

**City of West Orange
Monday, December 16, 2019
Public Workshop**

**West Orange Community Center
2700 Western Avenue (rear entrance)
West Orange, Texas
4:00 P.M.**

COUNCIL MEMBERS PRESENT:

Mayor Roy McDonald
Brent Dearing

Randy Branch
Michael Shugart, Sr.

Dale Dardeau

COUNCIL MEMBER ABSENT:

Shirley Bonnin

APPOINTED OFFICIALS PRESENT:

Rex Peveto

Theresa Van Meter

Mike Stelly

Workshop

Mayor McDonald called the workshop to order at 4:00 p.m. He stated that the purpose of the workshop was to discuss the vacant and untended properties within the city.

The mayor then asked Mr. Peveto for a report on 119 Katherine. Mr. Peveto reported that the 30-day notice has been published in the paper. The certified mail notice to the owner was returned. After the property owner's thirty-day period (to "cure" the property) has passed, a thirty-day notice then has to be sent to the lien-holders. After that thirty days goes by, should nothing be done to the property, the city can request bids for demolition contractors. Notice of this request must be published once weekly for two consecutive weeks. Once the bids are publicly opened and a contractor is chosen, demolition of the structure can begin. After all work is completed, and final cost(s) has been determined, a lien can be placed against the property. He did add that if there are any tax liens on the property and it is sold, the tax liens are superior over the City's lien, so those liens would be paid first. But at least the property would be getting back on the tax rolls.

The mayor stated that 119 Katherine is not on the list council was given as the condemnation process of that structure has already begun. This is the only property that Council has passed a condemnation resolution on at this time.

Council Member Dardeau stated that he believes one of the problems we currently have is that even after code enforcement has dealt with some of these properties three or four times, the judge should not give them more time or any more warnings. He believes Council should develop a definitive policy on dealing with these types of properties. No one should be expected to live next door to any of these houses. Mayor McDonald stated that this policy or directive could be developed on how to handle these properties all the way down until they get to court, but at that point it is turned over to the judge and Council cannot tell him how to rule his court.

The discussion then turned to the property located at 2813 Spell. Council Member Dardeau reported that he had personally discussed this property with Dean Fuller, who had told him that he had gone as far as he could go and done everything he could do to get the owner to clean up this property, but nothing was ever done. Council Member Dardeau stated that he had spoken with a next door neighbor to this property who told him that he had tried to buy the property so that he could tear it down, but the owner would not sell it to him.

They briefly discussed 2219 Travis and 2327 Western. Council Member Branch knows the owner of the Travis street property. He does not understand why the gentleman has let the property get to this point. Council Member Dardeau knows the owner of this Western Avenue property. He stated that the man lived in the house for a while, then moved, he believed, to Pinehurst.

Council Member Branch stated that he would like a list of these properties on a spreadsheet showing the present status on each, along with what steps have been taken up to this point to alleviate the problem. He added that he does not think it is right that the City cannot clean up

these properties. The mayor asked Mr. Peveto if the City can legally go onto a property and mow it. Mr. Peveto responded "yes...and then put a lien on it."

Council Member Dardeau asked if it would be possible to personally serve the manager of the former Lorena Oates property with a subpoena to come to court. Mr. Peveto responded that the property is owned by a company...and you cannot put a company in jail. You could take them to civil court and get a judgment against them...or the City could mow it and put a lien against it.

Chief Stelly then explained to Council that if letters were sent to the owners of the properties on the list they were discussing, they would then become ineligible for the grant because proceedings had begun before the grant had actually been awarded.

Council Member Dearing asked if there were some way to cut the cost of demolitions. Chief Stelly responded that there was not, especially if paid with grant funds. He also stated that the last time the City went out for bids for grant-funded demolitions, there were no bidders. He went out for bids five times before anyone bid on the project. Council Member Dearing asked why no one wanted the job. Chief Stelly reported because there were too many government regulations involved.

Council Member Branch stated that he was "all for" putting money in the budget to cover the cost of demolishing some of the structures in the City that needed to be torn down. The mayor replied that the problem with that was that if the City budgeted funds for that purpose, it would then not be eligible for grant funds. Council Member Dardeau stated that more could be done with budgeted funds than grant funds. The mayor then asked Mr. Peveto if the City had money in the budget to tear down ten houses..."what could we do?" Mr. Peveto responded, "We could go through the process just like we are going through right now. It would take some time, but we could do that."

Mrs. Van Meter then asked if would have to be listed in the budget as "demolitions" ... could it not be presented as something such as "code enforcement?" Chief Stelly responded that there is currently \$10,000 budgeted for code enforcement "activities." She then asked him if spending that on demolitions would affect the City grant-wise. He responded that it would not.

Council Member Branch stated, "We need to do whatever we can to improve West Orange and make it a more viable place to live."

Mayor McDonald then informed Council that Dean Fuller, the City's Building Inspector and Code Enforcement official, had turned in his resignation. His last day with the City will be January 3, 2020.

Adjournment

Mayor McDonald adjourned the workshop at 4:55 p.m.



Roy McDonald, Mayor

ATTEST:



Theresa Van Meter, City Secretary

