

The City Council of the City of Columbus, Texas met in regular session on Thursday, January 27, 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
Library Director	-	Nancy Koehl

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 January 13, 2011 Regular Meeting.
- c. December 2010 Financial Statements.
- d. Quarterly Investment Report for quarter ending December 31, 2010.

After Council received some clarification on some of the invoices and City Secretary, Cathy Ezell stating that Devon was misspelled in the minutes and that this would be corrected, Councilman Schonenberg made a motion to approve the Consent Agenda with the correction to the minutes. Councilman Tesch seconded the motion.

The vote was as follows:

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

The motion passed.

4. Citizen's presentation and comments.¹

School Superintendent, Robert O'Conner, stated that he would like City Council to explore letting the school district purchase the softball fields near the high school. He stated that if the school owned the fields that they would be able to do upgrades, put a fence around the fields and place a gate at the entrance for the purchase of tickets. He also stated that the school would have control of the restrooms and would be able to keep them locked during the day. This would help with potential problems. He stated that he was just bringing this to City Council for them to explore. He then stated that the school would support the construction of a sidewalk on Montezuma Street. He stated that it is a high traffic area and thinks that it would be a great idea.

5. City Manager Report.

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

6. Public Hearing on Ordinance 113-11, an ordinance of the City of Columbus, Texas superseding and replacing the former Ordinance Article 4.06 Oil & Gas Wells of Chapter 4 Business Regulations.

The public hearing on Ordinance 113-11 opened at 6:55 p.m. Mayor Dungen asked if anyone would like to speak on this item. There was no public comment. The public hearing closed and the regular session reopened at 6:56 p.m.

7. **Consideration and action to adopt Ordinance 113-11, an ordinance of the City of Columbus, Texas superseding and replacing the former Ordinance Article 4.06 Oil & Gas Wells of Chapter 4 Business Regulations.**

Councilman Rankin stated that he thought that Council had decided to take out any reference to blasting. Councilman Tesch stated that the blasting was left in the drilling section but taken out of the seismic section. Councilman Rankin stated that Section 15.48 and 15.49 reference explosive charges and thought it had been removed. Councilman Tesch stated that the explosive charges could not be within 500 feet of a structure and that covered the entire City.

Mayor Dungen stated that in Section 15.2 it states that nothing could be done within 1,000 feet of a structure. Councilman Richardson stated that if they were within 1,000 feet a permit would have to be issued.

Councilman Rankin stated that he would like a technical person to explain what this ordinance means to mineral rights and if it precludes any findings in the City. Councilman Richardson stated that City Attorney, Pat Gillespie could find someone.

Councilman Rankin stated that he is trying to protect City infrastructure but did not want to prevent property owners from receiving mineral rights.

Mayor Dungen asked Councilman Tesch how he felt about the ordinance. Councilman Tesch stated that pretty much everything has been covered. He also stated that he agreed with no blasting for seismic testing. He stated that everything was pretty much standard.

Councilman Richardson made a motion to adopt Ordinance 113-11, an ordinance of the City of Columbus, Texas superseding and replacing the former Ordinance Article 4.06 Oil & Gas Wells of Chapter 4 Business Regulations. Councilman Axel seconded the motion.

The vote was as follows:

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

The motion passed.

8. **Public hearing on Ordinance 114-11, an ordinance of the City of Columbus, Texas superseding and replacing the former Ordinance Article 3.08 Flood Damage Prevention of Chapter 3 Building Regulations.**

The public hearing on Ordinance 114-11 was opened at 7:11 p.m.

City Manager, Donald Warschak stated that this ordinance is being changed due the new FEMA maps that go into effect on February 4, 2011. He stated that this would affect flood insurance policies as of February 4, 2011. Mayor Dungen stated that the maps can change the flood areas and that would affect the insurance rates and if you purchased your insurance policy before February 4, 2011 that you would be grandfathered. Councilman Rankin stated that he wonders if residents really understand the impact this will have on them. Mayor Dungen stated that all the City could do was get the information out.

The public hearing closed and the regular session reopened at 7:16 p.m.

9. **Consideration and action to adopt Ordinance 114-11 an ordinance of the City of Columbus, Texas superseding and replacing the former Ordinance Article 3.08 Flood Damage Prevention of Chapter 3 Building Regulations.**

Councilman Schonenberg made a motion to adopt Ordinance 114-11 an ordinance of the City of Columbus, Texas superseding and replacing the former Ordinance Article 3.08 Flood Damage Prevention of Chapter 3 Building Regulations. Councilman Tesch seconded the motion.

The vote was as follows:

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

The motion passed.

10. Consideration and action to rescind Resolution 63-09, a resolution of the City of Columbus regarding the Columbus Community and Industrial Development Corporation directing and providing that any and all matters in connection with or in any way affecting or involving Great Southern Wood Preserving.

Mayor Dungen turned the meeting over to Mayor Pro Tem Schonenberg. Mayor Pro Tem Schonenberg gave a brief history on this item.

Councilman Rankin made a motion to rescind Resolution 63-09, a resolution of the City of Columbus regarding the Columbus Community and Industrial Development Corporation directing and providing that any and all matters in connection with or in any way affecting or involving Great Southern Wood Preserving. Councilman Tesch seconded the motion.

The vote was as follows:

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

The motion passed.

Mayor Pro Tem Schonenberg turned the meeting over to Mayor Dungen.

11. Consideration and action to adopt Resolution 86-11, a resolution of the City of Columbus authorizing a general (regular) municipal election to be held on May 14, 2011. Consideración y acción para adoptar la resolución 86-11, una resolución de la ciudad de autorizar de Columbus una elección municipal (regular) general que se sostendrá el 14 de mayo de 2011.

Mayor Dungen stated that this resolution would order the May 14, 2011 general election. City Secretary, Cathy Ezell went over the other things the resolution would do.

Councilman Rankin made a motion to adopt Resolution 86-11, a resolution of the City of Columbus authorizing a general (regular) municipal election to be held on May 14, 2011. Councilman Tesch seconded the motion.

The vote was as follows:

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

The motion passed.

12. Consideration and action to change the Library hours from Monday – Wednesday 9:00 a.m. to 7:00 p.m. to 9:00 a.m. to 6:00 p.m.

Mayor Dungen stated that the Library Board was recommending changing the hours at the Library. Library Director, Nancy Koehl stated that they saw very little traffic during the 6:00 p.m. to 7:00 p.m. hour. She also stated that by closing at 6:00 p.m. there would be cost savings.

Councilman Schonenberg made a motion to change the Library hours from Monday – Wednesday 9:00 a.m. to 7:00 p.m. to 9:00 a.m. to 6:00 p.m. Councilman Tesch seconded the motion.

The vote was as follows:

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

The motion passed.

13. Discussion and action on the December 2010 Police Report.

Police Chief, Danny Jackson, gave the Police Report for December 2010.

No action was taken.

14. Discussion and action on the Fire Department Annual Report.

Fire Chief Walter Glaeser gave the Fire Department Annual Report.

No action was taken.

15. Consideration and action to approve staff to enter into a contract with ETR Development Consulting for the purpose of conducting a sales tax audit.

City Secretary, Cathy Ezell gave the presentation on ETR. Councilman Rankin asked if this audit would cover Hotel Occupancy Taxes. Cathy Ezell stated that no it would not but that ETR does provide that service.

Councilman Tesch made a motion to approve staff to enter into a contract with ETR Development Consulting for the purpose of conducting a sales tax audit. Councilman Richardson seconded the motion.

The vote was as follows:

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

The motion passed.

16. Review and discussion on the City of Columbus Policy and Procedures for Repairs and Maintenance of Vehicles and Equipment.

City Manager, Donald Warschak stated that this policy was put into place in 1996 and that the new policy is just a revision based on what is happening today. He also stated that the policy would ensure that the department heads were in the loop on repairs and repair costs.

17. Review and discussion on the City of Columbus Purchasing Policy and Procedures.

City Secretary, Cathy Ezell stated that currently the City does not have a purchasing policy. She stated that when the City was audited for one of the grants the auditor requested this policy. She then stated that this policy was being brought forward for the Council to review and would be brought back at a future meeting for further discussion.

18. Items from Councilmembers.²

Councilman Richardson – no comment.

Councilman Axel – no comment.

Councilman Schonenberg – gave an update on CCIDC. He stated that some clean-up had been done at the Industrial Park and the contract with CB Richard Ellis would be extended. He also stated that the Board was looking into constructing a sidewalk on Montezuma Street.

Councilman Tesch – no comment.

Councilman Rankin – no comment.

Mayor Dungen – stated that the offer from the school to purchase the softball fields has merit.

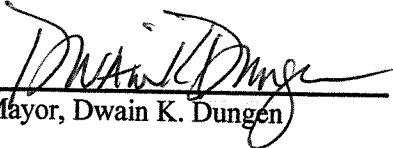
19. Announcements.

City Secretary, Cathy Ezell announced that the next Council meeting would be February 10, 2011 and that the application packets for a place on the ballot were ready to be picked up with the first day to turn them in being February 12, 2011 and the last day being March 14, 2011.

City Manager Donald Warschak asked if Council would like to schedule a Special Council Meeting on February 3, 2011 for the unsafe and substandard building public hearings. Council was agreeable.

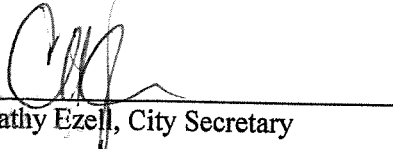
20. Adjournment.

The mayor adjourned the meeting at 7:50 p.m.



Mayor, Dwain K. Dungen

ATTEST:



Cathy Ezell, 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.

