

The City Council of the City of Columbus, Texas met in regular session on Monday, January 25, 2021, 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
Asst City Secretary	-	Dinah Jacobs

Other City Staff present included:

Police Chief	-	Skip Edman
Code Enforcement	-	Richard LaCourse
Fire Marshal	-	Brent Gorman Jr.
Fire/Code Assistant	-	Duane Naiser
Library Director	-	Susan Chandler

1. Call to Order.

Mayor Lori An Gobert called the meeting to order at 5:38 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 January 11, 2021 Regular Meeting

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

The vote was as follows:

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

The motion passed.

4. Citizens' Presentations and Comments.¹

David Meisell addressed the council on his finding regarding recycling of plastics, and suggested Council move on to more profitable things that will result in better outcomes for the City.

5. City Manager's Report Including the Water Filtration Project, the Water Well Rehab Project, and Sewer Averaging.

City Manager, Donald Warschak gave his report. A copy of the report is attached to these minutes. regarding the Water Filtration Project, Warschak stated the Spring plant filter has been delivered and set. The media contractor installed the media this afternoon. Wes-Tech has been on site and inspecting. The media will be treated, the filter disinfected, and the well flushed on Wednesday. Bacteria samples will be taken on Thursday. The filter will be placed back in service if everything checks out satisfactorily.

The Tait filter is at the fabricator being painted. It will be inspected tomorrow and then ready to be returned.

Regarding the Water Well Rehab Project, Warschak stated this will be discussed more on the next agenda item.

Regarding Sewer Averaging, Warschak stated sewer averaging for residential water usage began on December 15th and will continue until February 15th. Water usage during this time period will be used to calculate sewer rates.

6. Consideration and Action to Approve a Contract with Weisinger, Incorporated for Repairs to Address Unforeseen Damage to the Tait Water Well.

Warschak stated there was silt entering the Tait water well. Camera surveys were done, but resulted in no findings as to where it was entering. The contractor, Weisinger, is recommending installing an 8" repair liner in the well. A copy of the proposal is attached to these minutes. They would gravel pack the annulus between the existing 12" liner and the new 8" liner. The smaller pump will produce 400 gallons/minute, where before it was producing at 500-600 gallons/minute. This compares to the Spring & Hill wells. Warschak stated he asked about the life expectancy and was told 10-15 years. This would allow us to make plans for drilling a new well. A new well would cost \$750,000-\$800,000. The liner would buy us time to replace the well. Total cost for this liner project is \$90,297.00. It would take about 30 days to get it all reassembled. This well was built in 1961. City Attorney, Cary Bovey, was consulted on the statute and motion needed to approve if so moved.

Councilman Cummings made a motion to approve a contract with Weisinger, Incorporated in the amount of \$90,297 to make repairs to address unforeseen damage to the City's Tait Water well located at 703 Harbert Street, in accordance with Section 252.022(3) of the Texas Local Government Code which exempts procurements made necessary because of unforeseen damage to public machinery, equipment, or other property, from competitive bidding requirements. Councilman Swindle seconded the motion.

There was further discussion. Councilman Ridlen asked where the funds were going to come from. Warschak stated there is \$40,000 for SCADA upgrades that could be postponed, as well as water bond funds. Rankin stated the water bond pays off in 2023. City Secretary, Bana Schneider, stated the water bonds were \$265,000 plus interest of +/- \$60,000. Five years down the road, you will need to finance a whole new well. Ridlen added, and there will be no way to do it without any bonds. Rankin suggested downsizing the well to get the liner in, and downsizing the pump. Warschak stated the draw area will still be the same. Rankin suggested pursuing this by approving the quote because there is the ability to do it, but to find out what the silt impact will be. Ridlen stated it is like a big swimming pool filter and the filters should take out the particulates.

The vote was as follows:

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

The motion passed.

7. Consideration and Action to Approve the Closure of Milam Street (Spur 52) from Houston Street to Walnut Street (Highway 90), and the Closure of Walnut Street (Highway 90) from Milam Street (Spur 52) to the City Swimming Pool on Saturday March 6, 2021 Starting at 9:30 a.m. for the Annual FFA Parade.

Gobert stated they will be meeting on Wednesday with parade organizers for discussion and ideas on future parades. Since we have not met yet, I don't think we can alter this one.

Councilman Rankin made a motion to approve the street closure for the FFA parade. Councilman Ridlen seconded the motion.

The vote was as follows:

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

The motion passed.

8. **Consideration and Action to Adopt Ordinance 239-21, an Ordinance of the City of Columbus Authorizing a General (Regular) Municipal Election to be Held on May 1, 2021.**
Consideración y acción para adoptar ordenanza 239-21, una ordenanza de la ciudad de Columbus que autoriza un elección municipal (regular) general para ser sostenido el 1 de mayo de 2021.

Schneider stated Place 1, Place 2, and the Mayor positions were up for election.

Schneider declaro que el lugar del consejo uno, el lugar del consejo dos y el alcalde estaban listos para las elecciones.

Councilman Rankin made a motion to adopt Ordinance 239-21. Councilman Cummings seconded the motion.

El concejal Rankin hizo una moción para aprobar la ordenanza 239-21. El concejal Cummings secundó la moción.

The vote was as follows:

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

The motion passed.

La votación fue la siguiente:

Sí: los concejales Cummings, Ridlen, Swindle y Rankin; Concejal Frnka

La moción pasó.

9. **Consideration and Action to Approve a Joint Election Agreement with the Columbus Independent School District and the Colorado County Elections Administrator.**

Schneider stated this will allow us to consolidate all elections into one place and to split the costs.

Councilman Ridlen made a motion to approve the Joint Election Agreement. Councilwoman Frnka seconded the motion.

The vote was as follows:

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

The motion passed.

10. **Consideration and Action to Approve the Appointment of Carrie McRee to the Nesbitt Memorial Library Advisory Board for an Unexpired Term Ending October 1, 2022.**

Councilwoman Frnka made a motion to approve the appointment of Carrie McRee to the Nesbitt Memorial Library Advisory Board. Councilman Cummings seconded the motion.

The vote was as follows:

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

The motion passed.

11. Consideration and Action, if Necessary, Regarding the Nesbitt Memorial Library Report.

Library Director, Susan Chandler, gave the Library report. She reported things have been slower, and herself having had COVID, the library has been closed part of the time. Chandler highlighted some of the improvements that were done, or were in the works at the library. Those improvements being a new service desk, wireless printing, an automatic door (in the process), upgraded network equipment, west side exterior (updated by an Eagle Scout project) new children's shelving (funding was received for this and they are on order), drive up book drop, and an upgraded fire system (2021-2022). They are working to make things more appealing and accommodating. Chandler also stated it was time to update the strategic plan and requested input from Council. Rankin asked Warschak if there had been any noticeable changes since the roof membrane was done. Schneider said she had not noticed anything, but she had not really looked at the bill. Chandler stated the LED lighting that was installed should help as well. Rankin requested a copy of the current strategic plan be sent to him and all other Council members.

No action was needed.

12. Consideration and Action, if Necessary, Regarding the December 2020 Fire Marshal Report.

Fire Marshal, Brent Gorman, Jr., gave his report. A copy is attached to these minutes. He reported three inspections were done. Of those three, A Brighter Day Childcare Center was reinspected along with a citation being issued. A consultation was completed with Extreme Gym regarding their addition. A fire investigation was completed on the fire at 1289 County Road 104. It was determined that surge protectors failed. Heat lamps had been plugged into the surge protectors. The fire was ruled accidental. Total fire response calls for 2020 totaled 214. Rankin asked how the call numbers compared to other years. Gorman responded average, but they will increase with the I-10 expansion.

Gorman addressed the questions about A Brighter Day Childcare from the last meeting while he was on duty working his full time shift. Gorman stated when he started this job, it was compliance, not enforcement. He distributed a timeline with details on A Brighter Day and discussed each inspection. A copy of the timeline is attached to these minutes. Frnka asked if we needed to pull her license. Gorman stated he could give her a citation every day, but he was trying not to impact the working parents that need childcare, but that is probably what will have to happen next. Frnka asked if the parents were aware of the non-compliance. Gorman stated only one. Councilman Swindle asked what kind of response he got. Gorman stated she was hoping to bluff it off and it be let go. Rankin and Ridlen questioned what the citation meant. Gorman replied it goes to court. The judge will then determine her fine, which can be anywhere from \$25-\$1000.00. Rankin asked who represents the City, to which Gorman replied me. Gorman stated he had been in contact with the City Attorney, Cary Bovey regarding each of these incidents. Court has been cancelled for January, so she has not been to court yet. Ridlen questioned if the judge could take care of this if she does not comply. Schneider stated the next court date will be February 2nd, and it will be virtual. Police Chief Skip Edman stated this could drag on for months. Rankin stated issue another citation every month. Gobert stated her argument is that when the building was put into place, nothing was enforced, and she thinks she is grandfathered in. Councilman Cummings asked what took so long to enforce this? Gobert stated she had been by the facility and Beverly McMillian told her she was applying for a grant, and we tried to accommodate her. We were trying to be cooperative and not punitive. Gorman went on to say, if we continue to let this go, and something happens, he would be responsible. Councilwoman Frnka questioned the ages of the children at the facility, and stated we needed to close her down. Those children cannot help themselves. She also suggested issuing a citation every week or month. Ridlen requested that Gorman keep Council apprised as this goes through the judicial system. Chief Edman said this is pretrial and will only be guilty or not guilty. Gobert asked if the State had been notified of her non-compliance. Gorman responded he had been in contact with the State on August 12, and had hopes they would come in and close her due to non-compliance. The State's thought is that if they are in non-compliance, they think we are working with her to get her compliant. Rankin stated to use the

system. A citation was issued and now let the judge decide the fine and/or course of action. Ridlen stated a citation a month will finally hurt. Gorman went on to say she told him she had received a quote for \$8,000-\$9,000 for a fire system, but told Gobert she had a quote a year ago for \$1,700. Frnka questioned if all of the other day cares were compliant. Gorman replied yes. Gobert stated our job is to make the community safe. Frnka stated all of this just shows she is not wanting to work with us. Frnka thanked Gorman for the job he does.

No action was needed.

13. Consideration and Action, if Necessary, Regarding Horses Within the City of Columbus.

Code Enforcement Officer, Richard LaCourse stated he has done a lot of research, researching three towns outside the radius of Columbus. He has been going through their codes and ordinances. No town bans horses, which is what he feels this citizen wants. Ridlen stated they are considered pets. There are very few penning requirements, i.e. x number of feet from a residence. There have been no other complaints. Gobert stated she has driven by twice a week and cannot see anything that is an issue. LaCourse stated he has driven by at least once a week and not seen any issues. Cummings stated it is ok since it is not next to you. Gobert replied she would be okay with it. LaCourse stated he could not recommend any changes at this time. Cummings stated he had not seen any horses at the location. Ridlen questioned staking. LaCourse stated they can be staked, until, for example a fence is built. Ridlen and Rankin both stated we need a no staking requirement. Schneider stated this would require a change to the Ordinance and it could be modified to no staking. Ridlen stated it would clear up a lot of issues. If they cannot stake, they will need to provide something appropriate, like a stall or pen. Rankin stated they can be penned 100' from residences with no violations. Ridlen stated if we require 100' plus, it would take them out of the City. Cummings questioned if this needed to go to Planning & Zoning. Rankin went on to say 100' with no violations and temporary staking only, not to exceed x number of hours (i.e. for fence repair, or cleaning).

No action was needed.

14. Consideration and Action, if Necessary, Regarding the December 2020 Code Enforcement Report.

Code Enforcement Officer, Richard LaCourse gave his report. A copy is attached to these minutes. He reported 27 permits being issued, 1 building permit for a pool on Tait Street, as well as a permit for the hospital. He stated they finalized the upgrades to Tower 14, and with the upgraded pricing, they had to make a few deletions to get it all into their price range. LaCourse also reported that Fire Marshal Gorman will be the Captain on the tower when it arrives. LaCourse stated the Board of Adjustments will meet tomorrow to discuss a one foot variance to a property on Back Street. He said he did not see an issue with this. They need 6" on either side of the property. He also reported the permit for 925 Back for a manufactured home has been voided.

No action was needed.

15. Consideration and Action, if Necessary, Regarding the December 2020 Police Report.

Police Chief, Skip Edman, gave his report. A copy of the report is attached to these minutes. He reported on officer training and pointed out Sergeant Lara has Level IV CJIS security certification, one of the highest in the state. Edman stated he attended the Harris County Junior Posse proclamation ceremony as well as the MLK March. Edman stated they took delivery of the new Tahoe, and it will hit the streets this week. There was also one mental health transport.

16. Items from Council members.²

Councilman Cummings – none

Councilman Ridlen – absent

Councilman Swindle – none

Councilwoman Frnka – none

Councilman Rankin – asked about the availability of vaccines

Mayor Gobert – replied to Rankin stating Colorado County had submitted a request to be a sub hub. Tuesdays and Thursdays would alternate distribution at the CC fairgrounds and the KC Hall in Hallettsville. They are hoping to hear about approval in the next couple of weeks and then distribution could begin. There is no pre-registration at this time. Columbus Community Hospital received a large lot of vaccines. Their goal is to distribute on Saturday. The problem is staffing and how to register. There were lots of deployment issues, but they are improving.

17. Announcements.

Schneider – candidate filing ends February 12 at 5:00 p.m.; Place 1, Place 2, and the Mayor position are up for election

18. Adjournment.

The Mayor adjourned the meeting at 6:45 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.