

The City Council of the City of Columbus, Texas met in regular session on Monday, August 10, 2020, 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
Code Enforcement	-	Richard LaCourse

**1. Call to Order.**

Because of the large number of people in attendance, Mayor Gobert moved the meeting outside. Mayor Lori An Gobert called the meeting to order at 5:39 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 July 13, 2020 Regular Meeting
- c. ~~Approval of Minutes of the July 27, 2020 Regular Meeting~~
- d. Approval of the Investment Report for the Quarter Ended June 30, 2020

Councilman Swindle made a motion to approve the Consent Agenda as presented. Councilman Ridlen 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. <sup>1</sup>**

A group of citizens known as the Barn Builders who are concerned with the restrictions in place due to COVID-19 were in attendance. They were represented by several speakers.

Cliff Masarik stated the group was in favor of opening Columbus 100%, and would like to see an item on the agenda in the near future. He also gave an overview of the data being reported regarding the pandemic, and his concerns with its accuracy.

Patsye Goodwin spoke about the mask mandate, and her belief that masks are not effective against the virus. She also spoke about different strategies used for the flu, H1N1, etc.

Austin Hammett stated the virus had been turned into a political tool. Economically it is hurting everyone, and the restrictions in place are wrong. All schools and businesses should be opened.

Benny Zajicek thanked Council for taking the time to listen to the group's concerns. He stated restaurants in the community are scared to death about surviving the economic sanctions. As the operator of Beckey's Café, he stated his revenue was down 62% from the same time last year. Not only do the restrictions hurt business owners, but they also hurt employees.

Jeni Cornett stated COVID is not as bad as it seems, and it is taking away our humanity. There have been increases in the suicide and domestic violence rates. She said the government has stripped away our rights, and we are living in fear of a virus that is not fully understood. Her main concern is for the welfare of all of the children in the community, and how this shut-down has affected them.

Chris Christensen stated it was great their group was able to address Council. He stated our town was under attack and COVID was the tool being used against us. The cost to our nation is more than the attack on the Twin Towers, and our way of life is at risk. He asked that the disaster declaration be reversed, and to get rid of fear in the decision-making process.

Faye Collins addressed Council about horses being kept in the City. She stated the smell in her yard is not pleasant. She is concerned about the safety of children on their way to school. She stated they are too close to houses, and should not be kept so close to where people live. She asked that the ordinance be changed for health concerns. She is very proud of where she lives, and Columbus needs to do better.

Gobert stated because of the open meeting laws, Council cannot take any action on any of their requests until they are on the agenda. She also stated we hear you. Gobert asked if the Barn Builders was a local group, or if it was a grassroots organization in multiple communities. Mark Potter from the group stated they originated in Colorado County, but they have expanded into Austin and Fayette counties.

Gobert moved the meeting back into Council Chambers.  
Gobert went to agenda item 6.

**5. City Manager's Report Including the Water Filtration Project, the Water Well Rehab Project, the North River Drive Storm Sewer Outfall Project, the 2020 Sewer Line Improvements, and the Library Roof Project Updates; the TxDOT Sidewalk Project.**

City Manager, Donald Warschak, gave his report, a copy of which is attached to these minutes. He stated the Hill Water Plant filtration system is now up and running. He also said WesTech is finalizing the startup report and issues regarding the Tait Water Plant.

Regarding the Water Well Rehab Project, the City Manager said the pool water well has been placed back in service after replacing some electrical components. They will wait for several days of operation before moving on to the Tait Water Plant.

Warschak stated B&D Services has installed the replacement storm sewer pipe on North Street. The catch basin has also been installed. B&D now has to place all of the backfill so this FEMA project can be completed. Warschak stated a preconstruction meeting was held with TxDOT and T Construction last week. The contractor will start work on the Highway 71 sewer line between Spring Street and Washington Street on Wednesday. Southbound traffic will be shifted to the center turn lane in this area during construction, and travelers should use caution when traveling in the area. The improvements in this area will take approximately 2-3 weeks for completion. We are waiting on revised performance and payment bonds from Lessman Roofing for the Library Roof Project. They will be overnighting the bond paperwork, and are anticipating a meeting Thursday morning. They have indicated the roof replacement will take approximately 2-3 weeks.

Warschak concluded his report with the TxDOT TA Sidewalk Project. He stated TxDOT had sent the agreement documents for our review. After they complete their internal review, they will send the final documents for our signature.

Councilman Ridlen asked about the status of the Corps of Engineers riverbank project. The Corps is resurrecting this project. There was a sight meeting last week. We have received agreement documents, and they have been sent to the attorney. There was a discussion of costs for the project. There was a detailed discussion of the project as well as a discussion about the previous FEMA projects on the riverbank. Warschak stated we are moving forward with an application for the CDBG-GLO mitigation grant for a project to move the existing waste water treatment plant further from the river.

**6. Consideration and Action to Approve the City of Columbus Comprehensive Annual Financial Report for 2019.**

Kent Willis, audit manager at Patillo, Brown & Hill gave Council an overview of the City's 2019 CAFR which was issued on March 31 of this year. He thanked City Council for choosing PB&H to perform the City's audit service. He thanked City Secretary, Bana Schneider, and the others at the City for being so easy and transparent to work with. He highlighted the audit process. Willis stated the firm found the financial statements to be materially correct, and the internal controls acceptable. The CAFR was issued a "clean" opinion which is as good as it gets. He went over the fund balances. Councilwoman Frnka asked about the total long-term debt. Willis indicated there is a detail schedule on pages 28 and 29. The interest rate of this debt was also discussed.

Councilman Rankin made a motion to approve the 2019 CAFR. Councilman Ridlen seconded the motion.

The vote was as follows:

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

The motion passed.

Gobert moved to item 8 of the agenda.

7. **Consideration and Action to Approve a Manufactured Home Permit for Block 2 LT 11 of the Ben Davis Subdivision No. 1 in the City of Columbus as Requested by Martin M. Garay.**

Code Enforcement Officer, Richard LaCourse stated the permit meets all criteria for approval. He indicated he has the survey and elevation certificate, and there are no issues. He also stated the property was located at 1308 Crockett Street, and was not located in the true block 2 of the City. It is actually block 2 of the Ben Davis Subdivision. Councilman Cummings asked if this was where a house had been damaged during Hurricane Harvey. LaCourse confirmed that it was.

Councilman Ridlen made a motion to approve the manufactured home permit. 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 to Approve Ordinance 234-20, an Ordinance to Amend Chapter 3 Building Regulations with the Addition of Article 3.11 Regulation of Signs.**

Schneider stated the actual article number for this ordinance will be 3.13. Article 3.11 was used when all of the new building regulations were adopted.

Christina Everitt of McDonald's Corporation attended the meeting telephonically. She stated she was interested in what was going on in Columbus with the new regulations. Owner of the Columbus McDonald's, Kevin Moore, attended in person. Moore stated he was losing his sign due to eminent domain with the I-10 expansion. He stated the requirements in the new sign ordinance would severely limit business to his restaurant. The new requirements would reduce the square footage and allowable height of the sign by half. He figures this would reduce the business he sees from interstate travel by 25-30 percent. He stated annually his restaurant pays around \$40,000 per year in sales tax, and that amount would be reduced as well. He asked that Council consider an exemption for his business and others along the interstate highway.

Councilman Rankin stated article 3.11.014 needed to be adjusted as it relates specifically to ground signs. Different scenarios for variances along Highway 71 and Interstate 10 were discussed. Frnka asked if the McDonald's sign would be grandfathered. Gobert stated, not once the sign is taken down. Different variance scenarios were discussed. Rankin suggested we get input about the ordinance from Chamber of Commerce members along the major highways in the City.

Councilman Rankin made a motion to table the sign ordinance until input was received from local businesses. Councilwoman Frnka seconded the motion.

The vote was as follows:

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

The motion passed.

Gobert moved back to agenda item 5.

**9. Consideration and Action, if Necessary, Regarding the July 2020 Golf Association Report.**

Schneider stated the report, which is attached to these minutes, showed the course was staying busy, and in pretty good shape.

No action was required.

**10. Discussion of Budget Workshop – Property Tax, General Fund, HOT Fund.**

Billy Kahn and Michelle Gorman from the Chamber gave their budget request to Council. Kahn highlighted the events of the past year as well as the introduction of the new Chamber App. He also showed the different advertising purchases the Chamber made throughout the year. Kahn stated because of the pandemic, the Chamber will not spend all of the allocation they received this year. He believes they will have approximately \$60,000 remaining. There was a discussion about the projected Hotel Tax for the remainder of the year, and the expected expenditures. Rankin stated the total allocation for the Chamber should be held at \$185,000. Gobert stated she thinks the Chamber has done an amazing job, not only as a Chamber for local businesses, but also as an advocate for the entire community during COVID. You have kept people calm and offered reliable information to the public.

There was a discussion of the property tax rate and the new procedures for adoption.

**11. Consideration and Action on a Tax Increase for Tax Year 2020 and Fiscal Year 2021 with the Rate not to Exceed \$0.28392 per \$100 Value.**

The amount of revenue generated by the voter approval rate versus the current tax rate was discussed. Schneider stated the voter approval rate would generate approximately \$3,000 less than the current rate.

Councilwoman Frnka made a motion to approve the tax rate for tax year 2020 and fiscal year 2021 with the rate not to exceed \$0.28392. Councilman Cummings seconded the motion.

The vote was as follows:

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

The motion passed.

**12. Consideration and Action to Schedule a Public Hearing on the Tax Rate.**

Schneider stated the public hearing is scheduled for September 24, 2020.

Councilwoman Frnka made a motion to approve September 24, 2020 as the date for the public hearing on the tax rate. Councilman Rankin seconded the motion.

The vote was as follows:

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

The motion passed.

**13. Executive Session: In Accordance with Texas Government Code, Subchapter D, Section 551.074, Personnel Matters – Annual Review of City Manager.**

Mayor Gobert adjourned the regular session at 7:25 p.m.

**14. Reconvene into Regular Session and Consideration and Action, if Any, Regarding Executive Session – Annual Review of City Manager.**

Gobert reconvened the regular session at 7:59 p.m. with everyone present who was present when the regular session was adjourned.

Councilman Swindle made a motion to move forward with the discussion from the Executive Session. Councilman Ridlen seconded the motion.

The vote was as follows:

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

The motion passed.

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

Councilman Cummings – None

Councilman Ridlen – None

Councilman Swindle – None

Councilwoman Frnka – Thanked the Mayor for allowing her to remain inside when the meeting was moved outside for public comments.

Councilman Rankin – None

Mayor Gobert – Apologized to Councilman Cummings for forgetting his name during roll call. We need discussion items regarding horses, dogs, and livestock in the City as well as the disaster declaration.

**16. Announcements.**

There were no announcements.

**17. Adjournment.**

The Mayor adjourned the meeting at 8:09 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 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.