

STATE OF TEXAS
 COUNTY OF BRAZORIA
 CITY OF WEST COLUMBIA

CITY COUNCIL MINUTES
 OF A REGULAR MEETING
 MONDAY, JANUARY 14TH, 2019

The City Council of the City of West Columbia, Texas, convenes this the 14th day of January 2019, at 7:00 p.m. in a regular meeting in the Council Chambers, 512 E. Brazos, West Columbia, Texas.

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 Thomas, Tindol, Maynor, Walker and Biedenfeld. Also present were City Manager Sutherland, City Secretary Kuban and City Attorney Olson.
 - Absent: None.
3. MAYOR AND CITY COUNCIL GREETINGS AND PRESENTATIONS: Kincannon greeted everyone and Biedenfeld reported on the Chamber Banquet. Chief Odin presented Officers Progress and Becerra with Life Saving Award medals.
4. CITIZENS' COMMENTS: There were none.
5. CITY MANAGER'S REPORT: Sutherland reported on the following – * The county completed street resurfacing list. Well No. 4 was started up this week, only to be interrupted by an electrical glitch. The pump was pulled and problem identified to be corrected. * The Animal Control Officer position has been filled. Chief Odin gave report on criminal activity in reference to areas with and without street lighting. * Auditors completed field work for the 2016/17 FY and will make presentation at the February council meeting. * BCCA is being hosted by Jones Creek at the Stephen F. Austin STEM Academy. * Brazoria County Day in Austin will be in March. * City offices will be closed January 21st in honor of Martin Luther King Day.
6. CONSENT AGENDA:
 - A. APPROVAL OF MINUTES FROM PREVIOUS MEETING(S). Minutes were submitted in Council packet.
 - B. CITY TREASURER'S REPORT. Reports were submitted in Council packet.
 - C. POLICE DEPARTMENT REPORT. Report was submitted in Council packet.
 - D. MUNICIPAL COURT REPORT. Report was submitted in Council packet.
 - E. FIRE MARSHAL REPORT. November Report only was submitted in Council packet.
 - F. FIRE DEPARTMENT REPORT. Reports have not been submitted to date.
 - G. PUBLIC WORKS REPORT. Report was submitted in Council packet.

Motion was made by Biedenfeld and seconded by Tindol to approve all consent agenda reports excluding Fire Department's. All voted Aye.
7. ITEMS REMOVED FROM CONSENT AGENDA: There were none.
8. PUBLIC HEARING – AMENDMENT OF SCHOOL ZONE ON SH 35 (W. BRAZOS AVENUE): Kincannon entered into a public hearing at 7:12 PM. Proposal to shorten the distance of the existing school zone to only the area in front of the Apostolic Lighthouse Academy was explained. There were no public questions or comments. Kincannon closed the public hearing and returned to an open meeting at 7:14 PM.
9. OLD BUSINESS.
 - A. CONSIDER SUBDIVISION OF PROPERTY KNOWN AS LOGGINS S/D TRACTS 4-4A (A0040 JH BELL DIV 1)(WEST COLUMBIA) LOTS 3 AND 4 ON OAK ST. BY DANIEL CARREON, OWNER: Biedenfeld made a motion to approve the subdivision of

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two lots owned by Mr. Carreon into three. Motion was seconded by Thomas and all voted Aye.

10. NEW BUSINESS.

- A. CONSIDER RESOLUTION FOR 380 AGREEMENT BETWEEN EDC AND CARTA VALLEY MARKET: It was discussed that the EDC Public Hearing would be held on February 4th and the first reading of the resolution by Council would be tonight with the second reading at the January 11th meeting. The agreement is for a 10-year forgivable loan in the amount of \$125,000 that includes 8-year performance requirements for payroll and sales tax. It was reported that a tax abatement had been previously approved for ad valorem taxes. Motion was made by Tindol and seconded by Biedenfeld to adopt Resolution No. 511 approving the agreement between EDC and Carta Valley Market. All voted Aye.
- B. CONSIDER UTILITY ACCOUNT ADJUSTMENT REQUEST FOR 1416 S. COLUMBIA DR. BY CHARLES BENNETT: Motion was made by Walker to adjust Mr. Bennett's water to the amount of \$219.38. Motion was seconded by Biedenfeld and all voted Aye.
- C. CONSIDER REQUEST BY TAQUERIA MIRTHA'S FOR EXTENSION OF GRAY WATER DISPOSAL AUTHORIZATION LETTER AND PERMISSION TO TIE INTO CITY SERVICES – 401 E. BRAZOS: Building official Mike Azbell and Public Works Supervisor Matthew Fisher informed Council of Taqueria Mirtha's owner requesting to tie into city services. They voiced no objections, but requested the stipulation of a grease trap and RPZ installation. The owner has proposed to build a restaurant within two years. City Attorney Olson had no objections so long as they were held to the two year deadline. Motion was made by Walker to give county authorization letter for additional year and permission to tie into city services with grease trap for only a 24 month period. Motion was seconded by Thomas and all voted Aye.
- D. CONSIDER REQUEST BY MELVIN MERCER TO TIE INTO CITY SERVICES – 1909 S. COLUMBIA DR.: It was discussed that Mr. Mercer has purchased a home on S. Columbia Dr. that the septic is located in the easement being purchased by TxDOT for the Highway 36 Widening Project. Public Works Supervisor Fisher reported that water was available but sewer on the force main was not. Walker stated that permission should only be allowed through annexation when others are being denied. Mercer stated he was willing to be annexed but requested time to finish clearing and burning brush from the property. City Attorney Olson advised that properties annexed must be contiguous to city limits. Council recommended tabling this item to research status of the properties between Mr. Mercer and the city limits, but to get the ball rolling. No action taken.
- E. CONSIDER ORDINANCE AMENDING SCHOOL ZONE ON SH35 (W. BRAZOS AVENUE): This item was tabled.
- F. CONSIDER OPTIONS FOR RELOCATION OF UTILITIES FROM TXDOT HIGHWAY 36 WIDENING PROJECT: It was discussed that TxDOT gave options of a joint bid or separate contract or they will complete the utility relocation and bill the city. Council opposed this action, but Olson advised that future state funding, bonds, etc. could be compromised if TxDOT performed the work and the city did not pay. Walker suggested forming a committee. Olson recommended working with the Houston TxDOT office to make a plan that makes sense for the city. Biedenfeld made a motion that staff

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- send a demand letter for a meeting to discuss options. Tindol seconded the motion and all voted Aye. Olson stated that he would make personal contact with the Houston office.
- G. CONSIDER RESOLUTION AUTHORIZING SUBMISSION OF CDBG DISASTER RECOVERY GRANT APPLICATION: Motion was made by Biedenfeld that was seconded by Tindol to adopt Resolution No. 512 authorizing the submission of CDBG Disaster Recovery Grant application. All voted Aye.
- H. CONSIDER 2019 CITY COUNCIL MEETING SCHEDULE: Motion was made by Biedenfeld to approve the 2019 meeting schedule with the exception to move the March 11th meeting to the 18th due to Spring Break. Motion was seconded by Walker and all voted Aye.
- I. EXECUTIVE SESSION: THE CITY COUNCIL WILL CONVENE IN A CLOSED SESSION OR A CLOSED MEETING PURSUANT TO CHAPTER 551 ENTITLED "OPEN MEETINGS" OF A TEXAS GOVERNMENT CODE AS FOLLOWS: 1) PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE TO CONSULT WITH CITY ATTORNEY TO DISCUSS PENDING OR CONTEMPLATED LITIGATION – CBHF VS. CBISD AND CITY OF WEST COLUMBIA. 2) PURSUANT TO SECTION 551.072 OF THE TEXAS GOVERNMENT CODE TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY – MARSHALL PROPERTY FOR CITY UTILITY EASEMENT. 3) PURSUANT TO SECTION 551.074 OF THE TEXAS GOVERNMENT CODE TO DISCUSS PERSONNEL MATTERS – CITY MANAGER EVALUATION. 4) ANY OTHER MATTER IN WHICH THE DUTY OF THE ATTORNEY FOR THE CITY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT IS REQUIRED TO BE DISCUSSED IN CLOSED SESSION: Kincannon closed the open meeting and Council went into an executive session at 8:50 PM. Open meeting was reconvened at 9:25 PM.
- J. ACTION AS A RESULT OF AN EXECUTIVE SESSION: Walker made a motion to increase the salary of the city manager to \$45.05 per hour and the motion was seconded by Maynor. All voted Aye.
11. ADJOURN: Mayor Kincannon adjourned the meeting at 9:30 P.M.


 LAURIE B. KINCANNON, Mayor

ATTEST:



 KELLI R. KUBAN, City Secretary