

The City Council of the City of Columbus, Texas met in regular session on Monday, January 11, 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 (absent)
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
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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 23, 2020 Regular Meeting

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 Councilwoman Frnka  
Absent: Ridlen

The motion passed.

4. There was no item #4 on the agenda.

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

None.

Gobert read a thank you letter from the Boys & Girls Club .

6. **City Manager's Report Including Sales Tax, the Water Filtration Project, and the Water Well Rehab Project Updates, Sewer Averaging, and Municipal Court.**

City Manager, Donald Warschak gave his report. A copy of the report is attached to these minutes. The January sales tax payment for November collections was down approximately \$34,000 compared to this time period last year. The County saw a decrease, while the Cities of Weimar and Eagle Lake each saw increases.

Regarding the Water Filtration Project, Warschak stated the Spring plant filter is scheduled to be delivered January 14, and be set into place. The filter media will then be installed. The Tait Plant filter is being pressure tested. The Hill Plant filter will be scheduled after Tait is back in service.

Regarding the Water Well Rehab Project, Warschak stated the camera surveys that were done by the contractor came back with no issues as to where silt is entering the well. They will now work to place a liner in the well. There will be a 25% reduction in production. It is at 500-600 gallons per minute, which would then be reduced to 400 gallons per minute. The well is 60 years old. Gobert stated we have been functioning well without it, so even if production is reduced, it would still be ok.

Regarding Sewer Averaging, Warschak stated sewer averaging for residential water usage began on December 15<sup>th</sup> and will continue until February 15<sup>th</sup>.

Regarding Municipal Court, Warschak stated Kaylee Brune, Court Clerk, had received her Certified Court Manager certification through the Texas Municipal Courts Education Center. She is one of 118 to obtain this certification. A photo was taken with the Mayor.

**7. Consideration and Action to Authorize Management to Negotiate Electric Rates.**

Warschak stated the current electric rate contract expires in March. He has been looking at rates and they seem to be slightly less than we are currently paying. He needs authorization to go out and negotiate new rates. Councilwoman Frnka asked who were some of the companies being considered. City Secretary, Bana Schneider stated there were 25 companies out there to negotiate with. Direct Energy is probably the lowest. Rankin questioned the terms. Warschak stated the longest term was 3 years. Rankin suggested a longer term because it is usually a better rate.

Councilman Rankin made a motion to authorize management to negotiate electric rates. Councilman Cummings seconded the motion.

The vote was as follows:

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

The motion passed.

**8. Consideration and Action, if Necessary, Regarding the December 2020 Golf Association Report.**

John Mangini gave his report. He stated the course and greens were in great shape. Membership is up with 79 members. Green fees are up as well, with the virus actually helping them out. The mowers are in, and they are in better condition than expected. There are now four mowers. The bar side of the club is still closed. The back patio is open with social distancing. Cart shed dues collection has begun. There have been 48 notices mailed out, with about half of them returned. There are currently no tournaments booked. Everyone is waiting to see how COVID plays out before scheduling. Gobert thanked Mangini for working to become financially independent.

**9. Consideration and Action to Approve the Partial Closure of Milam Street (Spur 52) from Myra Jane Drive to the Courthouse Square on Saturday, January 23, 2021 Starting at 1:00 p.m. for the Walk for Life.**

Police Chief, Skip Edman, stated he will be taking care of this walk along with the on duty officers.

Councilman Cummings made a motion to approve the partial street closure for the Walk for Life. Councilman Rankin seconded the motion.

The vote was as follows:

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

The motion passed.

**10. Consideration and Action to Request the Planning & Zoning Commission Study and Compose a Mobile Food Vendor Ordinance.**

Gobert stated this is an issue with restaurants and vendors. Food trucks are popular but in competition with the restaurants. Without a permit, we (the City) has no control. Currently there is no mobile food ordinance and they can do whatever they want, because they are set up on private property. Schneider stated the Ice Cream trucks and door to door sales have to obtain a peddler permit. Gobert stated there is no oversight, no health regulations, and no quality control. This is upsetting the restaurants.

Chris Christensen asked to speak on this topic, and stated he was glad to see this item on the agenda. Columbus is very different than it was 28 years ago when he moved here. He referred to the pop up vendors as "gypsy" businesses and thought there was some sort of zoning for this. He stated codes were not being enforced and others very lax. He said City appearance is very important, but the City of Columbus was beginning to look like Eagle Lake and Hempstead. He went on to say the food trucks are in and out, making it unfair to the businesses that make an investment in the City. There should be regulations prohibiting wheeled structures or small sheds. Many are unhygienic. Councilwoman Frnka stated in Houston the food trucks have to dump every day and show proof.

Christensen went on to say restaurants are having to reduce dining, yet these wagons can pop out a table and chairs or picnic tables. He asked if they were not required to have a restroom available, because there is no place for one in these wagons. Rankin asked if Code Enforcement, Richard LaCourse had checked with the City Attorney on how we regulate these. Gobert stated there is nothing in place to hold them accountable. Rankin stated we inspect for fire safety, so why not food safety? Christensen went on to say the business ordinance states there must be a hard surface and dust free for parking, and we are ignoring that. Gobert stated LaCourse has been enforcing that since he has been here.

Councilman Rankin made a motion to request that Planning & Zoning study and compose a Mobile Food Vendor Ordinance. Councilman Cummings seconded the motion.

The vote was as follows:

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

The motion passed.

**11. Discussion Regarding Parade Closure Costs, Parade Criteria, and Possible Permit Requirements.**

Chief Edman distributed a parade cost sheet, a copy is attached to these minutes. This sheet outlines personnel, vehicles, and man hours, with an average parade cost of \$4157 per parade. Edman stated there were two parades when he started, and the number has grown to 5-6 large parades. He stated his officers are unhappy about being pulled away from their families all the time for parades. We cannot do everything. Weimar has 2-3; Eagle Lake has 1. Columbus being a county seat, does not make that an equal comparison, so he checked with Wharton and they currently have 1 parade. Six parades are too many for my officers.

Homecoming parade could possibly be done in the school area. It is also a weekday parade and he is not pulling officers away on a weekend. The FFA and the Fair parade are tradition.

Gobert stated she agreed with Edman, but it is hard to pick and choose.

There was discussion of maybe an application and the host paying a fee. Edman stated it is a service and quality of life thing. He went on to say there are also about seven other events that are held, but they are not full street closures and are not as cumbersome. Gobert questioned if any other towns have parade applications. Edman stated our parade is also twice as long as any other city's parade.

Christensen suggested to decide how many you can staff a year and do a lottery drawing for the ones that can be staffed. Schneider stated she had already received the FFA parade request. Gobert suggested looking at using the parks. Edman stated the parade organizers should come to council and state why their parade is so important. Gobert questioned how do you not discriminate? Edman suggested limiting the number of Saturday/Sunday parades and make them a weekday requirement. Gobert asked if the parades were budgeted, to which Schneider replied no. Edman said this is a great problem to have to figure out. Rankin suggested an application and permit, and if there were any other alternatives to using police personnel. Edman stated not really due to liability. Gobert suggested maybe there needed to be a modified parade route. Edman stated you cannot cross railroad tracks. It was suggested to maybe start and end at Midtown Park and use the amphitheater for speaking. Gobert and Edman will contact all of the current parade organizers to discuss ideas, concerns and get feedback to bring back to council for more discussion.

**12. Discussion Regarding Noise Ordinance Variance Requirements.**

The thought of this variance was for businesses with special events, not individuals having parties at their homes. Rankin suggested looking at the zoning, and if it is residential, you deny the variance. With commercial areas, you can be more liberal, but with residential, you have to look at how many are being affected. Schneider stated notice goes in the newspaper regarding who is seeking a noise variance, and then it comes to council. Rankin asked if there were any rules that apply to the variance. Gobert suggested calling the City Attorney for a recommendation.

**13. Items from Council members.<sup>2</sup>**

Councilman Cummings – none

Councilman Ridlen – absent

Councilman Swindle – none

Councilwoman Frnka – none

Councilman Rankin – none

Mayor Gobert – none

**~~14. 40:~~ Announcements.**

Schneider – candidate filing begins January 13-February 12; Place 1, Place 2, and the Mayor position are up for election

**~~15. 11:~~ Adjournment.**

The Mayor adjourned the meeting at 6:35 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.