

The City Council of the City of Columbus, Texas met in regular session on Tuesday, May 28, 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
Councilwoman	-	Sandra Frnka
City Manager	-	Donald Warschak
City Secretary	-	Bana Schneider

Other City Staff present included:

Police Chief	-	Skip Edman
Fire/Code Assistant	-	Duane Naiser

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 May 13, Regular Meeting
- c. Approval of February 2019 Financial Statements

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

The vote was as follows:

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

The motion passed.

4. Citizens' Presentations and Comments. ¹

Mayor Gobert read a proclamation for National Garden Week. She thanked the Garden Club for all they do in our community, and she joined members of the club for a photograph.

Debbie Damon made a presentation to Council regarding the AEP rate increase request. A copy of her report is attached to these minutes. She gave a timeline of her efforts to date including the kwh ratchet rate for business consumers. The Mayor asked the City Manager about the lawyer for the coalition of cities. Warschak stated the lawyer indicated all items are on the table so the ratchet rate should be addressable.

Ronny Daley made a request for a variance for a non-hard surface parking lot. Gobert stated ultimately Daley would need to make a variance request to the Board of Adjustments. City Secretary, Bana Schneider, stated he would need to send that request to Richard LaCourse. He should include the reason for the request as well as the proposed lot material. Councilman Rankin stated the ordinance should be looked at. Gobert stated it had been reviewed, and this situation could be addressed by the BOA. Schneider stated the Corridor Overlay did prescribe a percentage scenario for remodeled buildings to meet the standards in the new ordinance. Councilman Ridlen asked where the parking lot was located. Daley explained the location on Walnut Street. Warschak suggested if he was going to ask for a surface material variance, he should include the material he

would substitute, and that the material should be as dust free as possible. There was a discussion regarding the different types of materials.

Billy Kahn and Amber Becerra of the Chamber were in attendance. Council gave them a round of applause for the sensational Magnolia Days Festival. Kahn thanked the City and all of the organizations who helped make the festival a success. Mayor Gobert asked if they made money this year. Becerra stated it looks like they did. They will be having a recap meeting with the committee to go over all of the P&L's to find out for sure, but it does appear they were in the black. Councilman Ridlen asked what parameters were used for measuring success. Kahn stated it was hard to judge since it is an unticketed event. He stated there was a 33% increase in the number of wrist bands distributed for alcohol sales. Becerra said the food and street vendors were pleased with their sales. Kahn added that he had spoken to the hotels regarding occupancy. Some said they had fewer rooms available than a normal weekend, but others said they saw no difference. Councilman Rankin stated a few on the Council recognize the difficulty in putting on an event of this nature since they have been involved with it in the past.

5. **City Manager's Report Including Water Filtration Project, the Front Street River Access Point, TxDOT Safe Route to School Project, and the Household Hazardous Waste Collection.**

City Manager, Donald Warschak, gave his report, a copy of which is attached to these minutes. Warschak stated B&D was nearing completion of another project, and then they would be able to start work on the filters. Gobert stated four months would be needed to complete the project. She asked if it would be done in this fiscal year. Warschak stated it should be completed before then. Warschak said Frank Surveying had been gathering data regarding the river access point. He stated they should be on site for surveying this week. They will be putting out flags to mark the area. Warschak stated he and the Mayor had met with a TxDOT representative. They showed her the location of the application project, and they also drove the areas for the master project which would include connecting all of the school campuses with sidewalks. Warschak said the representative stated if the City did not qualify for the total grant, they may be eligible for the T/A program which would require matching funds. Warschak stated the Household Hazardous Waste Collection hosted by the county would be on Saturday. He said household chemicals and paints along with tires, off the rim, would be accepted. Ridlen asked if large appliances, like refrigerators, would be accepted. Warschak stated appliances would need to be tagged that the Freon was removed before they can be dropped off. Councilwoman Frnka asked if microwaves would be accepted. Warschak those could be dropped off.

6. **Consideration and Action to Approve a Bid for the Purchase of a Tractor for the Water, Sewer, and Public Works Departments.**

Warschak stated this tractor is to replace one damaged during Harvey. It is used for shredding in the water plants, on the drying beds, and to clear the drainage ditch that runs through Memorial Oaks. Because of the additional horsepower on the PTO, staff is recommending the Kubota tractor. Schneider stated \$20,000 is in the budget for this purchase. Warschak stated we are still hoping for some money from FEMA.

Councilwoman Frnka made a motion to approve the bid for the Kubota tractor. Councilman Cummings seconded the motion.

The vote was as follows:

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

The motion passed.

7. **Consideration and Action on the Mayor's Appointment of City Attorney.**

The Mayor stated she recommends the Cary L. Bovey Law Firm. She commented the CCIDC has worked with the firm the last four years or so. He has been a wealth of knowledge and easily

accessible. She also stated, even with additional charges for mileage and travel time, the overall costs should be about the same as we are paying now. Gobert also stated he specializes in municipal law. Frnka asked what we currently pay for attorney services. Schneider stated there is a \$400 monthly retainer and a \$200 hourly rate. There was discussion regarding using an out of town firm for legal work.

Councilman Ridlen made a motion to approve the appointment of the Bovey law firm as City Attorney. Councilman Cummings seconded the motion.

The vote was as follows:

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

The motion passed.

8. Consideration and Action on the Mayor's Appointment of Associate Prosecutor.

Gobert stated she was also appointing the Bovey law firm to act as prosecutor. She added Mr. Bovey has an associate, Luke Cochran, who may also do prosecution.

Councilman Rankin made a motion to approve the appointment of the Bovey law firm as the Associate Prosecutor. Councilwoman Frnka seconded the motion.

The vote was as follows:

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

The motion passed.

9. Consideration and Action on the Mayor's Appointment of Municipal Court Judge.

Gobert stated she would like to reappoint Leonard Peters as Municipal Court Judge. He stated he would like to continue to serve.

Councilman Rankin made a motion to approve the appointment of Municipal Court Judge. Councilman Cummings seconded the motion.

The vote was as follows:

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

The motion passed.

10. Consideration and Action on the Mayor's Appointment of the Associate Municipal Court Judge.

Gobert stated she had spoken to Judge Truchard, and he was willing to stay on as the associate judge.

Councilwoman Frnka made a motion to approve the associate judge. Councilman Swindle seconded the motion.

The vote was as follows:

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

The motion passed.

Gobert stated, in regards to items #9 and #10, both Judges spoke very highly of our municipal court clerk, Kaylee Brune. They said she is very organized and efficient, and is a pleasure to work with. The Mayor said she thought Council should know how highly she is regarded.

11. Consideration and Action on the Mayor's Appointment of the Public Health Officer.

The Mayor appointed Dr. Bart Klaus as the Public Health Officer. He is one of the young doctors working out of the local clinic.

Councilman Swindle made a motion to approve the appointment of Dr. Klaus. Councilwoman Frnka seconded the motion.

The vote was as follows:

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

The motion passed.

12. Consideration and Action on the Mayor's Appointment of Five Members and Two Alternates to the Board of Adjustments.

The Mayor tabled this item. She had a nominee for the member, but not the alternates. She would like to appoint them all at the same time.

13. Consideration and Action on the Mayor's Appointment of Three Members to the Columbus Community and Industrial Corporation Board.

Gobert reappointed board members Andy Nunmaker and Dwain Dungen. She also stated Councilman Ridlen agreed to represent City Council on the board.

Councilman Rankin made a motion to approve the CCIDC board appointees. Councilwoman Frnka seconded the motion.

The vote was as follows:

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

The motion passed.

14. Consideration and Action on the Mayor's Appointment of One Member to the Citizen's Grievance Committee.

Mayor Gobert stated Mr. Ernest Baumgart has served on the committee for over a decade, and he was ready to retire. She stated Councilman Cummings and herself sit on the committee, and she would like to appoint Barbara Peterman to replace Mr. Baumgart.

Councilwoman Frnka made a motion to approve the appointment of Barbara Peterman to the Citizen's Grievance Committee. Councilman Rankin seconded the motion.

The vote was as follows:

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

The motion passed.

15. Consideration and Action to Approve the Closure of Bowie Street Between Jackson and Houston Streets on Tuesday, June 4, 2019 from 8:00 a.m. to 2:00 p.m. for the Texas Alliance for Minorities in Education Interactive Museum as Requested by Nesbitt Memorial Library.

The Mayor stated she has attended this program before, and it is amazing.

Councilman Rankin made a motion to approve the street closure as requested. Councilwoman Frnka seconded the motion.

The vote was as follows:

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

The motion passed.

16. Consideration and Action to Approve the Closure of Bowie Street Between Jackson and Houston Streets on Saturday, July 20, 2019 from 7:00 a.m. to 12:30 p.m. for the Circle of Health as Requested by Columbus Community Hospital.

Councilwoman Frnka made a motion to approve the street closure as requested. Councilman Cummings seconded the motion.

The vote was as follows:

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

The motion passed.

17. Consideration and Action, if Necessary, Regarding the Fire Marshal Report.

Code Enforcement Assistant, Duane Naiser, gave the report for the Fire Marshal, a copy of which is attached to these minutes. Naiser introduced himself to Council, and gave them his background. Naiser stated the report covered April and May. He highlighted the site visits, inspections, and the public education performed by the Fire Marshal and Code Enforcement offices. He also spoke about the Big Easy Ranch working with the Fire Marshal regarding an incident action plan for emergency response at the facility.

No action was required.

18. Consideration and Action, if Necessary, Regarding the April 2019 Code Enforcement Report.

Naiser also presented the Code Enforcement report, a copy of which is attached to these minutes. Naiser stated the proposed changes to the building code ordinance had been sent to the City Manager and City Secretary. He also stated the Code Enforcement officer was notified he can schedule his test for CSI. Gobert asked what CSI was. Warschak stated it is a customer service inspection dealing with plumbing and back flow prevention.

No action was required.

13. Consideration and Action, if Necessary, Regarding the April 2019 Police Report.

Chief Edman gave the report, a copy of which is attached to these minutes. Edman stated the department had received training on the administration of Narcan so the officers were carrying the drug on the streets. He also stated they had received tourniquet training from the EMS. Edman also spoke about the celebration of Police Week and the many activities involved with it.

No action was required.

14. Items from Councilmembers.²

Councilman Cummings – None

Councilman Ridlen – None

Councilman Swindle – None

Councilwoman Frnka – None

Councilman Rankin – Thanked Councilman Ridlen for agreeing to serve on the CCIDC Board.

Mayor Gobert – Stated there should be a general discussion item on the next agenda concerning meeting dates and times.

15. Announcements.

There were no announcements.

16. Adjournment.

The Mayor adjourned the meeting at 6:25 p.m.



Mayor, Lori An Gobert

ATTEST:



Bana Schneider, 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.

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.