

The City Council of the City of Columbus, Texas met in regular session on Monday, November 28, 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 (Absent)
Councilman	-	Steve Woodall (Arrived at 6:40 p.m.)
Councilman	-	John Axel
Councilman	-	Bruce Tesch
Councilman	-	Chuck Rankin
City Manager	-	Donald Warschak
City Secretary	-	Linda Lakich

Other City Staff present included:

Police Chief	-	Danny Jackson
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**1. Call to Order.**

Mayor Dwain Dungen called the meeting to order at 6:30 p.m.

**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 November 10, 2011 Regular Meeting.

Councilman Axel made a motion to approve the Consent Agenda as presented. Councilman Tesch seconded the motion.

The vote was as follows:

Ayes: Councilman Axel, Tesch, and Rankin

The motion passed.

**4. Consideration and Action on Approval of B & D Graphics, Inc. Invoices**

Councilman Rankin made a motion to approve the B & D Graphics, Inc. invoices. Councilman Axel seconded the motion.

The vote was as follows:

Ayes: Councilman Axel and Rankin  
Abstain: Councilman Tesch

The motion passed.

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

Cheryl Cook spoke regarding the Kerry R. Gilbert Study saying that she had been in the hotel business for 45 years and that she wished to tell Council that the Study would have unintended consequences. She said that people were moving out of town because they do not want to comply with all of the rules. When she began to talk about people who are incarcerated, the Mayor reminded her that she had asked to speak about the Kerry R. Gilbert Study. Ms. Cook said that too many laws are being passed and that she wants Council to look at things that are important.

6. **City Manager's Report including Wastewater Plant Effluent Sales, Water Usage, Texas Crossroads Business Park Water Tower, Cardinal Hill Water Plant Well, 2011 Street Improvements, and SECO Grant Project.**

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

Councilman Woodall arrived at 6:40 p.m.

7. **Introduction of New Police Officer and Administration of Oath of Office.**

Police Chief Danny Jackson introduced the new Police Officer, Wendy Alley. Mayor Dungen administered the oath of office.

8. **Consideration and Action to Approve Hotel Occupancy Tax (HOT) Fund Grants for 2011-2012 – Community Empowerment Center.**

Joel Usher with the Community Empowerment Center addressed Council telling them that the last time he was at a Council meeting that they had asked his group to submit additional information and that Council had concerns about the details of the planned conference. He told Council that the dates for the Conference would be June 28, 29, and 30, 2012. He said that the Conference will be held in a local hotel and that they have decided to not have entertainment because the conference room will not be large enough. He gave Council a list of radio stations and prices for advertising in Houston, San Antonio, and Austin. For three weeks of advertising the cost will be \$12,000, with an addition \$3,000 allocated to other advertising. Councilman Tesch said that the cost was high, but Mr. Usher said that they had chosen #1 stations and that those were the quotes given to him. Mr. Usher said that the biggest cost of the Conference would be the advertising and that if they could get a HOT grant then they would be able to take care of all additional costs. Mayor Dungen suggested that since Councilman Schonenberg was not at the meeting, that they wait to vote on the grant until the next meeting.

Councilman Tesch made a motion to table the item until the next meeting. Councilman Rankin seconded the motion. The vote was as follows:

The vote was as follows:

Ayes: Councilman Woodall, Axel, Tesch, and Rankin

The motion passed.

9. **Consideration and Action to Award Bid for Painting the Elevated Storage Tank at the Texas Crossroads Business Park.**

David Sheblak told Council that the City had received 10 bids with one being rejected because it was on the wrong form. The lowest bid was from Central Tank with a bid for \$72,400 for the painting of the interior and exterior of the tank including the Texas Crossroads Logo and \$4,800 for the alternate bid item of replacing the tower lighting. He said that he had talked with the company's references and that everyone had excellent recommendations for the company. He therefore recommended that Council go with them. In response to a question from Councilman Rankin, Mr. Sheblak explained that the specifications on the bid are very strict.

Councilman Tesch made a motion to award the bid for painting the elevated storage tank at the Texas Crossroads Business Park including the alternate bid item to Central Tank for a total of \$77,200. Councilman Woodall seconded the motion.

The vote was as follows:

Ayes: Councilman Woodall, Axel, Tesch, and Rankin

The motion passed.

**10. Consideration and action on Update by Historic District Committee.**

Councilman Woodall told Council that the Committee had met a couple of times and that they had added two members, Laura Ann Rau and Roger Wade, because of their expertise. He said that the committee would need some more time, but that they would be holding an Open Forum on January 19<sup>th</sup> at 6:00 p.m. A professor from Texas State University, representatives from the Texas State Historical Commission, and people from Granbury, Texas will be at the Forum. The Mayor said that while each community is different, that there is a lot from other communities that Columbus can use. Nancy Stiles said that the Committee is trying to use common sense and take the concerns of the community into consideration.

No action was taken.

**11. Consideration and Action on Sale of Wastewater Plant Effluent.**

Donald Warschak told Council that the City had been contacted by two companies in the last two months expressing an interest in purchasing the City's wastewater plant effluent to be used in oil and gas production. Chance Warrick with TD Water Resource Management told Council that with a growing demand for water, cities can turn a loss into a resource and at the same time assist companies that are using hydraulic fracturing on wells. His company would offer a 5 year contract with an option payment of \$1,584.83 per year even if no water was taken. They would also pay \$1.67 for each thousand gallons actually used. They would pay for all permits, design, and construction and any conveyance system would be approved by the City. He said that they would be piping the effluent to a storage facility. Donald Warschak said that currently the effluent is going in the Colorado River and that bidding would not be required. Councilman Tesch said that in south Texas water is going for 50 cents per barrel and that the plant effluent is worth more than what is being offered. Councilman Rankin suggested that the City start the process and look at the contract. He asked what the probability is that TD Water Resource Management would take all of the effluent. Mr. Warrick said that there is about an 80% probability. Councilman Woodall asked if the City could put a minimum purchase requirement into any contract. Mr. Warrick said that was a possibility. The Mayor asked how long it would take to be in operation and was told that they could put in a temporary line. Councilman Tesch asked if Mr. Warrick had looked at the City's facilities. Mr. Warrick said that he had not. Councilman Tesch suggested that he do so because of possible access issues since they would not be able to use trucks to move water from the main wastewater treatment plant. Councilman Rankin suggested that Donald Warschak look at the issues raised including access, a fair rate, commitment and how quickly they could get going and then bring it back to Council.

No action was taken.

**12. Consideration and Action if Necessary on the October 2011 Police Report.**

Police Chief Danny Jackson presented his October 2011 Police Report, a copy of which is attached.

No action was necessary.

**13. Items from Councilmembers.<sup>2</sup>**

Councilman Woodall – no comment.

Councilman Axel – no comment.

Councilman Tesch – no comment.

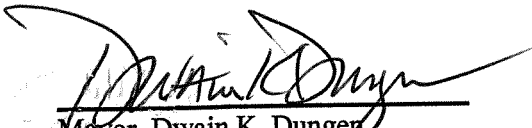
Councilman Rankin – no comment.

**14. Announcements.<sup>2</sup>**


Everyone was reminded that the Lady's Night Out Event would be held on December 1<sup>st</sup>.

**15. Adjournment.**

The Mayor adjourned the meeting at 7:35 p.m.

  
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Mayor, Dwain K. Dungen

ATTEST:

  
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Linda Lakich, 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.

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.

<sup>2</sup>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.