

The City Council of the City of Columbus, Texas met in regular session on Monday, April 13, 2020 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:

Police Chief	-	Skip Edman
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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 March 23, 2020 Regular Meeting
- c. Approval of November 2019 Financial Statements

Councilman Swindle made a motion to approve the Consent Agenda as presented. Councilwoman Frnka 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.¹

Comments were made during specific agenda items.

5. City Manager's Report Including Water Filtration Project and the Water Well Rehab Project Updates.

City Manager, Donald Warschak, gave the report, a copy of which is attached to these minutes. Warschak stated the water filtration systems at the Tait and Spring plants were both operational. He also said the site work had been completed at the Hill plant. Warschak stated WesTech was scheduling the startup visit for this location.

Regarding the water well rehabilitation project, Warschak stated the contractor has pulled and camera surveyed the Pool Well. There was no indication of any structural issues with the well during the initial camera survey. The contractor will start the process of chemically and mechanically cleaning the well screens.

6. Consideration and Action, if Necessary, Regarding the March Golf Association Report.

John Mangini of the CMGA gave the report via telephone, a copy of which is attached to these minutes.

He stated the high school tournament had been held on February 17th and 18th, and another tournament was held at the course on March 7th. Mangini stated the retaining wall on the eighth green had been completed, and it looked really good. He thanked the City for getting this project completed. Mangini also thanked the community for all of the sponsorships for the new sign at the course. Since the course has been closed for play because of the coronavirus, he stated the greens had been aerated and they will be aerating the fairways soon.

Gobert asked how much money was raised for the sign advertising. Mangini stated he was unsure, but he would get that figure for the next report.

No action was taken.

7. **Consideration and Action to Approve Resolution 204-20, a Resolution Denying AEP's Application to Amend its Distribution Cost Recovery Factors to Increase Distribution Rates within the City.**

Warschak stated this goes back many months to AEP's rate case with the PUC. This resolution was distributed by the law firm representing the coalition of cities. If approved, Columbus would join this coalition in which AEP would be responsible to pay for legal fees of the coalition. There was a discussion regarding the original rate case, and the fact that a stamped final draft was never received.

Councilman Rankin made a motion to approve Resolution 204-20. 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 Resolution 205-20, a Resolution Declaring the City of Columbus a Second Amendment Sanctuary City.**

Citizen, Vince Leibowitz, addressed Council via telephone regarding the resolution. He stated it was his hope that this item would be tabled since we are going through this pandemic. Leibowitz stated this is such a divisive issue, and he would hate for Council to pass it without more citizen input. He also said this could set a dangerous precedence. Leibowitz also spoke about the content of the resolution, and he took exception to the legal cases cited.

City Secretary, Bana Schneider stated this was the resolution passed unanimously by the Colorado County Commissioner's Court earlier in the year. She indicated the references to "County" were changed to "City". Councilman Rankin asked if this had been sent to the City Attorney. Schneider stated it had not since it was the same as the County's. The Mayor stated the County Judge and the County Attorney would have both reviewed it.

Councilwoman Frnka stated if a similar resolution had already been passed by the County and the State it seems to be more of a "me too" gesture.

Councilman Ridlen stated he had requested the City Council pass this resolution to affirm our belief in the second amendment. Yes, he said, this might seem to be a "me too" ceremonial gesture, but it would portray our support as a governing body.

There was a discussion of the pandemic and the timing of the resolution. Frnka asked if this would help or hurt our community at this time.

Councilman Cummings stated it takes two-thirds of the states to make changes to an amendment, and he did not think the amendment would ever be changed. There was a discussion regarding current City laws. Police Chief, Skip Edman, stated this resolution would in no way impact how the City's laws are enforced.

Rankin stated unfortunately issues regarding the second amendment keep coming, and it makes sense for Council to support the resolution. He recommended the City Attorney review the resolution and the case law quoted.

Frnka stated she felt the Council had bigger fish to fry at this time.

Councilman Rankin made a motion to table this item for further review. Councilman Ridlen seconded the motion.

The vote was as follows:

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

The motion passed.

9. **Consideration and Action, if Necessary, Regarding the Municipal Telecommunications Right-of-Way Access Line Rates.**

Schneider stated this was the yearly opportunity to either increase, decrease, or keep the access line rates the same. She stated the maximum rates the City could be charging. She also informed Council of the changes the last legislative session approved regarding these line rates. She stated cable companies who pay both gross receipts fees and telecommunications access line rates were no longer required to pay both. The only have to pay the greater of the two amounts. Schneider said the lost revenue to the City would be approximately \$10,000 per year.

There was a discussion about the nuances of the law.

Rankin stated this issue should really be brought up during the budget process, but he stated this is essentially a tax and he knows everyone is familiar with his thought on taxes. Schneider stated it is difficult to determine the exact amount of revenue that would be generated if an increase was implemented. She said the breakdown of the specific number of each type of line was unknown. Ridlen stated an increase should be considered.

Councilman Cummings made a motion to keep the telecommunications right-of-way access line rates the same. Councilwoman Frnka seconded the motion.

The vote was as follows:

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

No: Councilman Ridlen

The motion passed.

10. **Items from Councilmembers.**²

Councilman Cummings – None

Councilman Ridlen – None

Councilman Swindle – None

Councilwoman Frnka – Concerned for the citizens since some people who have COVID-19 have no symptoms. People could be a carrier and never know it, so please be considerate of others and recognize the danger.

Councilman Rankin – None

Mayor Gobert – She spent the day on various conference calls. The Governor has kicked the can down the road as far as reopening businesses. She stated there was a FEMA call regarding disaster related expenses and with DSHS regarding the state of the disease in Texas. She also stated the

Governor's current order goes thru April 30th. Gobert also gave an update on City and County cases, as well as testing. She thanked the citizens for following the rules for social distancing.

12. Announcements.

There were no announcements.


13. Adjournment.

The Mayor adjourned the meeting at 6:22 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 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.