

## **Brenham City Council Minutes**

A regular meeting of the Brenham City Council was held on Thursday, June 2, 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, Director of Public Works Dane Rau, Director of Development Services Stephanie Doland, Human Resources Director Susan Nienstedt, Deputy City Secretary Alyssa Faykus, Legal and Legislative Services Manager Karen Stack, Community Services Specialist Crystal Locke, Parks Superintendent Casey Redman, Purchasing and Central Fleet Supervisor Kyle Branham, Strategic Budget Officer Tim McRoberts, Sgt. Steven Eilert, Captain Dant Lange, and City Planner Shauna Laauwe.

### Citizens/Others Present:

Glenwood Vierus Jr.

### 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 Atwood Kenjura**
- 3. Service Recognitions**
  - **Chad Westerfeld – Maintenance, 15 Years**

**4. Citizens Comments**

No comments received

**CONSENT AGENDA**

**5. Statutory Consent Agenda**

- 5-a. Approve the Minutes from the May 16, 2022 Workshop Budget Meeting and May 19, 2022 Regular Meeting**
- 5-b. Approve Ordinance No. O-22-010 on Its Second Reading Adopting a Final Redistricting Plan**
- 5-c. Approve a Noise Variance for The City of Brenham for the Summer Sip and Art Walk to be Held on June 11, 2022 in Downtown Brenham from 3:00 P.M. to 7:00 P.M.**
- 5-d. Approve a Noise Variance for The City of Brenham for Hot Nights Cool Tunes to be Held on July 9, 16, 23, and 30, 2022 at the Courthouse Square from 7:00 P.M. to 10:00 P.M.**
- 5-e. Approve a Noise Variance Request from the Washington County Historical Juneteenth Association for the Juneteenth Freedom of Slavery Celebration on June 17, 2022 from 5:00 P.M. to 10:00 P.M. and June 18, 2022 from 10:00 A.M. to 10:00 P.M. at Fireman’s Park**
- 5-f. Approve a Noise Variance from Melvin Preston for the Palestine Family Reunion to be Held on June 18, 2022 at Henderson Park from 12:00 P.M. to 10:00 P.M.**
- 5-g. Approve a Noise Variance from Margaret Moore for a Birthday Party to be Held on June 18, 2022 at 701 Parkview Street from 12:00 P.M. to 11:00 P.M.**
- 5-h. Approve a Noise Variance from Ballad of the Bird Dog for a Grand Opening Event to be Held at 100 E. Alamo Street on June 25, 2022 from 9:00 A.M to 6:00 P.M.**

A motion was made by Councilmember Wright and seconded by Councilmember Saunders to approve the Statutory Consent Agenda Items 5.a. thru 5.h. 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

## **PUBLIC HEARING AND ASSOCIATED ACTION ITEM**

**6. Public Hearing, Discussion and Possible Action on an Ordinance on Its First Reading Amending Appendix A – ‘Zoning’ of the Code of Ordinances of the City of Brenham for an Amendment to the City of Brenham’s Official Zoning Map to Change the Zoning District From a Manufactured Home Residential Use District (R-3) to a Commercial, Research and Technology Use District (B-2) on Approximately 1.0 Acre of Land Currently Addressed as 151 FM 109, Being Further Described as Tract 81 of the John Carrington Survey, Abstract No. 120 in Brenham, Washington County, Texas (Case No. P-22-014)**

Mayor Tate opened the Public Hearing.

City Planner Shauna Laauwe presented this item. Laauwe said the subject tract is a 1.0-acre property located on the south side of FM 109 and approximately 425 feet west of State Highway 36 South. It is currently zoned as R-3, Manufactured Home Residential Use District. The property contains two dilapidated mobile homes and several accessory structures. The applicant is in the process of purchasing the property and wishes to redevelop the site with warehouse storage and office use.

In order to build the proposed changes, the property needs to be zoned as B-2, Commercial Research and Technology Use District. Laauwe said this request fits the Future Land Use Plan and the Planning and Zoning Commission unanimously recommended approval of the request at its May 23, 2022 meeting. Laauwe received one written comment in favor of the zoning change.

There were no citizen comments.

Mayor Tate closed the Public Hearing.

A motion was made by Councilmember Canales and seconded by Councilmember Saunders to approve an ordinance on its first reading amending Appendix A – ‘Zoning’ of the Code of Ordinances of the City of Brenham for an amendment to the City of Brenham’s Official Zoning Map to change the zoning district from a Manufactured Home Residential Use District (R-3) to a Commercial, Research and Technology Use District (B-2) on approximately 1.0 acre of land currently addressed as 151 FM 109, being further described as Tract 81 of the John Carrington Survey, Abstract No. 120 in Brenham, Washington County, Texas (Case No. P-22-014).

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

## REGULAR SESSION

**7. Discuss and Possibly Act Upon Resolution No. R-22-021 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 2022 Downtown Summer Concert Series, Hot Nights, Cool Tunes, to be Held on July 9, 16, 23, and 30, 2022 and Authorize the Mayor to Execute Any Necessary Documentation**

Recreation Specialist Crystal Locke presented this item. Locke said the City of Brenham's annual Summer Concert Series, Hot Nights, Cool Tunes will be returning July 9, 16, 23, and 30, 2022 featuring a variety of bands and a classic car show. This is a free, public event. There will be one state right-of-way lane closure on Alamo Street to allow for the car show and the stage for the bands. Locke explained that because a portion of the state highway system will be closed, the City must execute an agreement with the Texas Department of Transportation.

Councilmember Kenjura asked Locke if city staff had ever considered moving the concert permanently to the Commerce Street parking lot. Locke said due to the lack of trees in that region of downtown, it would be very hot for concert goers. Changing the location to the Commerce Street parking lot also presents a challenge of where to host the classic car show.

A motion was made by Councilmember Canales and seconded by Councilmember Cook to approve Resolution No. R-22-021 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 2022 Downtown Summer Concert Series, Hot Nights, Cool Tunes, to be held on July 9, 16, 23, and 30, 2022 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
Councilmember Atwood Kenjura	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

**8. Discuss and Possibly Act Upon a Noise Variance Request from Brenham Outlaws for a Juneteenth Event to be Held on June 18, 2022 at Hattie Mae Flowers Park from 9:00 A.M. to 11:00 P.M. and Authorize the Mayor to Execute Any Necessary Documentation**

Legal and Legislative Services Manager Karen Stack presented this item. Stack stated this event was for a trail riding group. The event would be held after the Juneteenth Parade on June 18, 2022 at Hattie Mae Flowers Park until 11:00 P.M. Stack recommended denial of this request for a number of reasons.

The event is scheduled to end after the closing time of the park. City staff is concerned they will get many complaints due to use of amplified sound equipment late into the night. Park staff also had concerns about the limited amount of parking spaces in the park compared to the anticipated size of the event. The last time this event occurred, the participants also parked horse trailers in the street which effected ingress and egress. In the past, participants also parked on the grass which is a hazard to underground irrigation equipment and to the children who run on the grass.

Additionally, Police Department staff had concerns about a history of disturbances and fights where trail riding groups gather. Stack stated the Police Department does not have the resources for crowd control due to the many Juneteenth events being held on the same day.

City Manager Carolyn Miller asked if city staff had offered the group an alternative. Stack said city staff recommended use of the Washington County Expo due to the horse trailers and additional parking it could offer for a large group.

A motion was made by Councilmember Canales and seconded by Mayor Pro Tem Kolby to deny a noise variance request from Brenham Outlaws for a Juneteenth event to be held on June 18, 2022 at Hattie Mae Flowers Park from 9:00 A.M. to 11:00 P.M.

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 Bid No. 22-007 for Type “D” Hot Mix Asphalt and Authorize the Mayor to Execute Any Necessary Documentation**

Purchasing and Central Fleet Supervisor Kyle Branham presented this item. Branham said the City Council had approved the termination of its contract with Waller County Asphalt on May 19, 2022 due to the company no longer being able to honor its contract price because of rising costs of asphalt. The City went out for new bids on May 19, 2022 for Type “D” hot mix asphalt. Due to the volatility of the asphalt market, the City requested 6-month, 9-month, and 12-month term pricing. Three bids were received with Waller County Asphalt submitting the lowest bid at \$84.00 a ton delivered and \$75.00 a ton picked up at Waller County Asphalt.

Branham said they chose a 9-month period to get the City through the hot mix asphalt season and will go out for bids once the initial term has been completed to determine current market rates.

A motion was made by Councilmember Canales and seconded by Councilmember Saunders to award Bid No. 22-007 for Type “D” Hot Mix Asphalt to Waller County Asphalt, for a period of 9 months, in the amount of \$84.00 a ton delivered to a job site and \$75.00 a ton if picked up at Waller County Asphalt by City staff 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
Councilmember Atwood Kenjura	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

**10. Discuss and Possibly Act Upon an Interlocal Agreement Between the City of Brenham and Purchasing Solutions Alliance (PSA) for a Brazos Valley Council of Governments Purchasing Cooperative for Public Agencies and Authorize the Mayor or City Manager to Execute Any Necessary Documentation**

Purchasing and Central Fleet Supervisor Kyle Branham presented this item. Branham said Wilton’s joined the Brazos Valley Council of Governments Purchasing Solutions Alliance (PSA) which will help the city save money on many different types of office supplies. This will also streamline the process for ordering supplies. The purchasing alliance offers various discounts, such as free shipping and volume rebates.

A motion was made by Councilmember Canales and seconded by Councilmember Cook to approve an interlocal agreement between the City of Brenham and Purchasing Solutions Alliance (PSA) for a Brazos Valley Council of Governments Purchasing Cooperative for Public Agencies and authorize the Mayor or City Manager 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
Councilmember Atwood Kenjura	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

**11. Discuss and Possibly Act Upon the Development, Operations, Funding, and Possible Acquisition of the Barnhill Center at the Historic Simon Theater, Including But Not Limited to the Third Addendum to the Memorandum of Understanding Between the City of Brenham and Brenham Main Street Historic Preservation, Inc., and Authorize the Mayor to Execute Any Necessary Documentation**

City Manager Carolyn Miller presented this item. Miller said this is the third addendum to an agreement with Brenham Main Street Historical Preservation, Inc. (BMSHP). Miller explained that in January of 2021, Council approved the second addendum, which continued the reimbursement to BMSHP for quarterly interest on loans encumbering the Barnhill Center. Miller said this third addendum is necessary to continue the interest reimbursements until the City can obtain ownership of the Barnhill. This third addendum authorizes payment in an amount not to exceed \$35,000 to BMSHP for quarterly interest on the existing loans encumbering the Barnhill Center. Miller said she believes this will be the last addendum and the City plans to have a contract executed fully in July to create the legal formation of a corporation and transition ownership of the facility to the City.

A motion was made by Councilmember Kenjura and seconded by Councilmember Saunders to approve the third addendum to the Memorandum of Understanding between the City of Brenham and Brenham Main Street Historic Preservation, Inc. 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
Councilmember Atwood Kenjura	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

## 12. Administrative/Elected Officials Report

City Manager Carolyn Miller reported on the following:

- June 11, 2022 is the Summer Sip and Art Walk. Tickets are still available for purchase online.
- The Texas Municipal League Conference is October 4-7, 2022, so the regular City Council meeting will be moved to October 13, 2022 and that will be the only regular Council meeting in October.

The meeting was adjourned.

*Milton Y. Tate, Jr.*

Mayor

*Jeana Bellinger, TRMC, CMC*

City Secretary

