

MINUTES - CITY OF BEAUMONT

W.L. Pate, Jr., At-Large
Dr. Alan B. Coleman, Ward I
Audwin Samuel, Ward III
Tyrone E. Cooper, City Attorney

BECKY AMES, MAYOR
CITY COUNCIL MEETING
May 27, 2014
Kyle Hayes, City Manager

Gethrel Wright, Mayor Pro Tem
Michael D. Getz, Ward II
Jamie Smith, Ward IV
Tina Broussard, City Clerk

The City Council of the City of Beaumont, Texas, met in a regular session on **May 27, 2014**, 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 3-4/Consent Agenda
- * Consent Agenda

Mayor Ames called the council meeting to order at 1:33 p.m.

Councilmember Samuel gave the invocation. Councilmember Coleman led the Pledge of Allegiance. Roll call was made by Tina Broussard, City Clerk.

Present at the meeting were Mayor Ames, Councilmembers Coleman, Getz, Pate and Samuel. Absent: Mayor Pro Tem Wright and Councilmember Smith. Also present were Kyle Hayes, City Manager; Tyrone Cooper, City Attorney; Tina Broussard, City Clerk.

Proclamations, Presentations, Recognitions

"Hurricane Awareness Week" - May 26 – June 1, 2014 - Proclamation read by Mayor Ames; accepted by Tim Ocnaschek, Emergency Management Coordinator

Public Comment: Persons may speak on scheduled agenda items 3-4/Consent Agenda.

None

CONSENT AGENDA

- * Approval of minutes - **May 20, 2014**
- * Confirmation of committee appointments - **None**
- A) Approve a resolution adopting the Reinvestment Zone Tax Abatement Policy for the City of Beaumont – **Resolution 14 - 117**
- B) Approve a resolution authorizing the City Manager to execute a Subsurface Easement Agreement with Samson Exploration LLC – **Resolution 14 - 118**

Councilmember Samuel moved to approve the Consent Agenda. Councilmember Pate seconded the motion.

AYES: MAYOR AMES, COUNCILMEMBERS COLEMAN, GETZ, PATE, AND SAMUEL

NAYS: NONE

MOTION PASSED

GENERAL BUSINESS

1. Consider approving an ordinance abandoning a 15 ft. general utility easement along the perimeter of the south 250' of West Commerce Parkway and a 20x384 ft. drainage easement between West Commerce Parkway and Hillebrandt Bayou.

Sam Parigi on behalf of Pargo Development, LTD has applied for the abandonment of utility easements along the east and west sides of West Commerce Parkway right-of-way and a drainage easement to the east.

This abandonment is necessary to facilitate the development of the property as a commercial distribution center. The easements run directly through the proposed facility and needed parking. All utilities and drainage will be removed and redirected or relocated as needed.

This item was sent to all interested parties. No negative responses have been received.

At a Joint Public Hearing held May 19, 2014, the Planning Commission recommended approval 7:0 of the abandonment.

Councilmember Pate moved to **ADOPT AN ORDINANCE ENTITLED AN ORDINANCE VACATING AND ABANDONING A FIFTEEN FOOT (15') GENERAL UTILITY EASEMENT ALONG THE PERIMETER OF THE SOUTH 250' OF WEST COMMERCE PARKWAY AND A 20'X 384' DRAINAGE EASEMENT BETWEEN WEST COMMERCE PARKWAY AND HILLEBRANDT BAYOU, CITY OF BEAUMONT, JEFFERSON COUNTY, TEXAS.** Councilmember Samuel seconded the motion.

AYES: MAYOR AMES, COUNCILMEMBERS COLEMAN, GETZ, PATE AND SAMUEL

NAYS: NONE

MOTION PASSED

Ordinance 14 – 020

2. Consider approving an ordinance abandoning the south 250 ft. of West Commerce Parkway, a 60' road right-of-way.

Sam Parigi on behalf of Pargo Development, LTD has applied for the abandonment of a portion of West Commerce Parkway, including the existing cul-de-sac.

This abandonment is necessary to facilitate the development of the property as a commercial distribution center. The existing right-of way runs directly through the proposed facility. All utilities and drainage will be removed and redirected or relocated as needed. A new cul-de-sac will be constructed.

This item was sent to all interested parties. The developer will relocate all necessary utilities.

At a Joint Public Hearing held May 19, 2014, the Planning Commission recommended approval 6:0 of the abandonment.

Councilmember Coleman moved to **ADOPT AN ORDINANCE ENTITLED AN ORDINANCE VACATING AND ABANDONING THE SOUTH 250' OF WEST COMMERCE PARKWAY, A 60' ROAD RIGHT-OF-WAY, CITY OF BEAUMONT, JEFFERSON COUNTY, TEXAS.** Councilmember Getz seconded the motion.

AYES: MAYOR AMES, COUNCILMEMBERS COLEMAN, GETZ, PATE AND SAMUEL

NAYS: NONE

MOTION PASSED

Ordinance 14 - 021

3. Consider amending Section 2.03.075 of the Code of Ordinances by reducing the number of Grade IV (Captain) positions from 3 to 2 and increasing the number of Grade I (Officer) positions from 198 to 199.

A Grade IV Captain's position is vacant due to a recent termination and an arbitration hearing is expected. Chief Singletary wishes to delete this vacant position and create one new Grade I Officer position within the Police Department.

Councilmember Coleman moved to **ADOPT AN ORDINANCE ENTITLED AN ORDINANCE AMENDING SECTION 2.03.075 OF THE CODE OF ORDINANCES BY DECREASING THE NUMBER OF GRADE IV CAPTAIN POSTIONS IN THE BEAUMONT POLICE DEPARTMENT FROM THREE (3) TO TWO (2) AND INCREASING THE NUMBER OF GRADE I OFFICER POSITIONS IN THE BEAUMONT POLICE DEPARTMENT FROM ONE HUNDRED NINETY-EIGHT (198) TO ONE HUNDRED NINETY-NINE (199); PROVIDING FOR SEVERABILITY AND PROVIDING FOR REPEAL.** Councilmember Samuel seconded the motion.

AYES: MAYOR AMES, COUNCILMEMBERS COLEMAN, GETZ, PATE AND SAMUEL

NAYS: NONE

MOTION PASSED

Ordinance 14 - 022

4. Consider a resolution approving a change order to the contract with Allco, Inc. for the South Park Drainage Improvement Project.

On April 9, 2013, City Council awarded Allco LLC the contract for South Park Drainage Improvements in the amount of \$12,330,865. This project includes the installation and replacement of storm sewer boxes and pipes which will significantly increase the capacity of the present drainage system.

Change Order No. 7 is recommended in the amount of \$143,400. The proposed changes to the contract include the costs associated with bypass pumping of the storm water within the construction area to the existing storm sewer system. This is necessary to provide for the storm water drainage in the interim due to delays in tunneling under the existing KCS railroad which will eventually drain to the Neches River.

Previously approved Change Orders 1-6 include furnishing a temporary fence within the Chemtrade Chemical Plant in the amount of \$7,705, the construction of a concrete wingwall at the outfall inside the Chemtrade Chemical Plant in the amount of \$9,863.99, the removal of a raised median for driveway access to LIT and SETX food bank in the amount of \$3,173.81, the addition of reinforcing steel in the concrete roadway in the amount of \$5,665.38, re-alignment of the storm sewer within KCS railroad crossing easement and eliminating the Prime coat and embankment material in the amount of \$23,059.13, and installation of cement stabilized backfill at the junction box on MLK feeder road, removal and installation of pipe and inlets on East Lavaca, and installation of field modifications for a bypass pumping access point in the amount of \$6,294.22.

Hurricane Ike Disaster Recovery Program grant in the amount of \$11,339,401 and the Capital Program.

Councilmember Coleman moved to **APPROVE A RESOLUTION THAT THE CITY MANAGER BE AND HE IS HEREBY AUTHORIZED TO EXECUTE CHANGE ORDER NO.7 FOR ADDITIONAL WORK, THEREBY INCREASING THE CONTRACT AMOUNT BY \$143,000 FOR A TOTAL CONTRACT AMOUNT OF \$12,530,026.53 FOR THE SOUTH PARK DRAINAGE IMPROVEMENT PROJECT.** Councilmember Samuel seconded the motion.

AYES: MAYOR AMES, COUNCILMEMBERS COLEMAN, GETZ, PATE AND SAMUEL

NAYS: NONE

MOTION PASSED

Resolution 14 – 119

WORK SESSION

- * Review and discuss the City's healthcare program and related expenses

Preston Pomykol, with Holmes and Murphy, the city's benefit consultant, discussed the related expenses of the healthcare program. The discussion was geared toward the percentage cost per employee and why health care has become so expensive. Mr. Pomykol discussed that price time use equals cost. If cost remains flat the total cost goes through the roof, the cost per employee will rise with no medical inflation. His job is to teach employees to utilize the health care plans that are in place, as well as price and shopping around for the most cost efficient fee for a MRI or CAT Scan etc. Everyone has been taught to use in-network for quality, the key is to teach employees to shop around for the most cost efficient test that the employee has been required to have done by their

doctor, this is called cost transparency. Compass Health which is a 3rd party vendor that could be used as a new tool for employees will help them shop around for the best cost for any test that they will need, this will help drive cost down.

Councilmember Samuel left the meeting at 2:34 p.m.

COUNCILMEMBER COMMENTS

COUNCILMEMBER SMITH -	ABSENT
COUNCILMEMBER SAMUEL -	ABSENT
COUNCILMEMBER PATE -	STATED THAT TODAY IS THE LAST DAY TO VOTE IN THE RUN-OFF, ENCOURAGED EVERYONE TO TAKE ADVANTAGE, GET OUT AND VOTE, IT'S ANOTHER GREAT DAY IN BEAUMONT
MAYOR PRO TEM WRIGHT -	ABSENT
COUNCILMEMBER GETZ -	NONE
COUNCILMEMBER COLEMAN -	THANKED TIM OCNASCHEK FOR HELPING THE CITY BECOME PREPARED FOR HURRICANE SEASON, ENCOURAGED CITIZENS TO CALL 311 ON THEIR PHONE OR GO TO THE WEB SITE AND SIGN UP TO REGISTER THEIR CELL PHONES FOR TEXT MESSAGES IN REGARDS TO WEATHER ISSUES, REMINDED THE COMMUNITY ABOUT THE WELLNESS CENTER'S TRIATHLON ON SATURDAY, MAY 31, 2014 AT 8:00 A.M., ANNOUNCED THE CALDER 5K TWILIGHT ON JUNE 13, 2014 AT 7:00 P.M., CITIZENS CAN GO TO WWW.BEAUMONTTEXAS.GOV TO SIGN UP
CITY ATTORNEY COOPER -	NONE
CITY MANAGER HAYES -	NONE
MAYOR AMES -	NONE

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

Public Comments (Persons are limited to three minutes)

Jake Plaia

890 Fenway Park

Beaumont TX

Spoke in regards to the City of Beaumont gaming machine ordinance, stated several concerns that he has with the ordinance, gave the definition of a game room, in his opinion one to five redemption machines at a business that does not derive at a sole income from said machine is not considered a game room, stated that unrestricted access mentioned in the Ordinance is too broad, stated on Friday, May 23, 2014, he delivered information

pertaining to the gaming machine ordinance to the City Attorney's office to hand out to Mayor and Council

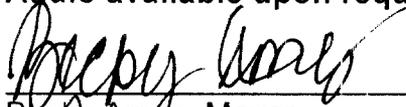
Open session of meeting recessed at 2:45 p.m.

EXECUTIVE SESSION

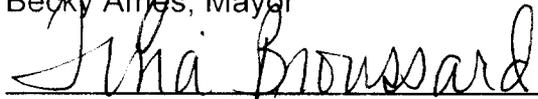
- * As authorized by Section 551.087 of the Government Code, to discuss and deliberate the offer of incentives for the expansion of an existing petroleum storage business in or near the City of Beaumont with which the City is conducting economic development negotiations.

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

