

**City of West Orange
Monday, August 14, 2023
Regular Session**

**City Council Chambers
2700 Western Avenue (rear entrance)
West Orange, Texas
5:00 P.M.**

COUNCIL MEMBERS PRESENT:

Mayor Randy Branch
Lanie Brown

Brent Dearing
Meritta Kennedy

Jay Odom
Michael Shugart, Sr.

APPOINTED OFFICIALS PRESENT:

Theresa Van Meter
Mike Stelly

Jon Sherwin
David Roberts

Christopher Leavins
Simmie Gibson

OTHERS PRESENT:

Jane Branch
James McCutcheon
Imtzyaz Ali

Michael Corbett
Tremaine Wilson, Jr.
Alice A.

Gail Langton
Cari Groom
Richard Jones

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 July 10, 2023 Council meeting and August 1, 2023 Budget Workshop – A motion was made by Mayor Pro-Tem Kennedy to accept the minutes of both meetings into record as presented. Her motion received a second from Council Member Brown. Mayor Branch called for a vote on the motion, which passed unanimously.

Staff Reports

Public Works – Jon Sherwin

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

- **Construction Projects**
 - WWTP – Bidding has been approved by EDA
 - City Hall Generator Project – ATS received; expecting delivery of generator in October
 - Drainage improvement project bid last week
- **Building Official**
 - 19 permits issued; 28 permits completed
- **Sanitation**
 - 27 loads (70 tons) of green waste collected
- **Animal Control**
 - 69 calls
 - 18 intakes (8 surrendered)
 - 3 claimed/ 2 adopted/ 6 rescued
 - 0 court filings
- **Street**
 - Sprayed approximately 100 gallons of weed killer around city
 - Cut grass around signage
 - Cleared brush from 400' of outfall ditch
- **Parks**
 - Mowing continues
 - Replaced mulch in Alford-Seale Plaza (assisted by Street Dept.)
 - Advertising for position to fill vacancy
- **Shop**
 - 5 full-services performed
 - Normal repairs of city assets

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

Police Department– Mike Stelly

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

- Traffic contacts: 52
- Crashes reported: 5
- Arrests: 67
- Reports: 40
- Calls for service: 481
- Miles driven: 9,343

Code Enforcement

Violations Investigated: 181

Violations filed w/court: 13

Chief Stelly then gave an update on dilapidated houses investigated by the Code Enforcement Officer between September 2021 and August 9, 2023:

- 94 substandard structures identified by Code Enforcement
- 39 search warrants written and executed
- 74 reports completed by Code Enforcement and forwarded to the Building Official
- 2 structures cleared by inspection as not being dilapidated
- 6 structures have been demolished by the City, with 5 more approved for demolition
- 23 structures have been voluntarily demolished by the owners after being contacted by Code Enforcement
- 11 structures have been voluntarily rehabilitated by the owners
- There are currently 9 properties whose owners have voluntarily committed to rehabilitating; 11 properties whose owners have voluntarily committed to demolishing.

General Administration – Theresa Van Meter

Mrs. Van Meter announced that booth registrations would be open to the public the following morning at 8:00 a.m. for the 2023 Holiday in the Park festival. Registrations were also being accepted for the 2023 Classic Car Show which is held in conjunction with the festival.

Volunteer Fire Department – Simmie Gibson

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

- Grass/Brush fires: 1
- Trash fires: 4
- Motor Vehicle Collisions: 1
- Medical assist calls: 2
- Service calls: 8
- Cancelled enroute: 1
- False Alarms: 3

Asst. Chief Gibson reported that the State is at a Risk Level 4 (out of 5 levels). Orange County is one of 181 counties in the state currently under a burn ban.

Council Member Brown stated that the governor has issued an emergency declaration due to the drought conditions for most of the state, including Orange County.

Regular Session

Discussion and Possible Action on a request from Mr. Era Maredia for a variance to Ordinance No. 304-B to allow food trucks to be placed on his property at 527 Hwy 87 S – A motion was made by Mayor Pro-Tem Kennedy to approve the request for a variance to Ordinance No. 304-B to allow food trucks to be placed on his property at 527 Hwy 87 S. Council Member Brown seconded her motion.

Mr. Ali explained that he would like to place three food trucks behind the Exxon store at this time, with a possibility of adding a fourth at a later date. He plans to park these trucks where the car wash used to be located. He also plans to add tables/seating area on the back side of the trucks in the grass.

Mayor Branch stated that he is concerned with the trash that would be generated in that area. Mr. Ali responded that the vendors would be responsible for the trash in their area, per their rental agreements. This would be monitored by the store manager. The vendors would also be required to hold a Sales Tax Permit for the City of West Orange. This would also be checked by the store manager.

Council Member Odom stated that placement of three trucks would actually mean granting three variances. He is concerned with parking. He believes that three trucks are two too many. He believes that one would be enough for that area, and that Council could see how things go with one before agreeing to more.

Mr. Leavins recommended setting conditions to the variance(s) should Council opt to grant them, such as the number of mobile vending units allowed, the length of time they are allowed, etc. He also recommended not allowing the variance to extend past the length of the current lease (which is December 31, 2024).

Mayor Pro-Tem Kennedy then amended her original motion for approval of the variance request to limit the number of food trucks to three and for said variance to expire on December 31, 2024 or when store lease expires, whichever occurs first. Council Member Brown seconded the amended motion. The vendors will have to obtain permits from the City as well. They will also be inspected by the County Health Department. Mayor Branch then called for a vote on the motion. With the exception of Council Member Odom, who voted against the motion, all other council members voted to approve Mayor Pro-Tem Kennedy's motion. With the majority voting in favor, motion carried.

Discussion and Possible Action on accepting into record the Quarterly Investment Report for April - June, 2023 – Council Member Odom made a motion that the Quarterly Investment Report for April - June, 2023 be accepted into record as presented. This motion received a second from Mayor Pro-Tem Kennedy. With there being no questions or discussion, Mayor Branch called for a vote on the motion, which passed unanimously.

Discussion and Possible Action on a resolution nominating individuals to be placed on the ballot for the Orange County Appraisal District Board of Directors – A motion was made by Council Member Brown to nominate individuals for placement on the OCAD Board of Directors ballot. Her motion was seconded by Council Member Shugart. Council Member Brown then stated that she was interested in serving on this Board and would like to be considered for nomination for placement on the ballot. After a brief discussion, Council Member Brown withdrew her motion and Council Member Shugart withdrew his second to her motion. Council Member Odom then, by motion, submitted Council Member Lanie Brown as a nominee to be placed on the ballot for the Board of Directors of the Orange County Appraisal District. His motion received a second from Mayor Pro-Tem Kennedy. With there being no other individuals nominated to be placed on the ballot, Mayor Branch called for a vote, with the motion passing unanimously as presented.

Discussion and Possible Action on repealing Ordinance No. 6-B in its entirety and replacing it with Ordinance No. 481 - Council Member Odom made a motion that Ordinance No. 6-B be repealed in its entirety and replaced with Ordinance No. 481. This motion received a second from Council Member Brown. Mayor Branch explained that this ordinance pertains to pipelines that may be running throughout the city. Council Member Brown asked if this ordinance requires the pipeline owners to provide maintenance records and/or inspection reports to the city annually or upon request. The mayor responded that it does. He then called for a vote on the motion, which passed unanimously.

Discussion and Possible Action on approval of a Fee Schedule concerning pipeline permits – Council Member Brown moved that Council approve the Fee Schedule concerning pipeline permits as presented. Her motion received a second from Council Member Shugart. With there being no discussion, a vote was cast; motion carried.

Discussion and Possible Action on allowing the mayor to execute any and all agreements between Chevron Phillips Chemical Company LP and/or Chevron Pipe Line Company granting easements and pipelines at WESCO – Council Member Odom made a motion that Mayor Branch be allowed to execute any and all agreements between Chevron Phillips Chemical Company LP and/or Chevron Pipe Line Company granting easements and pipelines at WESCO. Mayor Pro-Tem Kennedy seconded this motion. Council Member Brown questioned if any public hearings or public notices were required pertaining to these pipelines. Mr. Sherwin responded that property owners who are within a certain distance of the pipelines will be notified. There will be an advertisement, but no public hearings are required. With there being no further discussion on the subject, the mayor called for a vote on the motion, which passed unanimously.

Discussion and Possible Action on approval of recommendation by Schaumburg & Polk, Inc. to award contract for Flood & Drainage Improvement Project CDBG-MIT 22-085-067-D324 to T-Construction – Council Member Brown made a motion to approve the recommendation of Schaumburg & Polk, Inc. to award contract for Flood & Drainage Improvement Project CDBG-MIT 22-085-067-D324 to T-Construction. A second to the motion came from Council Member Odom. With there being no discussion on the subject, the mayor called for a vote on the motion, which passed unanimously.

Discussion and Possible Action on authorizing a proposal on an ad valorem tax rate by record vote and consider setting the date for a public hearing and the adoption of such proposal on a future meeting agenda – Mayor Branch moved that “we, by record vote, place a proposed tax rate of no greater than \$0.384000 per \$100 valuation on the Monday, September 11, 2023 Regular Meeting agenda at 5:00 p.m. at City Hall and set a public hearing on Thursday, September 7, 2023 at 5:15 p.m. at City Hall to receive comments on such proposal.” Council Member Odom seconded his motion. Mayor Branch then called for a vote:

Mayor Pro-Tem Kennedy –	aye	Council Member Shugart -	aye
Council Member Dearing -	aye	Council Member Brown -	aye
Council Member Odom -	aye	Mayor Branch -	aye

With the vote being unanimous, the motion passed to place a proposed tax rate of no greater than \$0.384000 per \$100 valuation on the Monday, September 11, 2023 Regular Meeting agenda at 5:00 p.m. at City Hall and set a public hearing on Thursday, September 7, 2023 at 5:15 p.m. at City Hall to receive comments on such proposal.

Announcements

Mayor Branch then announced the following upcoming meetings/events:

- Thursday, Sept. 7, 2023; 5:00 p.m. – Public Hearing on Proposed Budget
- Thursday, Sept. 7, 2023; 5:15 p.m. – Public Hearing on Proposed Tax Rate
- Monday, Sept. 11, 2023; 5:00 p.m. – Council Meeting
 - (Adoption of Budget & Tax Rate on Agenda)
- Saturday, Nov. 4, 2023 – *HOLIDAY IN THE PARK*
- Tuesday, Nov. 7, 2023 – Election Day (7:00 a.m. – 7:00 p.m.)

Adjournment

With there being no further business before Council, Mayor Branch adjourned the meeting at 5:40 p.m.



Randy Branch, Mayor

ATTEST:



Theresa Van Meter, City Secretary

