

**City of West Orange  
Monday, November 8, 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	Meritta Kennedy	Michael Shugart, Sr.
Brent Dearing	Shirley Bonnin	

**COUNCIL MEMBERS ABSENT:**

Dale Dardeau

**APPOINTED OFFICIALS PRESENT:**

Chris Leavins	Theresa Van Meter	Jon Sherwin
Mike Stelly	Simmie Gibson	David Roberts

**OTHERS PRESENT:**

Tammi Fisette	Mike Van Meter	Jane Branch
Jay Odom	Michael Moses	Toyaka Moses
Nestor Barroeta	Dan Perrine	Kirk Roccaforte
Donald Derosier	Marvin Weems	Stephanie Roberts
Brendon Roberts	Tyler Roberts	Sheldon Lafleur
James Fisette	Dean Dyson	Anita Dyson

**Call to Order**

Mayor Branch called the meeting to order at 5:00 p.m. Council Member 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 October 11, 2021 Council meeting and the November 1, 2021 Public Hearing** - Minutes of each of these meetings were unanimously approved by vote after a motion was made by Council Member Shugart, followed by a second from Mayor Pro-Tem Kennedy.

**Special Presentation** - West Orange Volunteer Fire Department Chief David Roberts and Assistant Chief Simmie Gibson then recognized Firefighter Dean Dyson, who has been a member of the department for over thirty years. Due to health issues, he is not able to be as active as he used to be, but the department wanted to recognize him and express their appreciation to him for his dedication and years of service to the department and to the City. They then presented him with a mounted firefighter's axe. Mayor Branch also expressed appreciation to him on behalf of the Council.

**Public Comments**

Mr. Marvin Weems addressed Council regarding the condition of his street (2400 block of Smith). He stated that the street is collapsing into the ditch. Mayor Branch responded that a department head would look into the matter.

**Public Hearing**

At 5:07 p.m. Mayor Branch convened the Council into a Public Hearing. He explained that the purpose of the hearing was to introduce annexation to enlarge and extend the current boundaries of the City of West Orange. He further stated that a map and a service plan have been prepared and were available.

Mr. Leavins noted the following for the record:

- The Municipal Service Plan was prepared by city staff and is available at this time for any interested party.
- The notice of this hearing was published in a paper of general circulation in the City of West Orange on October 16, 2021.

- He (Mr. Leavins) sent a Notice of Intent to Annex the property to Eagle Railcar Services, LLC, the current owner of the property according to the records of the Orange County Appraisal District.
- On October 12, 2021 he also sent Notice to Annex to Union Pacific Railroad, who may have railroad lines running through this property.
- Also on October 12, 2021, he sent notice of these hearings to Eagle Railcar Services, LLC;
- West Orange-Cove CISD;
- Bridge City ISD;
- County of Orange;
- West Orange Volunteer Fire Department;
- Orange County Navigation & Port District;
- Orange County Drainage District;
- Orange County Appraisal District;
- Orange County Water Control & Improvement District #2;
- Acadian Ambulance Service.
- The map referenced earlier by Mayor Branch is posted on the City's website.
- The notices of both public hearings are also posted on the City's website.

He then asked for any comments or questions from those present. There were none, therefore the mayor adjourned the Public Hearing portion of the meeting at 5:10 p.m.

### Regular Session

**Discussion and Possible Action on an application for membership to the West Orange Volunteer Fire Department submitted by Blake Breaux** – Council Member Shugart made a motion that Council approve the application for membership to the West Orange Volunteer Fire Department submitted by Blake Breaux. Mayor Pro-Tem Kennedy seconded his motion. With there being no discussion, the mayor called for a vote on the motion, which passed unanimously.

**Discussion and Possible Action on an application for membership to the West Orange Volunteer Fire Department submitted by James C. Fisette, Jr.** - Mayor Pro-Tem Kennedy made a motion that Council approve the application for membership to the West Orange Volunteer Fire Department submitted by James C. Fisette, Jr. Council Member Shugart seconded her motion. With there being no discussion, the mayor called for a vote on the motion, which passed unanimously.

**Discussion and Possible Action on an application for membership to the West Orange Volunteer Fire Department submitted by Justin Veitch** - Council Member Shugart made a motion that Council approve the application for membership to the West Orange Volunteer Fire Department submitted by Justin Veitch. Council Member Dearing seconded his motion. With there being no discussion, the mayor called for a vote on the motion, which passed unanimously.

**Discussion and Possible Action on an application for membership to the West Orange Volunteer Fire Department submitted by Marvin Burke Weems** - Council Member Shugart made a motion that Council approve the application for membership to the West Orange Volunteer Fire Department submitted by Marvin Burke Weems. Mayor Pro-Tem Kennedy seconded his motion. With there being no discussion, the mayor called for a vote on the motion, which passed unanimously.

**Discussion and Possible Action on a Resolution to cast the City's 26 votes for one or more candidates to serve on the Orange County Appraisal District Board of Directors for the 2022-2023 term** – Council Member Shugart made a motion that Council cast all 26 of the City's votes for Mr. Philip Welch. Mayor Pro-Tem Kennedy seconded his motion. Mayor Branch stated that these votes could be divided among all of the candidates. Council Member Shugart replied that he understood that, but wished to cast all 26 votes for Mr. Welch. As this motion had been seconded by Mayor Pro-Tem Kennedy, Mayor Branch then called for a vote. The motion was unanimously passed to cast all of the City's 26 votes for Mr. Philip Welch

**Discussion and Possible Action on recommendation of award from Schaumburg & Polk, Inc. for construction work for street improvements through CDBG Disaster Recovery Grant No. 20-065-119-C390** - Mayor Pro-Tem Kennedy made a motion that Council accept the recommendation of Schaumburg & Polk, Inc. and award the construction phase of grant project CDBG-DR NO. 20-065-119-C390 to LD Construction in the amount of \$2,008,020.80. Council Member Shugart seconded this motion. With there being no discussion nor questions, Mayor Branch called for a vote on the motion, which passed unanimously.

**Discussion and Possible Action on accepting into record the Quarterly Investment Report for July - September, 2021** – Council Member Shugart moved that Council accept into record the Quarterly Investment Report for July - September, 2021. Council Member Bonnin seconded his motion. A vote was cast, motion carried.

**Discussion and Possible Action on the adoption of a seatbelt and texting policy** – Council Member Bonnin made a motion that Council adopt the seatbelt and texting policy as presented. Her motion received a second from Mayor Pro-Tem Kennedy. With there being no discussion on the item, Mayor Branch called for a vote. The motion passed unanimously.

**Discussion and Possible Action on acceptance and approval of the 2021 Delinquent Tax Roll as submitted by Orange County Tax Assessor-Collector Karen Fisher** – Council Member Shugart made a motion that Council accept the 2021 Delinquent Tax Roll Report submitted by Orange County Tax Assessor, Karen Fisher, into record as presented. His motion received a second from Mayor Pro-Tem Kennedy. Mrs. Van Meter stated that a copy of the complete report was available in her office if anyone was interested in looking over it. The mayor then called for a vote on the motion, which passed unanimously.

**Discussion and Possible Action on acceptance and approval of the 2021 Current Tax Roll as submitted by Orange County Tax Assessor-Collector Karen Fisher** - Mayor Pro-Tem Kennedy made a motion that Council accept the 2021 Current Tax Roll Report submitted by Orange County Tax Assessor, Karen Fisher, into record as presented. Her motion received a second from Council Member Shugart. The mayor then called for a vote on the motion, which passed unanimously.

**Discussion and Possible Action on Ordinance No. 462, an ordinance providing the requirements and restrictions for the use of portable toilets within the city** – Council Member Shugart made a motion that Council adopt Ordinance No. 462, which provides requirements and restrictions on the use of portable toilets within the City of West Orange. Mayor Pro-Tem Kennedy seconded his motion. Council Member Dearing asked what prompted the need for this ordinance. The mayor responded that the City does not want portable toilets used as permanent restroom facilities. The mayor then called for a vote on this motion. The ordinance was unanimously adopted.

**Discussion and Possible Action on Ordinance No. 304-B, an ordinance repealing and replacing Ordinance No. 304-A in its entirety, pertaining to vendors and itinerant vendors within the city** – Mayor Pro-Tem Kennedy made a motion that Council adopt Ordinance No. 304-B, which repeals and replaces Ordinance No. 304-A in its entirety, regulating peddlers and itinerant vendors within the City of West Orange. Council Member Shugart seconded her motion. With there being no discussion, Mayor Branch called for a vote on the motion, which passed unanimously.

#### Announcements

Mayor Branch then made note of the following:

- All non-emergency departments of the City closed:
  - Thursday, November 11, 2021 in observance of Veterans' Day
  - Thursday & Friday, November 25-26, 2021 in observance of Thanksgiving
- Christmas Tree Lighting Celebration: Monday, December 6, 2021; 6:00 p.m.
- Next Council meeting: Monday, December 13, 2021

#### Adjournment

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



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Randy Branch, Mayor

ATTEST:

  
Theresa Van Meter, City Secretary

