

The City Council of the City of Columbus, Texas met in regular session on Thursday, May 12, 2011 at 6:30 p.m., in the Council Chambers of City Hall located at 605 Spring St., Columbus, Texas, with the following present:

Mayor	-	Dwain Dungen
Mayor Pro Tem	-	Curtiss Schonenberg
Councilman	-	Charles Richardson
Councilman	-	John Axel
Councilman	-	Bruce Tesch
Councilman	-	Chuck Rankin
City Manager	-	Donald Warschak
City Secretary	-	Cathy Ezell

Other City Staff present included:

Police Chief	-	Danny Jackson
Fire Chief	-	Walter Glaeser
City Attorney	-	Pat Gillespie

1. Call to Order.

Mayor Dwain Dungen called the meeting to order at 6:30 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 of April 28, 2011 Regular Meeting.
- c. Approval of March 2011 financial reports.
- d. Approval of Quarterly Investment Report of Quarter Ended March 31, 2011.

After clarification of some invoices, Councilman Schonenberg made a motion to approve the consent agenda as presented. Councilman Tesch seconded the motion.

The vote was as follows:

Ayes: Councilman Richardson, Axel, Schonenberg, Tesch and Rankin

The motion passed.

4. Consideration and action on the approval of Curtiss Automotive Invoices.

Councilman Richardson made a motion to approve the invoices from Curtiss Automotive. Councilman Axel seconded the motion

The vote was as follows:

Ayes: Councilman Richardson, Axel, Tesch, and Rankin
Abstain: Councilman Schonenberg

The motion passed.

5. Citizen's presentation and comments.¹

There were no citizen presentations or comments

6. City Manager Report.

City Manager, Donald Warschak, presented his City Manager's Report which is attached to these minutes.

Mayor Dungen thanked KULM for their ability to get the information about the water well and water conservation out to the public.

7. Consideration and action on approval of the Comprehensive Annual Financial Report for Fiscal Year 2010.

Paula Lowe with Pattillo, Brown & Hill L.L.P. gave a summary of the audit. She stated that they had issued an unqualified opinion which is a clean opinion. She stated that the fund balance of the General Fund was equal to approximately one quarter of a year of expenditures. She stated that the Utility Fund's fund balance decreased in 2010. She stated that when comparing the budget to actual numbers of the General Fund the actual revenues received were less than the budgeted amount, while the actual amount for expenditures was less than the amount budgeted.

Ms. Lowe then went over the two letters that were presented by Pattillo, Brown, & Hill L.L.P. She stated the first letter addressed things that they saw while conducting the audit that had room for improvement. City Secretary Cathy Ezell stated that everything addressed in the letter had been corrected.

Mayor Dungen asked if they had found any material weaknesses while conducting the audit. Ms. Lowe stated that they did not find any material weaknesses.

Councilman Rankin asked what was included in the second letter. Ms. Lowe stated it was a letter that they were required to do and it contained information on things like how depreciation and allowances for uncollectible accounts were determined.

Councilman Schonenberg made a motion to table this item until the next meeting. Councilman Rankin seconded the motion.

The vote was as follows:

Ayes: Councilman Richardson, Axel, Schonenberg, Tesch and Rankin

This item was tabled.

8. Consideration and action on approval of the plan of action for 740 Washington Street.

Mayor Dungen asked Ms. Moody what the timeline would be to complete the demolition of the structure. Fran Moody stated that she is still accepting bids to take the structure down. Councilman Tesch asked how long it would take to demolish and remove the structure once she was in a contract. Ms. Moody stated that it could take up to a month to get on the contractors schedule and it could take anywhere from three days to two weeks for the structure to come down and be removed.

Councilman Tesch asked if she needed the 180 days to complete the project. Ms. Moody stated that she was concerned that once she entered into a contract that the contractor would not complete the project.

Councilman Rankin stated that this property has been an ongoing issue. He also stated that he wanted to make sure that there was progress on the project and that is why Council asked for the earnest money contract. He stated that he thought 180 days was a long time and asked Ms. Moody if that was really the amount of time that she needed. Ms. Moody stated that she did not think so but that she wanted to make sure that the contractors completed the job.

Councilman Rankin asked Ms. Moody what amount time she really needed to complete the project. Ms. Moody stated that she was not sure because she had not entered into a contract to complete the project. Councilman Rankin asked if thirty (30) days would be enough time to enter into a contract. Ms. Moody stated yes that would be enough time. Councilman Rankin asked if sixty (60) days would be reasonable to complete the project. Ms. Moody stated yes.

Councilman Rankin made a motion that by August 11, 2011 all work must be concluded to make the property located at 740 Washington Street in compliance with the City of Columbus Code of Ordinances. Councilman Tesch seconded the motion.

The vote was as follows:

Ayes: Councilman Richardson, Axel, Schonenberg, Tesch and Rankin

The motion passed.

9. Consideration and action on adopting the school zones for the City of Columbus.

City Manager, Donald Warschak went over the revised maps for the proposed school zones. He stated that he had spoken with TXDOT about designating Veterans Drive a school zone. He stated that TXDOT stated that they could only do that if there was pedestrian traffic and it would not be included in the school zone.

Councilman Schonenberg stated he was concerned about not recognizing Veterans Drive because there had been accidents at this location in the past. He stated that the City should recognize it even if TXDOT doesn't. Donald Warschak stated that a visual count on pedestrians could be done and presented to TXDOT if needed. Mayor Dungen stated that there was nothing that Council could do about this at this time because TXDOT's decision was the deciding factor.

Donald Warschak stated the speed limits and times for the school zones would have to be brought back to City Council at a future meeting. He stated that the time for the school zone could be for specific hours or the whole school day. Councilman Tesch recommended that the time for the school zones to be the same times that TXDOT uses.

Councilman Schonenberg made a motion to adopt the school zones for the City of Columbus as presented. Councilman Richardson seconded the motion.

The vote was as follows:

Ayes: Councilman Richardson, Axel, Schonenberg, Tesch and Rankin

The motion passed.

10. Consideration and action on adopting Ordinance No. 119-11, an ordinance adopting school zones in the TXDOT roads.

City Manager, Donald Warschak stated that once the ordinance was adopted that TXDOT would begin working to obtain all the proper signage. He stated that the proper signage would be in place by the beginning of school next year.

Councilman Axel made a motion to adopt Ordinance No. 119-11, an ordinance adopting school zones in the TXDOT roads. Councilman Schonenberg seconded the motion.

The vote was as follows:

Ayes: Councilman Richardson, Axel, Schonenberg, Tesch and Rankin

The motion passed.

11. Consideration and action on approval of demolition bids.

City Manager, Donald Warschak stated that he had received two bids for the demolition of the four properties. He stated that the low bidder was Scott Kleimann Services in the amount of \$22,875. He stated that the current budget for the demolition of properties was \$10,000.

Mayor Dungen stated that Council could either do two properties this fiscal year and do two properties next fiscal year or a budget amendment could be done. Councilman Tesch recommended doing a budget amendment.

Councilman Axel asked if the request for bids was advertised. Donald Warschak stated that it was not advertised and that the process was done informally. Mayor Dungen stated that the bids did not have to be accepted. City Secretary, Cathy Ezell stated that if the bids were rejected the project would have to be re-bid.

Mayor Dungen stated that Council could select the two worst properties and postpone the demolition of the other two properties. Councilman Rankin stated that this would just be another delay.

Councilman Schonenberg asked if there would be any repercussions for not advertising the project. Cathy Ezell stated that no the Purchasing Policy was followed. She stated that the City does not have to formally

bid anything under \$50,000. Councilman Schonenberg stated that would feel more comfortable if the project was re-bid.

Councilman Richardson recommended that Council work with the bids presented and that others would have the chance to bid on future projects.

Councilman Schonenberg recommended that the two worst houses be demolished to stay within budget and then re-bid the others. Councilman Rankin stated that he would be disappointed if there was a delay.

City Attorney, Pat Gillespie stated that if Council decided to do two properties then the project would have to be re-bid.

Councilman Tesch stated that Council put the pressure on the property owners and now the City needs to move forward.

Councilman Richardson made a motion to approve the demolition bid from Scott Kleimann Services in the amount of \$22,875. Councilman Rankin seconded the motion.

The vote was as follows:

Ayes: Councilman Richardson, Axel, Tesch and Rankin

Nays: Councilman Schonenberg

The motion passed.

12. Consideration and action on the City of Columbus entering into a storage agreement with Twin Oaks Ranch for the storage of the 1938 Fire Truck.

City Secretary, Cathy Ezell stated that Councilman Richardson had recommended changing the words in the last sentence as follows: Any normal to Customary and usual.

Councilman Schonenberg asked what brought this agreement forward. Assistant Fire Chief, Dwight Mazac stated that it was requested by the Fire Department. He stated that they needed additional storage space and this agreement was favorable to all parties. Councilman Rankin asked if the department was okay with the terms of the agreement. Dwight Mazac stated that they had reviewed the agreement and the terms were as they requested. He also stated that the main concern was to have an agreement that stated that the City maintains ownership of the truck.

Councilman Richardson made a motion to approve the City of Columbus entering into a storage agreement with Twin Oaks Ranch for the storage of the 1938 Fire Truck with the recommended changes to the agreement. Councilman Rankin seconded the motion.

The vote was as follows:

Ayes: Councilman Richardson, Axel, Schonenberg, Tesch and Rankin

The motion passed.

13. Consideration and action on approval of a Budget Amendment for the receipt of a grant from the Texas Forest Service and corresponding expenditure for the Fire Department.

Mayor Dungen stated that this would increase the grant revenue by \$18,000 and increase vehicles \$18,000. Assistant Fire Chief, Dwight Mazac stated that the grant was used to purchase the skid.

Councilman Tesch made a motion to approve the budget amendment for the receipt of a grant from the Texas Forest Service and corresponding expenditure for the Fire Department. Councilman Richardson seconded the motion.

The vote was as follows:

Ayes: Councilman Richardson, Axel, Schonenberg, Tesch and Rankin

The motion passed.

14. Executive Session: In accordance with Texas Government Code, Subchapter D, Section 551.071, consultation with City Attorney.

Mayor Dungen closed the regular meeting and entered into executive session at 7:37 p.m.

15. Reconvene into Regular Session and consideration and action, if any, regarding Executive Session, consultation with attorney.

Mayor Dungen reconvened the Regular Session at 8:16 p.m. There was no action to be taken regarding the Executive Session.

16. Items from Councilmembers.²

Councilman Richardson – Thanked the all of the citizens for allowing him to serve and wished Council fair swells and smooth sailing.

Councilman Axel – Thanked City Secretary, Cathy Ezell for her service to the City.

Councilman Schonenberg – Thanked City Secretary, Cathy Ezell and wished her luck

Councilman Tesch – Thanked City Secretary, Cathy Ezell for her service to the City.

Councilman Rankin – Thanked City Secretary, Cathy Ezell for her service to the City.

Mayor Dungen – Stated that with City Secretary, Cathy Ezell here the City got a good person with fresh ideas and fresh eyes and that the City is in a better position. He thanked Councilman Richardson for his service and stated that Council has had successes in the area of substandard buildings which is why Councilman Richardson ran for Council. He also presented a plaque to Councilman Richardson.

21. Announcements.

City Manager, Donald Warschak stated that the Lion's Club bike ride would be this weekend.

City Secretary, Cathy Ezell thanked Council for their support and stated that she enjoyed working with them. She also stated that they have an excellent staff in place.

Donald Warschak introduced the new Building Inspector, Ford Stein.

22. Adjournment.

The mayor adjourned the meeting at 8:20p.m.



Mayor, Dwain K. Dungen

ATTEST:



Linda Lakich, 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.

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.

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.

