

**City of West Orange  
Monday, January 14, 2019  
Regular Session**

**West Orange Community Center  
2700 Western Avenue (rear entrance)  
West Orange, Texas  
5:00 P.M.**

**COUNCIL MEMBERS PRESENT:**

Mayor Roy McDonald Dale Dardeau Shirley Bonnin  
Michael Shugart, Sr. Frances Lopez

**COUNCIL MEMBER ABSENT:**

Randy Branch

**APPOINTED OFFICIALS PRESENT:**

Mike Stelly Dean Fuller Theresa Van Meter  
Rex Peveto

**OTHERS PRESENT:**

Dan Perrine Giancarlo Cardenas Mike Wilson  
Kathy Smartt Ana A. Cardenas Dawn Burleigh  
Dave Rogers Nestor Barroeta Rickey Blagburn  
Billy Ray Kemp

**Call to Order**

Mayor McDonald called the meeting to order at 5:00 p.m. Mayor Pro-Tem Bonnin gave the invocation. The mayor then led in the Pledges of Allegiance to the American and Texas flags.

**Consent Agenda**

**Discussion and Possible Action on approval of the minutes of the December 11, 2018 Council Meeting** – These minutes were unanimously approved by Council vote after a motion was made by Council Member Dardeau, followed by a second from Mayor Pro-Tem Bonnin.

**Regular Session**

**Discussion and Possible Action on a request for a variance to the mobile home ordinance submitted by Mr. Giancarlo Cardenas** – Council Member Shugart made a motion that Mr. Cardenas’ variance request be granted.

Mr. Cardenas then asked to address Council. He explained that this property is too small to build a home on, which is one reason he would like to move a manufactured home onto it. There used to be a manufactured home on this lot, and there is also one on the property next door. He does not believe that he would be bringing down home values by doing so, as the average value on that street is \$28,000.

Mr. Cardenas disagreed with Council's previous statement that if he is granted this variance they would have to grant all that came before them for the same ordinance. He believes that each request should be seen on a case-by-case basis. Also he believes that Council should consider that this particular property is not on a major street. This small lot is just sitting there and will continue to sit there if he does not buy it. He has already obtained verbal and written approval of the neighbors.

Mayor McDonald asked Mr. Fuller if Mr. Cardenas’ request was in compliance with the ordinance. Mr. Fuller responded that he could put a modular or “stick-built” home there per ordinance, but not a manufactured home. Mayor Pro-Tem Bonnin asked Mr. Fuller if Mr. Cardenas’ had looked into purchasing a modular home. Mr. Fuller responded that he had, but that they were two-to-three times more expensive.

With there being no further discussion, the mayor asked for a second to Council Member Shugart’s motion. No second to the motion was presented, therefore the motion died on the table, effectively denying Mr. Cardenas’ request.

**Discussion and Possible Action on Ordinance No. 443, an Ordinance calling the General Election to be held in the City of West Orange, Texas on May 4, 2019 to fill the offices of**

Mayor and two Aldermen; stating the location of the polling place and designating the City of West Orange as one voting precinct; making certain provisions related to the manner of voting in the conduct of the election; prescribing the form of ballot to be used; providing that this ordinance shall constitute an order for such election and that proper notice thereof shall be given

*Discusión y posible acción sobre la Ordenanza No. 443, una Ordenanza que convoca a la Elección General que se celebrará en la Ciudad de West Orange, Texas, el 4 de mayo de 2019 para llenar las oficinas del Alcalde y dos concejales; indicando la ubicación del lugar de votación y designando a la Ciudad de West Orange como un recinto electoral; hacer ciertas disposiciones relacionadas con la forma de votar en la conducción de la elección; prescribir la forma de papeleta a utilizar; siempre que esta ordenanza constituya una orden para tal elección y que se le dé aviso apropiado de ello*

Council Member Lopez made a motion the Ordinance No. 443 pertaining to the 2019 General Election be adopted as presented. Council Member Dardeau seconded her motion. There were no questions or discussion on the motion. A vote was cast, with the motion passing unanimously.

*El concejal López hizo una moción para que se adopte la Ordenanza No. 443 relativa a la Elección General de 2019 tal como se presentó. El concejal Dardeau secundó su moción. No hubo preguntas o discusión sobre la moción. Se emitió un voto, con la moción aprobada por unanimidad.*

**Discussion and Possible Action on entering into a Joint Election Agreement with the West Orange-Cove C.I.S.D. for the May 4, 2019 election**

*Discusión y posible acción al celebrar un Acuerdo de elección conjunta con West Orange-Cove C.I.S.D. para las elecciones del 4 de mayo de 2019*

Mayor Pro-Tem Bonnin made a motion that Council approve entering into a Joint Election Agreement with the West Orange-Cove C.I.S.D. for the May 4, 2019 election. Council Member Dardeau seconded her motion. With there being no discussion, a vote was cast with the motion passing unanimously.

*El alcalde Pro-Tem Bonnin hizo una moción para que el Consejo aprobara la celebración de un Acuerdo de Elección Conjunta con West Orange-Cove C.I.S.D. Para las elecciones del 4 de mayo de 2019. El concejal Dardeau secundó su moción. Al no haber discusión, se emitió un voto y la moción fue aprobada por unanimidad.*

**Discussion and Possible Action on Ordinance No. 444, an Ordinance authorizing participation with other Entergy service area cities in matters concerning Entergy Texas, Inc. at the Public Utility Commission of Texas in 2019; authorizing the hiring of lawyers and rate experts; authorizing the City's participation at the Public Utility Commission of Texas; finding that the meeting complies with the Open Meetings Act and declaring an effective date** – Council Member Dardeau made a motion that Ordinance No. 444, an Ordinance authorizing participation with other Entergy service area cities in matters concerning Entergy Texas, Inc. at the Public Utility Commission of Texas in 2019; authorizing the hiring of lawyers and rate experts; authorizing the City's participation at the Public Utility Commission of Texas; finding that the meeting complies with the Open Meetings Act and declaring an effective date be adopted as presented. Council Member Lopez seconded his motion. With there being no discussion on the matter, Mayor McDonald called for a vote on the motion. It passed unanimously.

**Discussion and Possible Action on the recommendation of the Selection Review Committee to award by resolution Schaumburg & Polk, Inc. for engineering services for the City's 2019/2020 Texas Department of Agriculture TxCDBG application assistance and project implementation, if awarded** – Council Member Dardeau made a motion that Council accept the recommendation of the Selection Review Committee to award, by resolution, Schaumburg & Polk, Inc. for engineering services for the City's 2019/2020 Texas Department of Agriculture TxCDBG application assistance and project implementation, if awarded. Council Member Lopez seconded his motion. With there being no discussion on the issue, the mayor called for a vote. The motion was unanimously passed.

**Discussion and Possible Action on amending rates and/or fees and/or services for the sanitation department** – Chief Stelly explained that part one of this issue deals with the Cart Replacement Fee that was established back when the City's waste collection contract was with Waste Management. This fee was attached to some, not all, garbage accounts (not residential). In the event that some carts were not returned, the City was going to be billed \$80 per cart. This fee would help cover those potential costs. Now that the City has contracted with another

company, that stipulation is gone and there is no need for that fee. According to the ordinance establishing that fee, whenever it is deemed no longer necessary any funds collected up to that time shall be rolled over into the Repair and Replacement (R&R) account.

Part two of this item deals with a rate increase. Piney Woods, per contract, has proposed a price increase. The CPI has increased 9.6%, but they are only requesting a 3% increase. The City has not increased sanitation service rates since 2010. He does suggest keeping the early payment discounts in place as they currently are for semi-annual and annual payments.

The third part of this item deals with Piney Woods has offered to continue the City's dumpster service. They would continue to use the City's dumpsters. They would charge \$30 per dump. The only increase to the citizens would be that the R&R fee and sales tax would be added to the \$30, rather than included in the \$30 as it is now.

Council Member Dardeau then made a motion that the Cart Replacement Fee be set to zero (\$0.00) effective January 31, 2019. Council Member Lopez seconded his motion. There was no further discussion on the matter. The mayor called for a vote on the motion, which passed unanimously.

Council Member Lopez made a motion to increase sanitation fees by \$2.00 monthly, effective with the August, 2019 bill. Council Member Dardeau seconded her motion. With there being no further discussion on the matter, the mayor called for a vote. The motion passed unanimously.

Council Member Dardeau then made a motion that would adjust the city-sponsored dumpster program fee to a \$30 base rate plus tax and R&R fee, and further allow for an amendment to our Solid Waste Collection Service Agreement to reflect this service being contracted out for a current fee not to exceed \$30 per rental. Mayor Pro-Tem Bonnin seconded his motion. Chief Stelly stated that this will be added to their contract as an addendum. There was no further discussion, so the mayor called for a vote. The motion was unanimously passed.

**Announcements**

The mayor made note of the following:

1. Period to file for place on May 4, 2019 General Election ballot – January 16, 2019 (8:00 a.m.) - February 15, 2019 (5:00 p.m.)

*Último día para presentar su solicitud el 4 de mayo de 2019 Boleta de la Elección General: viernes 15 de febrero de 2019; 5:00 pm.*


2. City Hall closed in observance of Presidents' Day – Monday, February 18, 2019
3. Next Council meeting: Tuesday, February 19, 2019; 5:00 p.m.

**Adjournment**

With there being no further business before Council, Mayor McDonald adjourned the meeting at 5:23 p.m.

  
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Roy McDonald, Mayor

ATTEST:

  
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Theresa Van Meter, City Secretary

