

STATE OF TEXAS
 COUNTY OF BRAZORIA
 CITY OF WEST COLUMBIA

CITY COUNCIL MINUTES
 OF A REGULAR MEETING
 MONDAY, MARCH 18TH, 2019

The City Council of the City of West Columbia, Texas, convenes this the 18th day of March, 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, Walker and Biedenfeld.
 Also present were City Manager Sutherland, City Secretary Kuban and City Attorney David Olson.
 Absent: Aldermen Maynor.
3. MAYOR AND CITY COUNCIL GREETINGS AND PRESENTATIONS: Kincannon greeted everyone and welcomed them to the meeting. She read aloud the Fair Housing Proclamation and then presented a birthday bouquet to City Secretary Kuban.
4. CITIZENS' COMMENTS: There were none.
5. CITY MANAGER'S REPORT: Sutherland reported on the following – Water Well No. 4 electrical problems should be covered under warranty as per city engineer, but Weisinger disagrees. A meeting is being scheduled to further discuss and council action is to authorize bids, if needed. Supak is completing the sewer line work on Dyson, Starfield and Woodbine and were commended for their diligence in light of the wet weather conditions. * Two volunteer church groups help spread mulch in the playground areas of all parks and did general sprucing up. * City Wide Cleanup is scheduled for March 30. * Police Department is gearing up to help provide security service for the San Jacinto Festival scheduled for the weekend of April 26-27. * TxDOT grants for sidewalks in the area of West Columbia Elementary School is in the works. Matching funds are not required, but in-kind match would boost the application score. CBISD is interested in participating. * Municipal Court will be conducting its Annual April Amnesty Program next month. * The city attorney is finalizing a draft land use ordinance proposal and a preliminary copy was distributed for review. * City offices will be closed April 19th for Good Friday.
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. Reports were submitted in Council packet.
 - D. MUNICIPAL COURT REPORT. Report was submitted in Council packet.
 - E. FIRE DEPARTMENT REPORT. All Reports were submitted to date.
 - F. FIRE MARSHAL REPORT. Report has not been submitted to date.
 - G. PUBLIC WORKS REPORT. Report was submitted in Council packet.
 - H. CONSIDER BRAZORIA COUNTY MOSQUITO DISTRICT REQUEST FOR AERIAL SPRAYING.

Motion was made by Biedenfeld to approve all consent agenda items excluding the Fire Marshal Report and with emphasis on Brazoria County Mosquito Control's aerial spraying. Motion was seconded by Tindol and all voted Aye.

STATE OF TEXAS
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CITY COUNCIL MINUTES
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MONDAY, MARCH 18TH, 2019

7. ITEMS REMOVED FROM CONSENT AGENDA: There were none.
8. NEW BUSINESS.
 - A. CONSIDER 2017/18 ANNUAL AUDIT – KENNEMER, MASTERS & LUNSFORD, LLC. Wade Whitlow, Partner of Kennemer, Masters & Lunsford reported on the 2017/18 Annual Audit. He stated that the city had a clean audit and received an unmodified, or best, review possible with no issues being found. The reserve fund has rebounded to 52% or approximately 6 months in spite of having funded two flood events that had not been fully reimbursed by FEMA to date. Kincannon commended the city manager for her leadership and staff for their hard work. Motion was made by Walker and seconded by Tindol to accept the 2017/18 Annual Audit. All voted Aye.
 - B. CONSIDER DELINQUENT TAX AND MUNICIPAL COURT FINE COLLECTION REPORT AND CONTRACT RENEWAL – PERDUE BRANDON FIELDER COLLINS AND MOTT, LLP: Motion was made by Walker and seconded by Biedenfeld to accept the 2018 Delinquent tax and court collection report and renew the contract to expire on April 28, 2020. All voted Aye.
 - C. CONSIDER REQUEST FOR UTILITY ACCOUNT ADJUSTMENT – 205 JIM HOGG ST.: Motion was made by Walker, seconded by Biedenfeld to approve utility account adjustment for water usage at 205 Jim Hogg for this month and next month. All voted Aye.
 - D. CONSIDER REQUEST FOR UTILITY ACCOUNT ADJUSTMENT – 414 BOWIE: Ms. Jones was not able to attend the meeting so Walker made a motion to table until next month. The motion was seconded by Biedenfeld and all voted Aye.
 - E. SUBDIVISION OF PROPERTY KNOWN AS THE RESIDUE OF THE 3.11 ACRE TRACT OF BETHEL ESTATES SITUATED IN THE JH BELL 1 ½ LEAGUE GRANT, ABSTRACT 40 – HORAK: Motion was made by Walker, seconded by Tindol to approve the subdivision of property. All voted Aye.
 - F. CONSIDER SUBDIVISION REPLAT OF BELL CREEK ESTATES, FORREST TRAIL: It was discussed that the previous subdivision of this property into eleven lots was not approved due to drainage concerns. Mr. Waligura had it replatted into 4 lots that has now received approval of the drainage district. Motion was made by Biedenfeld that was seconded by Tindol to approve the replat of property owned by Mr. Waligura. All voted Aye.
 - G. CONSIDER PETITION FOR VOLUNTARY ANNEXATION & RESOLUTION SETTING TWO PUBLIC HEARINGS-34818 FM 1301- ZUNIGA: It was discussed that the Zunigas had purchased property along Bell Creek with a home that is in need of repairs. Mr. Zuniga was present and requested to connect an RV to city sewer services until remodeling could be completed and are petitioning for annexation. The house is currently on city water. Sutherland reported there were other properties in that area that are currently on city water and should be included with the annexation, if interested. Walker stated that tap fees could be waived but would become the responsibility of the property owners if they delayed and annexed at a later date. Olson advised that if all properties were contiguous, they could be annexed at the same time. It was discussed that Mr. Zuniga could keep his RV on the property as it is not currently in the city limits, but Walker requested a timeline be set once it is connected to city services. Motion was

STATE OF TEXAS
 COUNTY OF BRAZORIA
 CITY OF WEST COLUMBIA

CITY COUNCIL MINUTES
 OF A REGULAR MEETING
 MONDAY, MARCH 18TH, 2019

made by Walker to start annexation process and allow property owner's RV to stay until either December 31, 2019 or 90 days from date city sewer is hooked up, whichever is the latter. Biedenfeld seconded the motion and all voted Aye. Staff was also tasked with determining how many other properties would be included in the annexation. Action on the resolution setting public hearings will be addressed once the petition with additional property owners is received.

- H. CONSIDER REQUEST TO PAVE S. 18TH STREET BETWEEN BERNARD AND JACKSON STREETS: It was discussed that this section of S. 18th was not a dedicated city street although it is often being used as a public thoroughfare. It was also discussed that for it to become a city street, easements would need to be established and to determine if the width would allow for more than a one-way street. City Attorney Olson stated that the city could not pave private property so options would need to be researched. Motion was made by Walker to table until a report could be heard. The motion was seconded by Biedenfeld and all voted Aye.
- I. CONSIDER DISPOSITION OF CITY PROPERTY - 300 E. CLAY: It was reported that the old city hall demolition was complete and there had been two individuals showing interest in the property. The setbacks and tower location were discussed as issues needing to be addressed. Kincannon stated she would like to see the property go to the EDC and use as an incentive and Walker concurred. Walker also recommended that if property wasn't developed within twelve months that it should be put up for sale and stated that the area is prime for development. Options for the tower being discussed were from relocation to a long term lease. Olson advised that either the city could sell property by going through bid process, gift to the EDC for a Development Agreement with incentives, or the City could offer with a 380 Agreement also with incentives. The city manager was tasked with getting the property surveyed and seeing what proposals were on the table before proceeding. No action necessary.
- J. CONSIDER AUTHORIZATION OF BIDS FOR WATER WELL NO. 4 EQUIPMENT: It was discussed that replacement equipment for Well No. 4 would be over the city manager's spending limit. Tindol made a motion to authorize the city manager to go out for bids for Water Well No. 4 Equipment. Motion was seconded by Walker with all voting Aye.
- K. CONSIDER SIGN ORDINANCE AMENDMENT: Motion was made by Walker, seconded by Tindol to adopt Ordinance No. 667 captioned as
- AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WEST COLUMBIA, TEXAS BY AMENDING SECTION 4-284, ENTITLED "SIGNS REQUIRING A PERMIT" OR ARTICLE VI, ENTITLED "SIGNS", OF CHAPTER 4, ENTITLED "BUILDING AND BUILDING REGULATIONS", OF THE CODE OF ORDINANCES OF THE CITY OF WEST COLUMBIA BY AMENDING SECTION (A)(1)(a) AND CONTAINING A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF ALL CODE PROVISIONS, ORDINANCES, RESOLUTIONS, AND/OR INFORMAL POLICIES WHICH ARE IN ANY MANNER IN CONFLICT OR INCONSISTENT WITH THIS ORDINANCE CONSTITUTES A MISDEMEANOR PUNISHABLE BY A FINE OF

STATE OF TEXAS
COUNTY OF BRAZORIA
CITY OF WEST COLUMBIA

CITY COUNCIL MINUTES
OF A REGULAR MEETING
MONDAY, MARCH 18TH, 2019

NOT TO EXCEED \$500.00; AND PROVIDING AN EFFECTIVE DATE.

All voted Aye. Walker stated that the intent of the section amended was for a single sign and this was just clarifying that fact.

L. CONSIDER CERTIFICATION AND ORDINANCE CANCELING 2019 GENERAL ELECTION AND DECLARING UNOPPOSED CANDIDATES ELECTED:

M. Motion was made by Tindol that was seconded by Thomas to adopt Ordinance No. 668 captioned as

AN ORDINANCE CANCELING THE MAY 4, 2019 REGULAR ELECTION AND DECLARING EACH UNOPPOSED CANDIDATE ELECTED TO OFFICE; PROVIDING THAT THIS ORINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

All voted Aye. Unopposed candidates are Robert Thomas, Alderman Position 1; Roy Maynor, Alderman Position 3; and Jamie Walker, Alderman Position 4.

N. CONSIDER AUTHORIZATION FOR ADDITIONAL COSTS FOR CID VEHICLE: It was discussed the cost of the criminal investigation vehicle had increased by \$6,100 in the period it took for the grant to be awarded. Motion was made by Biedenfeld and seconded by Tindol. All voted Aye. Biedenfeld suggested the \$300 delivery charge be waived.

O. CONSIDER RESOLUTION AUTHORIZING SUBMISSION OF JUSTICE ASSISTANCE GRANT FOR CRIMINAL INVESTIGATION EQUIPMENT IMPROVEMENT: Motion was made by Walker and seconded by Biedenfeld to adopt Resolution No. 515 authorizing the submission of the JAG grant for criminal investigation equipment. All voted Aye.

P. CONSIDER REQUESTS FOR QUALIFICATIONS FOR ENGINEERING SERVICES FOR WWTP: It was discussed that the WWTP is at 65% flow capacity and TCEQ requires engineering and a plan for expansion at 75%. Engineering will take the recent plant assessment to the next level and recommend a plan of action. Motion was made by Walker that was seconded by Thomas to give City Manager and staff authorization to place RFQ advertisements. All voted Aye.

Q. CONSIDER REQUESTS FOR PROPOSALS FOR GENERAL LAND OFFICE CDBG DISASTER RECOVERY PROJECT(S): Motion It was reported that the city was awarded \$159,795 for projects including manhole replacement in flood prone areas and GrantWorks is administering this program. The City must now advertise for engineering services. Motion was made by Walker to approve authorizing RFP advertisement and appoint a committee of City Manager Sutherland, City Secretary Kuban, Alderman Biedenfeld and Public Works Supervisor Fisher to review proposals. Motion was seconded by Biedenfeld and all voted Aye.

R. CONSIDER SETTING 2019/20 BUDGET CALENDAR: Motion was made by Walker and seconded by Biedenfeld to adopt the 2019/20 Budget Calendar. All voted Aye.

S. EXECUTIVE SESSION: THE WEST COLUMBIA CITY COUNCIL MAY CONVENE IN A CLOSED MEETING PURSUANT TO CHAPTER 551.071 OF THE TEXAS GOVERNMENT CODE TO CONSULT WITH ITS LEGAL COUNSEL: Kincannon

STATE OF TEXAS
COUNTY OF BRAZORIA
CITY OF WEST COLUMBIA

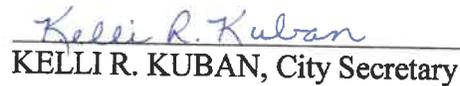
CITY COUNCIL MINUTES
OF A REGULAR MEETING
MONDAY, MARCH 18TH, 2019

closed the public meeting and adjourned into an executive session at 8:08 PM.
Kincannon reconvened the open meeting at 8:23 PM.

- T. ACTION AS A RESULT OF A CLOSED SESSION: There was none.
9. ADJOURN: Kincannon adjourned the meeting at 8:24 PM.


LAURIE B. KINCANNON, Mayor

ATTEST:


KELLI R. KUBAN, City Secretary