

**City of West Orange  
Tuesday, July 5, 2022  
Public Hearing & 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
Michael Shugart, Sr.	Lanie Brown	

**COUNCIL MEMBER ABSENT:**

Brent Dearing

**APPOINTED OFFICIALS PRESENT:**

Jon Sherwin	Theresa Van Meter	Chris Leavins
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**OTHERS PRESENT:**

Matt Frederick	Michael Corbett	Robert Ashworth
Nellie Miller	Dan Perrine	Landon Rothstein
Richard Berry	Gerald Thomas	Sharon Thomas

**Call to Order**

Mayor Branch called the hearing to order at 5:00 p.m., announcing that a quorum was present. Council Member Shugart gave the invocation. The mayor then led in the Pledges of Allegiance to the American and Texas flags.

**Public Hearing**

Mayor Branch announced that the purpose of the Public Hearing was to discuss the substandard and hazardous conditions of four properties within the city, along with possible remedies to those conditions. He then asked Mr. Corbett to give a report on each of the properties, adding that once those reports were given, he would go back and open up for comments from Council and the public on each one.

**2011 Bradford** – Mr. Corbett reported that this is a single-wide manufactured home. It has been abandoned, not maintained and the yard is severely overgrown. He added that the home has a hole in the roof, resulting in interior water damage to the ceiling and mold grown on the ceiling. The interior has previously been gutted, with no repairs afterwards. All sheetrock, insulation, HVAC and wiring has been removed. He added that the cost to repair the structure would easily exceed the value of the home. Mr. Corbett then stated that he believes the structure to be dilapidated, substandard and constitutes a hazard to the health, safety and welfare of the citizens of the city.

**709 Flint** – Mr. Corbett reported that this is a two-story frame house with a garage. The property is vacant, has been abandoned and not maintained. There are large holes on both the north and south roofs that have allowed water to cause severe interior damage and mold. Mr. Corbett then stated that he believes the structure to be dilapidated, substandard and constitutes a hazard to the health, safety and welfare of the citizens of the city. He added that letters to the property owner to two different addresses have been returned as “undeliverable.”

**2326 Houston** – Mr. Corbett reported that this is a one-story frame house. It is a vacant structure that has not been maintained, but has recently been secured by the owner. The roofline sags, indicating foundation problems. The roof is tarped. There are rotting sill plates around the exterior of the house from previous floods and moisture under the house. The exterior siding and framing under the siding is rotted in multiple areas below three feet above grade from flood water. The flooring throughout is weak and uneven. There is water damage to some of the ceilings.

At this time, Mr. Corbett stated that he believes the structure to be dilapidated, substandard and constitutes a hazard to the health, safety and welfare of the citizens of the city. He added, however, that he was contacted by the property owner, and met him at the location to inspect and discuss

needed repairs. Should the property owner present a plan to repair within an acceptable timeframe, he stated that he would recommend that Council approve repair.

**2307 Western** – Mr. Corbett reported that this is a single-story frame home. The property is vacant and the building has not been maintained. The yard, however, has recently been cut. Roof damage has allowed the interior to be water-damaged. Front porch has collapsed restricting access. Interior damage can be seen through the window. The ceiling is collapsing, with mold present. The owner has been non-responsive. Certified letters have been sent to two addresses and all have come back as “undeliverable.”

Mayor Branch then asked for the owners of these properties to address Council with their comments and/or plans for said properties:

**2011 Bradford** – No one was present with an interest in this property.

**709 Flint** – Mrs. Miller began by apologizing for the condition of the house. She stated that she was not aware until earlier that day that the house was being considered for demolition. She stated that she discovered that the correspondence from the City was being mailed to an address of property she owns in Little Cypress that does not even have a mailbox. She has not lived in that house for quite a while due to damage from Hurricane Harvey, but has been trying to get repairs done to it so that she can move back there. She stated that she would be willing to sign the property (and the mineral rights) over to the City, as she does not have the funds to either repair the house or have it torn down. She was not aware until very recently that the taxes had not been being paid. She informed Council that she had paid all of the back taxes in full earlier that day. She had the receipt if anyone wanted to see it.

**2326 Houston** – Mr. Rothstein stated that he would like to apologize to Council. He explained that he had sold the house “owner-finance” and when he sells a property, he is no longer responsible for taking care of it. He discovered the condition of the property during foreclosure when the lady stopped paying him. He would like to sell it, but if he cannot, he would tear it down. He asked Council for time to try to sell it. He does have someone to keep it mowed and will also keep an eye on it to make sure it stays secured. Council Member Brown asked Mr. Rothstein if he planned to sell the property “as-is” or repair it and then sell it. He responded that he would like to sell it to an investor as a “cash sale.” He added that he has a list of investors to contact and that he does not feel that it would take him long to determine whether or not there is any interest in it. He then stated that if there is no interest shown from anyone in purchasing the property, he would have it demolished.

**2307 Western** – No one was present with an interest in this property.

Mayor Branch then adjourned the Public Hearing at 5:23 p.m., after which Council entered into Special Session to possibly take action on these properties.

### Special Session

**Discussion and Possible Action on Orders by Resolution to either repair, remove or demolish the following structures:**

**2011 Bradford** – Council Member Shugart made a motion that this property be demolished. Mayor Pro-Tem Kennedy seconded his motion.

Mayor Branch suggested giving each property owner thirty (30) days to “cure” the problems or demolish the structure themselves. If nothing is done, then the City can have them demolished.

Council Member Shugart then amended his motion to include a thirty (30) day “cure” date. Mayor Pro-Tem Kennedy seconded the amendment to his motion. With there being no further discussion, the mayor called for a vote, which passed unanimously.

**709 Flint** – Mayor Pro-Tem Kennedy made a motion that the City accept the proposal of the landowner to take ownership of the property due to hardship. Council Member Brown seconded her motion.

Mayor Pro-Tem Kennedy then amended her motion to include the demolition of the structure after the City accepts ownership of it. Council Member Brown seconded the amendment to the original motion.

Mayor Branch then repeated the motion: that the City accept ownership transfer of the property and to then have the structure demolished upon said transfer.

Council Member Odom commended Mrs. Miller on addressing Council. He felt that it was very brave of her to do so.

The mayor then called for a vote on the motion, which passed unanimously.

**2326 Houston** – Mayor Branch recommended allowing Mr. Rothstein thirty (30) days to try to sell the property. Council Member Odom made a motion that Mr. Rothstein be given thirty (30) days to try to find a buyer for the property. Discussion then followed regarding stipulations that could possibly be placed on the buyer of the property. Council Member Odom then stated that, considering that it would cost more to repair the home than it is worth, he wanted to withdraw his motion and make a new motion that the structure on this property be demolished at the conclusion of thirty (30) days.

Council Member Brown stated that this house does not look as bad as the others on this list. She recommended giving Mr. Rothstein thirty (30) days to sell or demolish the structure.

Mayor Branch explained that Mr. Rothstein could submit a renovation plan to Mr. Corbett within that 30-day period or sell the property within that 30-day period. Mr. Leavins explained that, should the property sell, the next owner would be bound to follow the resolution passed by Council as well.

Mr. Rothstein then asked for some time to sell the property. He would like to sell it to a contractor who could do the work himself. This would drop the cost a great deal. Council Member Shugart asked him if thirty (30) days would be enough. Mr. Rothstein responded that he thought it would be enough time for him to find a buyer.

Council Member Shugart seconded Council Odom’s motion. There were five “ayes” for the motion, with Mayor Pro-Tem Kennedy voting “nay.” Motion carried.

**2307 Western** – Mayor Pro-Tem Kennedy made a motion that this property be given a thirty (30) day “cure” date, after which, if nothing has been done, the City then have it demolished. Her motion received a second from Council Member Odom. Mr. Leavins explained that ownership will not change, however a lien will be placed on the property after demolition. With there being no further discussion, Mayor Branch called for a vote. The motion passed unanimously.

**Announcements**

Mayor Branch then announced that the next Council Meeting was scheduled for Monday, July 18, 2022 at 5:00 p.m.

**Adjourn**

With there being nothing further to be presented at this workshop, mayor adjourned the meeting at 5:48 p.m.

*RR Branch*

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Randy Branch, Mayor

ATTEST:

*Theresa Van Meter*

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Theresa Van Meter, City Secretary

