

**City of West Orange  
Monday, February 10, 2020  
Regular Session**

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

**COUNCIL MEMBERS PRESENT:**

Mayor Roy McDonald	Randy Branch	Shirley Bonnin
Brent Dearing	Michael Shugart, Sr.	

**COUNCIL MEMBER ABSENT:**

Dale Dardeau

**APPOINTED OFFICIALS PRESENT:**

Rex Peveto	Theresa Van Meter	Mike Stelly
David Roberts		

**OTHERS PRESENT:**

Dan Perrine	Kirk Roccaforte	Debora Parker
Alex Parker	Gail Langton	

**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 January 13, 2020, Council Meeting** – Council Member Shugart made a motion that the minutes of the January 13, 2020 Council meeting be approved as presented. His motion was followed by a second by Mayor Pro-Tem Bonnin. A vote on the motion was cast, passing unanimously.

**Public Comments**

Ms. Gail Langton stated that back in November of 2019, she paid \$60 to have roadside pickup of trash that had been removed from one of her rental properties. It had been measured at three (3) yards and she paid the \$60 fee. She said that the city's truck was down and the trash was not picked up for a number of weeks. On January 31, 2020, when Piney Woods came by and picked up garbage, the two guys on the back of their truck decided to pick it up and they loaded up almost the entire pile. She added that thirty (30) minutes later "Frederick" (the city) came by and picked up the little bit that was left.

Her question to Council was since she had paid \$60 to get this picked up, and since the pile was not picked up by the city, could she get a credit? She stated that Jon (Sherwin) said that it was not re-measured. She said there was no way it could have been re-measured. There wasn't time. There was only about thirty (30) minutes in between.

Mayor McDonald responded that, as this type of situation has not occurred before, he will have to look at the City's policy and discuss it with Mrs. Van Meter and one of them would get back with her. Ms. Langton thanked the mayor and sat down.

**Public Hearing**

Mayor McDonald then convened the meeting into a Public Hearing, explaining that its purpose was to solicit input from the community concerning awareness for the support of fair housing, as well as to address concerns of residents as they may relate to fair housing. Chief Stelly explained that this annual hearing was mandated in order for the City to stay in compliance with its FFAST agreement.

The mayor asked if anyone present had any comments or concerns pertaining to fair housing within the City of West Orange. There were no responses to his inquiry. He then adjourned the

Public Hearing portion of the Council meeting in order to allow the Council to then enter into Closed Session. The time was 5:07 p.m.

### Closed Session

**Pursuant to Texas Gov't Codes §551.074, Council may enter into Closed Session to discuss certain duties of Police Chief/Public Works Director Michael Stelly – Mayor McDonald recessed the Open Session of the meeting at 5:07 p.m. and convened Council into Closed Session to discuss certain duties of Police Chief/Public Works Director Michael Stelly.**

At the conclusion of the Closed Session, the mayor reconvened the Regular Session portion of the meeting at 5:31 p.m.

### Regular Session

**Discussion and Possible Action, if warranted, resulting from Closed Session – Mayor McDonald stated that there was no action to be taken by Council resulting from their Closed Session.**

**Discussion and Possible Action on approval of the Mayor's Appointment of City Fire Marshal – Council Member Shugart made a motion that the mayor's appointment of Mr. Alexander Parker as the City's new Fire Marshal be approved. Council Member Branch seconded his motion. Council Member Shugart asked Mr. Parker when he would be available to begin work with the City. Mr. Parker responded the following week. As there were no further questions for him, the mayor called for a vote on the motion approving his appointment. This motion was unanimously approved.**

**Discussion and Possible Action on a resolution to allow the Police Department to apply for the Edward Byrne Memorial Justice Assistance Grant for the 2021 program year and further appointing the Police Chief as the authorized official – Mayor Pro-Tem Bonnin made a motion that a Resolution be passed authorizing the Police Department to apply for the Edward Byrne Memorial Justice Assistance Grant for the 2021 program year and to further appoint the Police Chief as the authorized official for said grant. Council Member Shugart seconded her motion. With there being no discussion on the matter, the mayor called for a vote on the motion, which passed unanimously.**

**Discussion and Possible Action on adoption of Ordinance No. 450, an ordinance authorizing participation with other Entergy service area cities in matters concerning Entergy Texas, Inc. at the Public Utility Commission of Texas in 2020; authorizing the hiring of lawyers and rate experts; authorizing the City's participation to the full extent permitted by law at the Public Utility Commission of Texas; finding that the meeting complies with the Open Meetings Act and declaring an effective date – Council Member Shugart made a motion that Ordinance No. 450 be adopted as presented, authorizing participation with other Entergy service area cities in matters concerning Entergy Texas, Inc. at the Public Utility Commission of Texas in 2020; authorizing the hiring of lawyers and rate experts; authorizing the City's participation to the full extent permitted by law at the Public Utility Commission of Texas; finding that the meeting complies with the Open Meetings Act and declaring an effective date. Council Member Branch seconded his motion. Council had no questions or comments on this ordinance, therefore the mayor called for a vote on the motion to adopt it. Motion passed unanimously.**

**Discussion and Possible Action on executing a contract with Arceneaux Wilson & Cole LLC for engineering services relating to the City's HMGP generator projects – Council Member Branch made a motion that this contract with Arceneaux Wilson & Cole LLC for engineering services relating to the City's HMGP generator projects be executed as presented. Council Member Dearing seconded his motion. Chief Stelly stated that this grant will provide generators for lift stations within the city. He added that, at the present time, the city was expecting over \$20 million in Harvey recovery grant funds for various projects. With there being no further discussion, Mayor McDonald asked for a vote on this motion, which was unanimously approved.**

**Discussion and Possible Action on accepting into record the 2019 Racial Profiling Report as presented by the WOPD – Council Member Shugart made a motion that the 2019 Racial Profiling Report as presented by the WOPD be accepted into record as presented. Mayor Pro-Tem Bonnin seconded his motion. There were no questions, nor any discussion, on the report. Mayor McDonald then called for a vote on the motion, which passed unanimously.**

**Discussion and Possible Action on renewing, amending or abolishing Ordinance No. 335, Juvenile Curfew Ordinance** – Council Member Shugart made a motion that Ordinance No. 335 be renewed as currently written. Mayor Pro-Tem Bonnini seconded his motion. Chief Stelly was asked if the ordinance, as currently written, is effective, or if he felt it needed any revisions. He replied that he has seen no problems with it. He added that the cities of Pinehurst, Bridge City and Orange also enforce this same ordinance. There were no other questions or comments, therefore the mayor called for a vote on the motion. Ordinance No. 335, the Juvenile Curfew Ordinance, was unanimously approved to be renewed with no amendments.

**Discussion and Possible Action on acceptance into record the Annual Investment Report for October, 2018 – September, 2019** – Mayor Pro-Tem Bonnini made a motion that the Annual Investment Report for October, 2018 – September, 2019 be accepted into record as presented. Her motion was seconded by Council Member Branch. There was no discussion on the item, so a vote was called by Mayor McDonald. The motion was unanimously approved.

**Discussion and Possible Action on approval of an Application for a Solid Waste Collection Franchise submitted by B2 Dumpsters** – Council Member Shugart made a motion that the Application for a Solid Waste Collection Franchise submitted by B2 Dumpsters be approved. Mayor Pro-Tem Bonnini seconded his motion. There was no discussion on the item, so a vote was called by Mayor McDonald. The franchise application was unanimously approved.

**Discussion and Possible Action on a Resolution allowing the Emergency Management Coordinator to amend the Orange County Hazard Mitigation Action Plan** – Council Member Shugart made a motion that the Resolution allowing the Emergency Management Coordinator to amend the Orange County Hazard Mitigation Action Plan be passed as written. Mayor Pro-Tem Bonnini seconded his motion. Council had no questions or comments on this resolution, therefore the mayor called for a vote on the motion to pass it. Motion passed unanimously.

**Announcements**

Mayor McDonald then noted the following:

1. Period to file Application for Place on Ballot on May 2, 2020 General Election Ballot – January 15 – February 14, 2020
2. Next Council meetings:
  - Monday, March 2, 2020; Noon
  - Monday, March 16, 2020; 5:00 p.m.

**Adjournment**

With there being no further business before Council, Mayor McDonald adjourned the meeting at 5:44 p.m.

  
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Roy McDonald, Mayor

ATTEST:

  
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Theresa Van Meter, City Secretary

