



City of West Orange

City Hall
2700 Western Avenue
West Orange, TX 77630

City Council Regular Session Meeting Minutes

Monday, February 9, 2026

5:00 p.m.

Council Chambers

COUNCIL MEMBERS PRESENT:

Randy Branch
Michael Shugart, Sr.

Meritta Kennedy
Lanie Brown

Jay Odom
Gail Langton

APPOINTED OFFICIALS PRESENT:

Jon Sherwin

Theresa Van Meter

Christopher Leavins

OTHERS PRESENT:

Jane Branch
Keri Michutka
April Wilson

Sherry Shugart
Kenneth Sims
Tremaine Wilson

Cathey Fleming
Kirk Roccaforte
Matt Frederick

Call to Order

Mayor Branch called the meeting to order at 5:00 p.m. Council Member Shugart gave the invocation followed by the Mayor leading 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 January 12, 2026 Council Meeting - A motion to accept the minutes of the January 12, 2026 Council Meeting was made by Council Member Brown, followed by a second from Mayor Pro-Tem Kennedy. A vote was cast; motion passed unanimously.

Public Comments

Mr. Kenneth Sims addressed Council concerning the poor service he has received from Piney Woods Sanitation. He explained that his entire neighborhood was skipped the prior week, and he, personally, has been missed many times. He felt that this problem should be addressed. Mayor Branch responded, stating that he would do whatever he could to correct those issues.

Staff Reports

Public Works – Jon Sherwin

In Mr. Sherwin reported the following activities for the month of January, 2026

- **Construction Projects**
 - Waste Water Treatment Plant construction is on schedule and 90% complete. Slated to begin operations in April 2026
 - Dayton Street reconstruction – soft spots identified during proof-rolling has slowed the forming process down
 - Generator project pre-construction meeting was held and generators ordered. Notice to Proceed will be issued when generators are procured.
- **Building Official**
 - 18 permits issued in January
 - 30 permits completed
- **Sanitation**
 - 16 loads of green waste collected
 - 0 loads of C&D to landfill (Truck was down for a large portion of month.)
- **Animal Control**
 - 87 calls in January
 - 7 intakes in January
 - 4 claimed / 2 adopted / 1 rescued in January

- 4 court filings in January
- **Street**
 - Removal of Christmas décor from park
 - Patching of Streets and driveways
 - Cleaning ditches
- **Parks**
 - Litter and vegetative waste removal
- **Shop**
 - Normal repairs and maintenance of City assets
 - Monthly 30-for-30 – all Police and Fire Vehicles in good working condition
 - FD-10 has been repaired and was in service until 01/27/26; Starter replaced on 02/03/26 with no other issues

Police Department – Matt Frederick

In Chief Stelly's absence, Lieutenant Frederick gave the following statistics for the month of January, 2026:

- Traffic contacts: 299
- Crashes reported: 8
- Arrests: 27
- Reports: 21
- Calls for service: 365
- Miles driven: 11,348

Code Enforcement

Violations Investigated: 32

Violations filed w/Court: 3

General Administration

Mrs. Van Meter reported that the deadline for filing an Application for Place on the General Election Ballot was Friday, February 13, 2026; 5:00 p.m. Council Member Shugart questioned how many filings she had received so far. She responded, "three." He asked if those were the three incumbents. She responded that all three incumbents had submitted an application.

Fire Department

There was no one in attendance representing the fire department to give their report.

Regular Session

Discussion and Possible Action on acceptance of audit of fiscal year ending September 30, 2025 as prepared and presented by Keri Michutka, CPA – Ms. Michutka first thanked Council for the opportunity to conduct this audit. She then reviewed the Annual Comprehensive Financial Report for fiscal year ending September 30, 2025. The Independent Auditor's Report stated that they had audited the City's financial statements as of September 30, 2025 and found them to be represent fairly the financial position of the City. She added that they issued an "unqualified" or "clean" audit.

Ms. Michutka then pointed out some highlights of the audit report:

- General Fund fund balance as of September 30, 2026 was \$6,299,662, with \$3,981,908 being restricted (or assigned) and \$2,315,026 being unrestricted (or unassigned). This represents about six months' expenditures, which is a healthy balance.
- The changes in fund balance of the General Fund from the prior year had a decrease of \$159,802.
- The City remained debt free for the year.
- The City received \$6,383,632 in Federal Grants for FY25, which mandated that a "Single Audit" be performed (as the amount received was over \$1,000,000). Ms. Michutka stated that the type of auditor's report issued was "unmodified." She found no material weaknesses in the financial statements or federal awards.

Ms. Michutka concluded her report by stating that this was a "good" audit.

Council Member Brown then made a motion that this audit report for FY25 be accepted as presented. Council Member Odom seconded her motion. With there being no further discussion, Mayor Branch called for a vote on the motion, which passed unanimously.

Discussion and Possible Action on accepting into record the 2025 Racial Profiling Report as prepared by the West Orange Police Department – Mayor Pro-Tem Kennedy made a motion that the 2025 Racial Profiling Report as prepared by the West Orange Police Department be accepted into record as presented. Council Member Brown seconded this motion. With there being no discussion, the mayor called for a vote on the motion, which passed unanimously.

Discussion and Possible Action on authorizing the Chief of Police to apply for the Justice Assistance Grant for the 2026 year and designate him as the Authorized Official – A motion to authorize the Chief of Police to apply for the Justice Assistance Grant for the 2026 year and to designate him as the Authorized Official was made by Council Member Brown, with a second from Council Member Shugart. Lieutenant Frederick stated that this grant was minimum \$10,000 with no match required from the City. With there being no discussion, the mayor called for a vote on the motion, which passed unanimously.

Discussion and Possible Action on joining “Keep Texas Beautiful,” as an affiliate to be known as “Keep West Orange Beautiful;” approval of payment of annual dues of \$200; establishment of a Board and naming Mayor Pro-Tem Kennedy as contact person for affiliation - Council Member Brown moved that the City join “Keep Texas Beautiful,” as an affiliate to be known as “Keep West Orange Beautiful;” approval of payment of annual dues of \$200; establishment of a Board and naming Mayor Pro-Tem Kennedy as contact person for affiliation. A second to this motion was made by Council Member Odom. Mayor Branch called for a vote on the motion, which passed unanimously.

Discussion and Possible Action on adoption of Ordinance No. 495, an ordinance authorizing participation with other Entergy service area cities in matters concerning Entergy Texas, Inc. at the Public Utility Commission of Texas in 2026; authorizing the hiring of lawyers and rate experts; authorizing the City’s participation to the full extent permitted by law at the Public Utility Commission of Texas; finding that the meeting complies with the Open Meetings Act and declaring an effective date – Mayor Pro-Tem Kennedy made a motion that Council adopt Ordinance No. 495, an ordinance authorizing participation with other Entergy service area cities in matters concerning Entergy Texas, Inc. at the Public Utility Commission of Texas in 2026; authorizing the hiring of lawyers and rate experts; authorizing the City’s participation to the full extent permitted by law at the Public Utility Commission of Texas; finding that the meeting complies with the Open Meetings Act and declaring an effective date. Council Member Brown seconded her motion. With there being no discussion on this item, a vote was called by the mayor which passed unanimously.

Discussion and Possible Action on approval of the October-December, 2025, Quarterly Investment Report - Council Member Brown made a motion that the October-December, 2025, Quarterly Investment Report be approved as presented. Mayor Pro-Tem Kennedy seconded this motion, which unanimously passed by Council vote.

Discussion and Possible action on Ordinance No. 496, an ordinance ordering the General Election to be held in the City of West Orange, Texas on May 2, 2026 to fill the offices of three Aldermen; providing for the date, hours, ballot, Early Voting Clerk; providing for the Early Voting Polling Place locations and designating the City of West Orange as one voting precinct, making findings related thereto; and providing an effective date - Council Member Brown moved that Ordinance No. 496 ordering the General Election to be held in the City of West Orange, Texas on May 2, 2026 to fill the offices of three Aldermen; providing for the date, hours, ballot, Early Voting Clerk; providing for the Early Voting Polling Place locations and designating the City of West Orange as one voting precinct, making findings related thereto; and providing an effective date be adopted as presented. Mayor Pro-Tem Kennedy seconded her motion. Mrs. Van Meter interjected that this ordinance may be presented at a future meeting for amendment to the Early Voting Polling Places listed. The list in the ordinance was preliminary, and a final list will be given by the County Elections Administrator at a later date. With there being no further discussion, Mayor Branch called for a vote on the motion, which passed unanimously.

Discusión y posible acción sobre la Ordenanza n.º 496, una ordenanza que ordena la celebración de las elecciones generales en la ciudad de West Orange, Texas, el 2 de mayo de 2026 para cubrir los cargos de tres concejales; que establecen la fecha, el horario, la papeleta y el secretario de votación anticipada; establecer los lugares de votación

anticipada y designar la ciudad de West Orange como un solo distrito electoral, realizando hallazgos relacionados con ello; y proporcionando una fecha de entrada en vigor -

El concejal Brown propuso esa Ordenanza n.º 496 que ordena que las elecciones generales se celebren en la ciudad de West Orange, Texas, el 2 de mayo de 2026 para cubrir los cargos de tres concejales; que establecen la fecha, el horario, la papeleta y el secretario de votación anticipada; establecer los lugares de votación anticipada y designa la ciudad de West Orange como un solo distrito electoral, realizando hallazgos relacionados con ello; y que se adopte una fecha de entrada en vigor según lo establecido. El alcalde interino Kennedy secundó su moción. La señora Van Meter intervino diciendo que esta ordenanza podría presentarse en una futura reunión para enmienda a los colegios de votación anticipada listados. La lista de la ordenanza era preliminar, y una lista final será entregada por el Administrador de Elecciones del Condado en una fecha posterior. Al no haber más discusión, el alcalde Branch pidió una votación sobre la moción, que fue aprobada por unanimidad.

Discussion and Possible Action on Ordinance No. 497 ordering a Special Election to be held on Saturday, May 2, 2026 to present to the qualified voters of the City of West Orange, Texas a proposition pertaining to the reauthorization of a local sales and use tax in the City of West Orange at the rate of one-fourth of one percent to provide revenue for maintenance and repair of municipal streets; a Charter amendment to Article IV, Section 5 of the City Charter changing the term of office for the Mayor and Aldermen within the City; a Charter amendment to Article IV, Section 10 of the City Charter addressing vacancies; and a Charter amendment to Article IV, Section 2 of the City Charter addressing regular municipal elections; providing for the date, hours, ballot, Early Voting Clerk; providing for the Early Voting Polling Place locations and designating the City of West Orange as one voting precinct; making findings related thereto; and providing an effective date – Council Member Brown made a motion that Ordinance No. 497 ordering a Special Election to be held on Saturday, May 2, 2026 to present to the qualified voters of the City of West Orange, Texas a proposition pertaining to the reauthorization of a local sales and use tax in the City of West Orange at the rate of one-fourth of one percent to provide revenue for maintenance and repair of municipal streets; a Charter amendment to Article IV, Section 5 of the City Charter changing the term of office for the Mayor and Aldermen within the City; a Charter amendment to Article IV, Section 10 of the City Charter addressing vacancies; and a Charter amendment to Article IV, Section 2 of the City Charter addressing regular municipal elections; providing for the date, hours, ballot, Early Voting Clerk; providing for the Early Voting Polling Place locations and designating the City of West Orange as one voting precinct; making findings related thereto; and providing an effective date be adopted as presented. A second to this motion was given by Mayor Pro-Tem Kennedy. Mrs. Van Meter stated that this ordinance may need to be amended at a future meeting should Early Voting Polling Places change. A vote was then cast, with the motion passing unanimously.

Discusión y posible acción sobre la Ordenanza N.º 497 que ordena la celebración de una elección especial el sábado 2 de mayo de 2026 para presentar a los votantes cualificados de la ciudad de West Orange, Texas, una propuesta relativa a la reautorización de un impuesto local sobre ventas y uso en la ciudad de West Orange a razón de un cuarto de uno por ciento para proporcionar ingresos para el mantenimiento y reparación de calles municipales; una enmienda de la Carta al Artículo IV, Sección 5 de la Carta de la Ciudad que modifica el mandato del alcalde y los concejales dentro de la ciudad; una enmienda de la Carta al Artículo IV, Sección 10 de la Carta de la Ciudad para abordar las vacantes; y una enmienda de la Carta al Artículo IV, Sección 2 de la Carta de la Ciudad que aborda las elecciones municipales ordinarias; que establecen la fecha, el horario, la papeleta y el secretario de votación anticipada y la designación de la ciudad de West Orange como un solo distrito electoral; hacer hallazgos relacionados con esto; y proporcionar una fecha de vigencia -

El concejal Brown presentó una moción para que la Ordenanza N.º 497, que ordene la celebración de una Elección Especial el sábado 2 de mayo de 2026, para presentar a los votantes cualificados de la ciudad de West Orange, Texas, una propuesta relativa a la reautorización de un impuesto local sobre ventas y uso en la ciudad de West Orange a la tasa del un cuarto de uno por ciento para proporcionar ingresos para el mantenimiento y reparación de calles municipales; una enmienda de la Carta al Artículo IV, Sección 5 de la Carta de la Ciudad que modifica el mandato del alcalde y los concejales dentro de la ciudad; una enmienda de la Carta al Artículo IV, Sección 10 de la Carta de la Ciudad para abordar las vacantes; y una enmienda de la Carta al Artículo IV, Sección 2 de la Carta de la Ciudad que aborda las elecciones municipales ordinarias; que establecen la fecha, el horario, la papeleta y el secretario de votación anticipada; la creación de los centros de votación anticipada y la designación de la ciudad de West Orange como un solo distrito electoral; hacer hallazgos relacionados con esto; y que se adopte una fecha de entrada en vigor según lo establecido. Una segunda a esta moción fue presentada por el alcalde interino Kennedy. La Sra. Van Meter declaró que esta ordenanza

podría necesitar ser modificada en una futura reunión si cambian los colegios de votación anticipada. Se emitió entonces una votación, que fue aprobada por unanimidad.

Discussion and Possible Action on authorizing the City Secretary to enter into a Joint Election Agreement Services Contract with the Orange County Elections Administration Office for the May 2, 2026 Election – Council Member Brown moved that the City Secretary be authorized to enter into a Joint Election Agreement Services Contract with the Orange County Elections Administration Office for the May 2, 2026 Election. Mayor Pro-Tem Kennedy seconded her motion. With there being no discussion, a vote was cast, passing unanimously.

Discusión y posible acción para autorizar al Secretario de la Ciudad a celebrar un Contrato de Servicios de Acuerdo Electoral Conjunto con la Oficina de Administración Electoral del Condado de Orange para las elecciones del 2 de mayo de 2026.

El concejal Brown propuso que se autorizara al Secretario Municipal para firmar un Contrato Conjunto de Servicios Electorales con la Oficina de Administración Electoral del Condado de Orange para las elecciones del 2 de mayo de 2026. El alcalde interino Kennedy secundó su moción. Al no haber discusión, se emitió una votación, aprobada por unanimidad.

Discussion and Possible Action on adjusting Sanitation rates within the City and setting an effective date - Mayor Pro-Tem Kennedy moved that the Sanitation rates within the City be adjusted and an effective date be set. A second to the motion was given by Council Member Brown. Mrs. Van Meter asked what the new rate(s) would be and when the change would begin. Mayor Pro-Tem Kennedy stated that she thought this had been on last month's agenda. Mr. Sherwin responded that Mr. Hubbard from Piney Woods asked for an adjustment to their rates at the last meeting. This would be an adjustment to the City's customers' rates. He added that the possible changes presented on the worksheet in Council packets still left West Orange with the lowest rates of any other entity in the area.

Mayor Branch stated that he would like to set the residential rate at \$25.00. He felt that this would cover Piney Woods' increase.

After further discussion, Mayor Pro-Tem Kennedy rescinded her original motion and the moved that all rates presented on the worksheet for residential and commercial customers (see attached) be approved and go into effect with the May, 2026 billing. Council Member Brown rescinded her second to the original motion and then seconded the amended one.

Ms. Fleming asked if this increase was for the services addressed by Mr. Sims during Public Comments. The mayor responded that it was. Ms. Fleming continued by stating that Mr. Sims will be charged more for services that he's already not getting. Mayor Branch stated that Mr. Sims presented his issue and it will be addressed and taken care of as the City has a contract and some leverage with them to get this corrected.

Council Member Odom asked how this rate increase would affect customers who pay annually. Mrs. Van Meter responded that the new rate would apply to them only when their prepaid term is finished and it is time for them to be billed again. Mayor Branch explained that customers can pay for six months or a year in advance and receive a discount which, on an annual payment, would amount to about \$30 per year.

With there being no further discussion, Mayor Branch called for a vote on the motion, which passed unanimously.

Discussion and Possible action on approving an agreement with TxDOT for railroad crossing approach maintenance and authorizing Public Works Director to execute said agreement - Council Member Brown made a motion that this agreement with TxDot for the maintenance of railroad crossings, and also authorizing the Public Works Director to execute said agreement, be approved as presented. Council Member Brown's motion was followed by a second from Mayor Pro-Tem Kennedy.

Mr. Sherwin explained that TxDOT would hire contractors to come out and install new markers at all of the City's crossings. Once those have all been installed, the agreement with the City would be to maintain them. He added that it would be cost effective to the City.

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

Discussion and Possible Action on approval of a Change Order for the WWTP Improvements Project, which incorporates the addition of the tertiary treatment phase into the contract – A motion was made by Council Member Brown to approve this Change

Order as presented. The motion was seconded by Mayor Pro-Tem Kennedy. With there being no discussion, a vote was cast, passing unanimously.

Announcements

Mayor Branch then announced the following meetings:

- City offices closed Monday, February 16, 2026 in honor of Presidents' Day
- Next Council Meeting – Monday, March 9, 2026; 5:00 p.m.

Adjournment

With there being no further business before Council, the mayor adjourned the meeting at 5:35 p.m.



Randy Branch, Mayor

ATTEST:



Theresa Van Meter, City Secretary

