

The City Council of the City of Columbus, Texas met in regular session on Thursday, August 12, 2010 at 6:30 p.m., in the Council Chambers of City Hall located at 605 Spring St., Columbus, Texas, with the following present:

Mayor	-	Dwain Dungen
Mayor Pro Tem	-	Curtiss Schonenberg
Councilman	-	Charles Richardson
Councilman	-	John Axel
Councilman	-	Bruce Tesch
Councilman	-	Chuck Rankin
City Manager	-	Donald Warschak
City Secretary	-	Cathy Ezell
Assist. City Secretary	-	Linda Lakich

Other City Staff present included:

Police Chief	-	Danny Jackson
Utilities Superintendent	-	Wayne Karstadt
Public Works Supervisor	-	Michael Poncik

1. Call to Order.

Mayor Dwain 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 of July 8, 2010 and July 22, 2010 Regular Meetings.

After Council received clarification on several invoices, Councilman Schonenberg moved to approve the Consent Agenda. Councilman Tesch seconded the motion. The vote was as follows:

Ayes: Councilman Richardson, Axel, Schonenberg, Tesch, and Rankin

The motion passed.

4. Consideration and Action to Approve Invoices from Curtiss Automotive:

Councilman Rankin moved to approve the invoices for Curtiss Automotive. Councilman Tesch seconded the motion. The vote was as follows:

Ayes: Councilman Richardson, Axel, Tesch, and Rankin
Abstain: Councilman Schonenberg

The motion passed.

5. Citizen's Presentations and Comments.¹

Pamela Kallina thanked Council for placing a stop sign on the corner of Washington and Prairie. She then told council that she would like an update on the overgrown property at the corner of Washington and Prairie. Donald Warshak stated that a discussion on dilapidated property ordinance would be discussed as an item on the agenda. He also stated that Code Enforcement is looking into high weeds and sending out letters. Donald Warshak told Ms. Kallina that she could call on Monday to obtain a status update on the property in question.

Jeff Hoy with Columbus Transmission addressed Council concerning a complaint which was made against his business because of a motor home parked by a customer on the street in front of his transmission

repair shop. He stated that he was told he was violating the ordinance because he could not obstruct the passage on the street on sidewalk. He stated that he understood that the ordinance would be placed on this agenda for review at the request of the Mayor. He wanted to know why this had not been done.

6. **City Manager Report including Charter Street Water Improvements, EECBG Grant Application, Economic Indicators, Austin Street Railroad Crossing, City Secretary, Quikrete, MDT Units, Great Southern Wood Preserving.**

City Manager, Donald Warschak, presented his City Manager's Report which is attached to these minutes.

7. **Consideration and Action to Grant or Refuse Petition from Landowners for Annexation by the City of Columbus of 2.09 Acres of Land in the Elizabeth Tumilson League, Abstract No. 44, Colorado County, Texas.**

Donald Warschak stated the annexation had to do with Industry Bank. He stated that the time frame had to be reset because the notice for the public hearings had to be placed on the website. Councilman Schonenberg made the motion to grant the petition from the landowners for the annexation by the City of Columbus of 2.09 acres of land in the Elizabeth Tumilson League, Abstract No. 44, Colorado County, Texas. Councilman Rankin seconded the motion.

The vote was as follows:

Ayes: Councilman Richardson, Axel, Schonenberg, Tesch, and Rankin

The motion passed.

8. **Consideration and Action to Approve Resolution 76-10 Setting the Dates, Times and Places for Public Hearings on the Proposed Annexation of Certain Property by the City of Columbus, Texas and Authorizing and Directing the Mayor to Publish Notices of such Public Hearings.**

Councilman Axel made the motion to approve Resolution 76-10 setting the dates, times and places for public hearings on the proposed annexation of certain property by the City of Columbus, Texas and authorizing and directing the Mayor to publish notices of such public hearings. Councilman Richardson seconded the motion.

The vote was as follows:

Ayes: Councilman Richardson, Axel, Schonenberg, Tesch, and Rankin

The motion passed.

9. **Consideration and Action to Approve Replat of Lots 7 & 8, Block 6 of the Gegenworth and Gregory Heights Addition as Requested by Chris Christensen and Recommended by Planning and Zoning.**

Mayor Dungen stated that Mr. Christensen had asked to have this property replated and it had been reviewed by Planning and Zoning. Councilman Schonenberg asked if the replat met all of the set back requirements. Donald Warschak stated that the structure had been modified to meet the five (5) foot set back that was required by Planning and Zoning.

Councilman Richardson made the motion to approve the replat of Lots 7 & 8, Block 6 of the Gegenworth and Gregory Heights Addition as requested by Chris Christensen and recommend by Planning and Zoning. Councilman Rankin seconded the motion.

The vote was as follows:

Ayes: Councilman Richardson, Axel, Schonenberg, Tesch, and Rankin

The motion passed.

10. Consideration and Action to Approve to Submit a Proposed Revision of Zoning on Block 41, Lot S-9, 10, 823 Milam Street, from District R – Residential to District B – Commercial or Business District, to Planning and Zoning for Recommendation and Report.

Mayor Dungen stated that Mr. Wagner was present to answer any questions and was requesting to have the property sent to Planning and Zoning for a recommendation. Donald Warschak stated that the tract located at the corner of Milam Street and Preston Street is now zoned as residential and Mr. Wagner was requesting to have it rezoned to commercial.

Councilman Schonenberg made the motion to approve the submittal of the proposed revision of zoning on Block 41, Lot s-9, 10, 823 Milam Street, from District R – Residential to District B – Commercial or Business District, to Planning and Zoning for recommendation and report. Councilman Axel seconded the motion.

The vote was as follows:

Ayes: Councilman Richardson, Axel, Schonenberg, Tesch, and Rankin

The motion passed.

11. Consideration and Action to Approve Closure of Live Oak Street, from Martin Luther King to Dewees Street from 9:00 am until 6:00 pm, Saturday, August 21, 2010 for the St. Paul Methodist Church Festival.

Councilman Tesch made the motion to approve closure of Live Oak Street, from Martin Luther King to Dewees Street, from 9:00 am until 6:00 pm, Saturday, August 21, 2010 for the St. Paul Methodist Church Festival. Councilman Axel seconded the motion.

The vote was as follows:

Ayes: Councilman Richardson, Axel, Schonenberg, Tesch, and Rankin

The motion passed.

12. Consideration and Action to Approve Manufactured Home Permit for 827 Fannin Street.

Mayor Dungen asked if they had met all the requirements. Donald Warschak stated that they had met all of the requirements.

Councilman Axel made the motion to approve the manufactured home permit for 827 Fannin Street. Councilman Schonenberg seconded the motion.

The vote was as follows:

Ayes: Councilman Richardson, Axel, Schonenberg, Tesch, and Rankin

The motion passed.

13. Consideration, Review, and Action of Proposed Revisions to the Minimum Housing Standard Ordinance.

Mayor Dungen stated that they had been working on updating the existing ordinance. He stated that the current ordinance was lacking direction. He asked City Attorney, Ty Prause to review the ordinance. Ty presented the City of Bastrop's ordinance as an example ordinance. Mayor Dungen stated that this ordinance was clear, clean and easy to read. He also stated that he asked Ty to bring an ordinance like this to the next meeting. The Mayor would also like to have a public hearing to obtain input from the citizens.

The chairman of the Housing Committee stated that she was excited about this ordinance because it would make the community better. She also wanted to thank the City Council and Ty for bring this item forward.

Councilman Richardson stated that the example ordinance was understandable.

Councilman Rankin stated that he wanted to make sure that any ordinance would encourage rehabilitation of historical buildings rather than demolition.

Councilman Richardson stated that the example of the ordinance did address this issue.

Pamela Kallina asked if there would be a time period for the owner to restore their property. Mayor Dungen stated yes there would be a time period. He also stated that the ordinance that is currently in place is lacking in enforcement and the new ordinance would address this issue.

This item will be brought back at a future meeting. No action was taken.

14. Executive Session: In Accordance with Texas Government Code, Subchapter D, Section 551.086 – Deliberations about Economic Development – Infrastructure Development and Rate Schedule to serve the Quikrete Facility.

The Executive Session was not held.

15. Reconvene into Regular Session and Consider Action, if Any, Regarding Executive Session – Infrastructure Development and Rate Schedule to serve the Quikrete Facility.

No action taken.

16. Discussion on Budget Workshop.

Donald Warschak stated that Council had been provided the changes that had been made from the last meeting. He stated that the first item provided was a summary of the utility rates changes from the past three (3) years. Mayor Dungen provided a summary of ten (10) cities from the last meeting to have a better rate comparison.

Donald Warschak stated that Council had been provided a summary of the General Fund without capital items. The change was \$140,021.

Councilman Rankin stated that you really needed to compare the projected budget estimates to the 2011 Budget instead of the 2010 Budget to the 2011 Budget. He stated that shows a shortfall of \$400,000. He also stated that the Police Department was up \$90,000 and that Public Works increased due to the \$150,000 seal coat.

Donald Warschak stated that the second page was the Utility Fund and that there was a deficit of \$67,871. He then went on to go over the third attachment which was a list of all the capital items as well as the other major expenses like the \$150,000 for the seal coat and the \$90,000 for the water tank painting.

Councilman Schonenberg asked if the Utility Fund included the \$90,000 water tank painting. Donald Warschak stated that it did include those funds.

Mayor Dungen stated that the \$150,000 for the seal coat had had half of the amount that was not funded this year plus next year's amount. Donald Warschak stated that this was to ensure that the maintenance of the streets could stay on track.

Mayor Dungen stated that the bottom line is that if nothing is changed that the budget will be in the red \$460,000. Donald Warschak stated yes.

Donald Warschak stated that the seal coat could be postponed until October 2011.

Councilman Rankin stated that there are two places that need to be looked at, one being the Police Department with an increase of \$95,000 and the water revenue. He asked why the budgeted revenue was higher than the projected revenue. Donald Warschak stated that this year had been a wet year so the

consumption was less. Councilman Rankin stated that the water revenues were not as conservative as the other revenue.

Councilman Schonenberg asked why the Police Department salaries were around \$410,000 the two previous years but for the budget year 2011 they were going up \$47,000. Police Chief Danny Jackson stated that the department had not been fully staffed the two previous years and at this time the department was fully staffed.

Mayor Dungen suggested that at the next Budget Workshop the General Fund be the focus. He also directed staff to come up with property tax options.

City Secretary, Cathy Ezell went over the proposed budget calendar based on the Truth in Taxation guidelines.

17. Items from Councilmembers.²

Councilman Richardson – no comment.

Councilman Axel – no comment.

Councilman Schonenberg – no comment.

Councilman Tesch – no comment.

Councilman Rankin – stated that when granting exceptions to the zoning caution needs to be used.

Mayor Dungen – thanked the Citizen for it recognition. He also stated that the ordinance in question by Mr. Hoy had to be postponed to another meeting per his request because all parties could not be present.

18. Announcements.

There were no announcements.

19. Adjournment.

The mayor adjourned the meeting at 7:55 p.m.



Mayor, Dwain K. Dungen

ATTEST:



Cathy Ezell, City Secretary

¹During 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.

²Limited 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.