

The City Council of the City of Columbus, Texas met in regular session on Thursday, May 28, 2009 at 6:30 p.m., in the Council Chambers of City Hall located at 1538 Hwy 71 S, Columbus, Texas, with the following present:

Mayor - Dwain Dungen  
Mayor Pro Tem - Curtiss Schonenberg  
Councilman - Charles Richardson  
Councilman - John Axel  
Councilman - Bruce Tesch  
Councilman - John Wagner  
City Manager - David Meisell  
City Secretary - Patti Glaeser  
Police Chief - Danny Jackson

1. **Call to Order.**

Mayor Dungen called the meeting to order at 6:30 pm.

2. **Pledge of Allegiance and Invocation.**

Mayor Dungen led the Pledge of Allegiance and Invocation.

3. **Consent Agenda:**

- a. **Approval of Invoices.**
- b. **Approval of Minutes May 14, 2009 Regular Meeting.**
- c. **Approval of Minutes May 18, 2009 Special Meeting.**
- d. **Approval of April Financial Statement.**

Councilman Tesch moved to approve the invoices. Councilman Schonenberg seconded the motion. The vote was as follows:

Ayes: Councilman Richardson, Axel, Schonenberg, Tesch, Wagner

The motion passed.

Councilman Schonenberg moved to approve the minutes from the May 14, 2009 regular meeting. Councilman Tesch seconded the motion. The vote was as follows:

Ayes: Councilman Richardson, Axel, Schonenberg, Tesch, Wagner

The motion passed.

Councilman Schonenberg moved to approve the minutes from the May 18, 2009 special meeting. Councilman Axel seconded the motion. The vote was as follows:

Ayes: Councilman Richardson, Axel, Schonenberg, Tesch, Wagner

The motion passed.

Councilman Schonenberg moved to approve the April Financial Statements. Councilman Richardson seconded the motion. The vote was as follows:

Ayes: Councilman Richardson, Axel, Schonenberg, Tesch, Wagner

The motion passed.

4. **Citizen's Presentations and Comments.**

Earl Joe Frnka, Jr. welcomed Mayor Dungen back.

5. **Discussion of City Manager's Report including City Hall Construction, Sewer Plant renovations, River Status, Water Pumpage History, Economic Indicators, 2009 Water & Sewer Rate Survey, Newly Hired Police Officer, Public Works, Upgrade of Rural Broadband Services, and Priority of Issues for FY 2010.**

City Manager, David Meisell, presented his City Manager's Report, which is attached to these minutes.

6. **Public Hearing on Amendment to the Zoning Change Ordinance 437 Harbert.**

Mayor Dungen closed the regular meeting and opened the public hearing at 7:21pm. Mr. Meisell explained that the Planning and Zoning Commission had met and recommended the zoning change of 437 Harbert from District R – Residential to District P Public. He said the Baptist Church plans to purchase the property. No comments from the public were made. Mayor Dungen closed the public hearing at 7:26pm and re-opened the regular meeting.

7. **Consideration and Action to Approve Ordinance # 97-09 Zoning Change.**

Councilman Richardson moved to approve Ordinance #97-09 zoning change for 437 Harbert from District R to District P – Public. Councilman Axel seconded the motion. The vote was as follows:

Ayes: Councilman Richardson, Axel, Schonenberg, Tesch, Wagner

The motion passed.

8. **Second Reading of Resolution #60-09, Columbus Community and Industrial Development Corporation Funds.**

Mayor Dungen read Resolution #60-09, Columbus Community and Industrial Development Corporation (CCIDC) Funds which gives City Council approval of a CCIDC grant in the amount of \$126,000 to the Columbus Little League for the installation of new lights at the baseball fields at Montezuma Park.

9. **Consideration and Action to Approve Resolution # 60-09, Columbus Community and Industrial Development Corporation Funds.**

Councilman Tesch moved to approve Resolution #60-09, CCIDC Funds giving City Council approval of a CCIDC grant in the amount of \$126,000 to the Columbus Little League for the installation of new lights at the baseball fields at Montezuma Park. Councilman Axel seconded the motion. The vote was as follows:

Ayes: Councilman Richardson, Axel, Schonenberg, Tesch, Wagner

The motion passed.

10. **Discussion and Action to Approve Texana Amendatory Agreement.**

Mr. Meisell explained that Texana, our natural gas supplier, has asked the City to amend the current contract in the way the City will pay the monthly fee. By changing the amount of the add- on and deleting a separate fee, it will be easier to pay the monthly invoice. Mr. Meisell said Texana will assist the city in testing the high pressure gas lines in the City and will help determine which, if any need replacing. They will also assist in replacing the regulator stations. Councilman Schonenberg moved to approve the Texana Amendatory Agreement. Councilman Richardson seconded the motion. The vote was as follows:

Ayes: Councilman Richardson, Axel, Schonenberg, Tesch, Wagner

The motion passed.

11. **Discussion and Action regarding City's Oversight of the CCIDC, Past, Present, and Future.**

Mayor Dungen gave a history of the 4b taxes in the City of Columbus. He said a separate corporation and a separate Board had to be set up to promote business development. He agreed that the Council have oversight rights to the CCIDC due to public funds. He believes that they were set up to be separate so that the City Council did not control the 4b corporation but worked with it to approve expenditure of funds. He believes the City has in the past and continues to show good oversight of the CCIDC.

Councilman Wagner asked Mayor Dungen about his agreeing with Dr. Hancher at a meeting last summer saying the CCIDC should not have oversight by Council and should be totally separate. Councilman Wagner said it is his opinion that Mayor Dungen changed his view since last summer. Mayor Dungen said he was in support of the individuals that were in office and wanted them to remain on the CCIDC. He agreed that the mayor has the right to withdraw members from the CCIDC Board. He said City Council should have oversight of Funds and Directors of CCIDC and should not tell CCIDC what to do. He agreed with Councilman Wagner that the Council should be able to not approve land sales at the Industrial Park because that deals with funds. All projects should be approved by City Council.

Councilman Richardson said he would like to have reasonable knowledge of what is going on in the CCIDC and doesn't feel he knows what is going on with CCIDC. Mayor Dungen said regular reports should be made back to council. Mayor Dungen said that when he was on CCIDC, he made regular reports to City Council.

Councilman Tesch agreed that he doesn't know what CCIDC is doing either. Councilman Wagner said a report could be put on the agenda every two weeks. He said he believes the CCIDC is on the right tract. Councilman Tesch agreed with Councilman Wagner that the CCIDC has been working well. He would like a report once a month.

Councilman Axel said the oversight is good. He said there is a misconception of people going on and off the CCIDC Board. He said the Directors serve at the pleasure of the Mayor and Council. There is no reason needed to remove a member.

Councilman Schonenberg said Council presence on the CCIDC Board is an important component of CCIDC. He apologized for lack of communication with the Council. Mayor Dungen said it is vital to have Council involved at CCIDC. He doesn't want the appearance that things are being shuffled.

Councilman Wagner said that CCIDC with Rankin and Whitcomb had executive sessions. Mayor Dungen there are reasons to go into executive session. He said that the thought process in the mid 90's was that economic development was big at that time. He said the county and City hired a full-time economic director. They all felt that they were being past up by other local areas. People voted 2-1 to pass the 4b. They wanted economic development and not another source of revenue for the City. Mayor Dungen discussed the Articles of Incorporation and the CCIDC purposes.

Mayor Dungen offered his services to help with the CCIDC. He believes the oversight of the CCIDC should remain as it is with the Council and has no plans to change it.

Councilman Wagner asked why Great Southern Wood was allowed to put 90% of its assets outside of the City limits.

Mayor Dungen suggested the City Council discuss it at another meeting. It will be addressed at the June 25<sup>th</sup> meeting.

12. **Discussion and Action to Approve Edward Byrne Memorial Justice Assistance Grant Application for Police Department Equipment Including Cameras, Radar Units, Surveillance System, and Law Enforcement Shooting Simulator System.**

Police Chief, Danny Jackson, discussed the grants he is applying for. He said this grant, for cameras, etc. has to be applied for before the next grant can be awarded. The next grant is for laptops in the cars. Councilman Tesch moved to approve the application of the Edward Byrne Memorial Justice Assistance Grant. Councilman Axel seconded the motion. The vote was as follows:

Ayes: Councilman Richardson, Axel, Schonenberg, Tesch, Wagner

The motion passed.

13. **Discussion and Action to Approve Edward Byrne Memorial Justice Assistance Grant Application for Police Digital Video and Mobility Data Terminal Units.**

Councilman Axel moved to approve the Edward Byrne Memorial Justice Assistance Grant Application for Police Digital Video and Mobility Data Terminal Units. Councilman Wagner seconded the motion. The vote was as follows:

Ayes: Councilman Richardson, Axel, Schonenberg, Tesch, Wagner

The motion passed.

14. **Discussion of April Police Report.**

Chief Jackson presented his April Police Report. Mr. Meisell said the Police did a good job recently with very difficult situations.

15. **Items from Councilmembers.**<sup>2</sup>

Councilman Wagner said that the Mayor had sent a letter to each Council member. He would like it read into the record. Mayor Dungen then read the letter, dated May 22, 2009, into the record. A copy is attached to these minutes. Councilman Wagner said that this group (Council) is a well-educated group and that the letter was not necessary. Councilman Wagner said it will take time for everyone to get to know everyone. He would like to make this move forward in a smooth manner. Councilman Tesch said the fire department needed money to add mini-blinds to the fire station. He also said there was a big pile of City records in the upstairs room at the fire station. He would like the room to be cleaned out. Councilman Schonenberg – no comment. Councilman Axel – no comment. Councilman Richardson – no comment.

16. **Announcements.**

There were not additional announcements.

17. **Adjournment.**

The mayor adjourned the meeting at 8:12 pm.

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Mayor, Dwain K. Dungen

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ATTEST:

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Patti Glaeser, City Secretary

<sup>1</sup>During this agenda item, citizens may comment for the record on items, which are not on the agenda. However, the Council may not participate in discussion or deliberation on any item that is not on the agenda. Citizens may request that a topic be added to a future agenda.

Citizens who wish to comment on a posted agenda item may do so when that item is addressed by the Mayor. Citizen's comments are limited to five minutes.

<sup>2</sup>Limited to statements. Issues raised by councilmembers under this item cannot be deliberated by Council. The Open Meetings Act does not allow Council to deliberate items that don't appear on the agenda.