

STATE OF TEXAS
 COUNTY OF BRAZORIA
 CITY OF WEST COLUMBIA

CITY COUNCIL MINUTES
 OF A REGULAR MEETING
 MONDAY, SEPTEMBER 25th, 2017

The City Council of the City of West Columbia, Texas, convenes this the 25th day of September 2017, at 7:00 p.m. in a regular meeting in the Council Chambers, 512 E. Brazos, West Columbia, Texas. This meeting was rescheduled from September 11th due to Hurricane Harvey.

1. INVOCATION & PLEDGE. Invocation was given by Alderman Walker.
2. ROLL CALL. City Secretary Kuban called the roll of the Council.
 - Present: Mayor Kincannon, Aldermen Tindol, Maynor, Walker and Biedenfeld. City Manager Sutherland, City Secretary Kuban and City Attorney Derra Mattina.
 - Absent: Alderman Thomas.
3. MAYOR AND CITY COUNCIL GREETINGS AND PRESENTATIONS: Kincannon greeted everyone and welcomed them to the meeting. She then thanked city employees, Fire Department and CEMS for their long hours worked and dedication during the recent hurricane and flood event. A proclamation honoring Fire Prevention Week was read and Officer Morgan Warren was announced as Employee of the Month.
4. CITIZENS' COMMENTS: Sophia Smith with AmeriCorp introduced herself and explained services offered. They are currently stationed in Angleton and have crews that can help with hazardous tree removal, mucking out flooded homes, etc. She stated they maintain a crisis clean-up data base that citizens may register with.
5. CITY MANAGER'S REPORT: Sutherland reported on the following – Attorney has gotten back on track with pursuing the easement acquisition for the Well No. 4 transmission line. * Bids for abatement of 225 W. Jackson will be reviewed and confirmed so that the project can proceed. * Public Works installed a temporary water line to the WWTP for chemical treatment. Crews have been repairing water lines and cleaning up city facilities and grounds. * Police Department has returned to regular schedule after hurricane lock-down status. * A survey of the easement for the Texaco sidewalk project was completed and will get back on track. * Bells Across America was held Sunday, September 17th at the replica and was sponsored by Daughters of the American Revolution and Brazoria County Historical Militia. * National Nite Out is scheduled for Tuesday, October 3rd at First Capitol Park with the Police Department hosting an obstacle course and the Fire Department giving fire truck rides. * October council meeting will be Tuesday, the 10th due to Columbus Day holiday.
6. CONSENT AGENDA:
 - A. APPROVAL OF MINUTES FROM PREVIOUS MEETING(S).
 - B. CITY TREASURER'S REPORT. Report was submitted in Council's packet.
 - C. POLICE DEPARTMENT REPORT. Report was submitted in Council's packet.
 - D. MUNICIPAL COURT REPORT. Report was submitted in Council's packet.
 - E. FIRE DEPARTMENT REPORT. Report was not included in Council's packet.
 - F. PUBLIC WORKS REPORT. Report was submitted in Council's packet.
 Tindol made motion to approve all consent agenda items as submitted, Biedenfeld seconded the motion and all voted Aye.
7. ITEMS REMOVED FROM CONSENT AGENDA: There were none.
8. PUBLIC HEARING: PROPOSED TAX RATE OF \$.8300/\$100 AND INCREASE TOTAL TAX REVENUES FROM PROPERTIES ON TAX ROLL BY 2.98 PERCENT. Kincannon closed the open meeting at 7:14 p.m. and entered into a public hearing to

STATE OF TEXAS
 COUNTY OF BRAZORIA
 CITY OF WEST COLUMBIA

CITY COUNCIL MINUTES
 OF A REGULAR MEETING
 MONDAY, SEPTEMBER 25th, 2017

discuss the proposed tax rate. There were no public comments or questions. Kincannon closed the public hearing and reconvened in open meeting at 7:15 p.m.

9. OPEN FORUM - HURRICANE HARVEY: Kincannon and Sutherland read an update on Hurricane Harvey that gave a time line of city activities including preparation measures, flood and debris information, city facility damages, repairs made and those proposed, public communications, expenditures to date and total estimated. It was reported that due to the inventive and creative efforts of WWTP and Public Works supervisors Terry Elliott and Matthew Fisher, the city's sewer system was brought back online much sooner than expected. Chief Odin was commended for having the forethought to move evidence to the DA's custody to prevent water damage. Office staff moved operations to off-site location and secured irreplaceable documents such as maps and minute books of the city's history. The teamwork between all entities was recognized and commended. Approximately 80 homes were damaged by flooding. There were no public comments or questions.
10. NEW BUSINESS:
 - A. CONSIDER WAIVER OF UTILITY BILL PENALTIES: Sutherland reported that due to the flood event's mandatory evacuation and sewer system issue that staff made the decision to waive penalty for September billing and did not do disconnects for non-payment. She requested council's affirmation of this action and recommended waiving penalty for October, also. Accounts not paid by October 20th would be subject to cut-off. Motion was made by Biedenfeld to affirm the waiving of September penalty and to waive October penalty. Walker seconded the motion and all voted Aye.
 - B. CONSIDER UTILITY ACCOUNT ADJUSTMENT REQUEST – 529 E. BERNARD. ST.: Mr. Eddie Fisher was present to address council regarding a water leak in his backyard that went undetected during a rainy period. He submitted proof of its repair and commended Utility Clerk Denise Kemp for notifying him of the high reading. Motion was made by Walker to adjust his utility bill to a total of \$74.68. Biedenfeld seconded the motion and all voted Aye.
 - C. CONSIDER ORDINANCE TO PERMIT TEMPORARY HOUSING FOR RESIDENTIAL PROPERTIES AFFECTED BY HURRICANE HARVEY: It was discussed that due to homeowners making repairs to those damaged by the flood event, requests to park an RV within the city limits have been received. It was agreed that permit fees should be waived and the term should be 6 months. There was no objection to allowing for those that repairs are located outside the city limits. City Attorney Mattina advised that the regulations would revert back at the end of the 6 month suspension so would need to be brought back to council if extension is needed at that time. Motion was made by Walker and seconded by Tindol to allow for 6 month suspension of RV regulations by adopting Ordinance No. 651 captioned as
 AN ORDINANCE TEMPORARILY SUSPENDING CERTAIN REGULATIONS PROVIDED FOR IN CHAPTER 11 OF THE CODE OF ORDINANCES, TO PERMIT TEMPORARY HOUSING FOR RESIDENTIAL PROPERTIES AFFECTED BY HURRICANE HARVEY.

All voted Aye.

- D. CONSIDER ORDINANCE REGULATING DEPLOYMENT OF NETWORK NODES IN PUBLIC RIGHT OF WAY: City Attorney Mattina explained the current unregulated usage of city easements by wireless facilities of placing small boxes or nodes on the ground or installed on poles. SB 1004 was approved limiting the city to regulate installations in a city right-of-way. The proposed ordinance amends the current ROW ordinance and regulates wireless installations. Motion was made Biedenfeld, seconded by Tindol to adopt Ordinance No. 652 captioned as

AN ORDINANCE OF THE CITY OF WEST COLUMBIA, TEXAS AMENDING CHAPTER 16, "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES," OF THE CITY CODE OF ORDINANCES; REGULATING THE PHYSICAL USE, OCCUPANCY AND MAINTENANCE OF THE CITY'S RIGHTS-OF-WAY BY ALL USERS, INCLUDING TELECOMMUNICATIONS SERVICE AND WIRELESS NETWORK PROVIDERS; PROVIDING PROCEDURES FOR APPLICATIONS FOR PERMITS; ESTABLISHING TIME PERIODS FOR APPROVAL OF PERMIT APPLICATIONS; PROVIDING PERMIT FEES AND PUBLIC RIGHTS-OF-WAY RENTAL RATES; REQUIRING LAND USE APPROVAL PRIOR TO PLACEMENT OF NETWORK NODES AND NODE SUPPORT POLES IN PARKS, RESIDENTIAL AREAS, AND DESIGN AREAS, AS APPLICABLE; ADOPTING A DESIGN MANUAL UNDER CHAPTER 284 OF THE TEXAS LOCAL GOVERNMENT CODE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY NOT TO EXCEED \$2,000 PER VIOLATION; AND MAKING OTHER PROVISIONS RELATED TO THE SUBJECT.

All voted Aye.

- E. CONSIDER REMOVAL OF SCHOOL ZONES AT STATE HIGHWAY 35 AND STATE HIGHWAY 36: CBISD requested that school zones be removed from the area of the Charter School as it was no longer operating. It was discussed that the 25 MPH zone on SH 36 could be removed, but the Apostolic Lighthouse should be notified of the request for that on SH 35 since they may still operate a small private school. Motion was made by Walker to authorize the drafting of ordinance to remove school zone from SH 36 in area where it crosses SH 35/W. Brazos. Maynor seconded the motion and all voted Aye.
- F. CONSIDER RESOLUTION SUBMITTING NOMINATIONS FOR BRAZORIA COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS: Motion was made by Biedenfeld to nominate the current members for re-election to the Brazoria County Appraisal District Board of Directors. Tindol seconded the motion and all voted Aye.
- G. CONSIDER CAPITAL IMPROVEMENT COMMITTEE REPORT AND PROJECT PROPOSAL: A report was distributed of priority projects to be moved ahead of the current list of approved projects. Walker stated that forward thinking has the 6" water line from the city limits to the WWTP would be installed under new townhome project on S. 11th. This would allow the plant to have a water supply for chemical feed as long as the city's supply is up and also will provide fire prevention. After discussion of in-house completion costs, Humble ditch project being submitted to

County and veto of levee system suggestion, Maynor made a motion to approve the list and to allow Public Works Supervisor to complete in no specific order. Biedenfeld seconded the motion and all voted Aye.

- H. CONSIDER FY 2016/17 BUDGET ADJUSTMENT: Sutherland reported the year end budget adjustment is a housekeeping item and it includes Harvey expenses. Motion was made by Walker, seconded by Maynor to approve FY 2016/17 Budget Adjustment No. 3. All voted Aye.
9. ADJOURN: Mayor Kincannon adjourned the meeting at 7:55 p.m.


LAURIE B. KINCANNON, Mayor

ATTEST:


KELLI R. KUBAN, City Secretary