

STATE OF TEXAS  
 COUNTY OF BRAZORIA  
 CITY OF WEST COLUMBIA

CITY COUNCIL MINUTES  
 OF A REGULAR MEETING  
 MONDAY, JUNE 9TH, 2014

The City Council of the City of West Columbia, Texas, convenes this the 9<sup>th</sup> day of June 2014, 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 Maynor, Walker and Biedenfeld. City Manager Sutherland, City Secretary Kuban and City Attorney Griggs.
  - Absent: Aldermen Thomas and Tindol.
3. MAYOR AND CITY COUNCIL GREETINGS AND PRESENTATIONS: Kincannon greeted everyone and invited the public to the backyard fireworks at First Capitol Park on July 4<sup>th</sup> and thanked HEB for sponsoring the event. Walker gave a report on Columbia United and reported that the West Columbia Rotary Club sponsored \$10,000.
4. CITIZENS' COMMENTS: Mrs. Alma Spears from Bennett Street inquired about the upcoming deed restriction ordinance and was assured it would benefit property owners such as herself.
5. CITY MANAGER'S REPORT: Sutherland reported on the following – Pool would be opening but some repairs are still to be made; Drainage report included Bell Creek being monitored by TxDOT and county engineering office doing elevation shots on Jefferson; TxDOT has completed West side of 36 with the East side still to go; Sidewalk project completed from CHS to intersection of S. 17<sup>th</sup> and 36; CDBG project will be swapped with Capitol Improvement project; Second new police vehicle has been delivered and JAG grant is to cover communication systems, dispatch and car radios; The refill line has been installed at the fire station with a few issues still to be addressed before it is operational; WWTP permit renewal still requires a lab report to be contracted out; City is hosting BCCA meeting on June 18<sup>th</sup> and city manager will be out of the office next week participating in Columbia United.
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.

Motion was made by Biedenfeld to remove the Police Department report from the consent agenda, seconded by Maynor and all voted Aye. Biedenfeld then made motion to approve all remaining consent agenda items, seconded by Maynor and all voted Aye.
7. ITEMS REMOVED FROM CONSENT AGENDA: Biedenfeld inquired about the calls received from CBISD and Chief Odin reported they were for a possession of marijuana offense and a theft offense of which arrests were made. Biedenfeld made motion to accept the Police Department report, seconded by Maynor and all voted Aye.
8. OLD BUSINESS:
  - A. CONSIDER ORDINANCE AUTHORIZING CITY TO ENFORCE DEED RESTRICTIONS IN THE ABSENCE OF A HOMEOWNERS ASSOCIATION: After discussion of the ordinance being in the interest of the property owners and an incident where a home was recently constructed in violation of that subdivision's deed restrictions which the city could not enforce at

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that time, it was stated that the ordinance would give the city authorization in the absence of an acting HOA. Motion was made by Walker, seconded by Maynor to adopt Ordinance No. 625 captioned as

AN ORDINANCE AMENDING CHAPTER 17 OF THE CODE OF ORDINANCES OF THE CITY OF WEST COLUMBIA, TEXAS, BY ADDING ARTICLE 11, DIVISION 3, SECTIONS 17-62 THORUGH 17-66; ENFORCING DEED RESTRICTIONS; CONTAINING A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF ANY AND ALL KINDS OF ORDINANCES, REGULATIONS, 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.

All voted Aye. Further discussion addressed to Ms. Spears that if her neighborhood had no deed restrictions, the ordinance would not affect her area. Walker stated that subdivisions forming new Homeowner Associations would be an asset to the city.

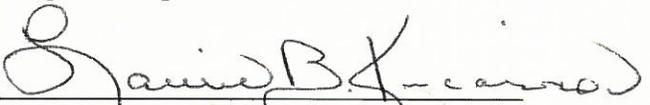
9. NEW BUSINESS:

- A. CONSIDER APPOINTMENT OF MAYOR PRO-TEM: After stating that he would be interested to stand in this position sometime in the future, Biedenfeld made motion to re-appoint Walker as Mayor Pro-tem. Motion was seconded by Maynor and all voted Aye.
- B. CONSIDER APPOINTMENT OF MUNICIPAL COURT JUDGE AND ASSISTANT MUNICIPAL COURT JUDGE: Motion was made by Walker, seconded by Maynor to re-appoint Mary Cudd as Municipal Court Judge and John Cole as Assistant Municipal Court Judge. All voted Aye.
- C. CONSIDER APPOINTMENT OF HOTEL OCCUPANCY TAX ADVISORY BOARD MEMBERS: Motion was made by Walker, seconded by Maynor to re-appoint Loretta Washington, Naomi Smith, Jenny Kier and Annie Ray to their positions on the HOT board. All voted Aye.
- D. CONSIDER APPOINTMENT OF EDC BOARD OF DIRECTORS: Motion was made by Biedenfeld, seconded by Maynor to re-appoint Laurie Kincannon, Gary Patterson, Rory Burke and Jim Stubbs to their positions on the EDC board. All voted Aye.
- E. CONSIDER CAPITOL IMPROVEMENT COMMITTEE REPORT AND RECOMMENDATIONS: Walker reported that the upcoming Capitol Improvement projects will be to finish the water line from Well #1 to Well #3 and to complete street repair and resurfacing under the current budget of \$160,000. The recommendation of the committee is to perform pro-active preventative rehabs on Tielke, Bacicia and Dance lift stations leaving a balance not below \$150,000 for emergency repairs. Line replacement projects are estimated at approximately \$88,000 and \$60,000. General and Utility Fund expenses are to be reimbursed by Capitol Improvement Fund. Motion was made by Biedenfeld and seconded by Maynor to approve the recommendations and move forward with projects. All voted Aye. An inspection is ordered on Water Tower No. 1.

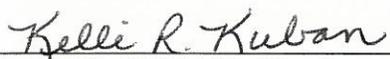
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- F. CLOSED MEETING: THE CITY COUNCIL WILL CONVENE IN A CLOSED SESSION OR A CLOSED MEETING PURSUANT TO CHAPTER 551 ENTITLED "OPEN MEETINGS" OF THE TEXAS GOVERNMENT CODE AND PURSUANT TO SECTION 551.087 OF THE TEXAS GOVERNMENT CODE FOR DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS TO 1.) DISCUSS OR DELIBERATE REGARDING COMMERCIAL OR FINANCIAL INFORMATION THAT THE GOVERNMENTAL BODY HAS RECEIVED FROM A BUSINESS PROSPECT THAT THE GOVERNMENTAL BODY SEEKS TO HAVE LOCATE, STAY OR EXPAND IN OR NEAR THE TERRITORY OF THE GOVERNMENTAL BODY AND WITH WHICH THE GOVERNMENTAL BODY IS CONDUCTING ECONOMIC DEVELOPMENT NEGOTIATIONS; OR 2.) DELIBERATE THE OFFER OF A FINANCIAL OR OTHER INCENTIVE TO A BUSINESS PROSPECT DESCRIBED BY SUBDIVISION (1): Mayor Kincannon closed the open meeting at 7:50 PM and council convened in a closed meeting. Council reconvened in open session at 9:20 PM.
- G. ACTION AS A RESULT OF A CLOSED MEETING: No action taken.
10. ADJOURN: Mayor Kincannon adjourned the meeting at 9:21 p.m.

  
LAURIE B. KINCANNON, Mayor

ATTEST:

  
KELLI R. KUBAN, City Secretary