

The City Council of the City of Columbus, Texas met in regular session on Monday, January 14, 2019 at 5:30 p.m., in the Council Chambers of City Hall located at 605 Spring St., Columbus, Texas, with the following present:

Mayor	-	Lori An Gobert
Mayor Pro Tem	-	Chuck Rankin
Councilman	-	Keith Cummings
Councilman	-	Michael Ridlen
Councilman	-	Gary Swindle (Absent)
Councilwoman	-	Sandra Frnka
City Manager	-	Donald Warschak
City Secretary	-	Bana Schneider

Other City Staff Present:

Police Chief	-	Skip Edman
Code Enforcement	-	Richard LaCourse

**1. Call to Order.**

Mayor, Lori An Gobert, called the meeting to order at 5:30 p.m.

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

Gobert led the Pledge of Allegiance and Invocation.

**3. Consent Agenda:**

- a. Approval of Invoices
- b. Approval of Minutes of the December 10, 2018 Regular Meeting
- c. Approval of Minutes of the December 19, 2018 Regular Meeting

Councilwoman Frnka asked if the invoice from B&D services was for contract work on the water filtration project. Gobert stated that would be addressed during the City Manager's report.

Councilman Rankin made a motion to approve the Consent Agenda as presented. Councilman Cummings seconded the motion.

The vote was as follows:

Ayes: Councilmen Cummings, Ridlen, and Rankin; Councilwoman Frnka  
Absent: Councilman Swindle

The motion passed.

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

James Griffin of Texas Disposal Systems spoke to Council regarding additional services they now offer. He stated many of the new services were added due to the increase in disaster recovery events. A list of those services is attached to these minutes. He thanked Council for the City's partnership with TDS.

Debbie Damon spoke to Council about getting customer billing histories in order to compile a report for the PUC for their rate case hearing with AEP. City Secretary, Bana Schneider, stated she had requested the City's billing history several times, but has yet to receive it. A copy of Ms. Damon's billing history, for sample purposes, is attached to these minutes.

**5. City Manager's Report Including Sales Tax, Water Filtration Project Update, Sewer Averaging, and FEMA, Corps of Engineers, and Grant Updates.**

City Manager, Donald Warschak, gave his report, a copy of which is attached to these minutes. Warschak stated the sales tax the City received in January was down approximately \$12,000 from the same time last year. Total payment the City received was \$118,428 in comparison to \$130,783. Eagle Lake and the County both saw decreases as well, and Weimar showed an increase over last year.

Regarding the water filtration project, Warschak stated he and Bruce Tesch had met onsite at the three water plants with the project manager from WesTech. He stated a team in Arizona will be making their way to New Orleans with the plan for them to stop here on their way to get more exact measurements. Warschak said the invoice to B&D Services that was in the packet was made up of two separate invoices; one for a little over \$41,000 which was part of the contract, and one for approximately \$70,000 for extra charges associated with the filter repairs. There are sufficient funds withheld for retainage in order to get the repairs made.

Mayor Gobert stated she and Donald had met with the City Attorney regarding a demand letter for him to draft. Donald said there were a couple more items to look at before he can make the draft. Councilman Ridlen asked if the contract verbiage had been reviewed since the last meeting. Warschak stated, typically with equipment, the contract is for the specifications for that piece of equipment. Unlike construction contracts which may include liquidated damages and the like. There was discussion regarding the responsibilities of WesTech, their manufacturer and our contractor. Gobert stated, according to the City Attorney, since it is a bonded vessel, we cannot make changes. There was discussion regarding the items needed for the attorney to draft a letter, which will include a time frame for a response. Warschak stated the letter should be ready by the end of the week.

Moving on, Warschak stated sewer averaging is under way. Residential customers' water usage between December 15<sup>th</sup> and February 15<sup>th</sup> will determine their sewer rate for the remainder of the year.

A worksheet with updated FEMA, Corps of Engineer and grant projects is attached to these minutes. There was discussion regarding the projects' statuses. On some of the projects, FEMA will give us cost estimates, and if we agree, they will submit the funds to us to complete the project, Warschak stated. Frnka asked about the Corps of Engineer project. Warschak said last week they were working on the project. The study is now in the public review process. Regarding the CDBG projects, Warschak stated an action item is on the agenda to approve the engineering services contract for the CDBG waterline replacement project. We will also be selecting the engineering service provider for the GLO disaster recovery project; a few meetings ago we approved GrantWorks as the administrative service provider for that project.

Warschak stated the first truck from Enterprise had been delivered today. The truck with the service bed will be delayed until late spring since the beds are on back order. The other vehicles have shipped, but not yet reached the dealer.

Warschak said he had contacted Thomas Brocato, an Attorney with Lloyd Gosselink Rochelle & Townsend, P.C. regarding the AEP rate case hearing in May. Sometime in April he will send out resolution paperwork to become a part of the coalition of cities. There is a 30 day deadline to pass the resolution once the rate case hearing is filed with the PUC.

**6. Public Hearing Regarding Proposed Zoning Change, specifically 2.627 Acres of Land in the WB Dewees Survey, Abstract No. 18, Fronting on Walnut Street (Highway 90) West, from Partial District B, Business or Commercial, and Partial District R-1, Multi-Family, Apartment, Townhouse or Condominium to Entirely District B, Business or Commercial.**

The Mayor opened the public hearing at 5:59 p.m.

Warschak gave a history and location of the property. He stated the owners felt it would best be served to have a single zoning designation.

Council reviewed the report from Planning & Zoning. Councilman Rankin asked about comments from neighboring property owners. Schneider stated notices were sent to those property owners

within 200 feet of the subject property. No comments were made, nor did any of those property owners attend the public hearing P&Z held.

The public hearing was closed by Gobert at 6:03 p.m.

7. **Consideration and Action to Approve Ordinance 216-19, an Ordinance Designating 2.628 Acres of Land in the WB Dewees Survey, Abstract No. 18, Fronting on Walnut Street (Highway 90) West, from Partial District B, Business or Commercial, and Partial District R-1, Multi-Family, Apartment, Townhouse or Condominium to Entirely District B, Business or Commercial.**

Councilman Cummings made a motion to Approve Ordinance 216-19. Councilman Rankin seconded the motion.

The vote was as follows:

Ayes: Councilmen Cummings, Ridlen, and Rankin; Councilwoman Frnka  
Absent: Councilman Swindle

The motion passed.

8. **Consideration and Action to Approve an Engineering Services Agreement with John D. Mercer & Associates, Inc. for the CDBG Waterline Grant Project Contract Number 7218090.**

Warschak stated this is for the waterline replacement project near the junior high. Mercer was chosen about a year and a half ago to provide the engineering services for the project.

Councilman Rankin made a motion to approve an Engineering Services Agreement with John D. Mercer & Associates. Councilman Cummings seconded the motion.

The vote was as follows:

Ayes: Councilmen Cummings, Ridlen, and Rankin; Councilwoman Frnka  
Absent: Councilman Swindle

The motion passed.

9. **Consideration and Action to Approve Resolution 190-19, a Resolution to Select an Engineering Service Provider to Complete Application and Project Related Engineering for the CDBG-Disaster Recovery Funding through the General Land Office Community Development and Revitalization.**

We received a number of proposals which Bana, the Mayor, and Donald reviewed. Warschak stated since the GLO funded project would be in the same area as the waterline replacement, it would be a smart idea to name Mercer as the engineering service provider for this project as well. They will be doing survey work that would overlap with the disaster recovery project.

Councilman Cummings made a motion to approve Resolution 190-19 selecting John D. Mercer & Associates, Inc. as the engineering service provider for CDBG-Disaster Recovery funding through the GLO Community Development and Revitalization. Councilwoman Frnka seconded the motion.

The vote was as follows:

Ayes: Councilmen Cummings, Ridlen, and Rankin; Councilwoman Frnka  
Absent: Councilman Swindle

The motion passed.

**10. Consideration and Action to Approve an Engagement Letter from Patillo, Brown and Hill, LLP for the September 2018 Financial Audit.**

Gobert stated she thought this was the year we would make a change in auditor. Schneider stated the current auditor would conduct the 2019 audit as well. RFP's would be sent out for the 2020-2024 audits next year. Gobert asked if there were any concerns. Schneider stated they have been a great firm to work with. The accountants who perform the audit are different every year, and they concentrate on different audit aspects each year. Schneider stated it was her recommendation to approve the engagement letter.

Councilwoman Frnka made a motion to approve an audit engagement letter with Patillo, Brown and Hill, LLP. Councilman Cummings seconded the motion.

The vote was as follows:

Ayes: Councilmen Cummings, Ridlen, and Rankin; Councilwoman Frnka  
Absent: Councilman Swindle

The motion passed.

**11. Consideration and Action, if Necessary, Regarding the December Golf Association Report.**

John Mangini gave the report to Council, a copy of which is attached to these minutes. Mangini stated during the month of December, they were probably closed more days than they were open due to the wet weather. They have been doing winter clean-up and trimming trees. He also stated they have a tournament planned in March with the Weimar golf club, and the Lion's Club tournament will be held sometime in April.

No action was required.

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

Councilman Cummings – None

Councilman Ridlen – None

Councilman Swindle – None

Councilwoman Frnka – None

Councilman Rankin – None

Mayor Gobert – Wished everyone a Happy New Year. Gave a shout-out to the police department for their great work, and stated the 4-H would be attending a Council meeting soon.

**13. Announcements.**

Schneider stated Council members would be receiving audit confirmations within the next few weeks. She asked that that everyone please fill them out and get them back to the auditors.

**14. Adjournment.**

The Mayor adjourned the meeting at 6:12 p.m.



Mayor, Lori An Gobert

ATTEST:



Bana Schneider, 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.

<sup>2</sup>Limited to statements. Issues raised by council members 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.

