

STATE OF TEXAS
 COUNTY OF BRAZORIA
 CITY OF WEST COLUMBIA

CITY COUNCIL MINUTES
 OF A REGULAR MEETING
 MONDAY, JUNE 8TH 2020

due to 100% of expenses being covered and expenses being paid up front as opposed to only a percentage of expenses being covered and having to wait for reimbursement. These funds may also support a City program to help local, small businesses that the EDC may partner with. * SIB loan for the Hwy. 36 project is to be finalized at the end of the month. The \$770,000 loan is at 2.4% interest, is to be paid back over 20 years with first two years being interest only with an option to pay principle and is to begin November 15, 2020. Three years interest will be waived and early pay-off is without penalty. * Swim lessons and water aerobics have begun on June 1st with public open swim suggested for July 1st at a limited capacity. Park pavilion and Civic Center are recommended for rental as of July 1st, also at limited capacity. Backyard Fireworks are moving forward as planned following state's guidelines. * The Chamber has moved into the San Jacinto Room with the Visitor's Center. City records are being relocated to the storage area and are being scanned or marked for destruction following state retention guidelines.

6. CONSENT AGENDA:

A. APPROVAL OF MINUTES FROM PREVIOUS MEETING(S). Minutes were submitted in Council packet.

B. CITY TREASURER'S REPORT. Report was 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. Report was submitted in Council packet.

F. FIRE DEPARTMENT REPORT. Report was submitted in Council packet.

G. CODE ENFORCEMENT REPORT. Report was submitted in Council packet.

H. PUBLIC WORKS REPORT. Report was submitted in Council packet.

I. CONSIDER EDC BUSINESS INCENTIVE GRANT RECOMMENDATION.

Motion was made by Walker and seconded by Thomas to approve all consent agenda reports that were submitted in addition to approving EDC Business Incentive Grant recommendation for 421 Coffeehouse and Bistro. All voted Aye.

7. ITEMS REMOVED FROM CONSENT AGENDA: There were none.

8. PUBLIC HEARING(S).

A. PROPOSAL TO INSTITUTE ANNEXATION PROCEEDINGS TO ENLARGE AND EXTND THE BOUNDARY LIMITS OF THE CITY OF WEST COLUMBIA TO INCLUDED A 5.496 ACRE TRACT OF THE J.H. BELL 1 ½ LEAGUE GRANT ABSTRACT NO. 40, WEST COLUMBIA, BRAZORIA COUNTY, TEXAS KNOWN AS 809 S. 14TH ST: Kincannon opened the public hearing at 7:30 p.m. There being no public comments or opposition, Kincannon closed the public hearing at 7:31 p.m.

9. NEW BUSINESS:

A. CONSIDER HOMESTEAD EXEMPTION PRESENTATION – RO'VIN GARRETT, BRAZORIA COUNTY TAX ASSESSOR/COLLECTOR: Brazoria County Tax Assessor-Collector Ro'Vin Garrett addressed Council to discuss Section 11.13(n) of the Texas Property Tax Code authorizing cities to offer homestead exemptions based on appraised value. The City could adopt an exemption of up to 20%, but total amount of exemption for any property owner would not be less than \$5,000. She reported that 806 properties qualified for the exemption in 2019 with 39 already receiving the Over-65 exemption. The tax revenue levy difference at the

highest percentage would be \$31,000. The deadline to adopt an exemption for the 2020 tax year is July 1st. Walker stated that the loss of tax revenue would have to be made up by businesses. Biedenfeld stated that the 4th Amendment addressing ISDs cause a burden on the cities and that CBISD has the highest tax bill while the City provides more bang for the buck. Sutherland reported that if Council wanted to consider action, there is a meeting prior to the deadline. No action taken.

- B. CONSIDER ORDINANCE ANNEXING 809 S. 14TH ST.: With no public comment or objection being made during the public hearing, Walker made a motion to adopt Ordinance No. 678 captioned as

AN ORDINANCE GRANTING THE PETITION FOR ANNEXATION FILED BY DONALD AND BONNIE BOGY, FOR A PARCEL OF LAND CONSISTING OF APPROXIMATELY 5.496 ACRES OF LAND BEING OUT OF A CALLED 18.51 ACRE TRACT IN THE J. H. BELL 1 – 1/2 LEAGUE GRANT, ABSTRACT 40, BRAZORIA COUNTY, TEXAS; PROVIDING FOR SEVERABILITY; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

Motion was seconded by Biedenfeld and all voted Aye.

10. ADJOURN REGULAR COUNCIL MEETING AND CONVENE MEETING OF CITY COUNCIL ACTING AS BOARD OF APPEALS IN ACCORDANCE WITH CHAPTER 4 OF CITY CODE.

- A. PUBLIC HEARING TO CONSIDER EVIDENCE FOR AND AGAINST DECLARING ONE OR MORE STRUCTURES LOCATED AT 609 E. BRAZOS DILAPIDATED, SUBSTANDARD AND/OR UNFIT FOR HUMAN HABITATION AND A PUBLIC NUISANCE IN ACCORDANCE WITH CHAPTER 214 OF THE TEXAS LOCAL GOVERNMENT CODE AND CHAPTER 4 OF CITY CODE; AND TO CONSIDER EVIDENCE OF THE TIME AND SCOPE OF REPAIRS OR OTHER ACTION, INCLUDING DEMOLITION, REQUIRED TO ABATE SUBSTANDARD, DILAPIDATED AND NUISANCE CONDITIONS ON THE PROPERTY: Kincannon closed the open meeting at 7:41 p.m. The property owner was not in attendance due to illness. City Attorney Olson advised to go forward with the public hearing as advertised if anyone was present to address council. Mr. Mason Weems VI commented on the previous owner's tax payment record and then suggested that the notice was not posted timely. Code Enforcement Officer Azbell reported the notice was mailed in April and he had been in contact with the owner. Weems also stated that he was looking for a moving company to assist the current owner. With no other public comments being made, Kincannon closed the public hearing and reconvened in open meeting at 7:48 p.m.
- B. CONSIDER ADOPTING AND ISSUING AN ORDER DECLARING ONE OR MORE STRUCTURES LOCATED AT 609 E. BRAZOS DILAPIDATED, SUBSTANDARD AND/OR UNFIT FOR HUMAN HABITATION AND A PUBLIC NUISANCE; ORDERING THE OWNER OF THE BUILDING TO IMMEDIATELY SECURE THE BUILDING AGAINST UNAUTHORIZED ENTRY AND ABATE THE NUISANCE CONDITIONS WITHIN A PRESCRIBED TIME LIMIT; ORDERING THE CITY BUILDING OFFICIAL TO DEMOLISH THE STRUCTURE AND ABATE THE IDENTIFIED NUISANCE CONDITIONS IF THE OWNER FAILS TO COMPLY WITH THIS ORDER WITHIN THE TIME

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PROVIDED; AND MAKING OTHER PROVISIONS RELATED TO THE SUBJECT: Motion was made by Walker and seconded by Biedenfeld to table the action on this item due to the absence of the property owner and readdress at the July meeting. All voted Aye.

- C. PUBLIC HEARING TO CONSIDER EVIDENCE FOR AND AGAINST DECLARING ONE OR MORE STRUCTURES LOCATED AT 313 S. 17TH ST. DILAPIDATED, SUBSTANDARD AND/OR UNFIT FOR HUMAN HABITATION AND A PUBLIC NUISANCE IN ACCORDANCE WITH CHAPTER 214 OF THE TEXAS LOCAL GOVERNMENT CODE AND CHAPTER 4 OF CITY CODE; AND TO CONSIDER EVIDENCE OF THE TIME AND SCOPE OF REPAIRS OR OTHER ACTION, INCLUDING DEMOLITION, REQUIRED TO ABATE SUBSTANDARD, DILAPIDATED AND NUISANCE CONDITIONS ON THE PROPERTY: Kincannon opened this public hearing at 7:49 p.m. Mr. Mason Weems VI reported a history of his family's arrival in the area in 1836; discussed a by-pass around the city; questioned the council's knowledge of their precinct and attendance at various meetings. He suggested that his building could be a gold mine for the city, or possibly a welding school or home to the Chamber. He concluded by distributing data regarding a coloring contest he was proposing for painting the façade of his building. Next, Mr. Kenny Stanford stated that he owned property next door to Mr. Weems and that improvements were only made during election time when political signs were placed over the windows and that he probably gets a break on his taxes with Weems' building in the background. He felt the building needed an overhaul or taken down. With no other public comments being made, Kincannon closed the public hearing and reconvened in open meeting at 8:05 p.m.
- D. CONSIDER ADOPTING AND ISSUING AN ORDER DECLARING ONE OR MORE STRUCTURES LOCATED AT 313 S. 17TH ST. DILAPIDATED, SUBSTANDARD AND/OR UNFIT FOR HUMAN HABITATION AND A PUBLIC NUISANCE; ORDERING THE OWNER OF THE BUILDING TO IMMEDIATELY SECURE THE BUILDING AGAINST UNAUTHORIZED ENTRY AND ABATE THE NUISANCE CONDITIONS WITHIN A PRESCRIBED TIME LIMIT; ORDERING THE CITY BUILDING OFFICIAL TO DEMOLISH THE STRUCTURE AND ABATE THE IDENTIFIED NUISANCE CONDITIONS IF THE OWNER FAILS TO COMPLY WITH THIS ORDER WITHIN THE TIME PROVIDED; AND MAKING OTHER PROVISIONS RELATED TO THE SUBJECT: Walker made a motion to issue an order declaring the building at 313 S. 17th dilapidated, substandard and unfit for human habitation and a public nuisance. The owner should also immediately secure the building from unauthorized entry by children, vagrants, or any other person and the demolishing or removing of the building and any of the debris left due to the demolition or removal, including the capping of all utility lines prior to demolition and that work should take place no later than July 11, 2020. Biedenfeld requested an amendment to the deadline of another month. Walker stated that the building's conditions were being discussed as early as 1996 and code enforcement had been addressing since at least 2008 without any results. He stated that the statute determined the deadline and did not feel another month would make a difference but would amend his motion if proven to be

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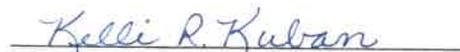
challengeable. Biedenfeld opposed the deadline and seconded the motion to allow discussion. City Attorney Olson advised that the deadline could be a maximum of 90 days, so Walker amended his motion for a deadline of August 11, 2020. Biedenfeld seconded the amended motion. He then stated that he hoped the public appreciated the difficulty involved in these decisions. Property owner rights versus building regulations and code enforcement were further discussed with Walker summarizing that if Council failed to support the building official on this particular incident they should end the building department. He continued by stating that builders, including himself, must follow the codes adopted and if they fail to act on this, Council should apologize to anyone that has ever received a letter or ticket in the past. Biedenfeld thanked Mr. Weems for discussing his concerns with him, but also stated he did not want to set the wrong precedent and parameters for those on fixed incomes and appreciated the deadline extension to 60 days. Further discussion included the amount of taxpayer dollars and staff manhours spent on addressing this specific building and the public perception of a precedent allowing years for compliance. Kincannon recapped the motion and all voted Aye.

11. ADJOURN: Mayor Kincannon adjourned the meeting at 8:16 P.M.



LAURIE B. KINCANNON, Mayor

ATTEST:


KELLI R. KUBAN, City Secretary