

The City Council of the City of Columbus, Texas met in regular session on Thursday, July 23, 2009 at 6:30 p.m., in the Council Chambers of City Hall located at 1538 Hwy 71 S, Columbus, Texas, with the following present:

Mayor	-	Dwain Dungen
Mayor Pro Tem	-	Curtiss Schonenberg
Councilman	-	Charles Richardson
Councilman	-	John Axel
Councilman	-	John Wagner
City Manager	-	David Meisell
Assist. City Secretary	-	Linda Lakich
Police Chief	-	Danny Jackson
Utility Superintendent	-	Wayne Karstadt

And the following absent:

Councilman	-	Bruce Tesch
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1. Call to Order.

Mayor Dungen called the meeting to order at 6:30 pm.

Richard Heffley called the Columbus Community & Industrial Development Corporation Board meeting to order at 6:31 pm.

2. Pledge of Allegiance and Invocation.

Mayor Dungen led the Pledge of Allegiance and Invocation.

3. Consent Agenda:

- a. Approval of Invoices
- b. Approval of Minutes July 9, 2009 Regular Meeting
- c. Approval of June Financial Statements

Councilman Schonenberg moved to approve the Consent Agenda. Councilman Richardson seconded the motion. The vote was as follows:

Ayes: Councilman Richardson, Axel, Schonenberg, Wagner
Absent: Councilman Tesch

The motion passed.

4. Citizen's Presentations and Comments.¹

Steve Woodall who is the current owner of Raumonda spoke concerning his issues with his neighbor Columbus Transmission. He stated that his issues with the owners are that they are working at night, that they are using all of the parking in front of his house, and that they called the police who issued a ticket to his wife. He stated that his options are to do nothing, sue the owners, sue the city, or move the building and sell the lot.

Larry Hoelscher spoke concerning CCIDC. He stated that he was the treasurer for 10 years and that the 4B tax was voted in by the citizens of Columbus who wanted an industrial park. He said that while mistakes were made, that guilt should be directed at the whole board not just at Mayor Dungen. He stated that when the land was purchased from Union Pacific Railroad, that he did not know it was in the Glidden Water District. He said that Glidden should be treated nicely and that he felt that the negative comments need to stop.

5. **Discussion of City Manager's Report including City Hall Construction, Sewer Plant Renovations, River Status, Water Pumpage History, Economic Indicators, June Revenue Updates, New road in Ag Complex.**

Mr. Meisell presented his City Manager's Report which is attached to these minutes.

6. **Consider and Act on Mayor's appointment of Two Members to the Columbus Community and Industrial Development Board for a Two-Year Term Ending May 31, 2011.**

Mayor Dungen stated that there are still two unfilled positions on the CCIDC board. He reminded council that the members of the board serve at the Mayor's pleasure with the approval of council and that he wished to resubmit Matt Sprague for the board. Councilman Wagner asked why bring Mr. Sprague's name back to council again. Councilmen Schoneberg, Richardson, and Axel said that they would like to meet with Mr. Sprague.

Councilman Schonenberg moved to table Item 6. Councilman Richardson seconded the motion. The vote was as follows:

Ayes: Councilman Richardson, Axel, Schonenberg, Wagner
Absent: Councilman Tesch

The motion passed.

7. **Discussion and Action Regarding Columbus Community and Industrial Development Corporation (CCIDC) Past, Present, and Future.**

Mayor Dungen opened the discussion by stating that he ran for mayor to change the tone at City Hall. He said that when he read the questions presented that he found the tone insulting. He asked if anyone on council supported the questions. He stated that he is concerned with the attitude this is presenting to new businesses and that he will not answer these questions in this way. He suggested that personal vendettas be put aside and that a committee be appointed to ask questions and give a report back to CCIDC and City Council. Councilman Wagner stated that he has no vendetta against the Mayor, and that he just wants answers to his questions. A motion was made by Councilman Wagner to appoint a committee to look into the questions. Councilman Schonenberg seconded the motion. After a discussion with Mr. Meisell concerning the current 90/10 split with Glidden Fresh Water District of Great Southern Wood's ad valorem taxes in which the City is only receiving 10% of taxes when it appears that a much larger portion of the property is actually within the city limits, Richard Heffley stated that he felt it would be a conflict of interest for Mayor Dungen to appoint the committee. Mayor Dungen stated that he would like to appoint Councilman Richardson, Lori An Gobert, and James Weishuhn to the committee. Ms. Gobert and Mr. Weishuhn stated that they did not wish to be on the committee. Mr. Weishuhn said that he thought that a third party was needed. Councilman Wagner then modified his prior motion to state that council consult with City Attorney, Ty Prause, regarding appointing an independent forensic auditor or an attorney to look into issues with CCIDC. Councilman Schonenberg seconded the motion.

Ayes: Councilman Richardson, Axel, Schonenberg, Wagner
Absent: Councilman Tesch

The motion passed.

8. **Discussion and Action Regarding Replacement of Dwain Dungen as Trustee for the Benefit of Grantor (CCIDC) in the Special Warranty Deed executed April 24, 2000, as recorded in the Colorado County Clerk's Office Volume 334, Page 840.**

Councilman Schonenberg made a motion to replace Dwain Dungen with Ty Prause as Trustee for the Benefit of Grantor (CCIDC) in the Special Warranty Deed executed April 24, 2000, as recorded in the Colorado County Clerk's Office Volume 334, page 840. Councilman Richardson seconded the motion.

Ayes: Councilman Richardson, Axel, Schonenberg, Wagner
Absent: Councilman Tesch

The motion passed

At this time Richard Heffley adjourned the CCIDC Board Meeting at 8:10 p.m.

9. Discussion and Action Regarding Letter Received by John Wagner.

Mayor Dungen first asked if the letter was still under investigation. Chief Jackson said that it was not. Councilman Wagner asked if anyone knew who wrote the letter. No one did. Mayor Dungen stated that writing such a letter was unacceptable.

No action was taken.

10. Consideration and Action to Approve Request from Colorado County Fair Association to Permit a Parade within the City of Columbus on Portions of Milam and Walnut Streets Between the Hours of 8:00 am until 12:00 pm. on Saturday, September 12, 2009 with the Parade Beginning at 10:00 am.

A motion was made by Councilman Richardson to approve a request from Colorado County Fair Association to Permit a Parade within the City of Columbus on Portions of Milam and Walnut Streets Between the Hours of 8:00 am until 12:00 pm on Saturday, September 12, 2009 with the Parade beginning at 10:00 am. Councilman Schonenberg seconded the motion.

Ayes: Councilman Richardson, Axel, Schonenberg, Wagner
Absent: Councilman Tesch

The motion passed.

11. Consideration and Action Regarding Colorado County Central Appraisal District Budget.
Mr. Meisell stated that he wanted Council to have a copy of the budget. No action was taken.

12. Consideration and Action to Approve Budget Amendment for Sewer Department Professional Services.

After clarification that this amount is a projection of the total legal fees for this year, Councilman Wagner made a motion to Approve Budget Amendment for Sewer Department Professional Services. Councilman Axel seconded the motion.

Ayes: Councilman Richardson, Axel, Schonenberg, Wagner
Absent: Councilman Tesch

The motion passed

13. Consideration and Action to Approve Resolution #61-09, Application for Digital Video Cameras and MDT Patrol Units.

Councilman Richardson made a motion to Approve Resolution #61-09, Application for Digital Video Cameras and MDT Patrol Units. Councilman Schonenberg seconded the motion.

Ayes: Councilman Richardson, Axel, Schonenberg, Wagner
Absent: Councilman Tesch

The motion passed.

14. Discussion and Action Regarding June Police Report.

Police Chief Jackson presented his report of June Police Activity. No action was taken.

15. Discussion and Action Regarding Open Meetings.

Councilman Wagner asked if the memo from Mayor Dungen was a warning, a threat, or a friendly reminder. Mayor Dungen stated that it was just a friendly reminder. No action was taken.

16. Items from Councilmembers.²

Councilman Wagner – no comment.

Councilman Schonenberg – no comment.

Councilman Axel – He stated that he is proud of the Columbus Police Department and that its officers are very professional.

Councilman Richardson - no comment.

Mayor Dungen – The Mayor said that if the City Manager is still planning to retire in the fall, they need to start looking at the search process. He asked that an item be placed on the next council agenda.

17. Announcements.

There were no announcements.

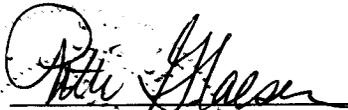
18. Adjournment.

The mayor adjourned the meeting at 8:25 p.m.



Mayor, Dwain K. Dungen

ATTEST:



Patti Gläser, City Secretary

¹ 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.

Citizens who wish to comment on a posted agenda item may do so when that item is addressed by the Mayor. Citizen's comments are limited to five minutes.

² 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.
