was adjourned.

*Milton Y. Tate, Jr.*

Mayor

*Jeana Bellinger, TRMC, CMC*

City Secretary



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