

The City Council of the City of Columbus, Texas met in regular session on Thursday, February 7, 2013 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 (absent)
Mayor Pro Tem	-	Curtiss Schonenberg
Councilman	-	Steve Woodall
Councilman	-	John Axel
Councilman	-	Bruce Tesch
Councilman	-	Chuck Rankin
City Manager	-	Donald Warschak
City Secretary	-	Linda Lakich

Other City Staff present included:

Police Chief	-	Bill Lattimore
Code Enforcement Off.	-	Ford Stein
Utility Superintendent	-	Jody Ripper

**1. Call to Order.**

Mayor Pro Tem Curtiss Schonenberg called the meeting to order at 6:30 p.m.

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

Mayor Pro Tem Schonenberg led the Pledge of Allegiance and Invocation.

**3. Consent Agenda.**

- a. Approval of Invoices.
- b. Approval of Minutes of January 24, 2013 Regular Meeting.

After Councilman Rankin received clarification on an invoice, Councilman Axel made a motion to approve the Consent Agenda as presented. Councilman Tesch seconded the motion.

The vote was as follows:

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

The motion passed.

**4. Consideration and Action to Approve Invoices from B&D Graphics.**

Councilman Rankin made a motion to approve the invoices from B&D Graphics. Councilman Axel seconded the motion.

The vote was as follows:

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

The motion passed.

**5. Citizens' Presentations and Comments.<sup>1</sup>**

Tom Russell spoke to Council concerning the need for a portable speed indicating device and the problem of dogs attacking other dogs. He said that a friend's dog had been attacked by two pit bulls while she was walking it and that something should be done before someone got hurt. Brenda Howard then spoke saying that it was her dog that was attacked. She said that her dog was hurt badly and that her vet bill was very high. She also said that the dogs which attacked her dog had been picked up before. She asked Council to do something. John Knesek then spoke saying that he had called the City about the same dogs in 2010 when they attacked a neighbor's Chihuahua. He said that at the time the

owner only received a warning ticket and that something should be done. He asked that the City's dangerous animal ordinance be enforced. Karin Glueck then told Council that her daughter's dog had been attacked by other dogs while she was walking it. Finally, Woodrow Moore spoke saying that his wife and children had also been bothered by dogs running loose. He said that he would like to see Council adopt a dangerous dog and reckless owner ordinance like those in Taylor and Brownwood. The Mayor Pro Tem explained that Council could not take action at this meeting, but would add it to their next agenda.

**6. City Manager's Report including Sales Tax, Sewer Averaging, 2012 Water System Improvements, and Cardinal Hill Elevated Storage Tank Project.**

City Manager, Donald Warschak, presented his City Manager's Report, a copy of which is attached to these minutes. He told Council that the sales tax receipts continue to look good with February's being over \$5,000 more than the same period last year. He also asked Police Chief Bill Lattimore to give a report on the lock down at the high school the day before. Chief Lattimore stated that the high school campus had been locked down because of an unauthorized suspicious person being spotted in the building. He reported that law enforcement officials were not able to find the intruder but were able to reopen the campus after a short time. He also reported that with the help of security cameras, the Police Department was able to later detain a juvenile suspect and that he had been appropriately charged and released to a guardian.

**7. Consideration and Action to Approve the Closure of Milam Street from Jackson Street to Walnut Street and the Closure of Walnut Street from Milam Street to Legion Drive from 10:30 a.m. to 12:30 p.m. on Saturday, March 2, 2013 for the Annual FFA Parade.**

Councilman Tesch made a motion to approve the closure as outlined. Councilman Rankin seconded the motion.

The vote was as follows:

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

The motion passed.

**8. Public Hearing Regarding the City's Submission of an Application to the Texas Department of Agriculture for a 2013 Texas Capital Fund Program Award.**

The Mayor Pro Tem opened the Public Hearing at 7:08 p.m.

He asked Martha Drake from GrantWorks to explain the Texas Capital Fund Program. Martha Drake explained that the Texas Capital Fund is a program to bring HUD dollars back to Texas to assist cities with infrastructure when new businesses come to town. The mayor pro tem explained that in this case that KW International's new facility in the industrial park will require natural gas system upgrades. Donald Warschak said that in the past the City of Columbus has had two projects which utilized Texas Capital Fund awards. They were for the construction of the water tower at the Industrial Park and the road to Great Southern Wood and for the construction of the frontage road by Holiday Inn Express.

The Mayor Pro Tem asked if anyone would like to ask additional questions or make any other comments.

With no further questions, the public hearing was closed at 7:13 p.m.

**9. Consideration and Action to Adopt Resolution 120-13, a Resolution authorizing the submission of an Application to the Texas Department of Agriculture for a 2013 Texas Capital Fund Grant for Construction of Public Natural Gas Improvements to the Proposed KW International Development Site.**

The Mayor Pro Tem explained that Council would not take action tonight on the submission of the application. He said that KW International was exploring getting natural gas from an alternate source.

**10. Consideration and Action to Adopt Resolution 119-13, a Resolution of the City of Columbus Authorizing a General (Regular) Municipal Election to be Held on May 11, 2013. Consideracion y**

**accion para adoptar la resolucio n 119-13, una resolucio n de la ciudad de Columbus que autoriza un eleccio n municipal (regular) general para se sostenido el 11 de mayo de 2013.**

The Mayor Pro Tem explained that this was the regular election to elect Council Place 1, Council Place 2, and the Mayor.

Councilman Woodall made a motion to adopt Resolution 119-13 authorizing a general municipal election to be held on May 11, 2013 as presented. Councilman Rankin seconded the motion.

The vote was as follows:

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

The motion passed.

**11. Consideration and Action to Approve Ordinance 148-13 an Ordinance Annexing 4.23 Acres of Land in the Elizabeth Tumlinson League, Abstract No. 44, Colorado County, Texas.**

Councilman Rankin asked who the owner was requesting the annexation and was told that it was Stephen Draper.

Councilman Tesch made a motion to approve Ordinance 148-13 to annex 4.23 acres of land in the Elizabeth Tumlinson League, Abstract No. 44, Colorado County, Texas as presented. Councilman Axel seconded the motion.

The vote was as follows:

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

The motion passed.

**12. Consideration and Action to Approve Hotel Occupancy Tax (HOT) Fund Grants for 2012-2013 – Community Empowerment Center.**

Joel Usher with Community Empowerment addressed Council and explained that the 2013 Focus Conference would be only two days, with a concert on Friday and speakers on Saturday. He said that they are requesting \$20,000 in the current year because of higher advertising prices. He said that last year they received \$15,000 for the first year of the conference. He told Council that it was a learning experience last year and they expect the conference to be larger this year. Councilman Schonenberg expressed his concern with the low attendance last year and the fact that they did not know how many rooms were occupied. Councilman Tesch said he was concerned because last year they anticipated 200 attendees and only had 40. Mr. Usher said that they are trying to establish the event. Councilman Rankin pointed out that they do not have good tracking of hotel rooms booked. He said that the groups asking for funding must get better feedback. Councilman Axel told Council that he thought that the requirement for tracking hotel bookings should apply equally to all of the applicants. He said that the rest of the applicants were not asked this question. Councilman Rankin said that the grant application does ask for the number of rooms, and that he realized that this is a new enterprise. Councilman Schonenberg said that he would suggest that they fund this event the same as they did last year and give them an opportunity to establish it.

Councilman Schonenberg made a motion to approve the HOT Fund Grant for the Community Empowerment Focus Conference advertising for \$15,000. Councilman Axel seconded the motion. Councilman Woodall said that he would like to have the Mayor's input. Joel Usher said that they need to have a decision on funding because the event is quickly approaching.

The vote was as follows:

Ayes: Councilman Woodall, Axel, Schonenberg, and Rankin

Noes: Councilman Tesch

The motion passed.

**13. Discussion of Hotel Occupancy Tax.**

The Mayor Pro Tem told Council that they had been provided with copies of the by-laws and articles of incorporation for the City's old Convention and Visitors Bureau. Council indicated that they would like to review the documents and then have a discussion at the next Council meeting.

**14. Consideration and Action to Appoint Three Members to the Planning and Zoning Commission for Terms Ending December 2014.**

The Mayor Pro Tem reported that the Mayor was recommending the reappointment of the current members with expiring terms: Annie Mae Hargrove, Mary Ellen Prause, and Chris Arthur.

Councilman Schonenberg made a motion to appoint the three members as recommended by the Mayor. Councilman Axel seconded the motion.

Councilman Rankin said that he was uncomfortable with voting on the nominees without first knowing how they feel about the Zoning Ordinance and how they plan to go forward. He said that he would like a chance to ask them questions. He suggested that Council not approve them at this meeting, but invite them to attend the next meeting and make the appointments then.

Councilman Schonenberg withdrew his motion. The item was tabled until the next Council meeting.

**15. Consideration and Action to Accept Donations of Funds for the Police Department.**

City Secretary, Linda Lakich, told Council that the Police Department had received two donations from John Massey and Columbus State Bank for \$1,000 each.

Councilman Tesch made a motion to accept the donations to the Police Department. Councilman Woodall seconded the motion.

The vote was as follows:

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

The motion passed.

**16. Consideration and Action, if Necessary, on the January 2013 Code Enforcement Report.**

Code Enforcement Officer, Ford Stein, presented his January 2013 Code Enforcement Report, a copy of which is attached. In addition he answered questions concerning the City's ISO rating. He will ask the Fire Chiefs to evaluate and then to report to Council concerning the ISO rating.

No action was necessary.

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

Councilman Woodall – asked that the dog issue be added to the next agenda.

Councilman Axel – no comment.

Councilman Schonenberg – expressed his thanks to both the Police and Schools for their handling of the school lock down.

Councilman Tesch – explained that while he does not think that the Community Empowerment Forum is a suitable use of HOT funds, that he does think that it is a good program.

Councilman Rankin – asked for clarification on the mineral lease at the Industrial Park.

**18. Announcements.<sup>2</sup>**

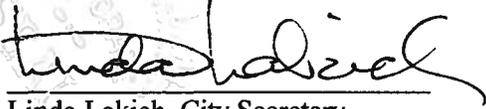
There were no other announcements.

**19. Adjournment.**

The Mayor adjourned the meeting at 8:06 p.m.

  
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Mayor, Dwain K. Dungen

ATTEST:

  
\_\_\_\_\_  
Linda Lakich, 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.

