

The City Council of the City of Columbus, Texas met in regular session on Monday, October 28, 2019, 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 (Absent)
Mayor Pro Tem	-	Chuck Rankin
Councilman	-	Keith Cummings
Councilman	-	Michael Ridlen
Councilman	-	Gary Swindle (Arrived 5:40 p.m.)
Councilwoman	-	Sandra Frnka
City Manager	-	Donald Warschak
City Secretary	-	Bana Schneider

Other City Staff present included:

Police Chief	-	Skip Edman
Code Enforcement	-	Richard LaCourse
Fire/Code Assistant	-	Duane Naiser
Fire Marshal	-	Brent Gorman

1. Call to Order.

Mayor Pro Tem Chuck Rankin called the meeting to order at 5:30 p.m.

2. Pledge of Allegiance and Invocation.

Rankin led the Pledge of Allegiance and Invocation.

3. Consent Agenda:

- a. Approval of Invoices
- b. Approval of Minutes of the October 15, 2019 Regular Meeting
- ~~c. Approval of August 2019 Financial Statements~~
- d. Approval of Quarterly Investment Report for the Quarter Ended September 30, 2019

City Secretary, Bana Schneider, stated the August financial statements were not included in the consent agenda. They will be available at the next meeting.

Councilwoman Frnka made a motion to approve the Consent Agenda as presented. Councilman Ridlen seconded the motion.

The vote was as follows:

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

The motion passed.

4. Citizens' Presentations and Comments. ¹

Debbie Damon gave Council an update on the monarch butterfly migration, and she asked about the progress of the AEP rate case. She gave an overview of her electric bill analysis for local businesses and non-profits. Damon also asked the Police Chief about juveniles riding around in golf carts during the day. Chief Edman stated golf carts are allowed during daylight hours to go to and from one's home and the golf course. Ms. Damon's report is attached to these minutes.

5. City Manager's Report Including the Water Filtration Project, and TAMU Corridor Study.

City Manager, Donald Warschak, gave his report, a copy of which is attached to these minutes. Regarding the filtration project, Warschak stated the bulk of the work at the Tait plant has been completed, including the backwash blower, media installation, electrical panels and control valves. B&D Services has started backwashing the filter with water from the distribution system. WesTech will be coming in to complete the work to start-up the unit. At the Spring plant, Warschak stated the filter unit had been placed on the concrete support walls and B&D has filled it with filter media. The electrical contractor has started installing the controls at that plant. Warschak stated if the timing is right, WesTech may be able to start up both of these plants during their visit. Regarding the TAMU Corridor Study, Warschak stated, last Friday, the steering committee met with the professor and graduate student in charge of the study for a round table discussion. Citizen Larry Petter asked about the study and what would be encompassed in any plan. Warschak stated the study would be for recommendations regarding beautification along the Hwy 90 and Highway 71 corridors.

6. Consideration and Action Regarding the Approval to Increase the City Matching Funds for TxCDBG 7218090 Water Line Improvement Grant from \$52,500 to \$222,429, an Increase of \$169,929.

Councilman Swindle arrived at 5:40 p.m.

Warschak stated in order to do the entire water line replacement in the grant project area; we will need to increase the budget. If the budget is not increased, part of the grant project will have to be removed and we would need to go out for rebids. Warschak stated the water line replacement project he is working on in another area of the city could be reduced in scope, and the bond money earmarked for that could be used to increase the grant budget.

The total dollars budgeted for water improvements were discussed along with the grant project budget. There was also a discussion regarding the areas that would be cut from the bond project.

Warschak stated, at the end of the day, we are still replacing old lines, which is our goal.

There was discussion of where all of the old line is located in the City and the approximate feet that need to be replaced.

Councilman Ridlen clarified some citizens would not be receiving the upgrade as soon as expected. He asked if the bid numbers were based on bad information. David Sheblak of Mercer Engineering stated the budget was actually based on numbers from 2016. He explained some of the grant procedures regarding matching funds.

Councilman Swindle stated Council knew at some point they would have to do another bond issue in order to complete all of the water line work, and this increase is just taking the money from one section and putting it towards another.

Councilman Cummings made a motion to approve the increase of the grant project matching funds. Councilman Ridlen seconded the motion.

The vote was as follows:

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

The motion passed.

7. Consideration and Action, if Necessary, to Award the Construction Contract for the TxCDBG 7218090 Water Line Improvement Grant.

Sheblak stated on October 10th 6 bids had been received for the grant project. He indicated the first three bids were very competitive. Sheblak recommended awarding the contract to Underground Construction Solutions with a bid of \$470,729. Rankin asked if Sheblak had worked with this company. He stated he had not. He received references from Underground, but he had not received a call back from any of them. Even though he had not spoken to anyone yet, he said he thought it was positive they had provided references for him to check. Ridlen asked if he had worked

with any of the others. Sheblak indicated he had worked a grant project with the second company, R&A Road Boring. Ridlen asked his opinion of R&A's performance. Sheblak stated they worked well. There was a discussion regarding the grant process for screening bidders as well as the type of questions references may be asked in determining suitability. Councilman Cummings asked if Sheblak still recommended Underground over a company he has worked with in the past. Sheblak stated there were no grounds for disqualifying Underground.

Councilman Swindle made a motion to award the construction contract for the grant project to Underground Construction Solutions. Councilman Cummings seconded the motion.

The vote was as follows:

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

The motion passed.

8. Consideration and Action to Approve Street Closures in the Memorial Oaks Subdivision for Halloween Activities on the Evening of Thursday, October 31, 2019 from 5:30 p.m. to 8:30 p.m.

Councilman Ridlen made a motion to approve the street closures as requested. Councilwoman Frnka seconded the motion.

The vote was as follows:

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

The motion passed.

9. Consideration and Action to Approve the Closure of Spring Street from Milam Street to the Property Line of the Gillespie and Trefny Law Firm on Thursday, December 5, 2019 from 7:00 a.m. until 10:00 p.m. for Ladies Night Out as Requested by the Chamber of Commerce.

Chamber Executive Director, Billy Kahn, stated the Chamber had spoken to all of the neighbors regarding the closure request.

Councilman Swindle made a motion to approve the street closure as requested. Councilwoman Frnka 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 the Closure of Veterans Drive (Old Highway 90) from the City Pool to Walnut Street (Highway 90), and the Closure of Walnut Street (Highway 90) from Veterans Drive to Bowie Street, and the Closure of Bowie Street from Walnut Street to St Anthony Catholic Church on December 12, 2019 Beginning at 4:00 p.m. for a Parade as Requested by the Grupo Guadalupano.

Rankin asked Chief Edman if the group had spoken with him. He stated they had not. Schneider stated they had come to her with their request which was originally to start at 6:00 p.m. She spoke with Edman about safety concerns, and he had suggested a 4:00 p.m. start. Councilwoman Frnka stated she was hesitant about the parade because of the start time. If it does not start on time, it will definitely be dark before it is over. Frnka also stated she was concerned about the return to the pool area after the parade to get the marchers' vehicles.

There was a discussion regarding start times and a hard deadline for the parade to commence or it could not take place. Frnka stated she thought it would be a better option to have the parade in the

neighborhoods near the church. There was a discussion regarding the MLK parade and the length of time it took to walk that route.

Rankin suggested having the group come to Council and come up with a better route and stipulate a certain start time, and the expected group size.

Councilman Ridlen made a motion to table this item until the Grupo Guadalupano could come before Council. Councilwoman Frnka seconded the motion.

The vote was as follows:

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

The motion passed.

11. Consideration and Action to Approve a Manufactured Home Permit for Block 104 Lot PT S-1, 2 of Back Street as Requested by Cipriano Hernandez.

Code Enforcement officer, Richard LaCourse, addressed Council regarding the permit. The permit documentation is attached to these minutes. He gave information about the home size, and the orientation on the lot. He stated the City set-back requirements would be met since the lot size is so large.

Citizen, Toni Carter, asked why the City was allowing manufactured homes inside the city limits. LaCourse stated, by law, the City must have a designated area for manufactured homes. She asked why the designated areas are in predominately African-American communities. LaCourse stated the zoning districts were set up way before his time with the City. Rankin suggested she speak to the Planning & Zoning Commission regarding her concerns. He stated zoning designations had gone through a long process when they were developed.

Councilman Swindle made a motion to approve the manufactured home permit. Councilman Ridlen seconded the motion.

The vote was as follows:

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

The motion passed.

Mr. Hernandez thanked Council for approving his permit, and he shared the plans he has for his home and lot.

12. Consideration and Action to Request the Planning and Zoning Commission Develop and Create a Commercial-Professional District Within the City of Columbus Zoning Ordinance.

Rankin stated he thought this item had been suggested by the Mayor at the last meeting. Dr. Kevin Ray stated he was trying to work through all of the rules in order to see if there would be any remedy for his situation. He is hoping some changes would be made to the ordinance in order for there to be an opportunity for someone in the future to bring a professional office into a residential neighborhood. He asked if he could go to the Board of Adjustments for a ruling on his behalf. LaCourse stated the types of items the Board of Adjustments hears would not address his issue. Rankin stated the topic was for a request to be sent to Planning & Zoning not to debate Dr. Ray's situation. There was discussion regarding the concept of a professional district. Ray stated more professional office space is needed within the City. Swindle stated residential zoning should remain sacrosanct and not undermine the integrity of residential neighborhoods. He also stated he is not opposed to an overlay, but we cannot sacrifice the "pretty" in our town.

Petter pointed out section 14.02.384 of the zoning ordinance in which the residential zoning is already diluted with several types of residential classifications. Ridlen stated he feels an area specific to professional offices would be beneficial to the City.

Councilman Ridlen made a motion to request P&Z develop a Commercial-Professional District. Councilman Swindle seconded the motion.

The vote was as follows:

Ayes: Councilmen Ridlen, Swindle, and Rankin
Nays: Councilman Cummings and Councilwoman Frnka

The motion passed.

13. Consideration and Action to Approve Resolution 197-19, a Resolution Adopting the City of Columbus Investment Policy.

Rankin asked if there were any changes to the policy. Schneider stated there were no changes.

Councilman Swindle made a motion to approve the Investment Policy resolution. 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 to Request 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 Ridlen made a motion to request the City Secretary audit the Chapter 59 asset forfeiture funds. Councilman Swindle seconded the motion.

The vote was as follows:

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

The motion passed.

15. Consideration and Action, if Necessary, Regarding the Fire Marshal Report.

Brent Gorman gave the Fire Marshal report, a copy of which is attached to these minutes. Gorman spoke about inspections, training and fire prevention. He also spoke about a fire at 1425 Montezuma. The fire was extinguished with minimal loss. He also stated the apartment complex where the fire occurred did not have working smoke detectors or fire extinguishers. He stated if the new fire code is adopted, they would have some recourse regarding smoke detectors and extinguishers.

Gorman stated it was his 2nd anniversary as the City Fire Marshal.

No action was required.

16. Consideration and Action, if Necessary, Regarding the September 2019 Code Enforcement Report.

Richard LaCourse gave the report, a copy of which is attached to these minutes. LaCourse spoke about permits issued during the month, and the status of the new code adoptions.

LaCourse also stated the property owners of 318 Milam are looking at contractors for demolition.

No action was required.

17. Consideration and Action, if Necessary, Regarding the September 2019 Police Report.

Chief Skip Edman gave the police report, a copy of which is attached to these minutes. Edman stated the department has been doing a lot of training, and they participated in National Night Out. He also said, back in June, the department had started the process of removing junk vehicles from the City, and the department is now in possession of 3 cars.

No action was required.

18. Items from Councilmembers.²

Councilman Cummings – None

Councilman Ridlen – None

Councilman Swindle – None

Councilwoman Frnka – Encouraged everyone with small children to trick or treat in the Memorial Oaks subdivision. Parking for trick or treating was discussed.

Councilman Rankin – None

Mayor Gobert – Absent

19. Announcements.

There were no announcements


20. Adjournment.

The Mayor Pro Tem adjourned the meeting at 7:00 p.m.



Mayor, Lori An Gobert

ATTEST:



Bana Schneider, 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.

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.