

STATE OF TEXAS  
 COUNTY OF BRAZORIA  
 CITY OF WEST COLUMBIA

CITY COUNCIL MINUTES  
 OF A REGULAR MEETING  
 MONDAY, DECEMBER 8th, 2014

The City Council of the City of West Columbia, Texas, convenes this the 8<sup>th</sup> day of December 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, Walker and Biedenfeld.  
             City Manager Sutherland, City Secretary Kuban and City Attorney Griggs.  
     Absent: Aldermen Tindol and Maynor.
3. MAYOR AND CITY COUNCIL GREETINGS AND PRESENTATIONS: Kincannon greeted everyone to the meeting.
4. CITIZENS' COMMENTS: Mr. Sam Stampport reported a light out above the walkway between the library and council chambers.
5. CITY MANAGER'S REPORT: Sutherland reported that the CDBG project is pending environmental clearance to proceed; Tax abatement review was given; EDC update on Stripes land acquisition is pending second environmental study; Annual audit is completed and city offices will be closed for Christmas Eve and Christmas Day pending outcome of agenda item to change Christmas Eve to Friday following Christmas Day. City offices will also be closed for New Years Day.
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 EDC BUSINESS INCENTIVE GRANT FUNDING RECOMMENDATIONS. Walker requested EDC item be removed from the consent agenda. Biedenfeld made motion to accept all other consent agenda items for approval and it was seconded by Walker. All voted Aye.
7. ITEMS REMOVED FROM CONSENT AGENDA: Walker reported that he was the owner of the building of one of the grant applications being submitted by his renter and that he is abstaining from the vote. Motion was made by Biedenfeld, seconded by Thomas to approve funding sign improvement grant applications for CM3 Motors in the amount of \$235.45 and Nana Kay's in the amount of \$359.13. All voted Aye with Walker abstaining.
8. PUBLIC HEARING(S):
  - A. EFFECT OF THE JUVENILE CURFEW ORDINANCE ON COMMUNITY AND CONSIDER THE NEED FOR ITS CONTINUANCE: Mayor Kincannon closed the open meeting and into a public hearing at 7:08PM. Chief Odin gave a report on the effect of the juvenile curfew and recommended it be continued. There were no public comments so Kincannon closed the public hearing at 7:10PM.
  - B. ADOPTION OF TMRS 20-YEAR ANY AGE SERVICE RETIREMENT ORDINANCE: Mayor Kincannon opened the second public hearing at 7:10PM to discuss the adoption of

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TMRS 20-year any age retirement ordinance changing service requirement from the city's current 25-year provision. There were no public comments so Kincannon closed the public hearing and entered back into open meeting at 7:11PM.

9. OLD BUSINESS:

A. CONSIDER CBISD AND CITY OF SWEENY INTERLOCAL AGREEMENT FOR INMATE HOUSING: Walker voiced his opinion opposing the city housing CBISD inmates due to the possible liability issues with no benefits being involved. Chief Odin stated that the drafted agreement limits the city's liability and his jail staff could offer "counsel" and protection for local young offenders that would not be as "controlled" at the county facilities by allowing one more step between the student and the hardened criminals. Walker stated that he felt the liability outweighs the benefits. Being listed as an additional insured on CBISD and City of Sweeny's insurance policies was also recommended. Biedenfeld made motion to adopt the agreements with CBISD and City of Sweeny with a clause of being an additional insured with each entity. Motion was seconded by Thomas. Thomas and Biedenfeld voted Aye with Walker voting Nay. Motion carried.

B. CONSIDER ORDINANCE ADOPTING TMRS 20-YEAR ANY AGE SERVICE RETIREMENT: Motion was made by Walker, seconded by Biedenfeld to adopt Ordinance No. 632 captioned as

AN ORDINANCE AFFECTING PARTICIPATION OF CITY EMPLOYEES IN THE TEXAS MUNICIPAL RETIREMENT SYSTEM GRANTING THE ADDITIONAL RIGHTS AUTHORIZED BY SECTION 854.202(g) OF TITLE 8, TEXAS GOVERNMENT CODE, AS AMENDED, AND PRESCRIBING THE EFFECTIVE DATE FOR THE ORDINANCE.

All voted Aye.

C. CONSIDER SOFTBALL AGREEMENT: City Attorney Griggs stated concern of there being no one listed to have final say and there being no consequences for disputed actions or how do conflicts get resolved, etc. He felt the current agreement gives WCGSA almost total control over the city's fields. Sutherland recommended to table the item in order to make revisions. Griggs recommended monitoring usage of the fields and holding entities accountable. Item was tabled for the city manager and attorney to put together a new format for council to review. No action taken.

10. NEW BUSINESS:

A. CONSIDER JUVENILE CURFEW ORDINANCE: Motion was made by Walker, seconded by Thomas to adopt Ordinance No. 633 captioned as

AN ORDINANCE FOR THE CITY OF WEST COLUMBIA, TEXAS, ACKNOWLEDGING THE REVIEW OF ARTICLE II, CHAPTER 12 OF THE CODE OF ORDINANCES ENTITLED JUVENILE CURFEW, THE CONDUCT OF A PUBLIC HEARING ON THE NEED TO CONTINUE THAT CURFEW AND THE ACTION OF THE COUNCIL VOTING TO RATIFY, CONFIRM AND CONTINUE THAT CURFEW WITH RESPECT TO PERSONS UNDER EIGHTEEN (18) YEARS OF AGE, REGULATING THE USE OF STREETS DURING CERTAIN NIGHTTIME HOURS, AND PROVIDING FOR RELATED MATTERS SUCH AS PERMITS,

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REGULATIONS AND EXCEPTIONS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES, RESOLUTIONS OR INFORMAL POLICIES OF THE CITY WHICH ARE IN ANY MANNER INCONSISTENT OR IN CONFLICT WITH THIS ORDINANCE; CONTAINING A SEVERABILITY CLAUSE; PROVIDING THAT ANY 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.

- B. CONSIDER APPOINTMENT TO RESERVE POLICE FORCE: Motion was made by Biedenfeld, seconded by Thomas to appoint Officer Robert Butler to the reserve force. All voted Aye.
- C. CONSIDER RESOLUTION SUPPORTING ADDITIONAL ROUTES FOR HEAVY LIFT CORRIDOR IN BRAZORIA COUNTY: The proposed route was discussed and it was stated that the overpass plans may need to be redesigned. Walker stated that he wouldn't want to support all the heavy traffic through our city, but the resolution would not change their path. No motion was made in support of the resolution, so no action was taken.
- D. CONSIDER ALTERNATING CHRISTMAS EVE HOLIDAY FOR FRIDAY AFTER CHRISTMAS: Motion was made by Walker, seconded by Biedenfeld to change the city's Christmas Eve holiday to the Friday after Christmas. All voted Aye.
11. ADJOURN: Mayor Kincannon adjourned the meeting at 7:43 P.M.

  
LAURIE B. KINCANNON, Mayor

ATTEST:

  
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KELLI R. KUBAN, City Secretary