

**City of West Orange
City Council
Monday, November 14, 2022
Regular 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	Brent Dearing

APPOINTED OFFICIALS PRESENT:

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

OTHERS PRESENT:

Matt Frederick	Jane Branch	Bobby Hommel
Charlotte Alford	Sherry Hommel	Juanita Smith
Richard Jones	Dylan Gray	David James
Jerry Delano	Caci Groom	Gerald Thomas
Sharon Thomas	Gail Langton	Kirk Roccaforte
Michael Corbett		

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 October 10, 2022 City Council Meeting – Mayor Pro-Tem Kennedy made a motion that these minutes be approved as presented. Council Member Brown seconded her motion. With there being no discussion, Mayor Branch called for a vote on the motion, which passed unanimously.

Staff Reports

Public Works – Jon Sherwin

Mr. Sherwin reported the following for the month of October, 2022:

Construction Projects

- City Hall generator project – up to 54 weeks out
- MacArthur Drive – waiting on meters for electricity to be installed
- LED sign – contractor has begun
- WWTP – waiting on EDA for approval

Building Official

- 39 permits issued
- 29 permits completed

Sanitation

- 19 loads of green waste collected
- 6 cubic yards (1.5 tons) curbside collected

Animal Control

- 79 calls
- 13 intakes
- 2 claimed/1 adopted/1 rescued/0 euthanized
- 0 citations filed with the court

Shop

- Daily maintenance on city vehicles (hydraulic lines, flats, etc...)
- 2 full service
- 30 for 30 on all ERV's w/no issues identified

Police Department– Mike Stelly

Chief Stelly gave the following statistics for the month of October, 2022:

- Traffic contacts: 62
- Crashes reported: 0
- Arrests: 49
- Reports: 60
- Calls for service: 425
- Miles driven: 9,655

Code Enforcement

- Violations investigated: 114
- Violations filed w/court: 56

Volunteer Fire Department – Simmie Gibson

Assistant Chief Gibson reported the following activity for the department during the month of October, 2022:

- Structure fires: 4
- Trash fires: 1
- Gas leaks: 1
- Fuel leaks: 1
- Carbon monoxide check: 1
- Medical assist calls: 10
- Mutual aid calls: 1
- Good intent: 1
- Cancelled en route: 4
- False alarm – system malfunctions: 1
- False alarm – system activation: 1

Asst. Chief Gibson also reported that they department continues to wait on mounting brackets and some other equipment to arrive for the new truck. The department hosted a "Truck R Treat" on Halloween, which they deemed a success. Since the beginning of November, the department has also participated in "Holiday in the Park" and the "Special Angels" Rodeo which were also successes. He reported that the gear extractor has been delivered and they are in the process of placing it.

General Administration – Theresa Van Meter

Mrs. Van Meter reported that, despite the heavy rain the night before the festival, "Holiday in the Park" turned out to be a big success once again. Several booth holders chose not to come out, fearing the weather, but it turned out to be a pleasant day.

She also announced that plans were underway for the City's annual Christmas Tree Lighting, scheduled for Monday, December 5th at 6:00 p.m.

Regular Session

Discussion and Possible Action on a Resolution adopting the Orange County Hazard Mitigation Action Plan – A motion was made by Mayor Pro-Tem Kennedy for the City to adopt the Orange County Hazard Mitigation Action Plan. The motion received a second from Council Member Odom. Chief Stelly reported that he has a complete copy of the document should anyone be interested in reading it. It is approximately 600 pages in length. With there being no discussion on the item, Mayor Branch called for a vote. The plan was unanimously adopted.

Discussion and Possible Action on a variance request by David James for Ordinance No. 302-E pertaining to four lots on Esther Street for the duration of time that it is owned by purchaser – Mr. James explained that he is requesting a variance that requires 100% permission from homeowners within 300'. He is also requesting this variance for the duration of time that he owns said property. In the event that a hurricane comes through and destroys the mobile homes, he does not want to have to start over asking permission of these home owners. Mr. Hommel stated that he has the letters that were sent out. There were forty-eight (48) properties on the list. From those 48, there were 29 "no responses," 15 "yeses" and 4 "no's." He added that they are asking that the "no responses" be considered as "yeses" and the "no's" to be "yeses". He added

that he and his wife did attempt to visit with two of those who sent in “no” responses. One read “HUD-Code” manufactured home and understood it to be a HUD house, and she did not even want to talk to them. Mr. Hommel then submitted the list, as well as the returned letters, to Mayor Branch. Council Member Brown made a motion that Mr. James’ request for a variance be approved. Council Member Shugart seconded her motion.

Council Member Odom questioned if the responses needed to be verified. Mrs. Smith explained that she mailed all of the letters “certified” and she has the responses of those that were signed for upon receipt.

Mayor Branch then asked if there was any further discussion. Council Member Brown then stated that she wanted to clarify her motion – that it was strictly to provide a variance to waive the 300’ permission requirement from 100% of area property owners, not any other stipulations within the ordinance. Mr. James questioned if this variance would be recognized as long as the property was in his name. Mayor Branch responded that it would. Council Member Brown stated that, should he sell the property, the new property owner would have to request a new variance, should it be needed.

Council Member Odom asked Mr. James what his plans were for the house that was on one of these four lots. Mr. James responded that, depending on its condition, he will either remodel it or tear it down. Should he remodel it, he will only bring in three manufactured homes (on the other three lots). Should he tear it down, he will bring in four – one on each lot.

Mayor Branch then called for a vote on the motion to grant a variance to Ordinance No. 302-E to Mr. James, allowing him to place HUD-code manufactured homes on the four lots he plans to purchase on Ester Street, with said variance extending through the duration of his ownership of said property. The motion passed unanimously.

Discussion and Possible Action on a variance request to Ordinance No. 302-E submitted by Jerry Delano for a 90-day extension to continue living in motor home on property located at 2004 South Street – Mr. Delano explained that he is requesting a 90-day extension to his variance to allow him to continue living in his motor home for the final phase of his project. All he has left to do is build the apartment, which he believes he can do within ninety (90) days. He also addressed the debris that was piled on the back of the property. He stated that he will be cleaning it up as soon as he can get a “canister” onto the property. He also stated that he has an appointment later in the week to have a survey done, to enable him to move forward with getting his permit to begin building the apartment.

Council Member Shugart then made a motion that Mr. Delano’s request for a variance to Ordinance No. 302-E for a 90-day extension to continue living in motor home on property located at 2004 South Street be granted. Council Member Shugart stressed that the motor home is to be moved at the conclusion of this 90-day period. Mayor Pro-Tem Kennedy seconded the motion.

Council Member Brown asked Mr. Delano if he had resolved the issue of ownership of the property. He responded that he had not, but either way, he will be building the apartment. Mayor Pro-Tem Kennedy asked if the owner has given him permission to build on the property. Mr. Delano responded that he has permission to “do whatever he wants on the property.”

Mayor Branch then asked if there was any further discussion or any more questions on the matter. He then called for a vote on the motion, which passed unanimously.

Discussion and Possible Action on acceptance and approval of the 2022 Delinquent Tax Roll as submitted by Orange County Tax Assessor-Collector Karen Fisher – A motion to accept and approve the 2022 Delinquent Tax Roll as submitted by Orange County Tax Assessor-Collector Karen Fisher was made by Council Member Brown, and seconded by Mayor Pro-Tem Kennedy. A vote was cast; motion carried.

Discussion and Possible Action on acceptance and approval of the 2022 Current Tax Roll as submitted by Orange County Tax Assessor-Collector Karen Fisher - A motion to accept and approve the 2022 Current Tax Roll as submitted by Orange County Tax Assessor-Collector Karen Fisher was made by Council Member Brown, and seconded by Mayor Pro-Tem Kennedy. A vote was cast; motion carried.

Discussion and Possible Action on approval of the recommendation of the Selection Review Committee to enter into negotiations and, if successful, award by resolution Traylor & Associates, Inc., for administrative services for the City’s 2023-2024 Texas Department of Agriculture TX CDBG grant, to provide application preparation and project administration, if awarded – Council Member Brown moved that the recommendation of the

Selection Review Committee to enter into negotiations and, if successful, award by resolution Traylor & Associates, Inc., for administrative services for the City's 2023-2024 Texas Department of Agriculture TX CDBG grant, to provide application preparation and project administration, if awarded be accepted. This motion received a second from Council Member Shugart. A vote was cast; motion carried.

Discussion and Possible Action on Ordinance No. 474, an Ordinance regulating the establishment and operation of manufactured home parks within the City of West Orange – Mayor Pro-Tem Kennedy made a motion that Ordinance No. 474 be adopted as presented. Council Member Brown seconded this motion.

Council Member Shugart stated that he understood in this ordinance that no manufactured home under 50' in length would be allowed. He questioned those already in the city that do not meet that length. Mayor Branch responded that those would be "grand-fathered" in.

With there being no additional questions or further discussion, the mayor called for a vote on the motion, which passed unanimously.

Executive Session

The mayor adjourned Regular Session and convened Executive Session pursuant to Section 551.074 of the Texas Government Code – Personnel Matters - regarding deliberation on employment matter and request by Patricia Garrett at 5:34 p.m.

Return to Regular Session

Mayor Branch reconvened Regular Session at 5:47 p.m. Council Member Brown then made a motion that Ms. Garrett's request be approved. This motion received a second from Mayor Pro-Tem Kennedy. A vote was cast; motion carried.

Announcements

Mayor Branch then made note of the following:

1. Non-emergency departments of the City of West Orange closed in observance of Thanksgiving Thursday & Friday, November 24 & 25, 2022
2. City of West Orange Annual Christmas Tree Lighting Celebration – Monday, December 5, 2022; 6:00 p.m.
3. Next Council meeting: Monday, December 12, 2022; 5:00 p.m.

Adjourn

With there being no further business before Council, Mayor Branch adjourned the meeting at 5:48 p.m.



Randy Branch, Mayor

ATTEST:



Theresa Van Meter, City Secretary

