

**City of West Orange
Monday, October 11, 2021
Regular Session**

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

COUNCIL MEMBERS PRESENT:

Mayor Randy Branch
Brent Dearing

Meritta Kennedy
Dale Dardeau

Michael Shugart, Sr.

COUNCIL MEMBERS ABSENT:

Shirley Bonnin

APPOINTED OFFICIALS PRESENT:

Chris Leavins
Mike Stelly

Theresa Van Meter
Simmie Gibson

Jon Sherwin

OTHERS PRESENT:

Dale M. Parish
Dan Perrine
Eric Rohleder

Jay Odom
Dawn Burleigh

Jane Branch
Richard Jones

Call to Order

Mayor Branch called the meeting to order at 5:00 p.m. Council Member Shugart 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 September 9, 2021 Public Hearing on the Proposed Budget for 2021-22; September 9, 2021 Public Hearing on the 2021 Proposed Tax Rate; September 13, 2021 City Council Meeting - Minutes of each of these meetings were unanimously approved by vote after a motion was made by Mayor Pro-Tem Kennedy, followed by a second from Council Member Shugart.

Public Comments

Mr. Dale Parish addressed Council, stating that he was representing the Texas Land Commission. He was present to ask if there was any desire on the part of the City Council to accept the donation of the Lou Ann Gomez Nature Preserve to the City to be used as a park or preserve. Mayor Branch thanked Mr. Parish for his comments.

Regular Session

Presentation regarding the Knox Box security system – Mr. Eric Rohleder, Knox Box representative, gave a presentation on the use of the system.

Each participating business would have a "Knox Box" mounted on the outside wall of their building. It could be inset into the wall if desired. This box is tamper-proof. The fire department would have a master key that would access these boxes, but this key would be secured in a box on the fire truck which would only be accessible by a number-key-code or PIN. Each firefighter given access to the system would be given his/her own individual PIN to this box. In the event of an alarm or fire event, the key in this box would then open the Knox Box at the business location, thereby accessing the key to that business, allowing entry to the department. With each person having identifiable and individual PINs, this would assure accountability as to who bears responsibility for the location of the key at any particular time. There is software built-in that records the key code/PIN entered as well. And at any point in time, the software can be accessed to determine who accessed any and all keys.

In the event that a firefighter (who holds a PIN) leaves the department for any reason, that particular PIN can be removed from the system.

Mr. Rohleder explained that there is also a smaller box (that hangs on the door) available for homeowners. Council Member Shugart asked the cost of the home box. Mr. Rohleder responded, "\$175."

Mayor Branch then asked what the cost would be to the fire department. Mr. Rohleder responded \$821 + \$62 (mount) per unit, with a \$425 per year software fee (which would cover up to six units). Asst. Chief Gibson stated that he anticipated the department having one or two units at the most.

Council Member Dearing asked if there were any currently in the City of West Orange. Asst. Chief Gibson responded that he believed there to be a few, but that the City of Orange held the keys to those. Chief Stelly stated that those keys are available at the police department if the fire department needs them.

Asst. Chief Gibson state that the City does not have an ordinance in place regarding the use of these. Chief Stelly responded that there is no ordinance in place as Council had discussed it previously and did not feel that it was their place to mandate a business to utilize these boxes. If Council wishes to mandate that cost to businesses, they can.

Mr. Leavins asked Chief Stelly if he had individual keys to those currently with boxes, or did he have a master key. He responded that he has a master key. That was the problem. They never knew which volunteer was going to respond, but the police department worked all the time. The Council had instructed him to keep the key at the police department where it would always be accessible to whomever needed it.

Council Member Dearing asked what would happen if the master key was lost. Mr. Rohleder responded that the City or Fire Department would have specific signatures on file with the company. If additional keys are needed, a letter would be sent to the company signed by one of those designated individuals. He stressed that the signature they have on file is carefully compared to the one on the letter. If they match, then the new key is sent to the department.

The mayor then thanked Mr. Rohleder for his presentation.

Discussion and Possible Action on contract with Traylor & Associates, Inc. for administration of the HMGP DR-4466 Tropical Storm Imelda (City Hall Generator) grant - Council Member Shugart made a motion that Council approve this contract with Traylor & Associates, Inc., as presented, for the administration of the HMGP DR-4466 Tropical Storm Imelda grant. The motion received a second from Council Member Dardeau. With there being no questions or comments on the item, Mayor Branch called for a vote on the motion, which passed unanimously.

Discussion and Possible Action on Ordinance No. 245-A, an Ordinance repealing and replacing Ordinance No. 245 in its entirety, pertaining to the City's Emergency Management Plan, its structure, authorizing mutual aid agreements and making other determinations in the event of a disaster – Council Member Dardeau made a motion that Council adopt Ordinance No. 245-A, which repealed and replaced Ordinance No. 245. Mayor Pro-Tem Kennedy seconded his motion. The mayor called for a vote. The motion unanimously passed.

Discussion and Possible Action on Ordinance No. 304-A, an Ordinance repealing and replacing Ordinance No. 304 in its entirety, which provides definitions and regulates and requires permits for peddlers and itinerant vendors – Council Member Dardeau moved that Council adopt Ordinance No. 304-A. Council Member Shugart seconded his motion. Council Member Dearing asked if "the little trailer would not be allowed to serve food anymore?" Mayor Branch responded, "No, not according to this ordinance." Council Member Shugart asked if their permit expired on 12/31/2021. Mrs. Van Meter responded that it would actually expire on October 25, 2021. With there being no further discussion, the mayor called for a vote. Ordinance No. 304-A was unanimously adopted.

Discussion and Possible Action on Ordinance No. 360-C, an Ordinance repealing and replacing Ordinance No. 360-B in its entirety, promoting the public health, safety and general welfare of the citizens of West Orange by minimizing public and private losses due to flood conditions and establishing penalties for non-compliance – Council Member Shugart made a motion that Council adopt Ordinance No. 360-C, which would repeal and replace Ordinance No. 360-B in its entirety, pertaining to flood damage prevention within the City. Mayor Pro-Tem Kennedy seconded his motion. With there being no questions, nor discussion, the mayor called for a vote on the motion. The motion passed unanimously.

Discussion and Possible Action on Ordinance No. 425-B, an Ordinance repealing and replacing Ordinance No. 425-A in its entirety, which regulates specific coin-operated machines for amusement within the city limits of the City of West Orange, Texas – Council Member Dardeau made a motion that Council adopt Ordinance No. 425-B. His motion received a second from Mayor Pro-Tem Kennedy. With there being no questions or comments on the item, Mayor Branch called for a vote on the motion, which passed unanimously.

Discussion and Possible Action on extending contract with AshBritt, Inc. for disaster-related services – Council Member Dardeau moved that Council approve this agreement with AshBritt, Inc., extending the term of the contract for one additional year. Council Member Shugart seconded his motion. Council Member Dearing asked if AshBritt, Inc. was the only company that provided these services. Chief Stelly responded that they were not. He believes there are three companies that would service this area, however the City of West Orange already has a contract with AshBritt, Inc. This is simply to approve an extension of that contract. Council Member Dardeau asked if they do the entire county. Chief Stelly responded that they do. Mayor Branch then called for a vote on the motion, which passed unanimously.

Discussion and Possible Action on a Resolution entering into an agreement with the Texas Attorney General to administer the Opioid Settlement Plan – Council Member Dardeau made a motion that the Council pass this Resolution approving and adopting the Texas Term Sheet regarding the allocation of any and all opioid settlement funds within the State of Texas. Council Member Shugart seconded his motion.

Mayor Pro-Tem Kennedy asked how the City of West Orange loses revenue from this. Chief Stelly responded, "Through drug abuse - that it has inflated crime, paying for rehab, health insurance rates, etc." Mr. Leavins further explained that the Texas Attorney General has declared an opioid crisis in the state, which has resulted in a loss of revenue and other types of losses resulting from this crisis.

Mayor Branch then called for a vote on the motion to enter into this agreement. The vote was unanimous to do so.

Discussion and Possible Action on a Resolution setting a date, time and place for the first Public Hearing on the proposed annexation of certain property by the City of West Orange, Texas, and authorizing and directing the Mayor to publish notice of such Public Hearing – Council Member Shugart made a motion that Council pass this Resolution as presented, setting the date, time and place of the first public hearing regarding the proposed property to be annexed by the City, as well as authorizing publication of notice of this hearing. Mayor Pro-Tem Kennedy seconded his motion. Mr. Leavins added, for clarification, that this hearing would be set for November 1, 2021.

Council Member Dearing questioned if this property was the Eagle Railcar property. Mr. Leavins responded that it is five tracts of land currently owned by Eagle Railcar Services. If they are annexed, then they will become eligible for city services. He added that, at the hearing, a municipal service plan will be presented.

With there being no further comments or questions, the mayor called for a vote. The motion passed unanimously.

Discussion and Possible Action on a Resolution setting a date, time and place for the second Public Hearing on the proposed annexation of certain property by the City of West Orange, Texas, and authorizing and directing the Mayor to publish notice of such Public Hearing - Council Member Shugart made a motion that Council pass this Resolution as presented, setting the date, time and place of the second public hearing regarding the proposed property to be annexed by the City, as well as authorizing publication of notice of this hearing. Mayor Pro-Tem Kennedy seconded his motion. Mr. Leavins also added, for clarification, that this hearing would be set for November 8, 2021.

With there being no comments or questions, the mayor called for a vote. The motion passed unanimously.

Announcements

Mayor Branch then made note of the following:

- City's Fall Cleanup – Friday & Saturday, Oct. 15 & 16; 9:00 a.m. – 3:00 p.m.
- Registrations are now being accepted for "Holiday in the Park"(Nov. 6, 2021)

- Next Council meeting: Monday, November 8, 2021; 5:00 p.m.

Adjournment

With there being no further business to be brought before Council, the mayor adjourned the meeting at 5:33 p.m.



Randy Branch, Mayor

ATTEST:



Theresa Van Meter, City Secretary

