

The City Council of the City of West Columbia, Texas, convenes this the 20th day of February 2020, 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: Alderman Maynor.
3. MAYOR AND CITY COUNCIL GREETINGS AND PRESENTATIONS: Kincannon greeted everyone and reported on City's submission of video application for the HGTV Hometown Contest.
4. CITIZENS' COMMENTS: There were none.
5. CITY MANAGER'S REPORT: Sutherland reported on the following – * Well No. 1 was cleaned and pumps and motors reinstalled and will be placed back online after piping work and sample testing is completed. Ground Storage Tank No. 2 will be drained and inspected after Well No. 1 is back online. * Sewer line relocation at the new Subway will be completed next week. * Three manholes will be replaced at corner of Meadow Ln. and Rev. Swinney, backyard at corner property on E. Meadow Ln. and at 1042 S. Columbia Dr. * Staff attended TxDOT meeting regarding utility relocation for Hwy 36 Project. * WWTP renewal permit from TCEQ has been issued and is valid for five years. * City did not receive award of Sidewalk grant. * City wide cleanup and Kidfish are scheduled for March 28. * City offices will be closed on February 17 for President's 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 W/ANNUAL RACIAL PROFILING REPORT. Report was submitted in Council packet.
 - D. MUNICIPAL COURT REPORT. Report was submitted in Council packet.
 - E. FIRE MARSHAL REPORT. Report was not 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.
 - H. EDC BUSINESS INCENTIVE GRANT FUNDING RECOMMENDATIONS.
 - I. HOT ADVISORY BOARD FUNDING RECOMMENDATIONS.After Biedenfeld requested the Police Department Racial Profiling report and Walker requested the EDC Business Incentive Grant funding recommendations be removed for discussion, motion was made by Biedenfeld and seconded by Thomas to approve all other consent agenda reports. All voted Aye. Motion included the approval of HOT funding for the Chamber, Museum, Varner Hogg Volunteers and the City.
7. ITEMS REMOVED FROM CONSENT AGENDA: Walker commended the EDC on the Business Incentive Grant Program and the positive effects it is having on our business community. He then made a motion to approve the funding recommendation for The Dub Nutrition. Motion was seconded by Biedenfeld and all voted Aye. Chief Odin then reported on the state mandated racial profiling statistics. He reported that out of 3340 stops, there

were twice as many warnings to correct behavior. He also stated that number of illegal contraband arrests show that most of this activity is by-passing city. After commending Chief on performance, Biedenfeld made a motion that was seconded by Tindol to approve the Police Department Report. All voted Aye.

8. PUBLIC HEARING(S):

A. PROPOSED ORDINANCE AMENDING CHAPTER 17 "SUBDIVISIONS": Kincannon entered into a public hearing at 7:22 p.m. to discuss the proposed ordinance on Subdivisions. There were no public comments or questions so Kincannon closed the public hearing at 7:23 p.m..

B. APPLICATION FOR BEER RETAILER'S OFF-PREMISE PERMIT, WINE ONLY PACKAGE STORE PERMIT AND PACKAGE STORE TASTING PERMIT FOR QUALITY LICENSING CORP. (WALMART STORE #482) 301 N. COLUMBIA DR., WEST COLUMBIA TX: Kincannon entered into a public hearing at 7:23 p.m. to discuss Walmart's application for liquor permits. They are revising their current Beer and Wine Retailer's Off-Premise permit to separate permits in order to conduct wine tastings. With no public comments or questions being made, Kincannon closed the public hearing and entered back into an open meeting at 7:24 p.m.

9. OLD BUSINESS.

A. CONSIDER ORDINANCE AMENDING CHAPTER 17 "SUBDIVISIONS": It was explained that legislation changed the rules and the amended ordinance captures the new law and incorporates current procedures. Smaller lot sizes for "cluster developments" are addressed and those other individual lots still need a variance for non-conforming size. Motion was made by Biedenfeld and seconded by Tindol to adopt Ordinance No. 674 captioned as

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COLUMBIA, TEXAS AMENDING CHAPTER 17, "SUBDIVISIONS" OF THE CITY OF WEST COLUMBIA CODE OF ORDINANCES; AMENDING RULES GOVERNING PLATS AND SUBDIVISIONS OF LAND; PROVIDING AN EFFECTIVE DATE; AND MAKING OTHER PROVISIONS RELATED TO THE SUBJECT.

All voted Aye.

10. NEW BUSINESS.

A. CONSIDER APPROVAL OF 2018/19 ANNUAL AUDIT – KM&L, CERTIFIED PUBLIC ACCOUNTS: Wade Whitlow of KM&L audit firm reported on a successful audit and thanked the staff for cooperation and assistance. He reported that the City had a healthy 44% in reserves and no budgeting issues. Tindol made a motion to approve the 2018/19 Annual Audit and the motion was seconded by Thomas. All voted Aye.

B. CONSIDER AUTHORIZING CITY SECRETARY SIGNATURE ON APPLICATION FOR BEER RETAILER'S OFF-PREMISE PERMIT, WINE ONLY PACKAGE STORE PERMIT, AND PACKAGE STORE TASTING PERMIT FOR QUALITY LICENSING CORP. (WALMART STORE #482) 301 N. COLUMBIA DR., WEST COLUMBIA TX: Motion was made by Walker to authorize the City Secretary's signature on liquor license application for Walmart. Motion was seconded by Thomas and all voted Aye.

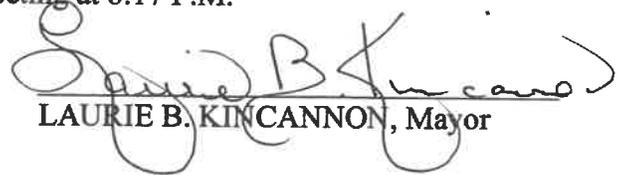
C. CONSIDER DEVELOPMENT AGREEMENT FOR ETJ PROPERTY – 1821 AND 1901 S. COLUMBIA DR. BY ANNE HANSELMAN: Mrs. Hanselman was present and stated that her septic must be moved from where it is encroaching on her neighbor's

- property. She cannot afford to have her septic replaced which is her only option per county regulations. She stated that she would commit to annexation in order to tie into city services. However, middle properties are not willing, at this time and are prohibiting her annexation as her property is not contiguous to the city limits. After discussion of options available and the development agreement drafted holding no obligations for either party, Walker made a motion to deny the agreement. The motion was seconded by Biedenfeld and all voted Aye. Sutherland and Walker offered to assist Mrs. Hanselman with a request to Brazoria County for a solution.
- D. CONSIDER RESOLUTION AUTHORIZING SUBMISSION OF HOMELAND SECURITY GRANT APPLICATION – HANDHELD RADIOS: It was reported that the grant would fund 17 handheld radios for the Police Department. Motion was made by Biedenfeld and seconded by Tindol to adopt Resolution No. 526 authorizing the submission of Homeland Security Grant application. All voted Aye.
- E. CONSIDER RESOLUTION AUTHORIZING SUBMISSION OF DEPT. OF JUSTICE GRANT APPLICATION – MIP COMMUNICATIONS: It was reported that the grant would fund the MIP 5000 dispatch console. Motion was made by Biedenfeld and seconded by Tindol to adopt Resolution No. 525 authorizing the submission of the Dept. of Justice Grant application. All voted Aye.
- F. CONSIDER ADVANCE FUNDING AGREEMENT FOR VOLUNTARY UTILITY RELOCATION CONTRIBUTIONS ON SH 36 PROJECT: It was reported that the original estimated cost for relocation of utilities for the SH 36 Project was decreased from \$1,700,000 to \$699,000. Tindol stated that if the state wanted to widen the highway, they should pay for it. Walker rebutted that if the City didn't agree, the state would simply move the utilities and then charge the City. City Attorney Olson advised that the agreement gives the City an opportunity to do it for much less cost to the taxpayers. Motion was made by Walker to authorize the City Manager to sign the agreement. Biedenfeld seconded the motion. Thomas, Walker, and Biedenfeld voted Aye. Tindol voted Nay. Motion carried.
- G. CONSIDER RESOLUTION AUTHORIZING SUBMISSION OF APPLICATION TO TXDOT'S STATE INFRASTRUCTURE BANK FOR SEGMENT 10 SH 36 UTILITY RELOCATIONS: Sutherland reported that this was for the loan application only. Topics discussed were number of years to finance, interest payment options and credit rating. She stated that SIB doesn't require bond counsel and also recommended a 10% contingency. After more discussion of options for payments, Walker made a motion to adopt Resolution No. 527 authorizing submission of SIB loan application in the amount \$770,000 for 18 years at 1.67% interest and give City Manager discretion to get better deal and eliminate the contingency amount. Motion was seconded by Biedenfeld. Thomas, Walker and Biedenfeld voted Aye. Tindol voted Nay. Motion carried.
- H. CONSIDER SUPPLEMENT FOR EXTENSION TO VCUW WASTE DISPOSAL AGREEMENT: Motion was made by Walker to approve the Fifth Supplement extending the VCUW Waste Disposal Agreement by only one year. Thomas seconded the motion and all voted Aye.
- I. CONSIDER AMENDING MUNICIPAL COURT FINE SCHEDULE: Changes to court costs and fees from the new legislation has created fine amounts with uneven amounts. Adjusting fine amounts by small increments would bring the fine schedule back into

STATE OF TEXAS
COUNTY OF BRAZORIA
CITY OF WEST COLUMBIA

CITY COUNCIL MINUTES
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- alignment with whole dollar amounts. Motion was made by Biedenfeld and seconded by Tindol to approve the amendment of the Municipal Court fine schedule. All voted Aye.
- J. CONSIDER AGREEMENT WITH BRAZORIA COUNTY TO CONDUCT CITY'S GENERAL ELECTION: Motion was made by Walker and seconded by Tindol to approve agreement with Brazoria County to conduct City's general election. All voted Aye.
- K. CONSIDER RESOLUTION CALLING THE 2020 GENERAL ELECTION: Motion was made by Walker and seconded by Biedenfeld to adopt Resolution No. 528 Calling the City's 2020 General Election. All voted Aye.
11. ADJOURN: Mayor Kincannon adjourned the meeting at 8:17 P.M.


LAURIE B. KINCANNON, Mayor

ATTEST:


KELLI R. KUBAN, City Secretary