

STATE OF TEXAS
 COUNTY OF BRAZORIA
 CITY OF WEST COLUMBIA

CITY COUNCIL MINUTES
 OF A REGULAR MEETING
 MONDAY, SEPTEMBER 9th, 2013

The City Council of the City of West Columbia, Texas, convenes this the 9th day of September 2013, 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. City Manager Sutherland, City Secretary Kuban and City Attorney Griggs.
 - Absent: None.
3. MAYOR AND CITY COUNCIL GREETINGS AND PRESENTATIONS: Kincannon greeted everyone and announced information of the Hometown Heroes Celebration. Walker read aloud a letter of thanks from the City of West for the "bags of encouragement" sent from the citizens of West Columbia. Kincannon presented proclamations for Constitution Week, Fire Prevention Week, National Suicide Prevention Week and National POW/MIA Recognition Week. She also awarded the Employee of the Month to Terry Elliott.
4. CITIZENS' COMMENTS: There were none.
5. CITY MANAGER'S REPORT: Sutherland's report included TxDOT update; The city pool is closed except for water aerobics and the lake will be repaired soon; A recap of the Hometown Heroes events was given in addition to the upcoming Trick or Treat in the Park; Grant received for a butterfly garden at First Capitol Park; Road boring will be done soon completing the water line project to increase supply and quality; County is currently remilling and resurfacing roads; Westview annexation will continue after issues regarding metes and bounds of some properties are concluded; New cable company will be Ultra Communications Group; Jetta is to start surveying to verify sensor readings; National Night Out is October 1st; Civic Center restrooms are nearing completion; and Eagle Scout projects will include picnic tables and trash receptacles for Dixon Park.
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 submitted in Council's packet.
 - F. CEMS. Report was submitted in Council's packet.
 - G. PUBLIC WORKS REPORT. Report was submitted in Council's packet.
 - H. CONSIDER MOVING COUNCIL MEETINGS TO TUESDAY, OCTOBER 15TH, DUE TO COLUMBUS DAY HOLIDAY AND TUESDAY, NOVEMBER 12TH DUE TO VETERAN'S DAY HOLIDAY.
 - I. CONSIDER EXTENDING BANK DEPOSITORY CONTRACT FOR AN ADDITIONAL YEAR.

Tindol made motion to accept all consent agenda items for approval including changing dates of upcoming council meetings due to holidays and extending bank depository contract with Prosperity Bank until October 1, 2014. Motion was seconded by Thomas. All voted Aye.
7. ITEMS REMOVED FROM CONSENT AGENDA: There were none.

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8. PUBLIC HEARING: MIXED BEVERAGE RESTAURANT PERMIT WITH FOOD AND BEVERAGE CERTIFICATE APPLICATION FOR HENRI & SREY, INC. DBA BAYTOWN SEAFOOD AND BAR, 816 S. 17TH STREET, WEST COLUMBIA TX 77486 BY CHEN-LIN CHANG, 21402 PARK VALLEY DRIVE, KATY TX. Kincannon closed the open meeting and began the public hearing at 7:25 p.m. With no public comments the hearing was closed at 7:26 p.m. and council convened in open meeting.

9. OLD BUSINESS:

- A. CONSIDER ORDINANCE REQUIRING THE MAINTENANCE OF CITY EASEMENTS OR RIGHTS-OF-WAY BY ADJOINING PROPERTY OWNERS OR OCCUPANTS: It was discussed that the ordinance did not address the bar ditches at the backs of properties, only the front easements and rights-of-way. Griggs stated that the term "unacceptable vegetation" pertained to any grass or weeds greater than 12 inches in height and that appeal provisions would be allowed for in several ways. Motion was made by Walker, seconded by Thomas to adopt Ordinance No. 619 captioned as

AN ORDINANCE AMENDING CHAPTER 13 OF THE CODE OF ORDINANCES OF THE CITY OF WEST COLUMBIA, TEXAS, BY AMENDING ARTICLE II, SECTIONS 13-31 THROUGH 13-36; ESTABLISHING THE OBLIGATION OF OWNERS AND OCCUPANTS OF PROPERTY WITHIN THE CITY AND WITHIN 5000 FEET OF THE CITY LIMITS AND/OR ITS EXTRATERRITORIAL JURISDICTION, WHICHEVER IS GREATER, TO MAINTAIN THEIR PROPERTY, AND ABUTTING EASEMENTS WITHIN PUBLIC RIGHTS OF WAY AND EASEMENTS, FREE OF NUISANCES SUCH AS UNACCEPTABLE VEGETATION AND UNACCEPTABLE MATTER; CONTAINING A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF ANY AND ALL KINDS OF ORDINANCES, REGULATION, RULES OR POLICIES WHICH ARE IN ANY MANNER INCONSISTENT OR IN CONFLICT WITH THIS ORDINANCE; PROVIDING THAT THE VIOLATION OF THIS ORDINANCE SHALL CONSTITUTE AN OFFENSE PUNISHABLE BY A FINE OF NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00); AND PROVIDING AN EFFECTIVE DATE.

Thomas, Tindol, Maynor and Walker voted Aye. Biedenfeld voted Nay. Motion carried.

10. NEW BUSINESS:

- A. CONSIDER AUTHORIZING CITY SECRETARY SIGNATURE ON MIXED BEVERAGE RESTAURANT PERMIT WITH FOOD AND BEVERAGE CERTIFICATE APPLICATION FOR HENR & SREY, INC. DBA BAYTOWN SEAFOOD AND BAR, 816 S. 17TH STREET, WEST COLUMBIA TX 77486 BY CHEN-LIN CHANG, 21402 PARK VALLEY DRIVE, KATY TX 77450: Motion was made by Tindol, seconded by Biedenfeld to authorize the city secretary's signature on the mixed beverage restaurant permit with food and beverage certificate for Baytown Seafood and Bar. All voted Aye.
- B. CONSIDER ORDINANCE ADOPTING 2013/14 ANNUAL BUDGET: Sutherland stated that the 2013/14 annual budget of 3.9 million was balanced with the current tax rate remaining the same, but with an increase in utility rates. It includes 3% cost of living

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raises, one new police vehicle and continued investment in infrastructure. Motion was made by Tindol, seconded by Thomas to adopt Ordinance No. 620 captioned as

AN ORDINANCE MAKING APPROPRIATIONS FOR THE SUPPORT OF THE CITY OF WEST COLUMBIA FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014; AND ADOPTING THE ANNUAL BUDGET OF THE CITY OF WEST COLUMBIA FOR THE 2013/14 FISCAL YEAR.

All voted Aye.

- C. CONSIDER ORDINANCE LEVYING TAXES FOR 2013 AND APPORTIONING EACH LEVY FOR THE SPECIFIC PURPOSE: Motion was made by Walker, seconded by Biedenfeld that property taxes be increased by the adoption of a tax rate of 0.831900, which is effectively a 1.30% increase in the tax rate. Ordinance No. 621 was adopted captioned as
- AN ORDINANCE LEVYING TAXES FOR THE USES AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF WEST COLUMBIA; AND APPORTIONING LEVY FOR A SPECIFIC PURPOSE.
- All voted Aye. It was stated that the tax rate was the same as the current rate and appraisals would determine whether citizens property taxes would increase or even decrease.
- D. CONSIDER 2012/13 BUDGET AMENDMENT NO. 2: Sutherland reported that budget adjustments were being made for street repairs, etc. Motion to approve Budget Amendment No. 2 was made by Walker, seconded by Biedenfeld. All voted Aye.
- E. CONSIDER RESOLUTION SUBMITTING NOMINATIONS FOR BRAZORIA COUNTY APPRAISAL DISTRICT'S BOARD OF DIRECTORS: It was discussed that the current Brazoria County Appraisal District board directors were Ryan Cade, Ro'Vin Garrett, William Hasse, Rubye Jo Knight, Glenn Salyer and Susie Tyler. Motion was made by Tindol, seconded by Thomas and Resolution No. 435 was adopted nominating all of the current board members with all voting Aye.
- F. CONSIDER UTILITY ACCOUNT ADJUSTMENT REQUEST – WCLL: It was recommended to table until next month so that a representative of West Columbia Little League could be present.
- G. CONSIDER ORDINANCE FOR INCREASED WATER AND SEWER RATES AND ELIMINATING RESIDENTIAL SEWER CAP: It was discussed that water and sewer base rates would each increase from \$12.75 to \$13.00 and the residential sewer cap rate would be eliminated. Portion of increase would fund increased maintenance and needed repairs by in-house and contracted projects. Walker stated that the increase still would not meet the current needs of utility repairs. Motion was made by Walker, seconded by Thomas and Ordinance No. 622 was adopted captioned as
- AN ORDINANCE FOR THE CITY OF WEST COLUMBIA, TEXAS, AMENDING THE RESIDENTIAL SEWER CAP AND MONTHLY RATES AND CHARGES FOR WATER AND SEWER ACCORDING TO THE RATES AND CHARGES ON FILE WITH THE CITY SECRETARY PURSUANT TO SECTIONS 19-152 AND 19-154 OF THE CODE OF ORDINANCES OF THE CITY OF WEST COLUMBIA TEXAS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES,

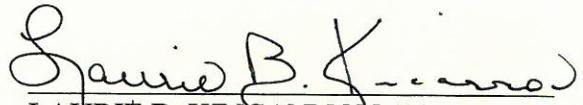
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RESOLUTIONS, OR POLICIES OF THE CITY OF WEST COLUMBIA TO THE EXTENT THAT THEY ARE INCONSISTENT OR IN CONFLICT WITH THIS ORDINANCE; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

All voted Aye.

- H. CONSIDER REQUEST TO PARTICIPATE IN PROJECT 41622 TO SUBMIT COMMENTS TO PUCT – HERRERA & BOYLE: Sutherland reported that the city participates with a coalition of cities against electric and gas rate increases and rule making. The law firm of Herrera & Boyle occasionally requests cities to help support them to submit comments on its behalf to the Public Utility Commission of Texas. Motion was made by Tindol, seconded by Biedenfeld to fund the requested amount of \$200 and give Herrera & Boyle authorization to comment on the city's behalf. All voted Aye.
- I. CONSIDER PARADE REQUEST OF COLUMBIA HERITAGE FOUNDATION: Kincannon stated that the Columbia Heritage Foundation had withdrawn their request so no action was necessary.
11. ADJOURN: Mayor Kincannon adjourned the meeting at 7:53 p.m.


LAURIE B. KINCANNON, Mayor

ATTEST:


KELLI R. KUBAN, City Secretary