

The City Council of the City of Columbus, Texas met in regular session on Thursday, October 11, 2018 at 5:30 p.m., in the Council Chambers of City Hall located at 605 Spring St., Columbus, Texas, with the following present:

Mayor	-	Lori An Gobert
Mayor Pro Tem	-	Chuck Rankin
Councilman	-	Keith Cummings
Councilman	-	Michael Ridlen
Councilman	-	Gary Swindle
Councilwoman	-	Sandra Frnka
City Manager	-	Donald Warschak
City Secretary	-	Bana Schneider

Other City Staff Present:

Code Enforcement	-	Richard LaCourse
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**1. Call to Order.**

Mayor, Lori An Gobert, called the meeting to order at 5:30 p.m.

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

Gobert led the Pledge of Allegiance and Invocation.

**3. Consent Agenda:**

- a. Approval of Invoices
- b. Approval of Minutes of the September 10, 2018 Regular Meeting
- c. Approval of Minutes of the September 18, 2018 Special Meeting
- d. Approval of August 2018 Financial Statements

Councilman Swindle made a motion to approve the Consent Agenda. Councilman Rankin seconded the motion.

The vote was as follows:

Ayes: Councilmen Cummings, Ridlen, Swindle and Rankin; Councilwoman Frnka

The motion passed.

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

Citizens spoke during specific agenda items.

Mayor Gobert read a thank you note from the CHS Student Council for allowing them to have the Homecoming bonfire.

**5. City Manager's Report Including Sales Tax, Water Filtration Project, 2018 Street Improvements, Hurricane Harvey Recovery Town Hall Meeting, and the TxDOT IH-10.**

City Manager, Donald Warschak, gave his report, a copy of which is attached to these minutes. Warschak stated the recent sales tax payment the City received was approximately \$12,000 higher than the same time last year. Weimar, Eagle Lake and the County all saw increases as well. Regarding the water filtration project, Warschak stated he had spoken to the filter company about the alignment problems. He said they had offered a solution, but he was not sold on their idea. Warschak asked for photographs illustrating the use of shims on other projects. The project manager has been out of the office, but Donald is hoping there will be a workable solution soon.

Warschak stated H&C Construction has completed all of the seal coating in the designated areas. Gobert asked when striping would take place. Warschak stated they wait for everything to settle, and the oil to cure before striping is done.

Warschak reported a town hall meeting was scheduled for Wednesday October 17<sup>th</sup> at 6:00 pm at the library regarding Hurricane Harvey recovery. The meeting is to let people in the community know about agencies out there to help those who did not qualify for FEMA recovery or are still in need of assistance. Gobert stated applicants did not have to be property owners, renters can seek help. She also stated legal residency status does not factor in for qualifying for aid, and Spanish interpreters would be at the meeting.

Warschak concluded his report with details on the TxDOT expansion of Interstate 10. He attended a meeting on September 25<sup>th</sup>, and stated he had schematic drawings on his computer if anyone would like to see them. He indicated there would be some alignment shifts at the overpass to the south of the interstate with plans to make the frontage road traffic one way. The letting date will be sometime in 2022 with a 4 to 5 year construction window. He stated there is a possibility some utility adjustments will have to be made. When final drawings are available, the moving of utilities can be evaluated at that time. Councilman Ridlen asked if they would be adding more exits. Warschak stated at this time there are no plans for additional exits.

Councilwoman Frnka asked about the original timeline for the filter project. Warschak stated it was originally slated to be completed in August, but there was a delay in the filter vessel delivery so completion was put back to October. Now with the alignment issues, he does not have a specific date for completion. Frnka asked if there were some kind of penalties that could be imposed or if we needed to follow up from a legal standpoint. Gobert stated something should be put in writing regarding a timeline for a solution.

**6. Consideration and Action to Approve a Master Equity Lease Agreement and Texas Government Amendment to the Master Equity Lease Agreement with Enterprise Lease Management.**

Schneider stated Mark Block from Enterprise was here to answer any questions regarding the agreements. Councilman Rankin asked if the contracts had been reviewed. Gobert stated the City Attorney looked at them.

Councilwoman Frnka made a motion to approve the master agreement and amendment with Enterprise. Councilman Swindle seconded the motion.

The vote was as follows:

Ayes: Councilmen Cummings, Ridlen, Swindle and Rankin; Councilwoman Frnka

The motion passed.

**7. Consideration and Action to Approve a Fleet Maintenance Agreement with Enterprise.**

Block stated it was up to Council if they wanted to approve the agreement for the program vehicles only, or if they wanted to also approve the agreement for non-program vehicles so it would be on file if the City decides it wants to use the program for current vehicles. Councilman Swindle asked what management would suggest. Warschak stated it would be worthwhile in order to get the fleet management pricing. Schneider stated if the contract is approved now, then it can be implemented when there is a need for maintenance help on current vehicles.

Councilman Swindle made a motion to approve both maintenance agreements. Councilwoman Frnka seconded the motion.

The vote was as follows:

Ayes: Councilmen Cummings, Ridlen, Swindle and Rankin; Councilwoman Frnka

The motion passed.

**8. Public Hearing on the Property Located at 1509 Rampart Street, Block 87, Lot PT 2, 3 that has been Determined to be in violation of Article 3.07 Unsafe or Substandard Building, Structures and Premises.**

The Mayor opened the public hearing at 5:52 p.m.

Code Enforcement officer, Richard LaCourse, gave a report on the property in question, a copy of which is attached to these minutes. He stated letters had been sent to 6 possible estate interests for the lot, as well as to the potential manufactured home owner. LaCourse shared with Council the legal course of action required to be taken.

There were no other comments.

Gobert closed the hearing at 5:58 p.m.

**9. Consideration and Action Regarding the Property Located at 1509 Rampart Street, Block 87, Lot PT 2, 3 that has been Determined to be in violation of Article 3.07 Unsafe or Substandard Building, Structures and Premises.**

LaCourse recommended proceeding with a 30 day notice of demolition or repair. Ridlen asked who pays for the demolition. LaCourse stated the City orders and pays for the demolition, but a lien will be placed on the property. Councilman Cummings asked if the property was still up for sale. LaCourse stated he was unsure.

Councilman Rankin made a motion to proceed with the 30 day order. Councilman Cummings seconded the motion.

The vote was as follows:

Ayes: Councilmen Cummings, Ridlen, Swindle and Rankin; Councilwoman Frnka

The motion passed.

**10. Consideration and Action to Approve a Noise Ordinance Variance for October 13, 2018 at Blake Street, 2101 Milam Street, for a Performance by Guns 4 Roses from 8:30 p.m. to 12:30 a.m. as Requested by Blake Schulte.**

Schneider stated the notice had been published in the paper. Warschak stated both the Fire Marshal and Police Chief signed off on the event.

Councilman Ridlen made a motion to approve the noise ordinance variance. Councilman Swindle seconded the motion.

The vote was as follows:

Ayes: Councilmen Cummings, Ridlen, Swindle and Rankin; Councilwoman Frnka

The motion passed.

**11. Public Hearing Regarding Proposed Changes to Article 4.02 Alcoholic Beverages with the Addition of a Variance to Section 4.02.003, Sale Near School, Church, or Hospital, of the Municipal Code of the City of Columbus, Texas.**

Gobert opened the public hearing at 6:02 p.m.

There were no public comments.

At 6:02 p.m., the public hearing was closed.

**12. Consideration and Action to Approve Ordinance 213-18, an Ordinance Amending Article 4.02 Alcoholic Beverages with the Addition of a Variance to Section 4.02.003, Sale Near School, Church, or Hospital, of the Municipal Code of the City of Columbus, Texas.**

Councilman Swindle made a motion to approve ordinance 213-18. Councilwoman Frnka seconded the motion.

The vote was as follows:

Ayes: Councilmen Cummings, Ridlen, Swindle and Rankin; Councilwoman Frnka

The motion passed.

**13. Consideration and Action to Approve an Intergovernmental Agreement for Flood Early Warning System and General Flood Risk Management.**

Warschak stated previously, the City had agreed to partner with some neighboring governmental bodies to apply for the grant. Gobert asked how this would benefit the City. Warschak stated there would be revisions to the gauging system as well as help with mapping the changes which occurred to the river during the last flooding event. Cummings asked if this was for the just the survey. Warschak stated it was the formal agreement with the other entities.

Councilman Swindle made a motion to approve the intergovernmental agreement. Councilman Cummings seconded the motion.

The vote was as follows:

Ayes: Councilmen Cummings, Ridlen, Swindle and Rankin; Councilwoman Frnka

The motion passed.

**14. Consideration and Action, if Necessary, Regarding the September Golf Association Report.**

John Mangini of the CMGA gave the report, a copy of which is attached to these minutes. He stated everything is going well. The repairs to the clubhouse have been completed, and he thanked the CCIDC for the help with the funding. They are hoping the repairs in the pump house will be done in the fall. Lastly, Mangini stated they are thinking about having a Club Championship. Gobert asked if they would be looking at renting their club room for events since the repairs had been made. Mangini stated they would.

No action was required.

**15. Consideration and Action to Approve the Closure of Travis Street between Walnut Street (Hwy 90) and the Far End of the Courthouse Drive on Saturday October 27, 2018 from 7:00 a.m. to 1:00 p.m. for the Farmers Market Costume Contest.**

Councilman Swindle made a motion to approve the street closure for the costume contest. Councilman Cummings seconded the motion.

The vote was as follows:

Ayes: Councilmen Cummings, Ridlen, Swindle and Rankin; Councilwoman Frnka

The motion passed.

**16. Consideration and Action to Approve the Closure of Spring Street between Milam Street (Spur 52) and up to the Property Line of Gates, Stein, Gillespie and Trefny Law Firm on Thursday, December 6, 2018 from 7:00 a.m. to 10:00 p.m. for Ladies Night Out.**

Councilman Swindle made a motion to approve the street closure for Ladies Night Out. Councilman Rankin seconded the motion.

The vote was as follows:

Ayes: Councilmen Cummings, Ridlen, Swindle and Rankin; Councilwoman Frnka

The motion passed.

**17. Consideration and Action to Request that the City Secretary Conduct the Annual Audit of Chapter 59 Asset Forfeiture Funds as Required by Article 59.06 of the Code of Criminal Procedure.**

Councilman Rankin made a motion to have the City Secretary perform the audit of the Chapter 59 funds. Councilman Swindle seconded the motion.

The vote was as follows:

Ayes: Councilmen Cummings, Ridlen, Swindle and Rankin; Councilwoman Frnka

The motion passed.

**18. Consideration and Action to Appoint Two Members to the Employee Grievance Committee.**

Schneider stated currently, Lori An and former Councilman Eddie Hernandez sit on the committee. Two new members would be needed since the Mayor traditionally sits on the Citizen Grievance Committee.

Councilman Ridlen made a motion to appoint Councilman Swindle and Councilwoman Frnka to the Employee Grievance Committee. Councilman Cummings seconded the motion.

The vote was as follows:

Ayes: Councilmen Cummings, Ridlen, Swindle and Rankin; Councilwoman Frnka

The motion passed.

**19. Consideration and Action to Appoint Three Members to the Citizen Grievance Committee.**

Currently former Mayor Dungen, Councilman Rankin and Mr. Ernest Baumgart sit on the committee. Gobert stated Mr. Baumgart had no objection to remaining on the committee.

Councilwoman Frnka made a motion to appoint Mayor Gobert, Councilman Rankin and Mr. Baumgart to the committee. Councilman Cummings seconded the motion.

The vote was as follows:

Ayes: Councilmen Cummings, Ridlen, Swindle and Rankin; Councilwoman Frnka

The motion passed.

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

Councilman Cummings – None

Councilman Ridlen – None

Councilman Swindle – None

Councilwoman Frnka – None

Councilman Rankin – None

Mayor Gobert – None

**21. Announcements.**

There were no announcements.

**22. Adjournment.**

The Mayor adjourned the meeting at 6:13 p.m.



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Mayor, Lori An Gobert

ATTEST:



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Bana Schneider, 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.

<sup>2</sup>Limited to statements. Issues raised by council members 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.