

**City of West Orange  
Monday, December 14, 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  
Michael Shugart, Sr.  
Dale Dardeau

**COUNCIL MEMBERS ABSENT:**

Brent Dearing

**APPOINTED OFFICIALS PRESENT:**

Alex Parker  
Mike Stelly  
Theresa Van Meter  
David Roberts  
Chris Leavins  
Simmie Gibson

**OTHERS PRESENT:**

Anthony Fleming  
Michael MacFarlane  
Eduardo Cardenas  
Richard Jones  
David O. Block  
Charlean Lindsey  
Ana Cardenas

**Call to Order**

Mayor McDonald called the meeting to order at 5:00 p.m., stating that a quorum of Council was present.

He then introduced Mr. Chris Leavins, the new City Attorney. Mr. Leavins is with the Germer Law Firm in Beaumont.

Mayor Pro-Tem Bonnin gave the invocation. The mayor then led in the Pledges of Allegiance to both the American and Texas flags.

**Public Comments**

Ms. Charlean Lindsey, a resident of Osage Street, came to Council to ask for help regarding a neighbor who is breeding exotic snakes as a business and also breeding hundreds of rats to feed these snakes. The stench in the neighborhood is horrible. It is even beginning to smell inside her home. She is afraid there are dead rats under her house. She added that there is also a problem with traffic with people with whom he is doing business.

Mayor McDonald thanked Ms. Lindsey and her neighbors for attending the meeting. He referred them to the Police Department for assistance.

**Consent Agenda**

**Discussion and Possible Action on approval of the minutes of the November 9, 2020 Council meeting** - Council Member Dardeau made a motion to accept these minutes into record as presented. A second to his motion was made by Mayor Pro-Tem Bonnin. With there being no additions or corrections to these minutes, Mayor McDonald called for a vote. The motion passed unanimously.

**Regular Session**

**Discussion and Possible Action on retaining employee Charles Davis as a full-time City employee** – Chief Stelly reported that Mr. Davis has completed his initial six-months with the City, and per the Personnel Policy, he was being presented to Council for “full-time” employment. Council Member Shugart made a motion that Mr. Davis be made a full-time City employee. Council Member Branch seconded his motion. With there being no discussion, the mayor called for a vote. The motion passed unanimously.

**Discussion and Possible Action on a request from Anthony Fleming for a variance to Section 2 of Ordinance No. 302-D, to allow temporary placement of an RV on lot next door to 2909 Bonham** – Council Member Shugart made a motion that the Flemings be

permitted to place an RV on their lot and live in it while their new home is being constructed. Council Member Branch seconded his motion.

Mr. Fleming explained that the General Land Office will be building the new home, but he has not received a start date yet. He is in the fourth phase of paperwork. The last phase will go to Austin for final approval.

Mr. Fleming also stated that he has water and sewer lines in tact on the lot and can hook the RV up to them. Chief Stelly suggested that he check with the Water District before doing that. They may, or may not, permit him to do so.

After further discussion, Council Member Shugart amended his motion to allow the Flemings to place their RV on the lot next door to their home at 2909 Bonham Street, and live in it, for a period of 90-days, beginning date being the date the demolition permit (to tear down the existing structure) is obtained from the City. Council Member Branch amended his second to the motion accordingly. With there being no further discussion, Mayor McDonald called for a vote on the motion, which passed unanimously.

**Discussion and Possible Action on approval of bid specifications for HMGP DR-4332 generators** – Council Member Dardeau moved that these specifications be approved as presented. Council Member Branch seconded his motion. Chief Stelly explained that these generators are for back-up generators for the lift stations on Irving Street, Flint Street, South Avenue and for Water Wells #1, #2 and #3. Matching funds for this grant are being paid by the Water District. The motion was then passed unanimously by vote.

**Discussion and Possible Action on approval of Ordinance No. 454, denying the distribution of cost recovery factor rate increase request of Entergy Texas filed on October 22, 2020 and other findings pertaining to said request** - Council Member Dardeau moved that Ordinance No. 454 be approved as presented. Council Member Branch seconded his motion. A vote on the motion was cast, passing unanimously.

**Discussion and Possible Action on accepting into record the Quarterly Investment Reports for the months of April - June, 2020 and the months of July - September, 2020** – Mayor Pro-Tem Bonnin made a motion that both the Quarterly Investment Reports for the months of April - June, 2020 and the months of July - September, 2020 be accepted into record as presented. Her motion received a second by Council Member Dardeau. With there being no discussion, a vote was cast, passing unanimously.

**Discussion and Possible Action on accepting into record the Annual Investment Report for the months of October, 2019 – September, 2020** - Mayor Pro-Tem Bonnin made a motion that the Annual Investment Report for the months of October, 2019 – September, 2020 be accepted into record as presented. Her motion received a second by Council Member Dardeau. With there being no discussion, a vote was cast, passing unanimously.

**Discussion and Possible Action on submission of a nominee to fill vacancy on OCAD Board of Directors** – Mayor McDonald asked if anyone on Council had a nominee to submit to fill vacancy on OCAD Board of Directors. None were presented. He then suggested the name of Dr. Suzonne Crocket (*Lamar University – Orange*) as a nominee. Mayor Pro-Tem Bonnin then made a nomination, in the form of a motion, that the City nominate Dr. Suzonne Crockett to fill the vacancy on the OCAD Board of Directors. Her motion was seconded by Council Member Dardeau. A vote was cast; motion carried.

**Discussion and Possible Action on request by David O. Block that liens held by the City of West Orange against 918 Albany Street be released** – Council Member Shugart made a motion that liens held by the City of West Orange against 918 Albany Street be released without stipulation. Council Member Branch seconded his motion.

Mr. Block explained that when the property was originally condemned in 2009, he was not the owner. He reviewed the time line as presented to Council. He was asking Council to release all liens so that he can sell it, build on it or do something productive with it.

Council Member Branch stated that when the City takes on the responsibility of tearing down a structure, it also takes on the expense to do so. It is out that money – the taxpayer's money.

The mayor asked Mr. Block if he would be willing to negotiate for an amount below the amount of the original lien. Mr. Block replied that he would not, adding that he had paid all back taxes when they were not his responsibility, so in a way he feels that he and the City are "even."

Council Member Branch asked Mr. Block for the value of the property. He replied, "\$3,510."

Mr. Leavins stated that the Council does have some discretion in the matter, but as the City did provide a service, it cannot just forgive the entire thing.

The mayor then called for a vote on Council Member Shugart’s motion (and Council Member Branch’s second) to approve Mr. Block’s request. The votes were as follows:

Mayor Pro-Tem Bonnin	Against
Council Member Dardeau	Abstained
Council Member Shugart	For
Council Member Branch	For

Mr. Leavins stated that since Council Member Dardeau’s abstention was not due to a conflict of interest, it would count as an “against” vote, leaving the motion in a tie. Mayor McDonald would therefore have to cast the tie-breaking vote. As the City was out funds for this project, Mayor McDonald stated that he was not comfortable forgiving the entire lien, therefore he voted against the motion. Mr. Block’s request was thereby denied.

**Discussion pertaining to the purchase of a new fire truck and any and all aspects of said purchase, including grants, bid process, purchasing, specs, etc.** – Mrs. Smith addressed those present, explaining that the grant for the fire truck would be funded by the General Land Office. The total for this grant is \$455,447, but this amount also includes funding for bunker gear, SCBAs and a rescue boat. Although, \$315,000 of this amount has been designated for the fire truck, the money can be shifted around if desired.

She then briefly explained the procurement process, stating that the responsibility is on the City to make sure all procurement standards are met. The City will have to advertise for bids and the complete bidding process will have to followed.

Council Member Shugart asked if the truck has been bid yet. Mrs. Smith responded that it has not, but that the project has now been cleared to go out for bids – once a list of specifications has been approved. The mayor added that these specs will have to be approved by Council just as all other specifications are handled. Once that is done, they will be turned over to Mrs. Smith.

Council Member Shugart asked how many bids were required. Mrs. Smith responded that there was not a set number, but at least two bids would be preferred.

Mayor McDonald then stated that the next step would be to hold a workshop for the Council and Fire Department representatives to discuss and come up with a mutually agreeable set of specifications for the truck. Mrs. Smith added that these specifications could have a “base” set and then list possible options that all vendors would be provided to see and bid upon.

Mayor McDonald thanked Mrs. Smith for attending the meeting and answering questions pertaining to the procurement process.

**Announcements**

Mayor McDonald then made note of the following dates:

1. TxDOT plans to change MacArthur Drive to have two driving lanes in each direction with a turning lane in the center and a bike/walking lane on each outside line.
2. The COVID vaccine should become available to first responders in the very near future.
3. Thursday & Friday, December 24 & 25, 2020 – All City offices closed in observance of Christmas (*Trash will be picked up in WO on Saturday that week.*)
4. Thursday & Friday, December 31, 2020 & January 1, 2021– All City offices closed in observance of Christmas (*Trash will be picked up in WO on Saturday that week.*)
5. Next Council meeting: Monday, January 11, 2021; 5:00 p.m.

**Adjournment**

With there being no further business before Council, the mayor adjourned the meeting at 6:00 p.m.

Roy McDonald  
Roy McDonald, Mayor

ATTEST:

Theresa Van Meter  
Theresa Van Meter, City Secretary

