

STATE OF TEXAS
 COUNTY OF BRAZORIA
 CITY OF WEST COLUMBIA

CITY COUNCIL MINUTES
 OF A REGULAR MEETING
 MONDAY, APRIL 13th, 2015

The City Council of the City of West Columbia, Texas, convenes this the 13th day of April 2015, 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: Aldermen Maynor.
3. MAYOR AND CITY COUNCIL GREETINGS AND PRESENTATIONS: Kincannon greeted everyone; Tindol invited the public to the San Jacinto Festival and gave an update of events; Walker reported on the upcoming Columbia United project; Kincannon introduced Yvonne Darrell, new accounting clerk, before awarding Employee of the Month certificate to Rodney Hall.
4. CITIZENS' COMMENTS: There were none.
5. CITY MANAGER'S REPORT: Sutherland reported that Kidfish was successful with more than 70 participants and a 19.5 lb. catfish being caught; Brazos Pointe Fellowship completed clean up of the Loggins St. park and the welcome sign on N. Hwy 36; HEB has again agreed to be a sponsor of the July 4th fireworks display; Ditch cleaning has been completed on Meadow Lane and Rainbow Subdivision and the county culvert replacement project on far E. Jefferson will begin soon; Sidewalk project kickoff meeting with design team, CivilCorp, was attended recently by city manager and mayor and project should begin after the first of the year; Dance and Bacicia lift station rehab has begun and is being funded by Capital Improvement monies; A test well is being ordered for S. 17th St. property to see if it would be a suitable location for Well No. 4 and funding options are being considered; PUC notified city of an increase from \$.48 to \$.49 to take place unless city wants to deny it; City hall will be closed on Friday, April 17th for the San Jacinto Festival carnival taking place in the parking lot.
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.
 Motion was made by Tindol and seconded by Thomas to approve all consent agenda items.
 All voted Aye.
7. ITEMS REMOVED FROM CONSENT AGENDA: There were none.
8. PUBLIC HEARING – PROPOSING TO INSTITUTE ANNEXATION PROCEEDINGS TO ENLARGE AND EXTEND THE BOUNDARY LIMITS OF CITY OF WEST COLUMBIA TO INCLUDE A 40.5522 ACRE TRACT, KNOWN AS JOSIAH H. BELL 1 ½ LEAGUE GRANT, ABSTRACT 40, BRAZORIA COUNTY, TEXAS: Kincannon closed the open meeting and entered into a public hearing at 7:16PM to discuss the annexation of a 40+ acre tract on S. Business Hwy 35 purchased by Double C Development. After no public comments being made, Kincannon closed the public hearing and reconvened in open session at 7:17PM.
9. OLD BUSINESS:

STATE OF TEXAS
 COUNTY OF BRAZORIA
 CITY OF WEST COLUMBIA

CITY COUNCIL MINUTES
 OF A REGULAR MEETING
 MONDAY, APRIL 13th, 2015

- A. CONSIDER APPROVING LICENSE TO DISCHARGE INTO CITY'S WASTEWATER TREATMENT PLANT: Griggs reported that there would be three charges involved in the licensing process to discharge into the city's WWTP. They would be an application fee of \$2,000 to complete the background work on the applicant; an annual license fee of \$250 that will be effective through the end of a calendar year; and a load fee of \$30 per 1000 gallons which would be mostly all profit per Terry Elliott, WWTP Supervisor. Other requirements will be indemnification and insurance with the city listed as an additional insured on a minimum \$3,000,000 liability policy, a waiver of subrogation and coverage for each vehicle. Elliott would have authorization to use discretion with each applicant. Magna Flow representative, Charles Stroud, stated that the leachate to be discharged is the equivalent of storm water and their company is highly mandated by TCEQ, just as the city is. Motion was made by Tindol, seconded by Biedenfeld to approve the issuance of license to discharge into the WWTP system to Magna Flow. All voted Aye.
- B. CONSIDER ORDINANCE AMENDING DESIGNATED AREAS FOR MOBILE HOMES: Griggs reported that the area of N. 11th, north of Jefferson, had been erroneously excluded in the most recent codification of ordinances and that it is now being included in the proposed ordinance designating N. Mattson, north of Jefferson, as an area exempting mobile homes. Motion was made by Walker, seconded by Biedenfeld to adopt Ordinance No. 635 captioned as

AN ORDINANCE FOR THE CITY OF WEST COLUMBIA, TEXAS, AMENDING CHAPTER 11 OF THE CODE OF ORDINANCES OF THE CITY OF WEST COLUMBIA, TEXAS, ESTABLISHING RULES, REGULATION AND RESTRICTIONS REGARDING THE PLACEMENT, USE AND OCCUPANCY OF MANUFACTURED HOMES WITHIN THE CITY; AMENDING THE LIST OF AREAS WITHIN THE CITY WHERE MANUFACTURED HOMES MAY BE PLACED OTHER THAN WITHIN A MANUFACTURED HOME PARK; 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; AND PROVIDING AN EFFECTIVE DATE.

All voted Aye.

10. NEW BUSINESS.

- A. CONSIDER PRESENTATION OF DELINQUENT TAX COLLECTION REPORT AND RENEWAL OF CONTRACT WITH PERDUE, BRANDON, FIELDER, COLLINS & MOTT, L.L.C.: Mike Darlow, Attorney with PBFC&M, gave the annual report of delinquent tax and municipal court fine collection. Motion was made by Walker, seconded by Biedenfeld to renew the city's delinquent tax collection contract with Perdue, Brandon, Fielder, Collins & Mott, LLC. All voted Aye.
- B. CONSIDER RESOLUTION FOR GRANT AND PERFORMANCE AGREEMENT BETWEEN WEST COLUMBIA ECONOMIC DEVELOPMENT CORPORATION AND SWEENEY COMMUNITY HOSPITAL: Kincannon gave an update of the proposal by Sweeny Community Hospital to open a family clinic that would service patients of all ages. Kincannon completed the second of two required readings of proposed resolution. Tindol

STATE OF TEXAS
COUNTY OF BRAZORIA
CITY OF WEST COLUMBIA

CITY COUNCIL MINUTES
OF A REGULAR MEETING
MONDAY, APRIL 13th, 2015

made motion to adopt Resolution No. 451. Motion was seconded by Walker and all voted Aye. Walker thanked the EDC for their participation in this endeavor.

- C. CONSIDER MOBILE HOME VARIANCE APPLICATION – 313 HAMILTON ST. BY VIVIANA QUINTANA-CORDOVA: Mrs. Quintana-Cordova's sister addressed council on her behalf stating that she had recently purchased the property and house located at 313 Hamilton. The house is in need of major repairs that have been halted due to her son's medical treatment. She has purchased a mobile home that will provide a better immediate environment, but has waited over two months for a location to become available in Angleton. She is requesting a variance to temporarily place the mobile home on the vacant area of her property at 313 Hamilton until after her son's treatment. Walker, although moved by her plight, made a motion to deny the request, based on the city's ordinance. Motion to deny was seconded by Biedenfeld. All voted Aye.
- D. CONSIDER COUNTY RECOMMENDATION REGARDING DANCE DRIVE: Sutherland reported that the correction of the level-up job completed by the county on Dance Drive was estimated at \$49,000 with the county proposing the city fund 100%. It was agreed by council that the job was unacceptable and was in better condition prior to the project's completion. City Engineer, David Sheblak, stated that milling down and resurfacing would correct the condition. Tindol felt strongly that the county should fund the repair. Walker suggested the city fund some of the material costs. It was discussed and agreed that the city manager would make initial contact with county to negotiate upgrade, keeping the correct elevations to deter drainage issues. Motion was made by Tindol that the city authorize funding of no more than \$20,000 for road repair. Thomas seconded motion and all voted Aye.
- E. CONSIDER AWARDED CONSTRUCTION BID FOR COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT: CDBG funding of \$205,500 less engineering leaves approximately \$166,400 for construction. Bids were received from Supak Construction, Inc. (\$308,370.50 with completion of 300 calendar days); A. Absolute Plumbing, Inc. (\$247,090.00 with completion of 90 days); Crosstex Construction, Inc. (\$222,077.15 with completion of 60 days) and Matula & Matula Construction, Inc. with the lowest bid of \$217,963.10 and completion of 75 days. This is approximately \$51,563.10 above the allotted CDBG funds and Sutherland recommended Capital Improvement fund the balance as opposed to scaling back the project. As all Capital Improvement Committee members were present, all concurred without any opposing statements. Motion was made by Walker and seconded by Thomas to spend Capital Improvement funds to pay the overage in construction costs and award the bid to Matula & Matula Construction, Inc. All voted Aye.
- F. CONSIDER RESOLUTION SUSPENDING CENTERPOINT PROPOSED RATE INCREASE: Sutherland reported that CenterPoint Gas has proposed a residential general service monthly rate increase of approximately \$1.23. There are 3 options of actions the city may take: 1) Do nothing and the rate increase will go into effect on May 1st. 2) Deny the proposed rate increase and CenterPoint would appeal. Or 3) Suspend the effective date for 90 days to allow review of proposed increase through exercise of the city's original jurisdiction over their rates, services and operations. The city participates in a coalition, and the attorney is recommending the suspension option. Motion was made by Walker,

STATE OF TEXAS
COUNTY OF BRAZORIA
CITY OF WEST COLUMBIA

CITY COUNCIL MINUTES
OF A REGULAR MEETING
MONDAY, APRIL 13th, 2015

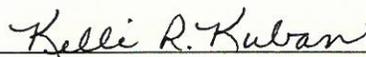
seconded by Thomas to suspend CenterPoint's proposed rate increase by 90 days by adopting Resolution No. 453. All voted Aye.

- G. CONSIDER JURISDICTION PARTICIPATION IN THE BRAZORIA COUNTY CDBG AND HOME PROGRAM: Sutherland stated that the city must agree to participate in the county's Community Development Block Grant program to continue to receive funding. It was reported that the only negative impact of participation is that it disqualifies the city from participating in some of the other state grant programs. Motion was made by Walker, seconded by Thomas to continue participation in the Brazoria County CDBG program. All voted Aye.

10. ADJOURN: Mayor Kincannon adjourned the meeting at 7:25 P.M.


LAURIE B. KINCANNON, Mayor

ATTEST:


KELLI R. KUBAN, City Secretary