

The City Council of the City of Columbus, Texas met in regular session on Thursday, February 9, 2012 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	-	Steve Woodall (arrived at 6:46 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
Fire Chief	-	Walter Glaeser
Public Works Super.	-	Michael Poncik
Code Enforcement Off.	-	Ford Stein
City Attorney	-	Pat Gillespie

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 January 26, 2012 Regular Meeting.

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

The vote was as follows:

Ayes: Councilman Axel, Schonenberg, Tesch, and Rankin

The motion passed.

4. Citizens' Presentations and Comments.¹

Cheryl Cook told Council where the animal shelters and those who assist in caring for homeless animals in the area are located. She also told Council that she felt that while Joel Usher was a fine young man, she thought that the police should handle troubled youth.

5. City Manager's Report including Crossroads Business Park Water Tower, Annual Sewer Rate Averaging, City Hall Building Updates, and Cardinal Hill Water Plant Well.

City Manager, Donald Warschak, presented his City Manager's Report, which is attached to these minutes. He also reported that they had conducted the walk thru on the water tower in the Industrial Park that morning, and everything looked great. In addition he presented the sales tax figures for the month which showed payment to the City of \$125,965.57 compared to \$118,303.91 for last year.

6. Introduction of New Police Officer and Administration of Oath of Office.

Police Chief, Danny Jackson, introduced the new police officer, Brandon Wilson. The Mayor then administered the Oath of Office to Officer Wilson.

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 Saturday, March 3, 2012 for the Annual FFA Parade.

Councilman Axel 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 Saturday, March 3, 2012 for the Annual FFA Parade. Councilman Tesch seconded the motion.

The vote was as follows:

Ayes: Councilman Axel, Schonenberg, Tesch, and Rankin

The motion passed.

The Mayor moved to Item number 10 on the Agenda.

10. Consideration and Action to Authorize the Submission of an Application for H-GAC Criminal Justice Grant-Juvenile Services.

Joel Usher told Council that he had looked into answering questions that they had from the last meeting concerning the grant for the H.A.N.D. Counseling Center. He and Natasha Jackson went to a technical assistance meeting with H-GAC and found out that the grant will not cover liability insurance or the lease of facilities. He said that the individual counselors will carry liability insurance for themselves and that the general liability will be covered by Community Empowerment. (Councilman Woodall arrived at 6:46 p.m.) Mr. Usher said that in their current proposed budget the H.A.N.D. Center has added a juvenile corrections officer and has removed the facilities rental. He said that payments on the grant would be on a monthly reimbursement basis. Councilman Schonenberg asked if they would need to apply for the grant each year and was told by Councilman Axel that they would have an option to renew for three years. The Mayor asked if there was a match requirement and was told that there is not for this grant. Councilman Tesch asked how they would pay for utilities and rent. Mr. Usher said that Community Empowerment would cover those items. Natasha Jackson said that the facility would be for juveniles ages 13-17 and that it would be open from 4-6 p.m. after school.

Councilman Tesch made a motion to authorize the submission of an application for an H-GAC Criminal Justice Grant-Juvenile Services as presented. Councilman Axel seconded the motion.

The vote was as follows:

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

The motion passed.

The Mayor moved to item number 8 on the Agenda.

8. Public Hearing Regarding Animal Control Ordinance.

Mayor Dungen opened the Public Hearing at 7:00 p.m.

Mayor Dungen told Council that he had put together a proposal, copies of which were made available to the public, for items to be included in an animal ordinance. He explained that the section on restraining dogs was a large part of it, and then asked if there were any comments. Councilman Tesch said that he did not care for the chaining of dogs and that he felt that they should be in a fence or pen. Councilman Woodall said that he agreed. Margaret Cook said that she agreed with them but that she did not want to see more local laws when the state already has laws in place. She said that she did not want to see anyone going to prison over this. City Attorney, Pat Gillespie, said that the maximum fine would be \$500 and that there would be no jail time. Mr. Norman Strey asked for an explanation of the 32 degrees rule. The Mayor told him that the ordinance simply says that shelter must be available when the temperature is below 32 degrees

not that the dog must be in the shelter. Councilman Rankin asked about coordinating the current animal control ordinance with the new one and was told that the City Attorney would be able to help with that. He also asked who would enforce the ordinance and was told that it would be the Police Department and Animal Control Officer. He also asked why there is not a limit on the number of cats that can be at a residence like there is for dogs and wanted to know if the City is addressing livestock and fowl.

With no further comments the Public Hearing was closed at 7:15 p.m.

9. Consideration and Action if Necessary Regarding Animal Control Ordinance.

Mayor Dungen suggested that the next step was to look at incorporating the suggestions into the current animal control ordinance.

No action was necessary.

11. Executive Session: In Accordance with Texas Government Code, Subchapter D, Section 551.071 – Consultation with City Attorney Regarding Code Enforcement.

Mayor Dungen adjourned the regular session at 7:17 p.m. to enter into executive session.

12. Reconvene into Regular Session and Consider Action, if Any, Regarding Executive Session – Consultation with City Attorney Regarding Code Enforcement.

The regular session was reconvened at 7:47 p.m. with the same members present. The Mayor explained that no action would be needed.

13. Consideration and Action, if Necessary, on the January 2012 Code Enforcement/Inspection Report.

Code Enforcement Officer, Ford Stein, presented his January 2012 Monthly Code Enforcement/Inspection Report, a copy of which is attached to these minutes. Councilman Rankin asked what happens if construction stops on a structure before it is completed. Ford told him that if construction stops for six months that the builder will need a new permit before construction can continue.

No action was necessary.

14. Items from Councilmembers.²

Councilman Woodall – no comment.

Councilman Axel – no comment.

Councilman Schonenberg – no comment.

Councilman Tesch – asked Chief Jackson why the new Tahoe isn't in service and expressed his opinion that it should be used by one of the officers as originally intended, not the police chief. Chief Jackson said that he did originally intend to have the detective use the Tahoe, but that he was reminded that the Explorer does not have a police package and that he does not want it to be used where there is a likelihood of a high speed chase. He said that he is using it at night on patrol.

Councilman Rankin – asked Donald and Chief Jackson to look at staffing issues in the Police Department.

15. Announcements.²

The Mayor announced that the Chamber of Commerce Banquet would be February 21st.

16. Adjournment.

The Mayor adjourned the meeting at 7:58 p.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.