

STATE OF TEXAS  
 COUNTY OF BRAZORIA  
 CITY OF WEST COLUMBIA

CITY COUNCIL MINUTES  
 OF A REGULAR MEETING  
 TUESDAY, OCTOBER 15th, 2013

The City Council of the City of West Columbia, Texas, convenes this the 15<sup>th</sup> day of October 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 Pro Tem Walker, Aldermen Thomas, Tindol, and Biedenfeld. City Manager Sutherland and City Secretary Kuban.  
 Absent: Mayor Kincannon, Alderman Maynor and City Attorney Griggs.
3. MAYOR AND CITY COUNCIL GREETINGS AND PRESENTATIONS: Walker invited the public to attend Trick or Treat in the Park hosted by the Parks and Recreation Board on Halloween evening at First Capitol Park. Tindol reminded everyone to use caution because children would be out and about on Halloween. Proclamations were read and presented to representatives for Alpha Delta Kappa Month, American Legion Poppy Sale Days, and National Friends of the Library Week.
4. CITIZENS' COMMENTS: Mrs. Dorothy Mathis commented on issues at First Capitol Park. Mrs. Betty Lytle commented that the stop sign at S. 14<sup>th</sup> and Sweeny St. wasn't needed.
5. CITY MANAGER'S REPORT: Sutherland's report included TxDOT update; Parks board events updates; Water line project report stating that the Hwy 35 bore was completed; Update on street repairs and pot hole patching; Westview annexation process is still pending; Ultra Communications will be the new cable company; Seismic project is almost completed; Matthew Fisher resignation was reported; Lift station pump and electrical problems were reported and warranties were discussed; Ricebelt meeting is scheduled for Thursday; and Auditors interim field work is completed.
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 DESIGNATING CITY'S OFFICIAL NEWSPAPER.
  - I. CONSIDER RATIFICATION OF EDC BUSINESS INCENTIVE GRANT FUNDING RECOMMENDATIONS.  
 Tindol made motion to accept all consent agenda items for approval including adopting Resolution No. 436 designating the Brazoria County News as the city's official newspaper and granting EDC sign improvement grant of 50% up to \$1000 for Wes Griggs Law Office. Motion was seconded by Biedenfeld. All voted Aye.
7. ITEMS REMOVED FROM CONSENT AGENDA: There were none.
8. PUBLIC HEARING - RESIDENTIAL PROTECTION ORDINANCE REGARDING PROPOSED BUSINESS AT 1021 S. COLUMBIA DRIVE BY KARI GOODING, OWNER: Mayor Pro-Tem Walker opened the public hearing at 7:27 P.M. explaining that it was a required procedure for a business opening in an area that is bordered by residential properties.

STATE OF TEXAS  
COUNTY OF BRAZORIA  
CITY OF WEST COLUMBIA

CITY COUNCIL MINUTES  
OF A REGULAR MEETING  
TUESDAY, OCTOBER 15th, 2013

It was discussed that McCoy Vapor Shop would sell electronic cigarettes and accessories. With little public comment, the public hearing was closed at 7:30 P.M.

9. OLD BUSINESS:

A. CONSIDER REQUEST FOR UTILITY ACCOUNT ADJUSTMENT – WCLL: Without a Little League representative present, Tindol made motion to take off agenda which was seconded by Biedenfeld. All voted Aye.

10. NEW BUSINESS:

A. CONSIDER RESIDENTIAL PROTECTION ORDINANCE REGARDING PROPOSED BUSINESS AT 1021 S. COLUMBIA DRIVE BY KARI GOODING, OWNER: Motion was made by Tindol to approve the issuance of permits for McCoy's Vapor Shop. Motion was seconded by Thomas. All voted Aye.

B. CONSIDER REQUEST FOR UTILITY ACCOUNT ADJUSTMENT – MRS. BETTY LYTLE: Mrs. Lytle requested an adjustment of \$323.73 to her utility account stating that there was nothing on their part to cause the high reading. It was also reported that a new meter had been installed. Motion was made by Tindol, seconded by Biedenfeld to approve the adjustment. All voted Aye.

C. CONSIDER APPOINTMENT OF RESERVE POLICE OFFICERS: Motion was made by Tindol, seconded by Biedenfeld to approve Chief Odin's appointment of Officer's Traci Wiener and Robert Butler to the Reserve Force. All voted Aye.

D. CONSIDER RESOLUTION DESIGNATING HOUSTON-GALVESTON AREA COUNCIL REPRESENTATIVE AND ALTERNATE: Motion was made by Biedenfeld to adopt Resolution No. 437 designating Alderman Maynor as H-GAC Representative and himself as alternate. Motion was seconded by Tindol. All voted Aye.

E. CONSIDER APPROVAL OF 2014 INTERLOCAL AGREEMENT WITH BRAZORIA COUNTY: Motion was made by Thomas, seconded by Tindol to approve the 2014 Interlocal Agreement with Brazoria County. All voted Aye. It was discussed that the list of requested street and pot hole repairs would be submitted with the agreement and that additional projects included in the agreement were specific to the engineering department.

F. CONSIDER TRANSFER OF LEASE AGREEMENT TO ULTRA COMMUNICATION GROUP, LLC.: Sutherland reported that Texas Mid-Gulf Cable was transferring their lease to Ultra Communication Group and that they currently rent a small piece of property from the city behind HEB for \$200 per month to house their equipment. Although no opposition to the transfer of the lease was stated, Walker questioned the rental rate and requested that the fair market value be researched and negotiated before taking action. Tindol made motion to table, Thomas seconded motion and all voted Aye.

G. CONSIDER ORDINANCE ANNEXING A PORTION OF BUSINESS HWY 35 SOUTH FROM BELL CREEK TO 1155 HWY 35 SOUTH: It was reported that when the Business Highway 35 South annexation was approved, the highway adjacent to that property was not included. With a public hearing not being required by Local Government Code, motion was made by Tindol, seconded by Thomas to adopt Ordinance No. 623 captioned as

AN ORDINANCE OF THE CITY OF WEST COLUMBIA, TEXAS,  
ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE  
CITY OF WEST COLUMBIA, BRAZORIA COUTNY, TEXAS, AND  
EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO

STATE OF TEXAS  
 COUNTY OF BRAZORIA  
 CITY OF WEST COLUMBIA

CITY COUNCIL MINUTES  
 OF A REGULAR MEETING  
 TUESDAY, OCTOBER 15th, 2013

INCLUDE SAID HEREINAFTER DESCRIBED REAL PROPERTY WITH SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS AND REGULATIONS OF SAID CITY; AND ADOPTING A SERVICE PLAN.

All voted Aye.

- H. DISCUSS AND CONSIDER PROPOSAL FOR PROPERTY ON S. 17<sup>TH</sup> STREET: Sutherland reported the EDC has received an offer of donated property on S. 17<sup>th</sup> Street beside Get 'N Go and that they recommend accepting it in order to build business opportunity along Business 35 where other properties are being improved. Tindol stated that he didn't think the property would sell and the city would have to mow it when they won't mow senior citizen's ditches and made a motion to deny accepting the property. The motion died for lack of a second. Walker stated that the EDC was conducting business as a property broker and that was not the board's job. He requested they submit a business plan with a timeline first. Biedenfeld agreed that a business plan should be submitted and made a motion to table for the EDC to submit a plan for the property. Walker seconded and Thomas, Walker and Biedenfeld voted Aye with Tindol voting Nay.
- I. CONSIDER MEMORANDUM OF UNDERSTANDING BETWEEN WCPD AND CBISD: Chief Odin reported that CBISD has trouble with their antenna in Wild Peach transmitting their bus radio operations. He has negotiated an agreement with them to rent space on the Police Department radio tower for \$200 per month. Tindol made motion to approve the memorandum of understanding between the WCPD and CBISD and Biedenfeld seconded. All voted Aye. Biedenfeld commended Chief Odin for his proposal.
11. ADJOURN: Mayor Pro-Tem Walker adjourned the meeting at 7:54 P.M.

  
 LAURIE B. KINCANNON, Mayor

ATTEST:

  
 KELLI R. KUBAN, City Secretary