

The City Council of the City of Columbus, Texas met in special session on Tuesday, January 27, 2009 at 6:30 p.m., in the Council Chambers of City Hall located at 605 Spring Street, Columbus, Texas, with the following present:

Mayor	-	Richard Heffley
Mayor Pro Tem	-	Curtiss Schonenberg
Councilman	-	Charles Richardson
Councilman	-	John Axel
Councilman	-	John Wagner
City Manager	-	David Meisell
City Secretary	-	Patti Glaeser
City Attorney	-	Ty Prause

And the following absent:

Councilman	-	Bruce Tesch
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1. **Call to Order.**

Mayor Heffley called the meeting to order at 6:30 pm.

2. **Pledge of Allegiance and Invocation.**

Mayor Heffley led the Pledge of Allegiance and Invocation.

3. **Citizen's Presentations and Comments¹**

There were no citizen's presentations or comments.

4. **Consider and Discuss Provision of Sewage Treatment Services to Glidden Fresh Water Supply District; Authorize Negotiation of a New Contract; Amend or Extend for a Temporary Period the Existing Contract, or Enter into New Contract for a Temporary Period, Pending Negotiation of Final Contract.**

Mayor Heffley began this item by requesting that Council have no side bar conversations during the meeting. He also asked that when a speaker has the floor, no one else speak.

Mayor Heffley said that the purpose of the meeting was to have a contract, but no contract was received from Glidden. Councilman Richardson suggested Council go into executive session due to a potential lawsuit.

Mayor Heffley closed the open session at 6:37 pm as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney).

Mayor Heffley reopened the open session at 8:02 pm with all in attendance as at the beginning of the meeting.

City Manager, David Meisell presented a proposal with modifications. A copy is attached to the minutes.

The modifications included two contracts. The first contained the following: The current contract with GFWD for sewer treatment services would be extended to 12:01am on February 6, 2009. The extension rate would be for \$2,300 for that term.

The second contract would be for a term beginning February 6, 2009 until October 1, 2009 at a rate of \$7,000 per month. The City would expect TCEQ to calculate an equitable rate as of October 1, 2009 for a term of at least two years. The contract would include an indemnity clause or insurance policy to protect the City from toxic disposal and would include the boundaries of GFWD and the two TXDOT rest area on Interstate 10.

If terms to a contract cannot be reached, the Council would direct city management to terminate receiving sewage after February 6, 2009 at 12:01 am. This means the contract agreement must be reached by February 5, 2009.

Councilman Wagner moved to extend the current contract until February 6, 2009 at 12:01 am. at a prorated rate of \$2,300 and authorize Mr. Meisell to discontinue sewage collection after that time. Councilman Axel seconded the motion. The roll call vote was as follows:

Councilman Wagner – Aye

Councilman Schonenberg – Aye

Councilman Axel – Aye

Councilman Richardson – Aye.

The motion passed 4-0.

Councilman Richardson moved to authorize David Meisell to negotiate the terms of a contract that would be for a term beginning February 6, 2009 until October 1, 2009 at a rate of \$7,000 per month. TCEQ is to calculate a rate as of October 1, 2009 for a term of two years. The contract would include an indemnity clause or insurance policy to protect the City from toxic disposal and would include the boundaries of GFWD and the two TXDOT rest areas on Interstate 10. If the TCEQ rate comes in higher than \$7,000 per month, GFWD will reimburse the City the difference. If the TCEQ rate comes in lower than \$7,000 per month, the City will reimburse GFWD. If GFWD cannot get insurance for toxic disposal, the City will provide the insurance and bill GFWD.

Councilman Wagner seconded the motion. The roll call vote was as follows:

Councilman Wagner – Aye

Councilman Schonenberg – Aye

Councilman Axel – Aye

Councilman Richardson – Aye.

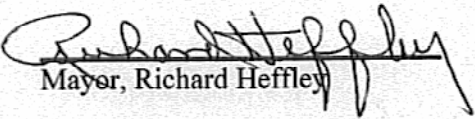
The motion passed 4-0.

Edward Pavlicek of GFWD said they would like a contract longer than two years.

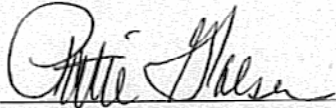
Mayor Heffley said two years would suffice.

Adjournment.

Mayor Heffley adjourned the meeting at 8:20 pm.


Mayor, Richard Heffley

ATTEST:


Patti Glaeser, City Secretary

¹ 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.

² 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.
