

## **Brenham City Council Minutes**

A regular meeting of the Brenham City Council was held on July 11, 2019 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 Adonna Saunders  
Councilmember Keith Herring  
Councilmember Albert Wright  
Councilmember Clint Kolby

### Members absent:

None

### Others present:

City Manager James Fisher, City Attorney Cary Bovey, City Secretary – Director of Administrative Services Jeana Bellinger, Deputy City Secretary Karen Stack, Assistant City Manager of Public Utilities Lowell Ogle, Comptroller Stacy Hardy, Human Resources Director Susan Nienstedt, Debbie Gaffey, Caz Muske, Melinda Gordon, Fire Chief Ricky Boeker, Police Chief Allwin Barrow, Captain Dant Lange, Public Works Director Dane Rau, Development Services Director Stephanie Doland, Kim Hodde, Director of Tourism & Marketing Jennifer Eckermann, David Doelitsch, Allen Jacobs, Sarah Hill, Kevin Boggus, and MacKenzie Maurer-McMillan

### Citizens present:

Perry Thomas, Charlie Pyle, Adam Griffin, and Ken Lester

### Media Present:

Arthur Hahn, Brenham Banner Press; and Josh Blaschke, KWHI

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

- 3. **Service Recognitions**
  - **Allen Jacobs, Development Services 25 years**

- 4. **Citizens Comments**

There were no citizen comments.

**CONSENT AGENDA**

- 5. **Statutory Consent Agenda**

- 5-a. **Minutes from the May 23, 2019 Special City Council Meeting**

- 5-b. **Ordinance No. O-19-021 on Its Second Reading for the Abandonment of a Portion of the Limit Street Right-of-Way**

- 5-c. **Ordinance No. O-19-022 on Its Second Reading Amending Chapter 24, Taxation, of the Code of Ordinances of the City of Brenham to Adopt an Exemption from the Assessed Taxable Value of Residential Homestead for Property Owners of the City of Brenham Who Are Disabled**

A motion was made by Councilmember Herring and seconded by Councilmember Cantey to approve the Statutory Consent Agenda Items 5-a. through 5-c. 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 Adonna Saunders	Yes
Councilmember Keith Herring	Yes
Councilmember Albert Wright	Yes
Councilmember Clint Kolby	Yes

## PUBLIC HEARING

- 6. Public Hearing to Consider an Amendment to the Official Zoning Map of the City of Brenham, to Change the Zoning District from Manufactured Home Residential District (R-3) to Industrial District (I) on 2.151 acres of land generally located southeast of the intersection of Old Chappell Hill Road and FM 577, said 2.151 acres being further described as 1.27 acres of land in the A. Harrington Survey, A-55 and the James Walker Survey, A-106; 0.136 acres of land in the A. Harrington Survey, A-55; 0.608 acres of land described as Lots 8 – 13, Block 1, Beacon Hill Addition; and 0.137 acres of land in the James Walker Survey, A-106 and the A. Harrington Survey, A-55, being a portion of Limit Street, in Brenham, Washington County, Texas (Case No. P-19-021)**

Mayor Tate opened the Public Hearing.

Development Services Director Stephanie Doland presented this item. Doland stated that Brenham Wholesale Grocery is the property owner of a primarily vacant 2.151-acre tract of land located southeast of the intersection of Old Chappell Hill Road and FM 577. Doland said the applicant is requesting the property be rezoned from Manufactured Home Residential District (R-3) to Industrial District (I) to develop the site with a convenience store. Doland further stated that the proposed rezoning request is in accordance with land use policies adopted in Envision 2020, the City of Brenham Comprehensive Plan which suggests that industrial and commercial/retail uses generating an increased amount of traffic are appropriate adjacent to major arterials.

Doland reported that two public comments were received prior to the Planning and Zoning Commission meeting: one in opposition and one in support of the proposed rezoning. Doland further reported that during the Public Hearing there were no citizen comments concerning the proposed rezoning, and that after conducting a Public Hearing, the Planning and Zoning Commission voted unanimously to recommended approval of the rezoning request.

Mayor Tate closed the Public Hearing.

## REGULAR SESSION

7. **Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending Appendix A – “Zoning” of the Code of Ordinances of the City of Brenham to Change the Zoning District from Manufactured Home Residential District (R-3) to Industrial District (I) on 2.151 acres of land generally located southeast of the intersection of Old Chappell Hill Road and FM 577, said 2.151 acres being further described as 1.27 acres of land in the A. Harrington Survey, A-55 and the James Walker Survey, A-106; 0.136 acres of land in the A. Harrington Survey, A-55; 0.608 acres of land described as Lots 8 – 13, Block 1, Beacon Hill Addition; and 0.137 acres of land in the James Walker Survey, A-106 and the A. Harrington Survey, A-55, being a portion of Limit Street, in Brenham, Washington County, Texas (Case No. P-19-021)**

A motion was made by Mayor Pro Tem Ebel and seconded by Councilmember Kolby to approve an Ordinance on its first reading amending Appendix A – “Zoning” of the Code of Ordinances of the City of Brenham to Change the Zoning District from Manufactured Home Residential District (R-3) to Industrial District (I) on a 2.151-acre tract of land located southeast of the intersection of Old Chappell Hill Road and FM 577 in Brenham, Washington County, Texas. (Case No. P-19-021).

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 Adonna Saunders	Yes
Councilmember Keith Herring	Yes
Councilmember Albert Wright	Yes
Councilmember Clint Kolby	Yes

8. **Discuss and Possibly Act Upon a Professional Services Agreement Between the City of Brenham and Lee Engineering for Services Related to the South Chappell Hill Street at U.S. Highway 290 Feeder Road Project and Authorize the Mayor to Execute Any Necessary Documentation**

Assistant City Manager of Public Utilities Lowell Ogle presented this item. Ogle presented a proposal from Lee Engineering for engineering services related to improvements at the intersection of S. Chappell Hill at the US 290 East and Westbound feeder roads. Ogle stated the services for the improvements will include the preparation of design plans, specifications, and cost estimate data. Ogle said that further services to be provided include, but are not limited to, project management, surveying, roadway and traffic signal design plans, preparation of contact documents, design package submittals and to assist the city with various aspects of the

bidding process. Ogle advised that the proposed improvements include a traffic signal that controls traffic at the intersection of both the East and Westbound feeder roads and the widening of the existing pavement under the US 290 bridge to accommodate left-turn bays.

A motion was made by Councilmember Kolby and seconded by Councilmember Saunders to approve a Professional Services Agreement between the City of Brenham and Lee Engineering, in the amount not to exceed \$82,000, for Services Related to the South Chappell Hill Street at U.S. Highway 290 Feeder Road Project and authorize the Mayor to execute any necessary documentation, subject to final approval of the contract by the city attorney.

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 Adonna Saunders	Yes
Councilmember Keith Herring	Yes
Councilmember Albert Wright	Yes
Councilmember Clint Kolby	Yes

**9. Discuss and Possibly Act Upon the Renewal of City of Brenham Group Health Plan with TML Health Benefits Pool and Establishment of Funding Rates for the Plan Year beginning October 1, 2019 through September 30, 2020 and Authorize the Mayor to Execute Any Necessary Documentation**

Human Resources Director Susan Nienstedt presented this item. Nienstedt reported that this item is being presented to City Council for consideration after being reviewed in detail with the Audit Committee on June 27, 2019. Nienstedt stated that the Audit Committee's recommendation is to approve the renewal of the Texas Municipal League Health Benefits Pool Proposal for group medical benefits for the plan year beginning October 1, 2019.

Nienstedt advised that the recommended renewal would continue to provide the same network of providers to employees and their dependents, as well as continue with the same monthly employee premiums for the elected level of coverage. Nienstedt noted that a Health Reimbursement Arrangement (HRA) is included to assist employees in meeting the deductible for the plan year.

A motion was made by Councilmember Wright and seconded by Councilmember Herring to approve renewal of City of Brenham Group Health Plan with TML Health Benefits Pool and establish funding rates for the plan year beginning October 1, 2019 through September 30, 2020 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 Adonna Saunders	Yes
Councilmember Keith Herring	Yes
Councilmember Albert Wright	Yes
Councilmember Clint Kolby	Yes

**10. Administrative/Elected Officials Report**

None

Council adjourned into Executive Session at 1:33 p.m.

**EXECUTIVE SESSION**

- 11. Section 551.071 – Texas Government Code – Consultation with Attorney – Consultation with the City Attorney for the Purpose of Seeking Legal Counsel Regarding Brenham Municipal Court Matters and Associated Issues, Including But Not Limited to the Presiding Municipal Court Judge**
- 12. Section 551.071 – Texas Government Code – Consultation with Attorney – Consultation with the City Attorney for the Purpose of Seeking Legal Counsel Regarding *Robert Sontag v. Justin Schroeder and the City of Brenham*; Cause No. 37091; In the 335<sup>th</sup> Judicial District Court; Washington County, Texas**
- 13. Section 551.071 and Section 551.072, Texas Government Code – Consultation with Attorney and Deliberation Regarding Real Property – Discussion and Deliberation, and Consultation with City Attorney, Regarding the Lease Between City of Brenham and Washington County Concerning the Real Property Located at 301 N. Baylor Street, and Associated Issues**
- 14. Section 551.076 - Texas Government Code – Deliberation Regarding Security Devices – Discussion Regarding the Brenham Police Department’s Deployment of a Security Device**

Executive Session adjourned at 2:16 p.m.

## RE-OPEN REGULAR AGENDA

**15. Discuss and Possibly Act Upon a Lease Agreement Between the City of Brenham and Washington County for the Communications Facility, Being the Real Property Located at 301 N. Baylor Street, and Authorize the Mayor to Execute Any Necessary Documentation**

A motion was made by Councilmember Herring and seconded by Councilmember Wright to renew a lease agreement between the City of Brenham and Washington County for the Communications Facility, being the real property located at 301 N. Baylor Street, for a two-year period at one thousand dollars (\$1000.00) per month, 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 Adonna Saunders	Yes
Councilmember Keith Herring	Yes
Councilmember Albert Wright	Yes
Councilmember Clint Kolby	Yes

**16. Discuss and Possibly Act Upon the Purchase of Security Devices for the City of Brenham Police Department Using Seized Narcotic Funds and Authorize the Mayor to Execute Any Necessary Documentation**

A motion was made by Councilmember Cantey and seconded by Councilmember Saunders to approve the purchase of security devices for the City of Brenham Police Department using seized narcotic funds, 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 Adonna Saunders	Yes
Councilmember Keith Herring	Yes
Councilmember Albert Wright	Yes
Councilmember Clint Kolby	Yes

The meeting was adjourned.

*Milton Y. Tate, Jr.*  
Mayor

*Jeana Bellinger, TRMC, CMC*  
City Secretary

