

**City of West Orange
City Council
Monday, March 13, 2023
Regular Session**

**West Orange City Council Chambers
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	Simmie Gibson
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OTHERS PRESENT:

Jane Branch	Keri Michutka	Kirk Roccaforte
Sharon Thomas	Gerald Thomas	Dustin Hartsfield
Gail Langton	Terrence Williams	

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 February 13, 2023 Council meeting** – Mayor Pro-Tem Kennedy made a motion that these minutes be approved as presented. Council Member Brown seconded her motion. A vote was cast; motion carried.
- **proclaiming the month of April, 2023 as “Fair Housing Month” in West Orange** – Council Member Brown made a motion that the proclamation recognizing the month of April, 2023 as “Fair Housing Month” in the City of West Orange be passed as presented. Council Member Shugart seconded her motion. A vote was cast; motion carried.

Staff Reports

Public Works – Jon Sherwin

Mr. Sherwin reported the following activities for the month of February, 2023:

- **Construction Projects**
 - WWTP – waiting on EDA for approval
 - MacArthur Drive lighting project has resumed construction w/expected completion date of 4/28/2023.
 - City Hall Generator Project – Generator delivery expected in October, 2023
- **Building Official**
 - 34 permits issued; 18 permits completed
- **Sanitation**
 - 17 loads of green waste collected
 - 27 cubic yards (7 tons curbside)
- **Animal Control**
 - 88 calls
 - 14 intakes
 - 5 claimed/2 adopted/1 rescued/2 euthanized
 - 0 court filing
- **Street**
 - Patching streets with cold mix and rock in drives
 - Cleaning ditches (leaves) and addressing drainage issues

- **Parks**
 - Mowing began this month
- **Shop**
 - 6 full-services
 - Annual maintenance on mowing equipment
 - Normal repairs of city assets
 - Monthly 30-for-30 (All police and fire vehicles in good working order.)

Police Department– Matt Frederick

Investigator Frederick gave the following statistics for the month of February, 2023:

- Traffic contacts: 60
- Crashes reported: 3
- Arrests: 41
- Reports: 20
- Calls for service: 356
- Miles driven: 10,390

Code Enforcement

- Violations investigated: 46
- Violations filed w/court: 1

Volunteer Fire Department – Simmie Gibson

Assistant Chief Gibson reported the following activity for the department during the month of February, 2023:

- Trash fires: 2
- Hazardous condition: 1
- False alarms: 2
- Medical assist calls: 4
- Service calls: 3

He also reported that the department continues to be on “automatic aid” for the Pinehurst VFD, as they are going through some changes.

The gear washer has been delivered, but not yet installed.

The Knox Boxes are ready to be installed by the vendor.

The cascade system should be shipped by the end of the month.

Regular Session

Discussion and Possible Action on acceptance of audit of fiscal year ending September 30, 2022 as prepared and presented by Keri Michutka, CPA – Ms. Michutka began by thanking the Council for allowing her the opportunity once again to perform the City’s audit. She then reported that the City had been informed approximately two weeks before this meeting that it had been awarded the Government Finance Officers’ Association (GFOA) Excellence in Financial Reporting award for the past fiscal year.

She proceeded with her report, stating that she would “hit the highlights,” and asked that Council stop her and ask any questions they might have as they go along. She began with a brief review of the Independent Auditor’s Report, stating that, in their opinion, all financial statements in the report present fairly, in all material aspects, the respective financial position of the governmental activities, each major fund and the aggregate remaining fund information of the City as of September 30, 2022. She stated that they are issued an “unmodified” or “clean” audit.

She then reviewed the ending fund balances as of September 30, 2022. The General Fund had an ending total fund balance of \$6,213,804, and of that approximately \$3.1 million is unassigned (or not restricted). She pointed out that the GLO Infrastructure Grant showed an outstanding receivable of \$342,091. This was for the fire truck. Those funds were not received until the current fiscal year.

She pointed out that the General Fund had a net increase over the past year of \$99,387.

Fixed assets net of depreciation had an ending balance of \$2,622,485.

Long-term debt totaled \$1,042,550. This debt is made up of Net Pension Liability and Compensated Absences.

Ms. Michutka then briefly reviewed the "Single Audit," which was performed as the City had had expenditures of over \$750,000 within the fiscal year. She stated that, in their opinion, the City complied with all requirements of the programs.

She concluded that, overall, this was a "good, clean audit." Mayor Branch stated that that was the most important thing. He thanked Ms. Michutka for her work on the audit. Council Member Shugart thanked Mrs. Van Meter and her staff for their work, as well.

Council Member Brown then made a motion that the audit report be accepted as presented. Her motion received a second from Mayor Pro-Tem Kennedy. With there being no further discussion, Mayor Branch called for a vote, with the motion passing unanimously.

Discussion and Possible Action on retaining Michael Moses as a full-time employee of the City – Council Member Shugart made a motion that Michael Moses be retained as a full-time employee of the City. Council Member Odom seconded his motion. A vote was cast; motion carried.

Discussion and Possible Action acceptance of the Certification of Unopposed Candidates for the May 6, 2023 General Election – A motion was made by Council Member Brown, followed by a second from Mayor Pro-Tem Kennedy to accept the Certification of Unopposed Candidates for the May 6, 2023 General Election. With there being no discussion, Mayor Branch called for a vote, with the motion passing unanimously.

Discusión y posible acción sobre la aceptación de la certificación de candidatos sin oposición para la elección general del 6 de mayo de 2023

El concejal Brown hizo una moción, seguida de una segunda del alcalde interino Kennedy para aceptar la Certificación de candidatos sin oposición para las elecciones generales del 6 de mayo de 2023. Como no hubo discusión, el alcalde Branch pidió una votación y la moción fue aprobada por unanimidad.

Discussion and Possible Action on Ordinance No.477, an Ordinance cancelling the May 6, 2023 General Election – Mayor Pro-Tem Kennedy made a motion that Ordinance No. 477, cancelling the May 5, 2023 General Election, be adopted as presented. Her motion received a second from Council Member Brown. With there being no discussion, a vote was cast, with the motion passing unanimously.

Discusión y posible acción en la Ordenanza No. 477, una Ordenanza que cancela la Elección General del 6 de mayo de 2023

El alcalde provisional Kennedy hizo una moción para que la Ordenanza n.º 477, que cancela las elecciones generales del 5 de mayo de 2023, se adopte tal como se presentó. Su moción recibió el apoyo del concejal Brown. No habiendo discusión, se votó y la moción fue aprobada por unanimidad.

Discussion and Possible Action on approval of a Resolution authorizing the submittal of a 23/24 TxCDBG application to the Texas Department of Agriculture, committing matching funds, agreeing to comply with programmatic requirements, and adopting/reaffirming civil right policies - Council Member Brown made a motion to approve a Resolution authorizing the submittal of a 23/24 TxCDBG application to the Texas Department of Agriculture, committing matching funds, agreeing to comply with programmatic requirements, and adopting/reaffirming civil right policies. Mayor Pro-Tem Kennedy seconded this motion. With there being no discussion, a vote was cast, with the motion passing unanimously.

Discussion and Possible Action on approval of a Resolution designating authorized representatives in matters pertaining to the City's participation in the Texas Community Development Block Grant Program – A motion to approve a Resolution designating authorized representatives in matters pertaining to the City's participation in the Texas Community Development Block Grant Program was made by Council Member Brown, with a second by Mayor Pro-Tem Kennedy. The motion passed unanimously by vote.

Discussion and Possible Action on Ordinance No. 302-F, an Ordinance repealing Ordinance No. 302-E in its entirety and adopting No. 302-F, pertaining to manufactured homes in the City - Mayor Pro-Tem Kennedy made a motion that Ordinance No. 302-F, an Ordinance repealing Ordinance No. 302-E in its entirety and adopting No. 302-F, pertaining to manufactured homes in the City be adopted as presented. Council Member Odom seconded her motion. With there being no discussion, the mayor called for a vote, with the motion passing unanimously.

Announcements

Mayor Branch then made note of the following:

1. All non-emergency departments of the City closed on Friday, April 7 and Monday, April 10, 2023 in observance of Good Friday and Easter holidays
2. Next Council meeting – Monday, April 17, 2023 – 5:00 p.m.
3. City of WO Spring Cleanup – Friday & Saturday, April 21 & 22, 2023
9:00 a.m. – 3:00 p.m.
4. Bark in the Park - Saturday, April 22, 2023; 11:00 a.m. – 3:00 p.m.

Adjourn

With there being no further business before Council, Mayor Branch adjourned the meeting at 5:18 p.m.

R R Branch

Randy Branch, Mayor

ATTEST:

Theresa Van Meter

Theresa Van Meter, City Secretary

