

STATE OF TEXAS
COUNTY OF BRAZORIA
CITY OF WEST COLUMBIA

CITY COUNCIL MINUTES
OF A REGULAR MEETING
MONDAY, FEBRUARY 14TH, 2011

The City Council of the City of West Columbia, Texas, convenes this the 14th day of February, 2011, at 7:00 p.m. in a regular meeting in the Council Chambers, 512 E. Brazos, West Columbia, Texas.

1. INVOCATION & PLEDGE. Was given by Alderman Walker.
2. ROLL CALL. Assistant City Secretary Weems called the roll of the Council.
Present: Mayor Pro Tem Walker, Aldermen Thomas, Tindol, Schwebel, and Gilbert. City Manager Sutherland and City Attorney Griggs.
Absent: Kincannon and Kuban.
3. APPROVAL OF MINUTES FROM PREVIOUS MEETINGS. Motion was made by Tindol, seconded by Thomas and was duly adopted to approve the minutes of January 10th meeting as submitted. All voted Aye. Motion was made by Tindol, seconded by Gilbert and was duly adopted to approve the minutes of January 31st meeting as submitted. All voted Aye.
4. MAYOR AND COUNCIL GREETINGS.
 - Tindol reported that the Chamber would be holding their Annual City Wide Garage Sale on March 5th and Farmer's Market will start up in March.
 - Gilbert commended everyone's efforts preparing for the recent freeze.
 - Employee of the Month presentation – Kelli Kuban, City Secretary.
5. CITY MANAGER'S REPORT. Sutherland reported on the following: Highway 36 project update; Well No. 2 experienced minor issues from the recent freeze and rolling blackouts caused Well No. 3 usage to be increased due to it having a generator back-up; Mercer Construction completed sewer line repair at Kirby and Jansen and negotiations with CenturyLink for reimbursement costs are pending; and the website upgrade is complete and revisions will take place as time allows.
6. CITIZENS' COMMENTS ON ITEMS NOT ON THE AGENDA: A citizen made a request that the information provided in the council packets be made available to the public prior to the meetings. Mayor Pro Tem Walker reported that the agenda is posted 72 hours in advance of each meeting and the public's copy of the council packet is made available at each meeting. He suggested that two additional copies be printed in the future, but any citizen wanting more specific information on any posted agenda item is advised to request a public records copy through City Hall personnel.
7. DEPARTMENT REPORTS:
 - A. CITY TREASURER'S REPORT. Report was submitted in Council's packet.
 - B. POLICE DEPARTMENT REPORT. Report was submitted in Council's packet.
 - C. MUNICIPAL COURT REPORT. Report was submitted in Council's packet.
 - D. FIRE DEPARTMENT REPORT. Report was submitted in Council's packet.
 - E. CEMS. Report was not included in Council's packet.
 - F. PUBLIC WORKS REPORT. Report was submitted in Council's packet.Motion was made by Gilbert, seconded by Thomas and was duly adopted to pay bills as submitted. All voted Aye.
8. OLD BUSINESS:
 - A. CONSIDER REVISION OF AGENDA PROCEDURE: The previous recommendation of Department heads submitting reports and being present at meetings, but no longer giving reports orally in order to streamline meetings was discussed. Also recommended was to include a Consent Agenda in the future for all routine operations. Gilbert made motion,

which was advised by Griggs, to allow for a Consent Agenda and Department Heads to be present, but not orally give reports at future meetings. Motion was seconded by Schwebel and was duly adopted. All voted Aye.

- B. CONSIDER RESOLUTION ADOPTING TAX ABATEMENT GUIDELINES AND POLICY: Schwebel made motion, seconded by Gilbert and Resolution No. 416 was adopted by approving the Tax Abatement Guidelines and Policy. All voted Aye.
9. NEW BUSINESS:
- A. CONSIDER BID FOR TAX RESALE PROPERTY BY LEE SCHMITT - LEGAL DESCRIPTION OF STARK (A00040 JH BELL DIVISION 8)(WEST COLUMBIA) BLOCK K, LOT K7B, ACRES 1.300: Sutherland stated that the property is an isolated, Land-locked piece of land and was under the impression that the bidder was aware of this through information provided by the tax office. Thomas reported on the confusion of the ownership of the property by the adjacent property owners. Motion to table was made by Tindol, seconded by Schwebel until more information could be obtained. All voted Aye.
- B. CONSIDER HOT ADVISORY BOARD FUNDING RECOMMENDATIONS: Schwebel recommended that continued training be obtained by the board. Also suggested was to turn down any applications not submitted on the new forms, which were provided to all entities. Motion was made by Schwebel, seconded by Tindol and was duly adopted to approve funding of \$750 to the Columbia Historical Museum, \$1000 to the Charlie Brown Heritage Foundation and \$1000 to the Chamber of Commerce. All voted Aye.
- C. CONSIDER EDC BUSINESS INCENTIVE GRANT RECOMMENDATIONS: Motion was made by Schwebel, seconded by Gilbert and was duly adopted to approve the grant funding of \$1,686.57 for façade, property and sign improvements of Learn To Sew, Learn to Quilt and \$1,350.00 for façade improvements of West Brazos Food Service. All voted Aye.
- D. CONSIDER BRAZORIA COUNTY JOINT ELECTION AGREEMENT AND CONTRACT FOR ELECTION SERVICES: Motion was made by Tindol, seconded by Thomas and was duly adopted to approve the agreement and contract authorizing Brazoria County to conduct the City's joint elections. All voted Aye.
- E. CONSIDER RESOLUTION CALLING 2011 GENERAL ELECTION: Motion was made by Tindol, seconded by Gilbert and was duly approved to call the 2011 General Election to fill the expiring terms of Aldermen Thomas, Schwebel and Walker by adopting Resolution No. 417. All voted Aye.
- F. CONSIDER PERSONNEL POLICY AMENDMENT FOR SICK AND VACATION LEAVE: Sutherland reported that department heads met to discuss the current amount of sick and vacation leave costs and to make revisions that could provide for better productivity and a more competitive employee pay scale. Their recommendation for revisions to the current vacation policy was to eliminate an accrual of hours and go to a standard amount of days becoming effective on the first day of the calendar year with the number of days being based on tenure and to eliminate the current carry-over of 120 hours. The current sick leave policy revisions would be to eliminate the monthly accrual of hours and go to a standard amount of 12 days becoming effective the same as the vacation days and eliminate the current carry-over of 240 hours. This is the same as the current number of hours. The current carry-over of sick hours would be subsidized by creating a Short Term Disability Policy that would allow for up to 6 weeks for employee and up to 3 weeks for employee immediate

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family catastrophic illness. Some suggestions made by council were to award employees of 0-6 months with a minimum number of vacation days, but have a clause that if any vacation leave were to be awarded to employees of less than a year, that there be a clause that they would not be paid for unused vacation hours if the employment terminated prior to 12 months. Also suggested was that employees be required to schedule a certain number of vacation days quarterly to limit the current issue of being short-staffed by employees having to "use or lose" their vacation hours at the end of the calendar year. The current number of holidays were also discussed. Motion made by Gilbert, seconded by Schwebel and was duly adopted to table for department heads to make further revisions. All voted Aye.

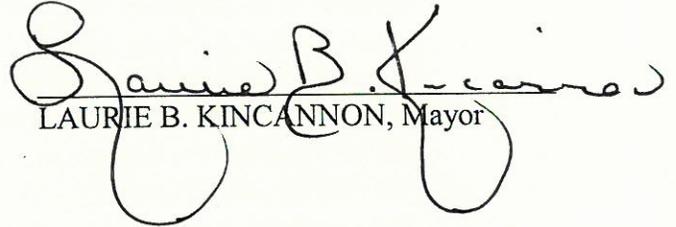
- G. CONSIDER ANNEXATION OF AREAS CURRENTLY RECEIVING CITY UTILITIES: Walker stated that during the study for the recent annexation of Business Highway 35, it was noted that there are properties receiving city services that are not within the city limits and are not paying city taxes, but do pay double water and sewer rates for these services. These do not pay city taxes. He stated that the city has the authority to annex these areas without the consent or request of the property owners. Westview area was discussed as a starting point to start squaring up the city limits where utility lines currently run. Motion was made by Tindol, seconded by Thomas and was duly adopted to have the city engineer to develop the metes and bounds description of the Westview area and schedule two public hearings on the proposed annexation of the Westview area. All voted Aye.
- H. CONSIDER INCREASING GAME ROOM FEES: This issue was brought to the attention of council due to the most recently opened game room business. This business has the same name as the one recently shut down in the city of Brazoria for illegal operation. Because they met the distance requirement currently measured by door to property line and passed building and fire inspections, their permit was issued the week prior to the council meeting. The need to amend the ordinance to properly define a measuring procedure for the 300' required distance from any school, church or hospital was discussed as was recommendations to substantially increase license fees. Motion was made by Gilbert to repeal all currently issued licenses pending amendments. After further discussion his motion was withdrawn. Schwebel made motion to amend distance requirement to 1000' to be measured by property line to property line; include an ownership status definition clause; increase minimum license fee to \$10,000 and individual machine fee to \$1,000; require background checks on all principal parties; ban blacked-out windows and locked doors; and require all licenses to be displayed to public. After further discussion, Schwebel amended her motion that background checks would include any crimes of moral turpitude. The motion as amended was seconded by Tindol and passed with all voting Aye. Tindol made motion for a moratorium against the issuance of any new licenses pending the adoption of amended ordinance. There was no second as council deemed this to fall under the normal direction of the City Manager.
- I. CONSIDER UTILITY SERVICES TO ACTION ASSETS LLC, 2005 S. COLUMBIA DRIVE: Mr. Trey Wenzel has stated that he would like to appeal a flat sewer rate per unit being charged as a result of his tying multiple trailers water supply back into a private well. Sutherland stated that this was determined after his consumption history dramatically decreased. Council felt that Mr. Wenzel circumvented the arrangement agreed to by council of allowing him to tie into city water and sewer lines in September 2009. Council recommended authorizing Sutherland to give Mr. Wenzel a thirty day notice that all units

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must be tied back into city line and subsequently individually inspected or all city services will be discontinued. No action necessary.

10. ADJOURN: Mayor Pro Tem Walker adjourned the meeting at 8:40 p.m.



LAURIE B. KINCANNON, Mayor

ATTEST:


KELLI R. KUBAN, City Secretary