

**City of West Orange
City Council
Monday, April 17, 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	Brent Dearing	Jay Odom
Lanie Brown		

COUNCIL MEMBER ABSENT:

Meritta Kennedy	Michael Shugart, Sr.
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APPOINTED OFFICIALS PRESENT:

Jon Sherwin	Theresa Van Meter	Mike Stelly
Christopher Leavins	Simmie Gibson	

OTHERS PRESENT:

Jane Branch	Sharon Thomas	Gerald Thomas
James Fisette	Jerry Delano	Beverly Haggard
Steve Bird	Jesse Gardner	

Call to Order

Mayor Branch called the meeting to order at 5:06 p.m. City Attorney 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 March 13, 2023 Council meeting – Council Member Brown made a motion that these minutes be approved as presented. Council Member Odom 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 March, 2023:

- **Construction Projects**
 - WWTP – waiting on EDA for approval; have asked for time extension
 - MacArthur Drive project has resumed construction (issues being addressed by contractor); no completion date given
 - City Hall Generator Project – Generator delivery expected in October, 2023
- **Building Official**
 - 28 permits issued; 42 permits completed
- **Sanitation**
 - 29 loads of green waste collected
 - 11 cubic yards (3 tons curbside)
- **Animal Control**
 - 92 calls
 - 17 intakes
 - 7 claimed/4 adopted/9 rescued/1 euthanized
 - 0 court filing
- **Street**
 - Patching streets with cold mix and rock in drives
 - Cleaning 1,800 linear feet of ditches
- **Parks**
 - Mowing continues
- **Shop**
 - 2 full-services
 - Normal repairs of city assets

- Monthly 30-for-30 (All police and fire vehicles in good working order.)
- Large outfall ditch mowing has begun

Police Department– Mike Stelly

Chief Stelly gave the following statistics for the month of March, 2023:

- Traffic contacts: 60
- Crashes reported: 6
- Arrests: 88
- Reports: 21
- Calls for service: 339
- Miles driven: 9,940

Volunteer Fire Department – Simmie Gibson

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

- Grass/Trash fires: 5
- Gas Leak: 1
- Motor Vehicle Collisions: 2
- False alarms: 2
- Medical assist calls: 3
- Service calls: 1

He also reported that the department's breathing air compressor and fill station has been installed and the air sample is "good."

He added that water has been run to the location for the gear extractor and is in place – just waiting on electrical power in that area.

Regular Session

Discussion and Possible Action on an application to the WOVFD submitted by Brennen Harris – Mayor Branch stated that he is not ready to act on this application at this time. He will pass on it for this meeting and take it up at a later date.

Discussion and Possible Action on a request from Jerry Delano for an extension to his variance to Ordinance No. 302- E at 2004 South Avenue – Mr. Delano asked for an additional 30-day extension to Ordinance No. 302-E, to continue living in his motor home parked at 2004 South Avenue, while constructing an apartment on the property. He added that he will need to build a storage facility before he can move the motor home.

Council Member Odom made a motion that Mr. Delano be given a 30-day and ONLY 30-day beginning April 18, 2023 extension to Ordinance No. 302-E. Council Member Brown seconded his motion, adding that this is to be the final extension granted to Mr. Delano. Council agreed with her. She stated that the ordinance is written allowing property owners only to park RVs on their property. Mr. Delano still cannot show ownership of this land. Therefore, when he moves into his apartment, the RV must go.

Mayor Branch stated that Council has been working with Mr. Delano for more than 14 months on this matter, and he feels they have been more than gracious in doing so. However, the facts are that, after 14 months, Mr. Delano still does not own the property, nor is he living in the building he has been working on.

Mr. Delano reported to Council that the property owner, Mr. McCorquodale, has given his permission to Mr. Delano to park the RV there, and has full intentions of selling the property to him once he can legally do so.

Mayor Branch then called for a vote on Council Member Odom's motion, which passed unanimously.

Discussion and Possible Action on the following residential tax exemptions for tax year 2023 – Council Member Brown made a motion that the City's property tax exemptions in place for the 2022 tax year be adopted for tax year 2023 as well:

- a. Homestead – 20%
- b. 65 or older - \$17,000
- c. Disabled - \$17,000

Council Member Dearing seconded her motion. A vote was cast; motion passed unanimously.

Discussion and Possible Action on approving, by resolution, a contract for administration and planning services pertaining to the application and implementation, if awarded, of the City's 2022 Resilient Communities Program (RCP) grant funded and administered through the Texas General Land Office (GLO) and authorizing the execution of a contract – Council Member Brown made a motion that Council approve, by resolution, a contract for administration and planning services pertaining to the application and implementation, if awarded, of the City's 2022 Resilient Communities Program (RCP) grant funded and administered through the Texas General Land Office (GLO) and authorizing the execution of a contract. This motion received a second from Council Member Odom. With there being no discussion on the issue, Mayor Branch called for a vote on the motion, which passed unanimously.

Discussion and Possible Action on Amendment No. 1 to the Agreement for Professional Management Services with Traylor & Associates for HMGP-DR 4332 to include the Dayton Street lift station and the drainage project – Council Member Brown made a motion that Council approve Amendment No. 1 to the Agreement for Professional Management Services with Traylor & Associates for HMGP-DR 4332 to include the Dayton Street lift station and the drainage project. The motion received a motion from Council Member Odom. Mayor Branch called for a vote on the motion, which passed unanimously.

Discussion and Possible Action on authorizing disposal of 709 Flint Street – Mr. Sherwin explained that this is the property on Flint Street that had been donated to the City for demolition. The demolished structure was formerly known as "The Gingham Shop." Council Member Odom then made a motion that Mr. Sherwin have the property appraised and then put it up for sale. Council Member Brown seconded his motion. With there being no further discussion, a vote was cast; motion carried.

Discussion and Possible Action on approval of an agreement with the law firm of Linebarger Goggan Blair & Sampson, LLP to act as Special Counsel to perform all legal services necessary to collect unpaid fines, fees and court costs as provided in the Texas Code of Criminal Procedures, Article 103.0031, and to authorize the mayor to sign the agreement on the City's behalf – Council Member Brown made a motion, followed by a second from Council Member Odom, to approve an agreement with the law firm of Linebarger Goggan Blair & Sampson, LLP to act as Special Counsel to perform all legal services necessary to collect unpaid fines, fees and court costs as provided in the Texas Code of Criminal Procedures, Article 103.0031, and to authorize the mayor to sign the agreement on the City's behalf. There were no questions nor discussion, therefore a vote was called by the mayor. The motion passed unanimously.

Discussion and Possible Action on adoption of a Resolution regarding Linebarger Goggan Blair & Sampson, LLP as being fully qualified as Special Council to perform all legal services pursuant to Sec. 2254.1036 of the Texas Government Code – Council Member Brown made a motion that Council adopt a resolution regarding Linebarger Goggan Blair & Sampson, LLP as being fully qualified as Special Council to perform all legal services pursuant to Sec. 2254.1036 of the Texas Government Code. Council Member Odom seconded her motion. A vote was cast; motion carried unanimously.

Discussion and Possible Action on adoption of a Resolution authorizing and imposing a collection fee as authorized by Article 103.0031 of the Texas Code of Criminal Procedures – Council Member Odom moved that Council adopt a resolution authorizing and imposing a collection fee as authorized by Article 103.0031 of the Texas Code of Criminal Procedures. A second to the motion was given by Council Member Brown. With there being no discussion on the issue, Mayor Branch called for a vote, with the motion passing unanimously.

Discussion and Possible Action on Ordinance No. 478, addressing the movement of commercial motor vehicles throughout the City – Council Member Brown made a motion that Ordinance No. 478, addressing the movement of commercial motor vehicles throughout the City be adopted as presented. Council Member Odom seconded her motion. Mayor Branch explained that this ordinance will help regulate through-traffic for truck routes within the city. A vote was cast; motion carried.

Announcements

Mayor Branch then made note of the following:

- West Orange Spring Clean-Up – Friday & Saturday, April 21 & 22, 2023; 9:00 a.m. – 3:00 p.m.

- Bark in the Park – Saturday, April 22, 2023; 11:00 a.m. – 3:00 p.m.
- Next Council meeting – Tuesday, May 9, 2023 – 5:00 p.m.

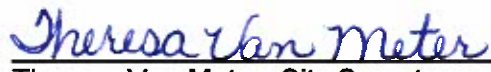
Adjourn

With there being no further business before Council, Mayor Branch adjourned the meeting at 5:34 p.m.



Randy Branch, Mayor

ATTEST:



Theresa Van Meter, City Secretary

