

STATE OF TEXAS  
 COUNTY OF BRAZORIA  
 CITY OF WEST COLUMBIA

CITY COUNCIL MINUTES  
 OF A REGULAR MEETING  
 MONDAY, SEPTEMBER 10th, 2012

The City Council of the City of West Columbia, Texas, convenes this the 10<sup>th</sup> day of September, 2012, 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 Biedenfeld.
2. ROLL CALL. Kuban called the roll of the Council.
  - Present: Mayor Kincannon, Aldermen Thomas, Tindol, Schwebel, and Biedenfeld.  
 City Manager Sutherland, City Secretary Kuban and City Attorney Griggs.
  - Absent: Alderman Walker.
3. MAYOR AND CITY COUNCIL GREETINGS AND PRESENTATIONS: Kincannon welcomed everyone and invited the public to the upcoming Hometown Heroes Celebration, Roughneck Blowout Gala, and Bells Across America. She read proclamations for Constitution Week, Fire Prevention Week, National Suicide Prevention Week and National POW/MIA Recognition Week. She also presented the Employ of the Month award to Rebecca Johnson.
4. CITIZENS' COMMENTS: There were none.
5. CITY MANAGER'S REPORT: Sutherland reported on the following topics: The letter of the speed limit report has been submitted to TxDOT; Insurance check on the lightning strike damage has been received and are waiting on the dispatch console; Siren testing is planned soon; Pothole repairs will not be made in this fiscal year; Preparations are ongoing for the Hometown Heroes Celebration; CDBG project has created dust issues and error in asphalt pricing by square foot instead of linear foot has resulted in an additional cost of \$10,000; Electric provider through H-GAC will have competitive pricing with Texas Solutions; Utility truck is in shop for repairs; and court televisions purchased through technology fund are also available for council use.
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 not 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, 10/9/12, DUE TO COLUMBUS DAY HOLIDAY AND TUESDAY, 11/13/12, DUE TO VETERAN'S DAY HOLIDAY.
  - I. CONSIDER EXTENDING BANK DEPOSITORY CONTRACT FOR AN ADDITIONAL YEAR.
  - J. CONSIDER ROAD & BRIDGE INTERLOCAL AGREEMENT WITH BRAZORIA COUNTY.
  - K. CONSIDER RENEWAL OF TxDPS FAILURE TO APPEAR PROGRAM CONTRACT. Motion was made by Tindol, seconded by Thomas to approve all items on the consent agenda. All voted Aye.
7. ITEMS REMOVED FROM CONSENT AGENDA: There were none.
8. OLD BUSINESS:
  - A. CONSIDER COLUMBIA HISTORICAL MUSEUM AGREEMENT: Motion was made by Tindol, seconded by Thomas to execute and authorize the agreement between the city and

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Columbia Historical Museum. Thomas, Tindol, and Biedenfeld voted Aye. Schwebel abstained. Motion carried.

- B. CONSIDER ORDINANCE ESTABLISHING WASTE WATER ONLY CHARGES AND REQUIRING BOTH WATER AND WASTE WATER CONNECTIONS: Sutherland reported that the purpose of the ordinance was to protect the public drinking water. Motion was made by Schwebel, seconded by Thomas to adopt Ordinance No. 609 captioned as:

AN ORDINANCE FOR THE CITY OF WEST COLUMBIA, TEXAS, AMENDING CHAPTER 19 OF THE CODE OF ORDINANCES BY THE ADDITION OF SECTION 19-2 WHICH REQUIRES ANY UTILITY PATRON WHO SUBSCRIBES TO ANY CITY PROVIDED UTILITY TO PAY THE MINIMUM CHARGE FOR SEWER, WATER AND GARBAGE; PROVIDES FOR THE COMPUTATION OF SEWER CHARGES FOR UTILITY PATRONS WHO USE PRIVATE WELL WATER; AMENDING CHAPTER 13 OF THE CODE OF ORDINANCES BY ADDING SECTION 13-228 ENTITLED "PROHIBITION OF DISCHARGE OF WELL WATER INTO CITY SEWER SYSTEM; PROVIDING FOR THE REPEAL OF ALL ORDINANCES, 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; PROVIDING THAT THE VIOLATION OF THIS ORDINANCE SHALL CONSTITUTE AN OFFENSE PUNISHABLE BY A FINE OF NOT MORE THAN TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE.

All voted Aye.

- C. CONSIDER SWIM TEAM PROPOSAL TO RENEGOTIATE FEES FOR EXTENDED USE OF THE POOL: Swim Team representative Penny Sullivan reported that the individual cost of \$3 per swimmer, per hour was unmanageable for most of their members as they are families with more than one child on the team. They submitted a proposal to pay a flat rate of \$200 for extended use of the pool through October. Motion was made by Tindol, seconded by Thomas to approve their proposal of \$200 for use of the pool through the month of October. All voted Aye.
9. NEW BUSINESS:
- A. CONSIDER ORDINANCE ADOPTING 2012/13 ANNUAL BUDGET: Sutherland stated that the proposed budget included the reinstatement of council pay. Motion was made by Tindol, seconded by Thomas to approve the 2012/13 Annual Budget by adopting Ordinance No. 610 captioned as:
- AN ORDINANCE MAKING APPROPRIATIONS FOR THE SUPPORT OF THE CITY OF WEST COLUMBIA FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013; AND ADOPTING THE ANNUAL BUDGET OF THE CITY OF WEST COLUMBIA FOR THE 2012/13 FISCAL YEAR.

All voted Aye.

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- B. CONSIDER ORDINANCE LEVYING TAXES FOR 2012 AND APPORTIONING EACH LEVY FOR THE SPECIFIC PURPOSE: Schwebel made motion by stating "I move that the property tax rate be increased by the adoption of a tax rate of 0.831900, which is effectively a 3.88% increase in the tax rate". Motion was seconded by Thomas to duly adopt Ordinance No. 611 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.

- C. CONSIDER 2011/12 BUDGET ADJUSTMENT NO. 2: Sutherland stated that the budget adjustments included the expenses for the lightning strike, Dow grant funds, roof repair at Fire Department, ticket writers and court televisions, fireworks, etc. Motion was made by Tindol, seconded by Thomas to approve Budget Adjustment No. 2. All voted Aye.
- D. CONSIDER AMENDMENT TO ANIMAL ORDINANCE REGULATING CATS: Sutherland reported that the codification process erroneously deleted cats from the registration ordinance and with the expiration of all city tags being October 1<sup>st</sup>, the ordinance needed to be corrected. It was stated that public announcements were pending to notify pet owners of the upcoming renewal date. Schwebel suggested that pet businesses display information as well. There was much discussion regarding the ineffectiveness of the ordinance to regulate cats in the manner that dogs are regulated. Biedenfeld made motion to table for further review. Tindol seconded motion and all voted Aye.
- E. CONSIDER UTILITY ACCOUNT ADJUSTMENT REQUESTS: Requests for utility account adjustments were submitted by Sweetbriar Development Center and Mason Weems, but as neither Mr. Weems nor a representative from Sweetbriar were present, Walker made motion to deny requests. Motion was seconded by Biedenfeld. All voted Aye
- F. CONSIDER CASTING VOTES FOR TML INTERGOVERNMENTAL RISK POOL BOARD OF TRUSTEES: Biedenfeld suggested voting for two incumbents and two new members to better pass on knowledge. Biedenfeld made motion to cast votes for incumbents Ingham and Gilley and new members Kent and Kirk. Motion was seconded by Walker. All voted Aye.
- G. CONSIDER RESOLUTUION DESIGNATING HOUSTON-GALVESTON AREA COUNCIL REPRESENTATIVE AND ALTERNATE: Motion was made by Tindol to nominate Biedenfeld as representative and Schwebel as alternate. Motion was seconded by Thomas. All voted Aye.
- H. CONSIDER APPOINTMENT OF PARKS AND RECREATION BOARD MEMBERS: Kincannon stated that those nominated were Megan Ringgold, Jenny Kincannon, Jeremy Kier, Tami Beal and Colby Wallace. Walker made motion to appoint Jeremy Kier and Colby Wallace. Motion was seconded by Tindol. All voted Aye.
- I. CONSIDER REQUEST TO AMEND SCHOOL ZONES BY CHANGING SCHOOL ZONE TIMES AROUND THE WEST COLUMBIA ELEMENTARY: Sutherland reported that the principal of the West Columbia Elementary had requested a review of the school zone times around that campus due to the changing of dismissal times for students walking home. They are dismissed approximately 30 minutes later leaving too little time for them to safely travel. It was suggested to change the times to be in effect from 2:30 p.m. until 4:30 p.m. Motion was

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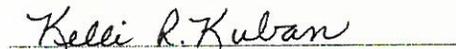
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made by Tindol, seconded by Biedenfeld to authorize city attorney to draft ordinance amending the school zone times from 2:30-4:30 p.m. All voted Aye.

10. ADJOURN: Mayor Kincannon adjourned the meeting at 8:09 p.m.

  
LAURIE B. KINCANNON, Mayor

ATTEST:

  
KELLI R. KUBAN, City Secretary