

STATE OF TEXAS  
 COUNTY OF BRAZORIA  
 CITY OF WEST COLUMBIA

CITY COUNCIL MINUTES  
 OF A REGULAR MEETING  
 MONDAY, NOVEMBER 10th, 2014

The City Council of the City of West Columbia, Texas, convenes this the 10<sup>th</sup> day of November 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 Thomas, Tindol, Walker, and Biedenfeld. City Manager Sutherland, City Secretary Kuban and City Attorney Griggs.
  - Absent: Alderman Maynor.
3. MAYOR AND CITY COUNCIL GREETINGS AND PRESENTATIONS: Kincannon greeted everyone and reported on the success of the recent Trick or Treat in the Park and invited the public to the Veteran's Day program. She then read a proclamation for Alzheimer's Awareness Month.
4. CITIZENS' COMMENTS: Mrs. Alma Spears of Bennett Drive invited the public to the Veteran's breakfast at the Senior Citizen's Center.
5. CITY MANAGER'S REPORT: Sutherland reported on the following – Final report on Discovery Garden and additional monies available; Dixon Park had trees donated by two different groups; Downtown railing damage has been repaired; TxDOT was to pay for engineering of sidewalk project but will be redirected to construction costs; Dance lift station to be repaired; Wells are pumping at approximately 81%; An employee has been contracted that holds a "C" license as required by TCEQ; Christmas decorations will be going up soon; Stripes project has been delayed; City offices will be closed for Veterans Day holiday.
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 included 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 EDC BUSINESS INCENTIVE GRANT FUNDING RECOMMENDATION.
  - J. CONSIDER HOT ADVISORY BOARD FUNDING RECOMMENDATIONS.

Biedenfeld requested to remove Police Report and EDC grant recommendation from consent agenda before making motion to approve all others as submitted including the designation of city newspaper as the Brazoria County News by adopting Resolution No. 444 and approving HOT funding for Chamber (\$692.78) and City (\$16,906.90). Motion was seconded by Walker and all voted Aye.
7. ITEMS REMOVED FROM CONSENT AGENDA: Biedenfeld inquired about the arrests made at CBISD to which Chief Odin reported they were both felony offenses committed by a 17 and 18 year old. Motion was made by Walker, seconded by Tindol to approve the Police Department report. All voted Aye. Next Biedenfeld commented on Smokin' R BBQ not yet offering employee discounts, such as for police officers, that he felt they had verbally committed to prior to opening. Upon no further discussion, motion was made by Biedenfeld,

STATE OF TEXAS  
 COUNTY OF BRAZORIA  
 CITY OF WEST COLUMBIA

CITY COUNCIL MINUTES  
 OF A REGULAR MEETING  
 MONDAY, NOVEMBER 10th, 2014

seconded by Tindol to approve EDC's recommendation of funding for signage and façade improvements (\$3,000). All voted Aye.

8. OLD BUSINESS:

- A. CONSIDER ORDINANCE REGULATING MOTORIZED CART USAGE: City Attorney Griggs discussed the ordinance regulated golf carts only on streets with a posted speed limit of 30 miles per hour or less. Motion was made by Walker, seconded by Thomas to adopt Ordinance No. 631 captioned as

AN ORDINANCE AMENDING CHAPTER 18 OF THE CODE OF ORDINANCES OF THE CITY OF WEST COLUMBIA, TEXAS, ENTITLED "TRAFFIC AND VEHICLES" BY ADDING TO THAT CHAPTER 18 A NEW ARTICLE VIII ENTITLED "GOLF CARTS"; PROVIDING FOR THE OPERATION OF GOLF CARTS WITHIN THE CITY ON STREETS HAVING A MAXIMUM LAWFUL SPEED OF NO MORE THAN 30 MILES PER HOUR SUBJECT TO CERTAIN REQUIREMENTS AND RESTRICTIONS; CONTAINING A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF ALL CODE PROVISIONS, ORDINANCES, RESOLUTIONS, AND/OR INFORMAL POLICEIS WHICH ARE IN ANY MANNER IN CONFLICT OR INCONSISTENT WITH THIS ORDINANCE; PROVIDING THAT A VIOLATION OF THIS ORDINANCE CONSTITUTES A MISDEMEANOR PUNISHABLE BY A FINE OF NOT TO EXCEED \$500.00; AND PROVIDING AN EFFECTIVE DATE.

All voted Aye. Further discussion resulted in an effective date of January 1, 2015 and the need for educational articles to be published to inform the public.

- B. CONSIDER SOLID WASTE CONTRACT – WASTE CONNECTIONS: Waste Connection representative Evan Sharp reported that he was able to meet council's recommendations by amending the 5 year contract down to 4 year with 2 years fixed plus 2 Consumer Price Index increases with a maximum of 2.5%. He also was able to include a clause allowing the city to join with Sweeny and Brazoria for a West of the Brazos tri-city contract at any time. Motion was made by Walker, seconded by Tindol to approve the new solid waste contract with Waste Connections. All voted Aye.

9. NEW BUSINESS:

- A. CONSIDER CONSOLIDATION OF SUBDIVIDED PARCELS OF PROPERTY LOCATED AT 400 BLK OF E. BRAZOS – WINDROSE LAND SERVICES, INC.: Stripes is requesting that the subdivided property they are purchasing for their convenience store be consolidated into one parcel. Motion was made by Walker, seconded by Tindol to approve the request to consolidate lots into one. All voted Aye.
- B. CONSIDER REQUEST FOR UTILITY ACCOUNT ADJUSTMENT – MRS. BETTY LYTLE: Mrs. Lytle commended the city employee for bringing to her attention the issue of the excessive water consumption caused by a broken valve. Motion was made by Biedenfeld to adjust her payment to \$362.17. Thomas seconded the motion. Walker then made a motion to amend the amount due to \$290.00. Biedenfeld seconded the amended motion and all voted Aye.
- C. CONSIDER RESOLUTION DESIGNATING HOUSTON-GALVESTON AREA COUNCIL REPRESENTATIVE AND ALTERNATE: Motion was made by Tindol, seconded by Walker to appoint Alderman Biedenfeld as H-GAC representative and

STATE OF TEXAS  
COUNTY OF BRAZORIA  
CITY OF WEST COLUMBIA

CITY COUNCIL MINUTES  
OF A REGULAR MEETING  
MONDAY, NOVEMBER 10th, 2014

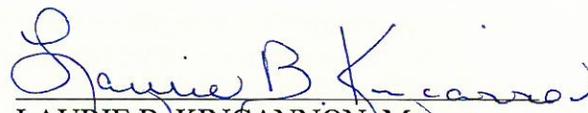
- Alderman Maynor as alternate. All voted Aye.
- D. CONSIDER EDC RECOMMENDATION TO PAY OFF FIRST CAPITOL PARK  
NOTE: Motion was made by Tindol, seconded by Thomas to approve the recommendation of the EDC to pay off the First Capitol Park note in the amount of \$222,579.70 plus any accrued interest, as of December 12. All voted Aye.
- E. CONSIDER CBISD INTERLOCAL AGREEMENT FOR INMATE HOUSING:  
Walker discussed his opinion that all minors should be transported to county to remove the liability from the city. Griggs stated concern over some issues in the current agreement and Biedenfeld suggested a definition of minor be included. Pros and cons of housing students at the city jail were also discussed as was the suggestion to add a provision to agree to the city's procedures with a signed acknowledgment. Biedenfeld made motion to forward agreement to city attorney, CBISD and City of Sweeny for revisions and return to council for final approval. Motion was seconded by Tindol. Thomas, Tindol and Biedenfeld voted Aye. Walker voted Nay. Motion carried.
- F. CONSIDER AMENDING TMRS SERVICE RETIREMENT YEARS: Biedenfeld served as chairman of the compensation committee that makes the recommendation to amend the number of service years required for retirement eligibility be reduced from 25 to 20 years. He stated that the amendment would save the city the additional 2:1 contributions and encourage rotation of employees. Motion was made by Tindol, seconded by Thomas to authorize the city attorney to draft amended ordinance reducing number of service years for TMRS from 25 to 20. All voted Aye.
- G. CONSIDER SICK LEAVE BUY-BACK OPTIONS: Biedenfeld reported that the compensation committee recommended buying back unused sick leave from employees. Buying back hours at 100% is not cost effective, but some percentage would encourage the misuse of sick time. Motion was made by Tindol, seconded by Thomas to buy back unused sick leave at 50%. All voted Aye.
- H. DISCUSS AND CONSIDER COMPENSATION COMMITTEE'S BENEFIT AND INCENTIVE SUGGESTIONS: Other suggestions from the compensation committee for future budget years included encouraging local businesses/restaurants to participate in discount programs for city employees, longevity pay to award employees with tenure, education pay to encourage employees to acquire certifications, etc. No action necessary.
- I. CONSIDER SOFTBALL AGREEMENT: Walker stated that the current agreement leaves CHS with limited responsibility, the city putting forth all the funding and WCGSA receiving all the benefits. He suggested that they have complete responsibility for the care of the fields. Griggs commented that there are currently no written consequences for violations of the agreement. Item was tabled for further review and revisions to be made. No action taken.
- J. CONSIDER AUTHORIZING PURCHASE OF POLICE VEHICLE: Chief Odin reported that engine has blown in unit 605 and another is charger is in need of repair. He stated that dealership will give \$2500 discount for purchase of floor model and will accept trade-in of one of the other units. Funds were budgeted for the purchase of one new police vehicle. Motion was made by Tindol, seconded by Thomas to authorize the city manager to negotiate the purchase of vehicle. All voted Aye.
- K. CONSIDER SELECTING ENGINEERING FIRM FOR CDBG PROJECT: Sutherland reported that qualification proposals were received from Amani Engineering of

STATE OF TEXAS  
COUNTY OF BRAZORIA  
CITY OF WEST COLUMBIA

CITY COUNCIL MINUTES  
OF A REGULAR MEETING  
MONDAY, NOVEMBER 10th, 2014

Houston, Kelly Kaluza & Associates of Rosenberg, John D. Mercer & Associates of Edna, and Shelmark Engineering of Texas City. Motion was made by Tindol, seconded by Thomas to award the CDBG engineering to John D. Mercer & Associates. All voted Aye.

- L. CONSIDER EMPLOYEE PAY RAISES: Sutherland submitted proposed employee pay raise schedule. Walker inquired if the amount exceeding the funds budgeted would come from fund balance. After discussion of options to make raises retroactive to start of fiscal year or award in phases, council agreed that city manager had authority to award raises at her discretion, within the approved budget. No action necessary.
- M. CONSIDER ACQUISITION OF EASEMENT FOR SINCLAIR LIFT STATION: Sutherland reported that the Sinclair lift station is partially located on private property and the owner has agreed to exchange the land for a one time improvement to their personal driveway including culvert, cattle guard and materials. Motion was made by Walker to empower the city manager to negotiate final details of acquiring the easement, not to exceed \$5000. Biedenfeld seconded the motion. All voted Aye.
10. ADJOURN: Mayor Kincannon adjourned the meeting at 8:58 P.M.

  
LAURIE B. KINCANNON, Mayor

ATTEST:

  
KELLI R. KUBAN, City Secretary