

**City of West Orange
Monday, June 20, 2022
Special Session**

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

COUNCIL MEMBERS PRESENT:

Randy Branch Meritta Kennedy Jay Odom
Brent Dearing

COUNCIL MEMBER ABSENT:

Michael Shugart, Sr. Lanie Brown

APPOINTED OFFICIALS PRESENT:

Chris Leavins Mike Stelly Jon Sherwin
Theresa Van Meter Simmie Gibson

OTHERS PRESENT:

Cassie Shortridge	Paula Mott	Brenda Poole
Ricky Berry	Robin Berry	Ricker LeDoux
Frances Lopez	Jane Branch	Omar Price
Vernon Miller	Martha Nelson	Tommy White
Janet Anderson	Richard Anderson	Mary Odom
Gail Langton	Robin Strother	Andrew Stephens
Michele Stephens	Dustin Hartsfield	Stephen West
Brian Muldrow	David Hastings	Sharon Thomas
Gerald Thomas	Lance Chandler	Brenice Morciglio
Jeff Leavins	Harold Hatcher	Marvin B. Weems
Eva Hernandez	Gerald Bergeron	Dean Schirmer
Dean Fuller	Michael Corbett	Mike Wilson

Call to Order

Mayor Branch called the meeting to order at 5:00 p.m. Mr. Leavins 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 May 16, 2022 City Council Meeting and the May 23, 2022 Council Workshop – Mayor Pro-Tem Kennedy made a motion that the minutes of both the May 16, 2022 City Council Meeting and the May 23, 2022 Council Workshop be approved as presented. Council Member Odom seconded her motion. A vote was cast; motion carried.

Public Comments

Ms. Morciglio, founder of "A Voice for HOPE," approached Council asking for their support with a fundraiser that she is trying to put together. She stated that proceeds from this event will go toward the operations of the organization and also the opening of a transitional facility/shelter for victims of domestic violence. She requested permission from Council to use one of the City's parks in which to hold the event.

Ms. Paula Mott stated that she has been raising chickens for four years. She wanted to present the benefits of having chickens: they provide food for the family; possible income from the sale of eggs; ability to provide eggs and meat to those less fortunate; natural fertilizer for your garden; help keep pests away; and having chickens also allows you to teach your children how to be responsible and how to sustain themselves.

Ms. Eva Hernandez, daughter of Ms. Martha Nelson, stated that she was present on her mother's behalf to express her concern over the agenda item pertaining to the vacation of the alleyway between Chester and Dayton Streets. Her mother does not want the portion of the alleyway behind her house and she does not want to be forced to accept it, upkeep it or pay taxes on it if the City does decide to abandon it.

Mr. Brian Muldrow introduced himself to Council as a “local, non-migratory beekeeper.” He explained that he has 27 yards in Orange County, with three of those being in West Orange. He expressed his concern over what he sees as a movement away from “personal agriculture.” He asked Council members to seriously consider the responsibility that they each hold when considering not allowing people to have chickens or bees, which in turn, forces them into a dependency on a system that man not be self-sustainable.

Reports & Comments

City Staff:

Public Works – Jon Sherwin

Construction Projects:

- Drainage Improvement Project (20-065-119-C390) completed and paid
- Street Improvement Project (20-065-119-C390) 63% complete w/estimated completion date 9/1/22 pending materials
- Western Avenue (Irving to Foreman) engineering & plans 100% complete
- City Hall generator project – estimated start in late July
- MacArthur Drive – TxDOT contractor waiting on materials and Entergy
- LED sign – construction to begin end of July/early August – pending material availability
- HVAC wrapping up this week; should have punch list items next week
- WWTP – engineering and plans 100%
- WCID Generator project moving slowly; no estimated completion date
- Working on quotes from two contractors on pavement behind fire station

Building Official:

- 10 permits issued; 22 permits completed
- Sanitation (zero employees):
- 17 loads of green waste (67.5 tons); 25 cu. yd/6.35 tons curbside C&D;
- Waste Management increasing landfill rates \$0.80 to \$10.75 cu. yard
- Still looking for driver to fill empty position

Animal Control:

- 7 intakes; 3 claimed/2 adopted/7 rescued/0 euthanized
- Shelter full at this time.
- 7 citations filed with the Court.

Street:

- 12 tons HP cold mix applied; 5 tons limestone placed
- Park repairs – Anna Jean Caffey Park
- Gazebo repairs

Parks:

- Mowing 18.55 acres weekly
- Maintaining park restrooms
- Operating grapple truck every day for Sanitation Dept.

Shop:

- Mowing large outfall ditches (3.5 miles)
- Daily maintenance of City vehicles (hydraulic lines, flats, etc...)
- 4 full-service
- 30 for 30 on all emergency rescue vehicles w/no issues identified

Police – Mike Stelly

129 contacts

21 arrests

4 crashes

62 report calls

571 calls for service

12,076 miles driven by officers

163 code violations

General Administration – Theresa Van Meter

Completed procurement process on two grants

Processed 91 delinquent sanitation account letters

Filed 7 complaints in Court for delinquent sanitation accounts

May – 54 individuals appeared before a judge in our court; 37 so far in June

Fire – Simmie Gibson

Responses since 01/01/2022:

- Fires – 33; Hazard conditions – 13; First Response – 14; Service Calls – 26; Good Intentions – 7; False Alarms – 4

- YTD average number of responders per call: 4
- Have had both engines services by an EVT Technician
3 firefighters attended Livingston fire school (reimbursed through grant)
2 firefighters attended Leadership conference in San Marcos
Rec'd t training grant for upcoming TEEX Municipal School in College Station at A&M
Ordered and rec'd new rescue equipment; had 2-evening training on this equipment
Ordered 6 bunker jackets and 6 pair of bunker pants thru Forest Service grant
Ordered & received lockers for storage of bunker gear
Ordered and received 6 each: helmets, hoods, boots and gloves

Mayor Branch:

The mayor thanked all of the departments for their work. He added that there is a lot going on in the city and a great deal of these projects are grant-funded. He wanted everyone to understand that, because they are grant-funded, they take a great deal of time. He asked everyone to please be patient.

Regular Session

Discussion and Possible Action on a request submitted by Omar and Kanisha Price for a waiver to allow them to keep fowl at 2624 Smith Street – Mayor Pro-Tem Kennedy made a motion that this request be tabled to allow time to look at the ordinance. She added that there are quite a few citizens in the city who have chickens, and have had them for quite some time, and she feels that this ordinance needs to be reviewed. Council Member Dearing seconded her motion. A vote was cast; motion to table passed unanimously.

Discussion and Possible Action on vacating of the alleyway between Chester and Dayton Streets (north of Houston Street), and authorizing the mayor to execute any and all documents pertaining to said vacation – Council Member Dearing made a motion that the City vacate the alleyway between Chester and Dayton Streets (north of Houston Street), and to further authorize the mayor to execute any and all documents pertaining to said vacation. Mayor Pro-Tem Kennedy seconded his motion. She then asked Mr. Sherwin if he had been able to locate any specifics pertaining to this alley. He responded that he had not. He will next be attempting to find documentation at the courthouse. Mr. Sherwin did state that each adjacent property owner would be offered that section of the alleyway directly behind their property first, however, they did not have to accept the offer. Chief Stelly added that the City cannot give up any utility easements. Those do not belong to the City.

The mayor asked if there were any further questions or discussion. With there being none, he called for a vote. The motion was unanimously approved.

Discussion and Possible Action on a request submitted by Gerald Bergeron for a variance to Ordinance No. 358, to allow development of an RV Park on less than two acres of land on Holland Street – Council Member Odom made a motion that Council not approve Mr. Bergeron's request for a variance to Ordinance No. 358, to allow development of an RV Park on less than two acres of land on Holland Street. His motion received a second from Mayor Pro-Tem Kennedy. Council Member Odom stated that the reason he was against approving the variance was that the acreage was only 1.34 acres. He had also spoken with three businesses and two residents in the immediate area who are opposed to an RV park being built in that location.

Mr. Bergeron then addressed Council, stating that he purchased the land for back taxes. That area had been abandoned. He has put a lot of work into the land, demolishing the dilapidated structures and cleaning the overgrown brush. He stated that he is interested in purchasing the Garcia property next door to his. This would give him over two acres. Currently, there is a house on that piece of land with a hole in roof and other damage. It also needs to be demolished. Mr. Garcia is supposed to talk to his siblings about selling the land to him and then get back to him.

He believes that soon there will be a serious need for temporary housing in the area. He sees this location as a prime spot due to its close nature to future construction projects. He added that he feels the park would continue to be very beneficial even after all construction is completed, as there are many plant workers who migrate from job-to-job every few months. If there is no place for them to live, they will simply go somewhere else.

Mayor Branch asked Mr. Bergeron is he has already checked into the property next door. He replied that he had. He stated that Mr. Corbett has been helping him out with that. He commended Mr. Corbett for his assistance with the project. He stated that he has worked in several communities, and Mr. Corbett has been one of the most helpful he has found in any of them, and he appreciates everything he has done.

Mayor Branch then stated that there was a motion on the floor to deny the request from Mr. Bergeron for a variance to Ordinance No. 358, to allow development of an RV Park on less than two acres of land on Holland Street. He called for a vote. There was one vote for denying the request and three votes not to deny. Motion failed.

Mayor Pro-Tem Kennedy then made a motion to table Mr. Bergeron's request until further notice/developments. Council Member Dearing seconded her motion. Mayor Branch called for a vote. There were three votes in favor of tabling the request and Council Member Odom abstained. Motion carried.

Discussion and Possible Action on acceptance of recommendation from Whiteley Oliver to award the City Hall Generator contract (HMGP DR-4466-0012-TX) Base bid and Alternate #1 bid to Gulf Coast Electric in the total amount of \$143,800 – Mr. Jeff Leavins of Whiteley Oliver reported that there had been three bids submitted for this project: Gulf Coast Electric; A & A Electric; and W-Industries. After reviewing the Base Bid, as well as the Alternate #1 bid amount, his firm recommended that the City contract with Gulf Coast Electric for a total cost of \$143,800. Mayor Pro-Tem Kennedy then made a motion that Council accept the recommendation from Whiteley Oliver and award the City Hall Generator contract (HMGP DR-4466-0012-TX) Base bid and Alternate #1 bid to Gulf Coast Electric in the total amount of \$143,800. Council Member Odom seconded her motion. With there being no discussion on the matter, Mayor Branch called for a vote on the motion, which passed unanimously.

Discussion and Possible Action on awarding a contract for the installation of an LED sign in the amount of \$38,200 to Sign Doctor, Inc. – Council Member Odom made a motion that the contract for the LED sign be awarded to Sign Doctor, Inc. in the amount of \$38,200. Mayor Pro-Tem Taylor seconded his motion. She then asked if this would replace the sign in front of City Hall. Mr. Sherwin replied that it would. Council Member Odom asked if this was grant funded. Mr. Sherwin replied that it was grant funded. With there being no further questions, the mayor called for a vote. The motion passed unanimously.

Discussion and Possible Action on awarding a contract to Revize for the redesign, maintenance, technical support and hosting of the City's website – Council Member Odom made a motion that the City award the contract for the redesign, maintenance, technical support and hosting of the City's website to Revize. Mayor Pro-Tem Kennedy seconded his motion. With there being no discussion, Mayor Branch called for a vote on the motion, which passed unanimously.

Discussion and Possible Action on awarding a contract to Traylor & Associates, Inc. for grant administration and/or planning services for the TS Imelda CDBG-DR-4466 grant from the Texas General Land Office – Mayor Pro-Tem Kennedy made a motion that Council awarding the contract to Traylor & Associates, Inc. for grant administration and/or planning services for the TS Imelda CDBG-DR-4466 grant from the Texas General Land Office. Council Member Dearing seconded her motion. With there being no questions nor discussion on the item, Mayor Branch called for a vote on the motion, which passed unanimously.

Discussion and Possible Action on awarding a contract to Whiteley Oliver, LLC to provide engineering services for the TS Imelda CDBG-DR-4466 grant from the Texas General Land Office – Council Member Dearing made a motion that the City award the contract to Whiteley Oliver, LLC to provide engineering services for the TS Imelda CDBG-DR-4466 grant from the Texas General Land Office. This motion received a second from Council Member Odom. With there being no discussion, Mayor Branch called for a vote on the motion, which passed unanimously.

Discussion and Possible Action on approval of a Resolution authorizing the submittal of one or more DR-4485 HMGP applications to the Texas Division of Emergency Management, authorizing the Mayor and Public Works Director to act as the City's authorized representatives in all matters pertaining to the application, and committing matching funds – Council Member Odom made a motion that Council pass a resolution authorizing the submittal of one or more DR-4485 HMGP applications to the Texas Division of Emergency Management, authorizing the Mayor and Public Works Director to act as the City's authorized representatives in all matters pertaining to the application, and committing matching funds. Mayor Pro-Tem Kennedy seconded his motion. With there being no questions nor discussion on the item, Mayor Branch called for a vote on the motion, which passed unanimously.

Discussion and Possible Action on a rate increase request from Piney Woods Sanitation – Mr. Wilson, representing Piney Woods Sanitation, explained that this was the first time that

the company has had to request a rate increase two years in a row, but do to the drastic increase in fuel costs, they had no choice but to ask for a 6% increase on residential and commercial rates to begin on October 1st. He added that they were not asking for an increase for servicing the City's temporary dumpsters. Mayor Pro-Tem Kennedy then made a motion to approve Piney Woods Sanitation's request for a 6% rate increase to begin on October 1, 2022. Council Member Dearing seconded her motion. With there being no discussion, the mayor called for a vote, with the motion being unanimously approved.

Discussion and Possible Action on renewing employees' health, vision and dental insurance through TML Health Benefits Pool for the 2022-23 fiscal year – Mayor Pro-Tem Kennedy made a motion that the City renew the employees' health, vision and dental insurance through TML Health Benefits Pool for the 2022-23 fiscal year. Council Member Dearing seconded her motion. Chief Stelly reported that there would be an approximate 7% increase in medical premiums for the upcoming year, while there would be no change in dental or vision rates. With there being no further discussion, Mayor Branch called for a vote on the motion, which passed unanimously.

Announcements

Mayor Branch then announced the following:

- City offices to be closed in observance of Independence Day on Monday, July 4, 2022;
- Public Hearing on certain substandard and hazardous properties on Tuesday, July 5, 2022 at 5:00 p.m.
- Next Council meeting: Monday, July 18, 2022; 5:00 p.m.

Adjournment

With there being no further business before Council, Mayor Branch adjourned the meeting at 5:51 p.m.



Randy Branch, Mayor

ATTEST:



Theresa Van Meter, City Secretary

