

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on January 6, 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:

Interim City Manager Carolyn Miller; City Attorney Cary Bovey; City Secretary Jeana Bellinger; Director of Public Works Dane Rau; Director of Development Services Stephanie Doland; Director of Public Utilities Alton Sommerfield; Director of Finance Stacy Hardy; Police Chief Ron Parker; Fire Chief Roger Williams; Human Resources Director Susan Nienstedt; Strategic Budget Officer Debbie Gaffey; Information Technology Manager Kevin Schmidt; Alyssa Faykus; Kelvin Raven; Carrie Derkowski; Curtiss Schoen; Gregory Nienstedt; Bobby Keene; Lloyd Powell; Shauna Laauwe

Citizens/Others Present:

Renea Mueller

Media Present:

Alison Bryce, 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. Special Recognitions:

- **Roger Williams, Fire Chief**

4. Service Recognitions:

- **Rolando Arroyo, Information Technology – 5 Years**
- **Joe Hinds, Fire Department – 5 Years**
- **Chase Jones, Fire Department – 5 Years**
- **Rhye Moschak, Fire Department – 5 Years**
- **Joe Merkley, Police Department – 20 Years**

5. Special Recognition of Volunteers Retiring from the Brenham Fire Department:

- **Robert Aguilar – 12 Years**
- **Kenneth Neumann – 30 Years**
- **John Schulze – 33 Years**
- **Karl Goessler – 35 Years**

6. Citizens Comments

There were no citizens comments heard.

CONSENT AGENDA

7. Statutory Consent Agenda

- 7-a. Approve the Minutes from the November 4, 2021 and November 18, 2021 Regular Meetings and the November 19, 2021 Special Meeting**
- 7-b. Approve a Water Supply Resale Agreement Between the City of Brenham and Dow Chemical Company for the Sale of 774-Acre Feet of Water, in the Amount of \$64,242.00 and Authorize the Mayor to Execute Any Necessary Documentation**
- 7-c. Accept the 2021 Audit of the Washington County Appraisal District by Seidel, Schroeder & Company and Authorize the Mayor to Execute Any Necessary Documentation**
- 7-d. Approve Resolution No. R-22-001 Appointing Alyssa Faykus as Deputy City Secretary**

A motion was made by Councilmember Wright and seconded by Mayor Pro Tem Kolby to approve the Statutory Consent Agenda Items 7-a. thru 7-d. 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

8. Discuss and Review the FY2020-21 Fourth Quarter Financial Report

Budget Director/Interim GM Of Public Utilities Debra Gaffey presented this item. Gaffey explained the preliminary results of the General Fund, Electric Distribution Fund, Gas Distribution Fund, Water Fund, Wastewater Fund, Sanitation Fund and Drainage Fund. All financials included comparisons of the fiscal year 2020-21 actual results versus prior fiscal year 2019-20.

- General Fund: Fourth quarter revenues and other sources exceeded budget projections by \$672,529, with a net revenue of \$926,764.
- Electric Fund: Posted a net revenue of \$122,384, which was \$371,302 favorable to the budgeted net loss of \$248,918.
- Gas Fund: Posted year-to-date fourth quarter loss \$27,857, which was favorable by \$295,242 to a budgeted loss of \$323,099.
- Water Fund: Posted year-to-date fourth quarter net loss of \$1,697,140 which was favorable to projected net loss of \$1,769,331 by \$72,191. The loss is due to payoff of a Bank of Brenham loan to partially bridge-fund Lake Intake repairs, while waiting on reimbursement bond proceeds from a planned February 2022 issuance.
- Wastewater Fund: Fourth quarter year-to-date net loss of \$38,274, which was \$172,531 favorable to budgeted net loss of \$210,805.
- Sanitation Fund: Posted actual year-to-date fourth quarter net loss of \$165,667 compared to budget net loss of \$229,635, creating a favorable variance of \$63,968.
- Drainage Fund: posted actual year-to-date fourth quarter fiscal year 2020-21 net revenues of \$144,026 compared to budget net revenues of \$142,337, creating a favorable variance of \$1,698.

PUBLIC HEARING AND ASSOCIATED ACTION ITEM

Project Planner Shauna Laauwe presented this item. According to Laauwe, TNT Carwash (applicant) and property owners Todd Felder and Tyson Felder requested approval of a Specific Use Permit for an automated automobile (car) wash on approximately 0.61 acres of land addressed as 1413 West Main Street and generally located on the south side of W. Main Street, west of South Saeger Street and east of Munz Street.

Two comments from the public were received on December 22, 2021, with one in favor of the request and one against. The one in favor stated that the redevelopment would benefit the area with new construction and that they did not believe that traffic would increase. The public comment against the request did not feel that a new car wash was needed in Brenham and suggested a grocery store or clothing retail. The comment also stated that the streets in Dixie Addition and S. Market Street needed to be improved.

Councilmembers discussed their concerns with queuing on West Main Street. Laauwe said with the way the development is laid out, it will be able to fit multiple cars and did not think there would be many instances where traffic would be backed up. Director of Development Services Stephanie Doland said they would monitor the situation, as well as other queuing problems around town.

A motion was made by Mayor Pro Tem Kolby and seconded by Councilmember Saunders to approve the ordinance on its first reading amending Appendix – A “Zoning” of the Code of Ordinances of the City of Brenham granting a Specific Use Permit request to allow an automobile (car) wash in the B-1, Local Business/Residential Mixes Use Zoning District on Approximately 0.61 acres of land addressed as 1413 W. Main Street and further described as Tract 186 of the Phillip Coe Survey in Brenham, Washington County, Texas.

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

10. Discuss and Possibly Act Upon Bid No. 22-003 Related to Sludge Removal and Digester Thickener Cleaning at the City of Brenham's Wastewater Treatment Plant and Authorize the Mayor to Execute Any Necessary Documentation

Public Utilities Director Alton Sommerfield presented this item. Sommerfield explained that this part of the plant was taken out of service after the Cotton Mill closed. It was briefly used in 2016 when flooded wet fields shut down the bio-solid sludge production. Sommerfield stated that an increase in wastewater load/demand support reactivating this Digester and the thickener tank. Sommerfield advised Council that on December 9, 2021, sealed bids were opened with a total of six (6) bids being received and that staff is recommending the award go to Mobile Solid Solutions for \$87,000.

A motion was made by Councilmember Kenjura and seconded by Councilmember Cook to award Bid No. 22-003 related to sludge removal and digester thickener cleaning at the City of Brenham's Wastewater Treatment Plant to Mobile Solid Solutions in the amount of \$87,000.00 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

City Council adjourned into Executive Session at 2:03 p.m.

EXECUTIVE SESSION

11. Texas Government Code Section 551.072 – Real Property and Section 551.087 – Economic Development Negotiations: Deliberation Regarding the Possible Sale, Exchange, Transfer and/or Acquisition of Real Property in the City of Brenham; and Deliberation Regarding Commercial or Financial Information That the City Has Received From a Business Prospect That the City Seeks to Have Locate In the City of Brenham and With Which the City is Conducting Economic Development Negotiations

12. Section 551.071 – Texas Government Code – Consultation with City Attorney and Section 551.072 – Texas Government Code – Deliberation Regarding Real Property: Consultation with City Attorney and Deliberation Regarding Possible Acquisition of the Barnhill Center at the Historic Simon Theater, and Associated Matters

13. Section 551.071 Texas Government Code – Consultation with Attorney – Consultation with City Attorney Regarding City of Brenham v. WTG Gas Marketing, Inc.: Cause No. 37573; 335th Judicial District Court, Washington County, Texas

14. Section 551.074 – Texas Government Code – Personnel Matters – Deliberation Regarding Appointment of a City Manager and Related Issues

Executive Session adjourned at 3:15 p.m.

RE-OPEN REGULAR SESSION

15. Discuss and Possibly Act Upon the Appointment of a City Manager and Authorize the Mayor to Execute Any Necessary Documentation

A motion was made by Councilmember Kenjura and seconded by Councilmember Saunders to hire Carolyn Miller as the City Manager with an annual salary of \$166,000.00, an annual auto allowance of \$9,000.00, four (4) weeks of vacation (which is due to her longevity with the City), two (2) additional weeks of vacation due to her position as City Manager which will be added at the beginning of each calendar year, and other applicable employment benefits as provided for all other full-time City employees, and per Ms. Miller’s request, no employment contract.

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

16. 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 an Addendum to the Memorandum of Understanding Between the City of Brenham and Brenham Main Street Historical Preservation, Inc., and Authorize the Mayor to Execute Any Necessary Documentation

A motion was made by Mayor Pro Tem Kolby and seconded by Councilmember Wright to amend the Addendum To and Modification of Memorandum of Understanding between the City of Brenham and the Brenham Main Street Historical Preservation, Inc. (BMSHP) be extended until July 1, 2022 to allow for reimbursement of interest-only payments made by BMSHP on the existing loans encumbering the Barnhill Center in a total amount not to exceed \$18,000.00 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

17. Administrative/Elected Officials Report

City Manager Carolyn Miller reported on the following:

- Special Monday, January 10th, in joint session with the Brenham Planning & Zoning Commission to review the City's Thoroughfare Plan.
- The afternoon of January 10th, staff will be giving the City Council a tour of the Brenham Municipal Airport.
- Grand Opening of the restaurant at the Brenham Municipal Airport next Wednesday, January 12th, at 10:00 a.m.

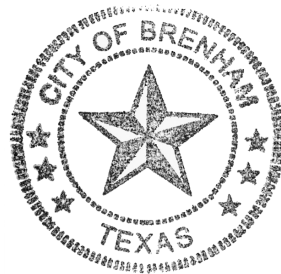
The meeting was adjourned.

Milton Y. Tate, Jr.

Mayor

Jeana Bellinger, TRMC, CMC

City Secretary



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