

The City Council of the City of Columbus, Texas met in regular session on Monday, March 22, 2021, 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
Asst City Secretary	-	Dinah Jacobs

Other City Staff present included:

Police Chief	-	Skip Edman
Code Enforcement	-	Richard LaCourse
Fire Marshal	-	Brent Allen Gorman
Code/Fire 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 March 8, 2021 Regular Meeting
- c. Approval of the December 2020 Financial Statements

Councilman Swindle made a motion to approve the Consent Agenda. Councilwoman Frnka seconded the motion.

The vote was as follows:

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

The motion passed.

4. Citizens' Presentations and Comments. ¹

Chris Christensen addressed Council about Columbus and the proximity of dangers of hazardous materials being transported along I10 and how to get communication out in the event of an emergency. Experiencing a breakdown in communication back in February during the freeze, Code Red was mentioned. He stated the Mayor said the City had Code Red, yet upon his investigation, the supplier found no subscription. He stated the County has a subscription, and the City could probably use their subscription, but he's leaving it to Council to get that in order because he feels this should be a priority.

Toni Carter spoke and was requesting how to get drainage on their side of town, Block 133 & 134, Back and Wallace Streets. City Manager Donald Warschak stated they would take a look at that area.

5. City Manager's Report Including Sales Tax, the Water Filtration Project Update, the Water Well Rehab Project Update, Transportation Alternative Sidewalk Application, the Colorado County Household Hazardous Waste Event and the Upcoming Gas Outage.

City Manager, Donald Warschak gave his report. A copy of the report is attached to these minutes. Regarding Sales Tax, Warschak stated the March payment was \$114,108. This is a decrease from \$126,136 compared to this same time period last year. The County and City of Weimar experienced decreases, while the City of Eagle Lake saw an increase.

Regarding the Water Filtration Project, WesTech was on site last week and treated the filter media. The filter will be ready to put into service once it is disinfected and the well pump contractor completes installation. Samples will then be taken on Wednesday, Thursday, and Friday. If they all check out, it will be read to put into service. Hopefully in the next two weeks it will be up and going. Councilman Rankin asked for clarification. Warschak explained we have three filters. The Spring filter is in operation. The Hill filter was picked up 3/18/2021 and taken for repairs. The Tail filter is basically ready to go. Warschak expected the Hill filter that was picked up for repairs to have a similar turnaround period of about 30 days.

Regarding the Water Well Rehab project, Warschak stated the contractor is on site installing new components today. We can then begin pumping. Once pumping begins, we have to take three samples. If the samples all come back with good results, we can then put it into operation.

Regarding the Transportation Alternative Sidewalk Application, Warschak stated they had a planning meeting with the engineering design firm and TxDOT reps. They are looking at taking bids for the project at the end of summer.

Regarding the Colorado County Household Hazardous Waste and Reusable Materials Collection Event, Warschak stated this will be on Saturday, March 27th, from 8:30 a.m. to 12:30 p.m. at the fairgrounds.

Regarding the Upcoming Gas Outage, Warschak stated we had been notified there will be a gas outage April 1-8, 2021. We are not out of gas, but the normal gas supply will be converted over to compressed natural gas trucks. Texas Eastern Transmission Pipeline will be doing maintenance on the transmission lines during this time. Warschak stated this is similar to the situation we had back in October of 2014. Large usage customers are being notified so they can limit consumption due to the increased cost during this time period.

Gobert asked about residential customers, to which Warschak replied, they probably won't see much of a change.

Councilman Ridlen questioned sidewalks and if there were any plans to put them in from Montezuma to the Bus Barn and West. Warschak replied yes, we have submitted an application to TxDOT to put sidewalks from the Little League fields where the sidewalk stopped all the way up to FM806. Ridlen asked if it had been approved. Warschak stated it had to go thru the award/selection process. The preliminary application has been submitted and it will have to be reviewed. Applications were due March 1. Ridlen stated, so this is a current one, to which Warschak replied, yes. Gobert stated if we don't get an award this year, we will keep applying. Warschak stated it is about a half million dollar project. Ridlen questioned the dollar amount, but Warschak stated it is through TxDOT and their bidding process.

6. Consideration and Action Regarding a Noise Ordinance Variance for Friday, April 30, 2021 from 5:30 p.m. to Midnight and Saturday, May 1, 2021 from 3:00 p.m. to Midnight at the Colorado County Fairgrounds for a Truck, Tractor, and Mini-Rod Pull as Requested by Thunder By The Colorado, Inc.

Councilman Ridlen made a motion to approve the noise ordinance variance. Councilman Swindle seconded the motion.

The vote was as follows:

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

The motion passed.

7. Consideration and Action to Approve the Closure of Travis Street from Walnut Street (Highway 90) to Spring Street from 7:30 a.m. to 12:00 p.m. on the Last Saturday of Every Month Beginning on March 26, 2021 and Ending on November 27, 2021, as Requested by Columbus Country Market.

Councilman Swindle made a motion to approve the street closure for Columbus Country Market. Councilman Ridlen seconded the motion.

The vote was as follows:

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

The motion passed.

8. Consideration and Action to Approve the Notice of General Election. *Consideración y acción para aprobar el aviso de elección general.*

City Secretary, Bana Schneider stated this is required notice to publish in the newspaper when there is an election.

Councilman Rankin made a motion to approve the Notice of General Election. Councilman Cummings seconded the motion.

The vote was as follows:

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

The motion passed.

La secretaria de la ciudad, Bana Schneider, declaró que este es un aviso obligatorio que debe publicarse en el periódico cuando hay elecciones.

El concejal Rankin hizo una moción para aprobar el Aviso de Elección General. El concejal Cummings apoyó la moción.

La votación fue la siguiente:

Si: El concejal Cummings, Swindle, Rankin y Ridlen; Concejal Frnka

La moción pasó.

9. Consideration and Action Regarding Water and Gas Utility Usage and Billing During the Polar Vortex.

Warschak stated he and Schneider had discussions after the utility usage was touched on at the last Council meeting. We are looking for direction on how to handle the water and gas bills for those customers with large bills. Schneider stated gas pricing went up during those 3-4 days. The fuel factor went from \$3.96/mcf to \$10.18/mcf. We pay \$12.20/MMBtu. Schneider stated Warschak and I decided we could split the fuel factor into three months for payment collection. The \$5.18 would be on this current bill that will be going out and the remainder would be split over the next two months. Swindle questioned the single \$5.18 charge. Schneider explained that for every MCF the customer uses, they will be charged the \$5.18/mcf. This is on top of the \$12.50 minimum bill. Rankin asked for further clarification. Schneider stated the rate was \$1.96/mcf last month and it will be going to \$5.18/mcf this month, and then the following two months the remaining \$5.00 would be split. Rankin stated this is an increase over the otherwise standard rate of what would have been applied and paid. Schneider replied yes. Ridlen questioned if this was gas they used during the storm or current usage. Did our price go back down? Schneider replied the rate should go back down, except for this one week in April when they have the outage we discussed earlier. We were fortunate our

supplier was not so high. We were at \$12.20, where some cities were over \$60. Gobert questioned the water and matching the sewer rate for the water. Schneider stated the matching is for commercial. Residential is set through the sewer averaging that ended February 15. There was only one day and pipe issues were on February 16. We took a close look at all of that. There were probably over 100 customers in that category. We are sending leak letters to those, and most of them probably knew there was an issue. We also had a list of about 37 we automatically went and shut off as our system showed they had excessive usage. Other customers also called to have their water shut off due to leaks. Gobert asked if they had a recommendation on how to address this. Warschak stated on the larger customers, we could have them spread out payments over a time period. Rankin recommended if it is extremely excessive, we write it off. Take their usage back to whatever their normal usage is. It cost us something, but not a lot. Schneider stated yes, as where the gas costs us. Gobert questioned the cost. Warschak stated the electricity to pump it and the chemicals to treat it. Rankin stated it is force majeure and doesn't apply. Again it is my recommendation to use an average rate based on some standard usage for those with serious usage amounts. Schneider stated she was thinking the same, as those customers are also large gas usage customers. There was further discussion on the cost and how to recover some of those costs. Some of the costs will be recovered, but not all of the costs because of the split. Rankin stated we should probably be able to recover about half. Chris Christensen questioned if there was a hedge. This was done previously before the City joined the coop with MuniGas, which was advantageous to do. Gobert stated it is essentially a loss to the City in overall collections, and it will then be spaced out for the customer for payment.

Councilman Rankin made a motion to approve a \$5.18/mcf fuel factor charge this month, and then forgiveness for those with very large amounts of water usage above their normal usage; and a \$2.50/mcf increase in the fuel factor charge over the next two months. Councilman Cummings seconded the motion.

There was further discussion. Ridlen suggested further defining the excessive water usage so there are not customers asking for forgiveness that is outside the scope of what we are thinking about right now. Ridlen recommended amending the motion to if the customer had water usage 100% over their average, they would qualify for forgiveness. There were customers with additional purposeful water usage versus those that had actual leaks with large usage. Rankin agreed with the amendment to the motion.

Councilman Rankin made an amendment to the original motion to further clarify that if the customer had water usage 100% over their average, they would qualify for the forgiveness. Councilwoman Frnka seconded the motion.

The vote was as follows:

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

The motion passed.

Councilman Rankin made the original motion above. Councilman Cummings seconded the motion.

The vote was as follows:

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

The motion passed.

10. **Consideration and Action, if Necessary, Regarding the Telecommunications Right-Of-Way Access Line Rates.**

Schneider stated there has been a 71% decrease in these fees we collect from 2011-2020. One of the reasons was due to a major change in legislation requiring companies to pay for either a cable line or a phone line. Many citizens have their phone service through their cable company, thus

reducing a charging line. This change resulted in about a \$12,000 decrease from what we used to receive. There were questions and discussion. This line item is not a budgeted item, only a projection based on what is currently happening. Council needs to decide whether to leave the rates the same or increase them. The current rates are \$1.49 for a residential line; \$3.15 for a non residential line; \$4.75 for point to point lines. The maximum rate that could be charged is \$1.95 for a residential line; \$3.83 for a non residential line; \$5.71 for a point to point line. This is a monthly charge on telecommunication bill the customer receives. Even increasing the rate to the maximum rate allowed, will not make up the deficit from prior year's collections.

Councilman Cummings made a motion to maintain as is and keep the current telecommunications rates. Councilman Ridlen seconded the motion.

The vote was as follows:

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

The motion passed.

11. Consideration and Action, if Necessary, Regarding the February 2021 Fire Marshal Report.

Fire Marshal, Brent Allen Gorman, gave his report. A copy of the report is attached to these minutes. Gorman reported several re-inspections showed corrections of violations found at original inspections. There was a complaint on Columbus Kids Dentistry. During COVID, businesses are trying to restrict incoming access by locking exit doors. This restricts access, but hinders exit in the event of an emergency. This was similar to City Hall where panic hardware was installed. There has been a consult with Lil' Einstein and Kountry Kritters, a new business. On the Fire Department side, there have been 21 total calls for service. This is tracking to be approximately 240-250 annual calls. Rankin asked about the A Brighter Day Daycare facility. Gorman responded we have a contract in hand, and last week she had already paid one third down.

No action was needed.

Gobert then presented a certificate to Gorman for his heroic life saving actions during the Polar Vortex. *The Citizen* took a photo of Gobert and Gorman.

12. Consideration and Action, if Necessary, Regarding the February 2021 Code Enforcement Report.

Code Enforcement, Richard LaCourse, gave his report. A copy is attached to these minutes. LaCourse reported 24 permits being issued. All of the building permits were construction projects done by owners. He has resubmitted the changes to the Code of Ordinances for horse staking. The Lil' Einstein review has been completed. A permit was pushed for St. Paul's new building, and they are awaiting their storm water survey. The inspection of 818 Fannin is complete. The final report has been submitted to the owner today. We are recommending three of the structures be demolished.

Swindle questioned the used car lot on Walnut Street and the parking of the autos right up to the roadway. He asked what we could do about that. LaCourse stated they cannot park in the right of way. We do not have control over the State right of way. LaCourse stated he could talk to them and see about getting them to park further back onto their actual property.

Frnka asked for a status on the food trucks. LaCourse stated it was going to P&Z. It is mandatory now that if they are connected into the sewer system, they have to have a grease interceptor. There are some fire codes they have to abide by, but other than that, there is nothing in writing. P&Z meets on Monday. There was discussion about health inspections, but we do not have a health department and cannot cite for those items. The only thing we can do at present, is ask to see their health certificate.

No action was needed.

13. Discussion and Action, if Necessary, Regarding the February 2021 Police Report.

Police Chief, Skip Edman, gave his report. A copy is attached to these minutes. There was continuing officer training. Edman stated he had attended the Ministerial Alliance meeting, where there was discussion about starting a missions program to do repairs and upgrades in homes where they observed need while out doing freeze assistance repairs. Edman also stated they continue to do security at the vaccine sub hub.

No action was needed.

14. Items from Council members.²

Councilman Cummings – none

Councilman Ridlen – none

Councilman Swindle – none

Councilwoman Frnka - none

Councilman Rankin – I heard you mention Facebook comments just prior to the meeting starting. I encourage you Lori An to ignore them. Gobert stated the reason the Facebook page was created, was during COVID to get information out. Now some of the comments are questionable. At some point we need to have discussion on whether to maintain the page or close it. Swindle stated the County has a page with updates that the community can follow. Gobert stated that if the page is not really maintained and we are not posting on it, we may not need it. It was helpful at the start of COVID because we were able to communicate effectively.

Edman stated the one hurdle you will need to look at, because there is City information on that page, and we are required to keep for open records in the future, forever. If you are wanting to dismantle the page, we will need to find a way to print the whole thing off and every remark and store it forever. If the decision is to close it, we have to make sure, for posterity's sake, all of the information that is there is readily available. Gobert stated we will assume when we get our overall City communication plan, which will be the time to discuss it.

Mayor Gobert – despite some of the comments, I have enjoyed this position; a tremendous shout out to the City staff and I hope it wasn't too burdensome dealing with some of the issues.

15. Announcements.

There were no other announcements.

16. Adjournment.

The Mayor adjourned the meeting at 6:28 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 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.