

The City Council of the City of Columbus, Texas met in regular session on Thursday, February 10, 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
Building Official	-	Jerry Krenek

**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 27, 2011 Regular Meeting.

After Council received some clarification on some of the invoices Councilman Axel made a motion to approve the Consent Agenda. Councilman Schonenberg seconded the motion.

The vote was as follows:

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

The motion passed.

**4. Consideration and action to approve invoices from Curtiss Automotive.**

Councilman Rankin made a motion to approve invoices from Curtiss Automotive. Councilman Richardson 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.<sup>1</sup>**

There were no citizen's presentations or comments.

**6. City Manager Report.**

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

**7. Consideration and action to approve the closure of Milam Street from Jackson Street to Walnut Street and the closure of Walnut Street from Milam Street to Legion Drive from 10:30 a.m. to 12:30 p.m. on February 26, 2011 for the annual FFA Parade.**

Councilman Tesch made a motion to approve the closure of Milam Street from Jackson Street to Walnut Street and the closure of Walnut Street from Milam Street to Legion Drive from 10:30 a.m. to 12:30 p.m. on February 26, 2011 for the annual FFA Parade. Councilman Rankin seconded the motion.

The vote was as follows:

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

The motion passed.

**8. Consideration and action on funding support to the Columbus Garden Club for the Spring Trash Off Event.**

Marian Schonenberg introduced Sharon Wegenhoft as the new President of the Columbus Garden Club. She stated that this will be the fifth annual Spring Trash Off. She stated that she was here to ask for support from City Council. She stated that they had received a grant for \$1,500 from CCIDC for the event. She also stated that the Columbus Garden Club had applied for a grant on behalf of the City of Columbus for a new park. She requested support from City Council.

Mayor Dungen stated that the funds for the Spring Trash Off were included in the budget.

Councilman Tesch made a motion to approve funding support to Columbus Garden Club for the Spring Trash Off Event. Councilman Rankin seconded the motion.

The vote was as follows:

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

The motion passed.

**17. Public hearing on the property located at 1231 Preston Street, Block 111 LT PT S-5,5 that has been determined to be in violation of Article 3.07 Unsafe or Substandard Building, Structures and Premises.**

Mayor Dungen opened the public hearing at 6:50 p.m.

City Manager, Donald Warschak gave an overview of the inspection of the property. He stated that it was determined that the property needed to be demolished.

The property owner, Robert Williams stated that he was present because of the letter that stated the property was found to be substandard and unsafe. He stated that the property was in the process of being sold. He stated that the person that was going to purchase the property understands that the building would need to be demolished and that the purchaser would demolish the building. Mr. Williams stated that he would like a one month extension on the timeline for the closing.

The Mayor asked Mr. Williams if he felt thirty days was enough time for closing.

Mr. Williams stated that he would like forty-five days.

Mayor Dungen asked what happens to the process when the new owner takes ownership. Donald Warschak stated that the timeline would begin over with the new owner.

Councilman Tesch stated that staff needed to receive a copy of the signed contract. Councilman Rankin agreed stating this would show intent.

Councilman Richardson asked if the new owner was going to demolish the building. Mr. Williams stated that yes the new owner would demolish the building. Councilman Rankin stated that an earnest money

contract and an acknowledgement of the fact that the building needs to be demolished from the buyer needed to be received by staff.

Mayor Dungen closed the public hearing and opened the regular meeting at 6:57 p.m.

**18. Consideration and action on the property located at 1231 Preston Street, Block 111 LT PT S-5, 5 that has been determined to be in violation of Article 3.07 Unsafe or Substandard Building, Structures and Premises.**

Mayor Dungen recommended tabling this time pending receiving a copy of the earnest money contract with the condition that the new owner would demolish the building.

Councilman Richardson made a motion to table this item until the next City Council meeting. Councilman Axel seconded the motion.

The vote was as follows:

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

The motion passed.

**21. Public hearing on the property located at 1201 Walnut Street, Block 113 LT S-1 that has been determined to be in violation of Article 3.07 Unsafe or Substandard Building, Structures and Premises.**

Mayor Dungen opened the public hearing at 6:58 p.m.

City Manager, Donald Warschak gave an overview of the inspection on the property. He stated that it was determined that the structures in question needed to be demolished.

The property owner, Robert Williams stated that he is negotiating with an investor to reopen the Top Cat Café. He proposed to immediately secure the building. He stated that in his opinion the building was salvageable. He stated that the main part is solid and that the main beams around the front need to be replaced. He stated that he plans to refurbish and expand the facility. He stated that he will expand it ten feet on the east side, make the building ADA compliant, and replace all the wiring, plumbing and HVAC. He also stated the exterior will be redone. He stated that it is a historical building and that he wanted to restore it to its original use. He stated that if he could make it a viable business he would 180 days to complete the work on the building. Councilman Schonenberg asked when the project would be started. He stated that he was concerned that the inspector had determined the structure needed to be demolished and he felt an inspector would need to re-evaluate the building. Councilman Rankin asked if the building would have inspections. Donald Warschak stated that it would have to go through the building permit and inspection process. Councilman Axel stated that if Mr. Williams brings the building back up to Code then it would be structurally sound. Mayor Dungen stated that Council could give the Williams 180 days to complete the project and thirty days to submit plans with the scope of work. Councilman Rankin agreed with the Mayor. Mr. Williams stated that he would like to get with staff to create a plan.

Mr. Williams stated that the inside of the storage garage building was not bad. He stated that he has tenants who own a resale shop who would like to expand their operation into that building. He proposed to completely rebuild the front of the building, and install new lighting to create a warehouse type building. Mayor Dungen asked what the condition of the inside of the building was. Building Official, Jerry Krenek stated that the inside of the building looked sound but they were unable to inspect the inside. He also stated that most of his concerns were with the outside of the building. Mr. Williams stated that he would reshore up the front side of the building. Mayor Dungen asked what the timeline for this project would be. Mr. Williams stated that it would take ninety days.

Mr. Williams stated that parts of the garage of the funeral home building would have to be demolished. He stated that the garage would be rebuilt. He stated that he would like to refurbish the funeral home. He stated that the second story used to be a hotel. He stated that he would like to refurbish the second story converting it into some type of living space. Councilman Rankin asked if Mr. Williams planned to refurbish all of the building. Mr. Williams stated that yes he would refurbish both floors. Councilman Rankin asked what the timeline would be for this project. Mr. Williams stated that it would be one year and he would be concurrently working all three projects.

Mayor Dungen stated that this was a tremendous project. Mr. Williams stated that he would work on the Top Cat Café and the garage and then move to the funeral home with the garage demolition being done in the first phase. Mayor Dungen asked if two weeks from today would be too short of a period to put together a timeline. Councilman Tesch asked for building specs to be provided.

Councilman Rankin asked if the scope of work could be provided in thirty days and then have the property within Code in 180 days. Mr. Williams stated that would be reasonable.

Mr. Williams stated that they had contacted the Texas Historical Commission and the organization was interested in reviewing the project. He also stated that he was working with Prairie View A&M.

Mayor Dungen closed the public hearing and reopened the regular meeting at 7:35 p.m.

**22. Consideration and action on the property located at 1201 Walnut Street, Block 113 LT S-1 that has been determined to be in violation of Article 3.07 Unsafe or Substandard Building, Structures and Premises.**

Councilman Rankin made a motion to allow 180 days to bring the buildings to Code and thirty days to provide the scope of work that includes the work to be done and time line for the project. Councilman Tesch seconded the motion.

The vote was as follows:

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

The motion passed.

**9. Public Hearing on the property located at 707 Rampart Street, Block 104 LT S/2 S-5,6 that has been determined to be in violation of Article 3.07 Unsafe or Substandard Building, Structures and Premises.**

Mayor Dungen opened the public hearing at 7:36 p.m.

City Manager, Donald Warschak gave an overview of the inspection of the property. He stated that it was determined that the structure needed to be demolished.

Councilman Axel stated that the property owner had already started demolishing the building. Mayor Dungen asked if staff had heard from the owner on his plans. Building Official, Jerry Krenek stated that he had not heard anything but knew that they had started tearing down the backside of the building. However, they stopped. Councilman Rankin asked if staff had heard anything. Donald Warschak stated that he had not heard from the owner.

Mayor Dungen closed the public hearing and reopened the regular meeting at 7:41 p.m.

**10. Consideration and action on the property located at 707 Rampart Street, Block 104 LT S/2 S-5,6 that has been determined to be in violation of Article 3.07 Unsafe or Substandard Building, Structures and Premises.**

Councilman Tesch stated that the owner should have been present at the meeting if an extension was needed. Councilman Axel stated that the owner is in the process and that thirty days is not an unreasonable time period to allow for the demolition of the property. Donald Warschak stated that the property owner had fifteen days to start the project and thirty days to complete the project. Councilman Richardson stated they should find the property in violation and give the owner thirty days to remediate the issue.

Councilman Rankin made a motion to find the property located at 707 Rampart Street, Block 104 LT S/2 S-5,6 in violation of Article 3.07 Unsafe or Substandard Building, Structures, and Premises and for the owner to demolish the structure in violation by March 11, 2011. Councilman Axel seconded the motion.

The vote was as follows:

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

The motion passed.

**11. Public hearing on the property located at 918 Chapman Street, Block 2 LT Ben Davis #1 that has been determined to be in violation of Article 3.07 Unsafe or Substandard Building, Structures and Premises.**

The owner has demolished this property. This item will not be addressed.

**12. Consideration and action on the property located at 918 Chapman Street, Block 2 LT Ben Davis #1 that has been determined to be in violation of Article 3.07 Unsafe or Substandard Building, Structures and Premises.**

The owner has demolished this property. No action was taken.

**13. Public hearing on the property located at 1438 Crockett Street, Block 3, LT 13, 14 Ben Davis #2 that has been determined to be in violation of Article 3.07 Unsafe or Substandard Building, Structures and Premises.**

Mayor Dungen opened the public hearing at 7:46 p.m.

City Manager, Donald Warschak gave an overview of the inspection of the property. He stated that it was determined that this property needed to be demolished or repaired. He stated that he had not heard from the property owner.

Mayor Dungen closed the public hearing and reopened the regular meeting at 7:49 p.m.

**14. Consideration and action on the property located at 1438 Crockett Street, Block 3, LT 13, 14 Ben Davis #2 that has been determined to be in violation of Article 3.07 Unsafe or Substandard Building, Structures and Premises.**

Councilman Rankin made a motion to find the property located at 1438 Crockett Street, Block 3, LT 13, 14 Ben Davis #2 in violation of Article 3.07 Unsafe or Substandard Building, Structure, and Premises and for the owner to repair or demolish the structure in violation by March 11, 2011. Councilman Richardson seconded the motion.

The vote was as follows:

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

The motion passed.

**15. Public Hearing on the property located at 836 Hancock Street, Block 127 LT D-12-14 that has been determined to be in violation of Article 3.07 Unsafe or Substandard Building, Structures and Premises.**

Mayor Dungen opened the public hearing at 7:50 p.m.

City Manager, Donald Warschak gave an overview of the inspection of the property. He stated that it was determined that the property needed to be demolished. He also stated that Building Official, Jerry Krenek had been in contact with the property owner. Donald Warschak also stated that he had received a letter from the owner asking for an extension of time.

Mayor Dungen closed the public hearing and reopened the regular meeting at 7:52 p.m.

**16. Consideration and action on the property located at 836 Hancock Street, Block 127 LT D-12-14 that has been determined to be in violation of Article 3.07 Unsafe or Substandard Building, Structures and Premises.**

Councilman Axel made a motion to find the property located at 836 Hancock Street, Block 127, and LT D-12-14 in violation of Article 3.07 Unsafe or Substandard Building, Structure and Premises and for the owner to begin demolition of the structure in violation by March 11, 2011 and be completed by May 31, 2011. Councilman Schonenberg seconded the motion.

The vote was as follows:

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

The motion passed.

19. **Public hearing on the property located at 916 Hancock Street, Block 111 LT S-7 that has been determined to be in violation of Article 3.07 Unsafe or Substandard Building, Structures and Premises.**

Mayor Dungen opened the public hearing at 7:54 p.m.

City Manager, Donald Warschak gave an overview of the inspection of the property. He stated that it was determined that the property needed to be demolished. He stated that he had spoken to the owner and the owner stated that someone started demolishing the building but never finished.

Mayor Dungen closed the public hearing and reopened the regular meeting at 7:55 p.m.

20. **Consideration and action on the property located at 916 Hancock Street, Block 111 LT S-7 that has been determined to be in violation of Article 3.07 Unsafe or Substandard Building, Structures and Premises.**

Councilman Rankin made a motion to find the property located at 916 Hancock Street, Block 111 LT S-7, in violation of Article 3.07 Unsafe or Substandard Building, Structure and Premises and for the owner to demolish the structure in violation by March 11, 2011. Councilman Richardson seconded the motion

The vote was as follows:

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

The motion passed.

23. **Public hearing on the property located at 1102 Dewees Street, Block 104 LT S-14 that has been determined to be in violation of Article 3.07 Unsafe or Substandard Building, Structures and Premises.**

Mayor Dungen opened the public hearing at 7:57 p.m.

City Manager Donald Warschak gave an overview of the inspection of the property. He stated that it was determined that the property needed to be demolished or repaired. He stated that he did receive a letter from the property owner asking for an extension of time.

Mayor Dungen closed the public hearing and reopened the regular meeting at 7:58 p.m.

24. **Consideration and action on the property located at 1102 Dewees Street, Block 104 LT S-14 that has been determined to be in violation of Article 3.07 Unsafe or Substandard Building, Structures and Premises.**

Councilman Tesch made a motion to find the property located at 1102 Dewees Street, Block 104 LT S-14 in violation of Article 3.07 Unsafe or Substandard Building, Structure and Premised and for the owner to repair or demolish the structure in violation by March 11, 2011. Councilman Richardson seconded the motion.

The vote was as follows:

Ayes: Councilman Richardson, Schonenberg, Tesch and Rankin

Nays: Councilman Axel

The motion passed.

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

Councilman Richardson – no comment.

Councilman Axel – no comment.

Councilman Schonenberg – stated that he appreciated the time and effort made by Mr. and Mrs. Williams and wished them luck.

Councilman Tesch – thanked Mr. and Mrs. Williams for their efforts and thanked Marian with the Garden Club for the Spring Trash Off Project.

Councilman Rankin – stated that he would like an update on the Washington Avenue home. He also would like the winter averaging of the sewer bills to be on the next agenda to see how to handle the line breakages.

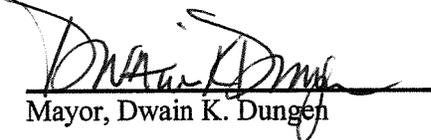
Mayor Dungen – stated that the reason that this time of year is chosen for the winter averaging was because consumers use less water. He thanked the Council for stepping up the substandard property issued. He apologized for letting some of the properties get into the condition that they were in. He stated that he hoped that demolition would be at a minimum and that he wanted to see more properties salvaged to preserve the community.

**26. Announcements.**

There were no announcements.

**27. Adjournment.**

The mayor adjourned the meeting at 8:08 p.m.

  
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Mayor, Dwain K. Dungen

ATTEST:

  
\_\_\_\_\_  
Cathy Ezell, 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.

