# M I N U T E S - CITY OF BEAUMONT

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| **W.L. Pate, Jr., At-Large** | **BECKY AMES, MAYOR** | **Gethrel Wright, At-Large** |
| **Claude F. Guidroz, Ward I** | **CITY COUNCIL MEETING** | **Michael D. Getz, Mayor Pro Tem** |
| **Audwin Samuel, Ward III** | **April 26, 2016** | **Robin Mouton, Ward IV** |
| **Tyrone E. Cooper, City Attorney** | **Kyle Hayes, City Manager** | **Tina Broussard, City Clerk** |

The City Council of the City of Beaumont, Texas, met in a regular session on **April 26, 2016**, at the City Hall Council Chambers, 801 Main Street, Beaumont, Texas, at 1:30 p.m. to consider the following:

**OPENING**

* Invocation Pledge of Allegiance Roll Call
* Presentations and Recognition
* Public Comment: Persons may speak on scheduled agenda items 0/Consent Agenda
* Consent Agenda

Mayor Ames called the council meeting to order at 1:30 p.m.

Rabbi Joshua S. Taub with Temple Emanuel gave the invocation. Mayor Ames led the Pledge of Allegiance. Roll call was made by Tina Broussard, City Clerk.

Present at the meeting were Mayor Ames, Mayor Pro Tem Getz, Councilmembers Guidroz, Wright, Pate, Samuel (arrived at 1:40 p.m.) and Mouton. Also present were Kyle Hayes, City Manager; Tyrone Cooper, City Attorney; Tina Broussard, City Clerk.

**Proclamations, Presentations, Recognitions**

**Days of Remembrance** - May 1-8, 2016 - Accepting: Rabbi Jashua Taub, with Temple Emanuel

**Elder Abuse Month** - May, 2016 - Accepting: Wendy Carter, with Texas Department of Family and Protective Services

**Cancer Awareness Day** – April 30, 2016 - Accepting: Sarah Craigen with American Cancer Society Relay for Life

**Presentations**

**Monica Lee with the Humane Society** – Presented Council with t-shirts with animals' names that were lost in the fire

**Mayor Ames read the announcement regarding Executive Session being held at the conclusion of the General Business portion of the meeting.**

**Public Comment**: Persons may speak on scheduled agenda items 0/Consent Agenda.

## CONSENT AGENDA

* Approval of minutes – April 19, 2016

Councilmember Mouton moved to approve the Consent Agenda. Councilmember Guidroz seconded the motion.

**AYES:** **MAYOR AMES, MAYOR PRO TEM GETZ, COUNCILMEMBERS GUIDROZ, WRIGHT, PATE, SAMUEL AND MOUTON**

**NAYS:** **NONE**

**MOTION PASSED**

## GENERAL BUSINESS

1. Consider a request to abandon the Muella Creek Drive cul-de-sac, Beaumont, Jefferson County, Texas.

Rippeon Properties, LTD, is preparing to extend Muella Creek Drive to the west. The preliminary plat for Old Dowlen Business Park Phase 2 was approved in July of 2015. Water, sanitary sewer and drainage pipes are all located within the area to be abandoned, but will be with the new 60' right-of-way as the street is extended.

At a Joint Public Hearing held April 18, 2016, the Planning Commission recommended 8:0 to approve a request to abandon the Muella Creek Drive cul-de-sac.

Approval of the ordinance.

Councilmember Guidroz moved to **ADOPT AN ORDINANCE ENTITLED AN ORDINANCE VACATING AND ABANDONING THE MUELLA CREEK DRIVE CUL-DE-SAC, CITY OF BEAUMONT, JEFFERSON COUNTY, TEXAS.** Councilmember Samuel seconded the motion.

**AYES:** **MAYOR AMES, MAYOR PRO TEM GETZ, COUNCILMEMBERS GUIDROZ, WRIGHT, PATE, SAMUEL AND MOUTON**

**NAYS:** **NONE**

**MOTION PASSED**

### Ordinance 16 - 025

2. Consider a request for a Revised Specific Use Permit to waive the perimeter landscape buffer and screening requirements for the south and east property lines at 4570 Highland Street.

On February 2, 2016, City Council awarded Toni J. Prados, owner of Area Impressions, a Specific Use Permit to allow a retail T-shirt and merchandise print shop at 4570 Highland

Avenue, with the following conditions:

1. Parking and driveways must meet city standards.
2. Parallel space at front of building must be next to the building, allowing traffic to flow around it and curb cut on Highland must remain to allow exit of traffic.
3. Paving must extend past the handicapped access aisle and handicapped space must have proper signage.
4. An eight (8) foot privacy fence and ten (10) foot landscape buffer must be installed and maintained along the east and south property lines.
5. An automatic irrigation system must be installed, sufficient to provide complete coverage of all required landscaping.

Ms. Prados is now asking for a waiver to the perimeter landscape buffer and screening requirements for the south and east property lines. Due to the RS (Residential single family Dwelling District) zoning to the east, staff is recommending protection for the residential neighborhood with the installation of an eight (8) foot privacy fence.

At a Joint Public Hearing held April 18, 2016, the Planning Commission recommended 8:0 to approve a request for a Revised Specific Use Permit to waive the perimeter landscape buffer and screening requirements for the south and east property lines at 4570 Highland Avenue.

Approval of the ordinance subject to the following conditions:

1. Parking and driveways must meet city standards.
2. Parallel space at front of building must be next to the building, allowing traffic to flow around it and curb cut on Highland must remain to allow exit of traffic.
3. Paving must extend past the handicapped access aisle and handicapped space must have proper signage.

Councilmember Wright moved to **ADOPT AN ORDINANCE ENTITLED AN ORDINANCE ISSUING AN AMENDED SPECIFIC USE PERMIT TO WAIVE THE PERIMETER LANDSCAPE BUFFER AND SCREENING REQUIREMENTS FOR THE SOUTH AND EAST PROPERTY LINES IN AN RCR (RESIDENTIAL CONSERVATION REVITALIZATION) DISTRICT AT 4705 HIGHLAND AVENUE IN THE CITY OF BEAUMONT, JEFFERSON COUNTY, TEXAS.** Councilmember Mouton seconded the motion.

**AYES:** **MAYOR AMES, MAYOR PRO TEM GETZ, COUNCILMEMBERS GUIDROZ, WRIGHT, PATE, SAMUEL AND MOUTON**

**NAYS:** **NONE**

**MOTION PASSED**

**Ordinance 16 - 026**

## COMMENTS

* Councilmembers/City Manager/City Attorney comments on various matters

## COUNCILMEMBER COMMENTS

COUNCILMEMBER MOUTON - ANOTHER BEAUTIFUL DAY IN BEAUMONT, IT'S A PLEASURE TO SERVE

COUNCILMEMBER SAMUEL - ASKED THAT THE LEGAL DEPARTMENT CONSIDER GATHERING INFORMATION AND PREPARE A WORKSESSION ON THE POSSIBILITY OF THE CITY OF BEAUMONT OPERATING AN OFFICE OF POLICE MONITORING, STATED THAT THE CITY OF AUSTIN HAS THIS TYPE OF PROGRAM, THIS PROGRAM IS AN INDEPENDENT ADMINISTRATIVE OFFICE THAT IS USED TO FOSTER MUTUAL RESPECT BETWEEN THE COMMUNITY AND LAW ENFORCEMENT, AS WELL AS TO VOICE CONCERNS AND FILE COMPLAINTS DEALING EXCLUSIVELY WITH POLICE POLICY VIOLATIONS

COUNCILMEMBER PATE - ANNOUNCED THE CASA PROGRAM ON TUESDAY, APRIL 27, 2016, THEY WILL BE HONORING JUDGE JOHN PAUL DAVIS AND LUPE FLORES, THE ARC OF BEAUMONT AND THE OAKS PRESERVATION BASH WILL BE ON FRIDAY, APRIL 29, 2016, LOBSTERFEST WILL BE SATURDAY, APRIL 30, 2016, AND THIS WEEKEND FRENCH HIGH SCHOOL CLASS OF 1966 WILL BE CELEBRATING THEIR 50TH REUNION

COUNCILMEMBER WRIGHT - STATED THAT SHE NEEDED TO CLARIFY HER REASON FOR POSING THE NEED FOR SIDEWALKS ON 4TH AND FANNETT, IT WAS BECAUSE SHE WAS UNDER THE IMPRESSION THAT THE CITY ADDS SIDEWALKS WHEN THEY DO PAVING OVERLAY, IT WAS MADE CLEAR THAT WHEN OVERLAY IS DONE THE CITY DOES NOT ADD SIDEWALKS, SHE WAS ASKED IF SHE CARED ABOUT WEST BROOK BECAUSE THEY DON'T HAVE SIDEWALKS, SHE STATED THAT SHE DOES CARE ABOUT WEST BROOK, MADE IT CLEAR THAT SHE IS CONCERNED ABOUT ALL OF BEAUMONT NOT JUST CERTAIN SECTIONS

MAYOR PRO TEM GETZ - CONGRATULATED LAMAR MEN'S TENNIS TEAM ON WINNING THE FIRST SOUTHLAND CONFERENCE CHAMPIONSHIP IN 40 YEARS, ALSO COMMENTED ON THE FREE CONCERT GIVEN BY AIR FORCE BAND ON MONDAY, APRIL 25, 2016, SPOKE REGARDING THE TENNIS CENTER AND USING THE WORD PRIVATIZED, THE CENTER IS ONLY BEING OUTSOURCED, THE PUBLIC WILL STILL BE ABLE TO PLAY TENNIS AT THE CENTER, THERE IS TALK TO EXTEND THE HOURS TO INCREASE USAGE BY THE CITIZENS

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| **COUNCILMEMBER GUIDROZ -** | **CONGRATULATED LAMAR MEN'S TENNIS TEAM ON THEIR SOUTHLAND CONFERENCE CHAMPIONSHIP WIN, COMMENTED ON THE OUTSOURCING OF THE TENNIS CENTER** |
| **CITY ATTORNEY COOPER -** | **NONE** |
| **CITY MANAGER HAYES -** | **NONE** |
| **MAYOR AMES -** | **COMMENTED ON THE FREE CONCERT GIVEN BY THE AIR FORCE BAND AND THEIR GREAT PERFORMANCE** |

**Public Comments** (Persons are limited to three minutes)

**Rodney Dencklau** **3030 French Rd. #425** **Beaumont TX**

Spoke regarding a letter that he wrote to Governor Abbott, stated that in his letter he requested that the Governor pass into law that every city in the State of Texas has to have sidewalks to keep the kids and everyone else safe, asked that all bus stops be ADA compatible, as well as in each row of a city bus there needs to be one seatbelt for the little ones on the city bus to be strapped in

**Cindy Brown** **3585 N. Major Dr. #235** **Beaumont TX**

Stated that she lives in an apartment complex that houses disabled and over 65 tenants, this complex is located outside the Beaumont city limits, would like to know if there are future plans to incorporate this area into the city limits, there are concerns that when 911, the Police and Fire Departments have been called the apartment complex has been told that they are outside of the city limits, the elevator has been out three times in one week, most of the elderly that live at the complex are in wheelchairs, management has informed them that there is nothing that can be done if they are stuck on the second and third floors, they are in desperate need of some help

Open session of meeting recessed at 2:20 p.m.

## EXECUTIVE SESSION

* Discuss and deliberate economic development negotiations regarding the expansion of a business entity as authorized by Section 551.087 of the Government Code

* Consider matters related to the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee in accordance with Section 551.074 of the Government Code to wit:

  Kyle Hayes, City Manager

There being no action taken in Executive Session, Council adjourned.

**Audio available upon request in the City Clerk's Office.**

Becky Ames, Mayor

Tina Broussard, City Clerk