

The City Council of the City of Columbus, Texas met in regular session on Monday, January 27, 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
Fire Marshal	-	Brent Gorman
CCIDC President	-	Bruce Tesch

1. Call to Order.

Mayor Lori An Gobert called the meeting to order at 5:32 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 January 13, 2020 Regular Meeting
- c. Quarterly Investment Report for the Quarter Ended December 31, 2019

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

Tommy Brandl of the US Census Bureau spoke to Council regarding the importance of the 2020 Census to help with funding in counties, cities, and schools. He stated the Census Bureau is looking to hire census workers at \$18.00 per hour with a \$.58 per mile reimbursement. They will be meeting at the library every Wednesday at 12:30 p.m. starting in February for recruitment. Brandl also stated the jobs could last through September.

Barbara Peterman addressed Council regarding the Texas A&M study. She stated the Texas Targets Community project will concentrate on thoroughfares in the City, specifically Highways 90 and 71. On February 17, 2020, there will be a meeting with the TAMU students.

5. **City Manager's Report Including the Water Filtration Project, North River Bridge Update, and Sewer Averaging.**

City Manager, Donald Warschak, gave his report, a copy of which is attached to these minutes. He stated the filters were in operation at the Tate and Spring locations. Contractors are currently working at the Hill site to install piping on the discharge side, and doing electrical work.

Regarding the North River Bridge, Warschak stated the new bridge has been completed and TxDOT will begin the rehab of the old truss bridge beginning in February. They will be repainting the bridge after the rehab. Work on the old bridge will take approximately a year.

Warschak concluded his report with sewer averaging. He stated the averaging period would be ending on February 15. The two months of water usage is used to determine residential sewer rates for the next year.

6. **Discussion Regarding Proposed Alleyton Incorporation and Possible Consolidation with the City of Columbus.**

Former Mayor, Richard Heffley, addressed Council regarding the possible consolidation with Alleyton. He stated there are many pros and cons, and many in the community would like to be kept abreast of the situation. He stated he had attended a community informational meeting in Alleyton regarding this issue. Heffley commented the meeting was well attended, the discussion was robust, and there were lots of horror stories from the citizens, especially regarding their relationship with the water and sewer provider. He stated he gave the citizens of Alleyton an "A", but the City of Columbus would be graded an "F" since there was no City representative in attendance. Mayor Gobert stated the City Secretary, Bana Schneider, was in attendance. Heffley clarified his remark stating no elected representatives were in attendance. He stated we are inviting them to come in to our house, and we did not give them the courtesy of showing up. Heffley stated, going forward, he would like to see a list of when meetings regarding Alleyton were going to be held. He suggested a commission made up of two Councilmembers and four citizens to study the pros and cons of what is being proposed. Heffley continued, stating his blood runs red for Columbus, and his concern is the well-being of Columbus. He also stated the map provided in the paper was inadequate, and he has gotten a map from David Kotzebue of the county which is more informational. He suggested citizens get their own map, and it should include the flood plain. Heffley stated business owners in the area should be heard from. Ask them their opinion of this annexation and what is being proposed. The businesses will provide ½ of the revenue that will go into the pot, and they cannot vote. He also stated the businesses are there because of location. They did not need Columbus when they decided to open. He stated, keep in mind, we do have an industrial park for expansion, and we pay a ½ cent sales tax for that. Heffley next went to the subject of taxes. The figures he has been given indicated there would be approximately \$75,000 in generated property tax and \$75,000 in sales tax coming to our City. He asked how far that money will go with the addition of police officers, maintenance workers, police vehicles, and equipment. Do the math. There will be no gain for the City of Columbus. Heffley then spoke about ordinances, stating, generally, ordinances do not suit their way of life. Their life is more rural with no restrictions. Heffley also stated the Code Enforcement officer would need to determine if the additional burden could be handled.

Gobert stated there was a 10 minute rule in effect for addressing Council. Heffley stated he was not going to follow that rule. Councilman Rankin stated the rule was actually 5 minutes, and that Heffley knew that rule. Heffley stated a citizen who comes before you is not on a time limit, and Council serves at the pleasure of the people. Rankin asked how much more time was needed because there are others who would like to speak. He also said we do need to follow the rules, and that Heffley had already exceeded his time by about seven minutes. Rankin suggests giving Heffley two more minutes. Heffley stated he would be invoking the "Milton Wavra Rule", and if you don't know what that is he would explain after the meeting. He also stated citizens should not be put on a time limit so the Sergeant of Arms should be called. Police Chief, Skip Edman, stated he was the Sergeant of Arms.

Heffley stated the real problem with Alleyton was the utilities. They are on a contract with Corix to provide water and sewer services. Alleyton citizens are not happy with them, but if this annexation goes through, the Corix contract will be the responsibility of Columbus. Heffley stated the current conditions and infrastructure requirements need to be considered. It would be in Council's best interest to form a commission, and keep the citizens informed. Unless and until the Corix contract is

resolved, this endeavor will not be successful. In conclusion, Heffley stated he would suggest Councilman Rankin head the commission because he is good with numbers, the budget, and is good with contracts.

Shirley Kirby, a property owner in Alleyton, stated she was surprised when she read about the consolidation in the newspaper. She stated the people of Alleyton are hard working and independent minded. When she approached friends who still live there, they were surprised about it as well. She attended the January 8th meeting in Alleyton, and assumed there would be more meetings in order to receive information, and look at the petition Mr. Wade was circulating. Instead, Mr. Wade delivered the petition to the County Judge the next day. Kirby stated Mayor Gobert was quoted in the paper saying "introducing this idea to the public will allow discussions, public awareness, and give public feedback." She asked the mayor what happened to all of these meetings. It was implied at the January 8th meeting that consolidation was a sure thing. Kirby then posed to Gobert, if Columbus does consolidate with Alleyton, how soon it would happen. What are the benefits to Alleyton and what does the City expect to get out of the deal. Police protection was discussed at the meeting, and the county has said that the Alleyton area would be getting another sheriff's deputy to patrol the area. Kirby spoke about property taxes, permit fees and the imposition of 154 years of zoning on an area that has no zoning. She stated property taxes would have to go up in order to provide all of the items Alleyton would need. Kirby stated the citizens of Alleyton have solved their own problems in the past, and she asked Roger Wade to withdraw his petition, give the people of Alleyton a list of the items needing fixed and how to do it. Let the people make an informed decision based on facts. Let them show you how these hard working people can roll up their sleeves and get a job done without having to worry about higher taxes for Alleyton and Columbus.

Gobert stated she would like to respond to a few things before she calls the next two people to speak. First, regarding meetings, the City has nothing to do with scheduling or holding meetings in Alleyton. The City was approached by Alleyton, we did not approach them. The first thing that was done was to have it put in the paper to begin the discussion. We are not trying to keep secrets; Council meets the second and fourth Mondays of the month and this will be an ongoing discussion item. The county meets monthly, and it is up to them to cover this item. The meetings are open to the public. Regarding a commission, there has been some preliminary discussion with Donald and Bana, and once more information is gathered, most likely a commission will be formed. Donald has also met with Corix, and they will be coming back with some preliminary numbers. Code Enforcement has been out there, and we know there are issues with the water supply. This is not being taken lightly. The map provided at the meeting is also preliminary. At this point, there are no meets and bounds. The concept of the map is to cover as much Interstate 10 frontage as possible, and we know the City would be upside down for a few years. Gobert stated for the 20 years she has lived in Columbus there has always been a problem with job creation and affordable housing. We cannot bring in more jobs if there is not affordable housing for the employees. Currently, the City is land locked by the river. There would be, potentially, some gains the City could receive by consolidating with Alleyton; more affordable property that would allow for affordable housing and I-10 expansion could bring more businesses. Gobert stated some preliminary communications have been made with some of the businesses, but many are corporate owned and they have not been contacted. She also said the amount of property and sales tax generated will not go very far, and we know we will be upside down, at least for awhile. There has been some early discussion with the county for a period of time for transition from county to City takeover. The ordinances along with the water supply are big issues. Gobert stated she was not physically at the meeting, but she was listening in via Skype for most of it. Her take away from Alleyton residents was fireworks and burning trash were things they wanted to be able to continue. Once the costs for this endeavor have been determined, different committees could be assigned to look at different zoning and ordinance issues. The situation with the utilities has taken the most time to this point. It is really important to be able to get the water system compliant with the ISO and to make sure it is safe for our firefighters. The timeframe for consolidation is somewhat lengthy. The smaller entity has to vote first for Incorporation. The petition was delivered in hopes of a May election for Alleyton residents. Gobert said she felt there would be more meetings for those residents before that May date, but the most important aspect is for the registered voters to show up and vote. The City of Columbus has no say in what Alleyton voters want. The soonest Columbus could possibly vote on this issue would be November. City Council does not make the decision; it is up to the citizens of Columbus. Gobert stated we are trying to be transparent in this lengthy process. The Mayor stated she felt this

opportunity should be considered because of the possibility of expansion and affordable housing. She stated it is not a for sure "yes" by any means that the City of Columbus will consolidate with Alleyton. Councilman Gary Swindle stated the costs of this endeavor have been discussed. We are not sitting here without having considered those costs and the impact to our citizens. Alleyton's incorporation is up to them, and we have no say in that aspect. Rankin stated if the perception is City Council has not done their due diligence and given this much thought, then that is incorrect. He stated he did not think a timeline has been published. Roger Wade stated there is no firm timetable. Once a petition has been delivered to the county judge he has to call an election, but the law does not stipulate when the election must be called. If incorporation is approved by the voters of Alleyton, then two petitions must be filed to consider consolidation. One petition must come from Alleyton and one from Columbus. It is very possible Alleyton votes to incorporate, but one or both parties do not choose to consolidate. Gobert stated if the situation Mr. Wade describes happens, then Alleyton would have the option to unincorporate. Rankin stated the tentative time frame and meetings should be publicized. He also stated he was impressed that Heffley stated he had confidence in him to lead a commission because that has not always been the case. Kirby thanked Mayor Gobert for answering all of her questions.

Elizabeth Flint asked if there was a summary of the meeting Warschak had with Corix, and who was going to be paying for the survey setting the boundaries for an incorporated Alleyton and for the cost of the election. Wade stated the county is required to pay for the cost of the election and he has said he would pay for the survey cost. Flint asked if he would be seeking reimbursement. Wade stated he would not seek reimbursement. He stated a service plan is required for an annexation, but he suggested the City come up with a service plan indicating the services that will be provided to Alleyton if the City consolidates with them.

Warschak gave an overview of the meeting he had with Corix engineers. The big concern there is getting a looped system in Alleyton. They also discussed the needs for water storage capabilities and the possibility of installing booster pumps that can be kicked on when extra capacity is required, like fighting a fire. Corix will go to their drafting tables and come up with some costs for those improvements, and to come up with a phased plan for future expansion. Warschak spoke about the possibility of getting grant funding for some of these infrastructure projects. If Alleyton incorporates, they could seek grant funding on their own, or if consolidation is approved, the City can apply for grants. He indicated it is easier for a governmental entity to receive grants than a corporation. Flint asked if Corix would maintain ownership after these improvements are made. Warschak stated ownership ideas were still being contemplated. All options are on the table at this point. There was some discussion regarding the wastewater treatment operations in Alleyton. Heffley asked Warschak if he agreed that a contract would need to be ironclad before moving forward. Warschak stated we are still in the information gathering stage and nowhere near a contract. The Mayor stated none of us want to put the City in a bad situation. Kirby stated she was there when the original grant was received to put in the water and sewer. The community came together with sweat equity to put it in service.

Gobert thanked everyone for their input.

7. **Consideration and Action to Approve the Closure of Milam Street (Spur 52) from Jackson Street to Walnut Street (Highway 90) and the Closure of Walnut Street from Milam Street to Legion Drive from 10:15 a.m. to 12.30 p.m. on Saturday, February 22, 2020 for the Annual FFA Parade.**

Councilman Ridlen made a motion to approve the street closures as requested. 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 Declare Library Shelving as Surplus Property.**

Councilwoman Frnka made a motion to declare the shelving as surplus property. Councilman Rankin seconded the motion.

The vote was as follows:

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

The motion passed.

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

Fire Marshal, Brent Gorman gave the report, a copy of which is attached to these minutes. He gave an overview of the inspections and re-inspections conducted during the month. He also spoke about consultations with business owners regarding development plans.

No action was required.

10. Consideration and Action, if Necessary, Regarding the December 2019 Code Enforcement Report.

Code Enforcement Officer, Richard LaCourse gave the report, a copy of which is attached to these minutes. LaCourse stated a demolition permit for the substandard property, located at 902 Rampart, has been pulled. He also spoke about the condition of the Prince Hall Masonic Lodge, stating it would need to be dealt with soon.

LaCourse stated he was working with Ronnie Daley regarding parking requirements at the old Harbert Garage.

Councilman Cummings asked about the status of the new hotel. LaCourse stated he has no idea. He knew they were having trouble with financing. Schneider stated they have basically wasted a year of tax abatement.

No action was required.

11. Consideration and Action, if Necessary, Regarding the December 2019 Police Report.

Chief Edman gave the police report, a copy of which is attached to these minutes. Edman stated the cover letter and racial profiling report with a comparison of statistics reported to TCOLE was attached to his monthly report. He spoke about training and the number of mental health transports during the month.

No action was required.

12. Items from Councilmembers.²

Councilman Cummings – None

Councilman Ridlen – We need to continue to explore the Alleyton situation and see where it takes us.

Councilman Swindle – None

Councilwoman Frnka – Stated she thought it was unprofessional for Mayor Heffley to come here and make accusations. Council does not take the Alleyton situation lightly, and we have not failed the community. It is up to the people of Alleyton to decide what they want, and when something happens we will have to make a decision, and not before then.

Councilman Rankin – Stated the Mayor did an excellent job handling the earlier situation, and she responded very well. As I said the first time we discussed this, any recommendation will come down to the numbers.

Mayor Gobert – Stated it is important for everyone to know, we do not take the possible consolidation with Alleyton lightly. We are still gathering information and we have been trying to be as transparent as possible. We want to have citizen input.

13. Announcements.

Schneider stated there will be election items on the next agenda and two people have filed for places on the ballot.

14. Adjournment.

The Mayor adjourned the meeting at 6:44 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.