

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on May 20, 2021 beginning at 3:30 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 Atwood Kenjura
Councilmember Adonna Saunders
Councilmember Albert Wright

Members absent:

Councilmember Leah Cook

Others present:

City Manager James Fisher, Assistant City Manager – Public Services/Utilities Donald Reese, City Attorney Cary Bovey, Director of Administrative Services – City Secretary Jeana Bellinger, Deputy City Secretary Karen Stack, Interim Fire Chief Rhea Cooper, Public Works Director Dane Rau, Director of Public Utilities Alton Sommerfield, Development Services Director Stephanie Doland, Human Resources Director Susan Nienstedt, Kathrine Briscoe, Lloyd Powell, Kelvin Raven, Steven Eilert, Curtis Schoen, Jason Derrick, Kevin Boggus, Casey Redman, Tammy Jaster, Crystal Locke.

Citizens present:

Samantha Greig, Doug Greig, Shannon Greig, Armando Guerra, Levi Norton, Cara Norton, Lillian Norton, Anna Saenz, Janie Mehrens, Lu Hollander, Ben Seeker and Steve Suders.

Media Present:

Alyssa Faykus, Brenham Banner Press; and Josh Blaschke, KWHI

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

- 3. **Proclamations**
 - **75th Anniversary of James F. Dillon VFW Post No. 7104**
- 4. **Special Recognitions**
 - **Aquatics Professional of the Month - Tammy Jaster**
 - **Police Department Promotion - Andrea Guerra, Corporal**
 - **Police Department Promotion - Alex Saenz, Corporal**
 - **Police Department Promotion - Zackary Greig, Corporal**

5. **Citizens Comments**

Citizen Steve Studers addressed the City Council about his property taxes. Mr. Studers advised the Council that his property taxes for his residence at 801 W. Main Street in Brenham has increased \$700 a year for the past three years. He expressed his concerns about being able to continue to live in Brenham due to the high property taxes.

CONSENT AGENDA

- 6. **Statutory Consent Agenda**
 - 6-a. **Approve the Minutes from the May 4, 2021 Special City Council Meeting**
 - 6-b. **Approve Ordinance No. O-21-011 on Its Second Reading Amending the FY2020-21 Adopted Budget**
 - 6-c. **Approve a Noise Variance for Brenham Junior High School for an 8th Grade Dance to be Held on May 21, 2021 from 5:00 p.m. - 7:00 p.m. in the Junior High School Parking Lot, and Authorize the Mayor to Execute Any Necessary Documentation**
 - 6-d. **Approve an Electrical Distribution Construction Agreement Between the City of Brenham and Techline Construction, LLC in the Amount of \$71,250.00 for Pole Changeouts and Authorize the Mayor to Execute Any Necessary Documentation**

A motion was made by Councilmember Wright and seconded by Mayor Pro Tem Kolby to approve the Statutory Consent Agenda Item 6-a. through 6-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	Absent
Councilmember Atwood Kenjura	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

REGULAR SESSION

7. **Discuss and Possibly Act Upon a Donation from The Fortnightly Club in the Amount of \$20,000.00 for the Nancy Carol Roberts Memorial Library and Authorize the Mayor to Execute Any Necessary Documentation**

Librarian Andria Heiges presented this item to Council. Heiges explained that the Fortnightly Club of Brenham is presenting the Nancy Carol Roberts Memorial Library a donation in the amount of \$20,000. Heiges explained that this money was raised through fund raising efforts that included book sales and donations from the community. Heiges thanked the Club for their hard work every year to support the library in spite of limitations due to the COVID-19 pandemic.

A motion was made by Councilmember Kenjura and seconded by Councilmember Saunders to accept a donation from The Fortnightly Club in the amount of \$20,000.00 for the Nancy Carol Roberts Memorial Library 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	Absent
Councilmember Atwood Kenjura	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

8. **Discuss and Possibly Act Upon Resolution No. R-21-013 Authorizing the Acceptance of Infrastructure Improvements in the Liberty Village Subdivision, Phase I**

Director of Development Services Stephanie Doland presented this item to Council. Doland explained that the subject property is an approximate 76.9-acre tract of vacant land generally located adjacent to Blue Bell Road, Burleson Street and State Highway 36 North. The property was purchased by Continental Homes of Texas, LP and more commonly known as DR Horton, in early 2020 and rezoned to Planned Development District by Council on February 20th, 2020.

Doland explained that the developer has completed infrastructure improvements (water, sanitary sewer, streets, sidewalks, and storm drainage) related to the first phase of the Liberty Village Subdivision which consists of 122 lots for single-family home construction, a neighborhood park, sidewalks on both sides of the street, walking trails, community landscaping and a detention pond. Doland stated that the infrastructure related to the detention pond, entrance landscaping and signage, and neighborhood park will be maintained by the Liberty Village Subdivision Homeowners Association.

Doland advised Council that the public infrastructure improvements have been constructed and inspected according to the City’s ordinances and regulations and are ready for acceptance.

A motion was made by Mayor Pro Tem Kolby and seconded by Councilmember Saunders to approve Resolution No. R-21-013 authorizing the acceptance of infrastructure improvements in the Liberty Village Subdivision, Phase I.

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	Absent
Councilmember Atwood Kenjura	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

9. Discuss and Possibly Act Upon Resolution No. R-21-014 Authorizing the Acceptance of Infrastructure Improvements in the Overlook Estates Subdivision, Phase 4

Director of Development Services Stephanie Doland presented this item to Council. Doland explained that the subject property is an approximate 11.30-acre tract of land east of Old Masonic Road and north of Ava Drive. The property was subdivided in May 2020 into eleven (11) lots for the development of single-family homes.

Doland explained that since subdividing the property the developer, DSW Homes, LLC has completed infrastructure improvements (water, sanitary sewer, streets, sidewalks, and storm drainage) for the 11-lot single-street development. Additionally, the developer has completed the construction of ten (10) homes along the south side of Gavin Drive. Doland stated that sidewalks are included along the Gavin Drive cul-de-sac and a retention pond was constructed and will be maintained in perpetuity by the Overlook Estates Phase 4 Homeowners Association.

Doland advised Council that the public infrastructure improvements have been constructed and inspected according to the City’s ordinances and regulations and are now ready for acceptance by the City of Brenham.

A motion was made by Councilmember Saunders and seconded by Mayor Pro Tem Kolby to approve Resolution No. R-21-014 authorizing the acceptance of infrastructure improvements in the Overlook Estates Subdivision, Phase 4.

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	Absent
Councilmember Atwood Kenjura	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

10. Discuss and Possibly Act Upon Resolution No. R-21-015 Amending Resolution No. R-09-022 Establishing the Commencement Time for Regular City Council Meetings

City Manager James Fisher presented this item. Fisher explained that at the last meeting, the City Council decided to change the time of the council meeting from 1:00 p.m. to 3:30 p.m.; however, a couple of Councilmembers have reached out to him to request that this topic be discussed again.

After much discussion by the City Council, it was decided to return to 1:00 p.m. meeting times for regular council meetings. City Attorney Cary Bovey explained that if the Council wanted to return to 1:00 p.m. meeting times, this Resolution was not needed.

After further discussion, there was no action taken on this item.

11. Discuss and Possibly Act Upon an Engagement Agreement Between the City of Brenham and Bickerstaff Heath Delgado Acosta, LLP Related to Redistricting Services for the City of Brenham and Authorize the Mayor to Execute Any Necessary Documentation

City Secretary Jeana Bellinger presented this item. Bellinger explained that the U.S. Census establishes the City's official population once every ten years and under the one person, one vote requirement of the U. S. Constitution, there cannot be more than a 10% deviation in population between the least populated ward and the most populated ward. Bellinger advised that as the City's population grows, it may trigger a requirement to adjust the boundary lines of our four council wards – which is a process is called redistricting.

Bellinger explained that the process of redistricting is a very complex and lengthy process that starts with the receipt of census data from the Federal government, compiling that data into ward-specific analysis based on total population, voting age population, and racial or language minority groups, calculating the deviation between wards (-10%), and then adjusting the ward boundaries as needed.

The City's last redistricting effort was done in 2010 by Bickerstaff Heath Delgado Acosta, LLP (Bickerstaff). Bickerstaff also did the City's 2000 redistricting; therefore, it is staff's recommendation that the City contract with Bickerstaff again for the 2022 redistricting effort.

A motion was made by Councilmember Canales and seconded by Councilmember Saunders to approve an Engagement Agreement between the City of Brenham and Bickerstaff Heath Delgado Acosta, LLP related to redistricting services for the City of Brenham 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	Absent
Councilmember Atwood Kenjura	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

12. Discuss and Possibly Act Upon a Request for a Noise Variance from RSR Entertainment for a Juneteenth Block Party to be Held on June 19, 2021 at Mundy's Hideout Located at 1609 East Alamo Street, Brenham, Texas and Authorize the Mayor to Execute Any Necessary Documentation

City Manager James Fisher presented this item. Fisher explained that the City received a request from RSR Entertainment for a Juneteenth Block Party to be held at Mundy's Hideout located at 1609 East Alamo Street on Saturday, June 19th from 5:00 p.m. to 11:00 p.m. The event will include food booths and a vintage car show. There will also be two live bands performing which is why a noise variance is required. They are estimating there will be 200-300 people in attendance.

Fisher advised Council that staff is not recommending approval of the variance, due to the close proximity of residential homes to the venue and that staff has reached out to the event organizer to see if the City can assist them in finding another location that is not in such a high residential area and that would be more conducive to the type of event they are planning (i.e. size of the venue, adequate parking, etc...).

The owner of Mundy's Hideout, Larry Johnson, addressed City Council. Mr. Johnson expressed his frustration with the application being denied and that RSR Entertainment has moved the celebration to the County Event Center. Mr. Johnson explained that his business lost a lot of money due to the city denying this event and requesting that it be moved to another location.

Mayor Pro Tem Kolby questioned if a noise variance was still needed since the event was moved to the Fairgrounds. Fisher advised staff would contact the event coordinator to see if a variance or other type of permit is needed.

A motion was made by Councilmember Wright and seconded by Councilmember Saunders to table this item in case it is determined later that another noise variance and/or permit is needed.

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	Absent
Councilmember Atwood Kenjura	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

13. Administrative/Elected Officials Report

City Manager James Fisher reported on the following:

- Facility tour for new Councilmember will be on Monday, May 24th.
- Traffic trailers have been placed on Pecan Street due to several complaints about the traffic on this street. The Police Department has also increased their patrol of the area.

A citizen requested that City Council consider authorizing a stop sign on Marie Street and questioned if redistricting would change Council representation that was just decided at the recent General Election in May.

The meeting was adjourned.

Clint Kolby

Mayor Pro Tem

Jeana Bellinger, TRMC, CMC

City Secretary



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