



City of West Orange

City Hall
2700 Western Avenue
West Orange, TX 77630

City Council Regular Session Meeting Minutes

Monday, July 8, 2024

5:00 p.m.

Council Chamber

COUNCIL MEMBERS PRESENT:

Mayor Randy Branch
Meritta Kennedy

Michael Shugart, Sr.
Lanie Brown

Jay Odom

APPOINTED OFFICIALS PRESENT:

Theresa Van Meter
Simmie Gibson

Jon Sherwin

David Roberts

OTHERS PRESENT:

Sandra Howard (*filling in for City Attorney Christopher Leavins*)
Claude Webb

Jane Branch

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 both the United States and Texas flags.

Consent Agenda

Discussion and Possible Action on approval of the minutes of the June 10, 2024 Council Meeting – These minutes were unanimously approved by vote after a motion was made by Mayor Pro-Tem Kennedy, with a second by Council Member Brown.

Public Hearing

The City Council entered into a Public Hearing to discuss the substandard and hazardous conditions of thirteen properties, along with possible remedies to said conditions. Mr. Corbett presented photographs and gave brief reports on the conditions of each property:

1. 2728 Dowling – The structure has suffered severe water damage; large holes in roof has left the interior open to the elements. The interior has been gutted, flooring is missing, the remaining flooring is weak and rotting. Exterior walls are not plumb or stable. The structure is dilapidated and substandard and is a hazard to the health, safety and welfare of the citizens of West Orange.
2. 1010 Kountz – Structure has suffered water damage and neglect. The deteriorated tarp on roof has allowed interior water damage. Collapsing floors, water damaged ceiling, rotted beams and sills. The structure is dilapidated and substandard and is a hazard to the health, safety and welfare of the citizens of West Orange.
3. 825 Jasper – Roof damage has allowed interior water damage to ceilings, walls and floors. Some rooms have holes in walls and floors from rot. Mold is present; flooring is weak. The structure is dilapidated and substandard and is a hazard to the health, safety and welfare of the citizens of West Orange.

Mr. Webb addressed Council, stating that he and his sister own this property. They have cleaned up the outside of the structure and now have it listed for sale with a realtor. He asked if someone could enter the house since it was "red-tagged," or if they could only look through the windows. Mr. Corbett responded that they could enter just to look around, but it would be safer to look through the doors or windows. Council Member Brown asked Mr. Webb how long the property had been for sale. He responded "about a month or so."

4. 202 Linda – The structure suffered severe fire damage and is beyond repair. The structure is dilapidated and substandard and is a hazard to the health, safety and welfare of the citizens of West Orange.

5. 2610 Tanglewood – Roof damage has allowed water to damage the interior. Rotting beams and floor joists have allowed walls to separate from the floors. Interior flooring is weak and has collapsed in one room. Ceilings have water damage and mold is present. The structure is dilapidated and substandard and is a hazard to the health, safety and welfare of the citizens of West Orange.

The property owner has contacted Mr. Corbett, stating that he was out of the country. He reported that he would be back before the end of July. Mr. Corbett asked Council to table taking any action on this property at this time to give the property owner an opportunity to adequately respond in person.

Mayor Branch stated that he would like to recommend, since the owner has asked for a postponement, putting this on the August agenda, and if the owner does not show up and present Council with some type of plan, then Council should move forward.

6. 2713 Stevenson – Property has suffered fire damage, water damage and neglect. It is not secured from entry or infestation. Mold is present. There is some roof damage. The structure is dilapidated and substandard and is a hazard to the health, safety and welfare of the citizens of West Orange.

Mr. Corbett added that it was his understanding that this property owner had suffered damage at his home from the storm earlier in the day and he had requested a possible delay on today's Council action. Mayor Branch stated that he would recommend that this property also be delayed until the August meeting.

7. 2326 Houston – Property has suffered water damage and neglect. Rotted beams, sills and floor joists have allowed separation of walls and floors. Holes in floors are from water damage and attempted repairs that have been abandoned. Property has remained unsecured to casual entry. The structure is dilapidated and substandard and is a hazard to the health, safety and welfare of the citizens of West Orange.

8. 2832 Bonham – The structure has rotted framing behind the siding and rotted sills; rotted window frames. The interior shows signs of water damage on walls and ceilings. Some subflooring had been installed over the older weak subflooring. No permit had been applied for, or issued, so a stop-work notice was posted with the substandard property notice in August 2022. The property owner has failed to submit an elevation certificate along with detailed repair plans. The structure is dilapidated and substandard and is a hazard to the health, safety and welfare of the citizens of West Orange.

Mr. Corbett added that this property owner had contacted him earlier in the day, stating that they were dealing with some storm issues, and requested a postponement on the hearing on their property. They also commented to Mr. Corbett that it may be cheaper for them to demolish the structure. Mayor Branch stated that since the owner has called, he recommended allowing them another month as well, adding them to the August agenda. He added that if they do not show some type of movement on the property, the City will handle it.

9. 1117 Dayton – The structure had a large tree trunk on it in February, 2022, when first inspected. The tree has since been removed from the house, but the roof damage has not been repaired. Interior mold, a wall in the living room is not plumb. Structural damage to rafters and roof decking. The property owner has not made an attempt to repair and has not been able to sell the property in over two years. The structure is dilapidated and substandard and is a hazard to the health, safety and welfare of the citizens of West Orange.

Mr. Webb reported that the tree, stump and all of the trash has been removed. This property is also on the market for sale. He stated that he previously had this property for sale, but the city removed the culverts in front and they have not been replaced yet.

Council Member Brown stated that OCAD has the owner listed as Melissa Peterson. Mr. Webb responded that he had sold it to her on contract for deed in 2015, but she stopped making payments. He added that he needs to get it back into his name. He said he tried to get her to sign paperwork two or three years ago to take care of that, but she refused. She later put a "for sale" sign in the yard, which he removed, as she is not the legal owner.

10. 1323 E. Travis – Property is severely overgrown and neglected. Structure has interior water damage, mold is present. Property is not secure from casual entry. Some fire-damaged rafters. Some collapsing ceilings in two rooms. No response from the property owner,

appears to be abandoned. The structure is dilapidated and substandard and is a hazard to the health, safety and welfare of the citizens of West Orange.

11. 407 Dayton – The structure is suffering water damage and neglect. Rotting sills, framing and interior and exterior water damage. The rear room of the house is collapsing away from the rest of the house. The structure is dilapidated and substandard and is a hazard to the health, safety and welfare of the citizens of West Orange.

Mr. Webb stated that Mr. Robert Bryan had a business there, did not live there, but has passed away. He is in the process of getting that back into his name.

12. 923 Irving – The structure is suffering water damage and neglect. Rotting sills, framing, interior and exterior walls are damaged, porches are not safe to walk on. Interior ceilings, walls and floors are all damaged. Structure is not secured from casual entry. The structure is dilapidated and substandard and is a hazard to the health, safety and welfare of the citizens of West Orange.

Mr. Webb stated that this was his father's house (who passed away in 2013). He recognizes that this structure needs to be torn down. He attempted to do so, however there were baby buzzards inside. He was told by the Parks & Wildlife that he could not disturb them, however when they sent someone out, they could not find any buzzards inside. He stated that he will be tearing this down.

13. 1009 Albany – The structure suffered severe fire damage and is beyond repair. The structure is dilapidated and substandard and is a hazard to the health, safety and welfare of the citizens of West Orange.

Adjourn Public Hearing

With there being no further comments or questions, Mayor Branch adjourned the Public Hearing and reconvened Council in Regular Session at 5:24 p.m.

Staff Reports

Public Works – Jon Sherwin

Mr. Sherwin reported the following activities for the month of June, 2024:

- ***Construction Projects***
 - Waste Water Treatment Plant contract has been awarded; Notice to Proceed (NTP) June 17, 2024
 - City Hall Generator Project – ready for testing
 - Drainage improvement project – culvert replacement complete
 - Pipe-bursting project going on throughout city with many manholes being replaced or added
- ***Building Official***
 - 26 permits issued (1 new construction)
 - 32 permits completed
- ***Sanitation***
 - 23 loads of green waste collected (\$3,450)
 - 1 (13 tons) loads of C & D to landfill
- ***Animal Control***
 - 63 calls
 - 13 intakes
 - 1 claimed/5 adopted/0 rescued
 - 2 court filings
- ***Street***
 - Patching potholes
 - Trimming around signs & bridges
- ***Parks***
 - Litter pickup continues
 - Mowing continues
- ***Shop***
 - Normal repairs of city assets
 - Monthly 30-for-30 – All police and fire vehicles in good working condition
 - Mowing ditches

Police Department – Jon Sherwin (for Mike Stelly)

Chief Stelly gave the following statistics for the month of June, 2024:

- Traffic contacts: 299
- Crashes reported: 7
- Arrests: 14
- Reports: 46
- Calls for service: 592
- Miles driven: 10,507

Code Enforcement

Violations Investigated: 132

Violations filed w/Court: 37

Volunteer Fire Department – Simmie Gibson

Asst. Fire Chief Gibson reported the following activity for the department during the month of June, 2024:

- Outside Fires: 2
- Combustible Leak: 1
- Electrical Issues: 1
- Medical Assist Calls: 6
- False Alarms: 1
- Smoke: 1
- Dispatched/Cancelled Enroute: 1
- Standby for other department(s): 2
- Other: 1

General Administration – Theresa Van Meter

Mrs. Van Meter reported that the software used for trash bills has a new feature that will be implemented whereby customers who have provided the City with their email addresses will be notified when their trash bills are due, or if they have an outstanding balance. The hope is that this will decrease the number of delinquent accounts.

She also reported that work will soon begin on this year's Holiday in the Park. She asked for anyone with feedback or suggestions to please pass them along to herself or Mr. Sherwin.

Regular Session

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

1. **2728 Dowling** – Motion made by Council Member Brown, with a second from Mayor Pro-Tem Kennedy to send Order by Resolution to property owner with a “cure” date to repair, remove or demolish structure on said property no later than August 7, 2024 or it will be demolished. A vote was cast; motion carried.
2. **1010 Kountze** - Motion made by Council Member Brown, with a second from Mayor Pro-Tem Kennedy to send Order by Resolution to property owner with a “cure” date to repair, remove or demolish structure on said property no later than August 7, 2024 or the City will move to demolish it. A vote was cast; motion carried.
3. **825 Jasper** - Motion made by Council Member Brown, with a second from Council Member Odom to send Order by Resolution to property owner with a “cure” date to repair, remove or demolish structure on said property no later than October 6, 2024 or the City will move to demolish it. A vote was cast; motion carried.
4. **202 Linda** - Motion made by Council Member Brown, with a second from Mayor Pro-Tem Kennedy to send Order by Resolution to property owner with a “cure” date to repair, remove or demolish structure on said property no later than August 7, 2024 or it will be demolished. A vote was cast; motion carried.
5. **2610 Tanglewood** - Motion made by Council Member Brown to send Order by Resolution to property owner with a “cure” date to repair, remove or demolish structure on said property no later than October 6, 2024. She added that this will give the owner time to bring in a plan. Council Member Odom seconded her motion. Mayor Branch reported that this property has been in bad shape for years. It has been sold numerous times. The current owner is out of the country, but says he will be back with a plan for the property by the end of July. He then recommended that the property owner be given until the next Council meeting as a “cure” date. Council Member Brown then amended her motion to send Order by Resolution to property owner with a “cure” date to repair, remove or demolish structure on said property no later than August 12, 2024 (which is the date of

the next Council meeting). Council Member Odom rescinded his second to the original motion and then seconded the amended motion. A vote was cast; motion carried.

6. **2713 Stevenson** – Motion made by Mayor Pro-Tem Kennedy, with a second from Council Member Brown to send Order by Resolution to property owner with a “cure” date to repair, remove or demolish structure on said property no later than August 12, 2024. A vote was cast; motion carried.
7. **2326 Houston** - Motion made by Mayor Pro-Tem Kennedy, with a second from Council Member Odom to send Orders by Resolution to property owner and lien holder(s) with a “cure” date to repair, remove or demolish structure on said property no later than August 7, 2024. A vote was cast; motion carried.
8. **2832 Bonham** - Motion made by Council Member Brown, with a second from Mayor Pro-Tem Kennedy to send Order by Resolution to property owner with a “cure” date to repair, remove or demolish structure on said property no later than August 12, 2024 or the City will move to demolish it. A vote was cast; motion carried.
9. **1117 Dayton** - Motion made by Mayor Pro-Tem Kennedy, with a second from Council Member Odom to send Orders by Resolution to property owner and lien holder(s) with a “cure” date to repair, remove or demolish structure on said property no later than August 7, 2024.

Council Member Brown questioned the ownership of the property as the tax records show Melissa Peterson, but Mr. Webb stated that he owns it as she stopped payments. Mr. Webb earlier stated that he had been trying to get the property put back in his name. Mrs. Van Meter stated that when Mrs. Peterson appeared in court, she told the court that she had been trying to get the property put back in his name, but could not get him to sign the paperwork.

After further discussion, Mayor Branch stated that this is a safety and health hazard in the city and the city needs to act on it. The Order of Resolution will be sent to both parties.

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

10. **1323 E. Travis** - Motion made by Council Member Brown, with a second from Council Member Shugart to send Order by Resolution to property owner with a “cure” date to repair, remove or demolish structure on said property no later than August 7, 2024 or it will be demolished. A vote was cast; motion carried.
11. **407 Dayton** - Motion made by Council Member Brown, with a second from Council Member Odom to send Orders by Resolution to property owner and lien holder(s) with a “cure” date to repair, remove or demolish structure on said property no later than August 7, 2024 or it will be demolished. A vote was cast; motion carried.
12. **923 Irving** - Motion made by Mayor Pro-Tem Kennedy, with a second from Council Member Brown to send Order by Resolution to property owner with a “cure” date to repair, remove or demolish structure on said property no later than August 7, 2024. A vote was cast; motion carried.
13. **1009 Albany** - Motion made by Mayor Pro-Tem Kennedy, with a second from Council Member Brown to send Order by Resolution to property owner with a “cure” date to repair, remove or demolish structure on said property no later than August 7, 2024. A vote was cast; motion carried.

Discussion and Possible Action on approval of a contract with Tetra Tech, Inc. to provide Debris Monitoring services - Council Member Brown made a motion that this contract with Tetra Tech, Inc. to provide Debris Monitoring services be approved as presented. Her motion received a second from Mayor Pro-Tem Kennedy. With there being no discussion on the matter, Mayor Branch called for a vote on the motion, which passed unanimously.

Discussion and Possible Action to ratify the execution of a contract to DRC Emergency Services by the Emergency Management Coordinator - Council Member Brown moved that Council ratify the execution of a contract to DRC Emergency Services by the Emergency Management Coordinator. Council Member Odom seconded this motion. With there being no discussion on the matter, Mayor Branch called for a vote on the motion, which passed unanimously.

Discussion and Possible Action on entering into an Interlocal Agreement with the Texas Municipal League to join the Texas Municipal League Joint Cyber Liability and Data Breach Response Self-Insurance Fund - Council Member Brown made a motion that the City enter into an Interlocal Agreement with the Texas Municipal League to join the Texas Municipal League Joint Cyber Liability and Data Breach Response Self-Insurance Fund – A second to this motion was made by Mayor Pro-Tem Kennedy. There was no discussion on the issue, therefore the mayor called for a vote, with the motion passing unanimously.

Discussion and Possible Action on committee recommendation to select City's banking/financial services depository – Mayor Branch stated that he recommended a term for this contract of three years, with the possibility of up to two one-year extensions. Council Member Brown then made a motion that the City accept the committee's recommendation of First Financial Bank as the City's banking services depository with a three-year contract, to include the possibility of up to two one-year extensions. Mayor Pro-Tem Kennedy seconded her motion. With there being no further discussion, Mayor Branch called for a vote, with the motion passing unanimously.

Discussion and Possible Action on allowing the Public Works Director to solicit bids for the mowing of certain properties in the City in accordance with Ordinance No. 77-D - Mayor Pro-Tem Kennedy made a motion to allow the Public Works Director to solicit bids for the mowing of certain properties in the City in accordance with Ordinance No. 77-D. Council Member Brown then seconded her motion. Council Member Odom questioned which properties would be included – properties already being mowed by city employees, or other properties within the city? Mr. Sherwin responded that his employees would continue mowing city property as they are currently doing. These bids would most likely be solicited on a "per square foot" basis. He would work with Officer Ashworth to compile a list of abandoned properties that are in need of mowing. There were no additional questions or comments brought forth. Mayor Branch called for a vote on the motion, which passed by a unanimous vote.

Discussion and Possible Action on authorizing the Mayor or Mayor Pro Tem to sign Amendment No. 2 to the contract between the City of West Orange and Traylor & Associates, Inc. pertaining to the City's Community Development Block Grant – Mitigation (CDBG-MIT) grant Contract No. 22-085-067-D324 - Council Member Brown moved that the Mayor or Mayor Pro Tem be authorized to sign Amendment No. 2 to the contract between the City of West Orange and Traylor & Associates, Inc. pertaining to the City's Community Development Block Grant – Mitigation (CDBG-MIT) grant Contract No. 22-085-067-D324. Council Member Odom seconded her motion. A vote was cast; motion carried.

Discussion and Possible Action on authorizing the Mayor or Mayor Pro-Tem to sign Amendment No. 1 to the contract between the City of West Orange and Traylor & Associates, Inc. pertaining to the City's Community Development Block Grant – Disaster Recovery (CDBG-DR) Imelda grant Contract No. 24-067-015-E202 - Council Member Brown moved that the Mayor or Mayor Pro Tem be authorized to sign Amendment No. 1 to the contract between the City of West Orange and Traylor & Associates, Inc. pertaining to the City's Community Development Block Grant – Disaster Recovery (CDBG-DR) Imelda grant Contract No. 24-067-015-E202. Council Member Odom seconded her motion. A vote was cast; motion carried.

Discussion and Possible Action on authorizing the Mayor or Mayor Pro-Tem to sign Amendment No. 1 to the contract between the City of West Orange and Traylor & Associates, Inc. pertaining to the City's Community Development Block Grant – Disaster Recovery (CDBG-DR) Imelda grant Contract No. 24-067-045-E233 - Council Member Brown moved that the Mayor or Mayor Pro Tem be authorized to sign Amendment No. 1 to the contract between the City of West Orange and Traylor & Associates, Inc. pertaining to the City's Community Development Block Grant – Disaster Recovery (CDBG-DR) Imelda grant Contract No. 24-067-045-E233. Council Member Odom seconded her motion. A vote was cast; motion carried.

Announcements

Mayor Branch then made note of the following:

- Council Meeting: Monday, August 12, 2024; 5:00 p.m.
- Budget Workshop: Monday, August 12, 2024; 5:15 p.m.

Adjournment

With there being no further business before Council, Mayor Branch adjourned the meeting at 6:00 p.m.

RR Branch
Randy Branch, Mayor

ATTEST:

Theresa Van Meter
Theresa Van Meter, City Secretary

