

MINUTES - CITY OF BEAUMONT

W.L. Pate, Jr., At-Large
Claude F. Guidroz, Ward I
Audwin Samuel, Ward III
Tyrone E. Cooper, City Attorney

BECKY AMES, MAYOR
CITY COUNCIL MEETING
June 9, 2015
Kyle Hayes, City Manager

Gethrel Wright, At-Large
Michael D. Getz, Ward II
William R. Sam, Sr. Ward IV
Tina Broussard, City Clerk

The City Council of the City of Beaumont, Texas, met in a regular session on **June 9, 2015**, 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 1-4/Consent Agenda
- * Consent Agenda

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

Pastor Airon Reynolds Jr., of Borden Chapel Baptist Church 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, Councilmembers Guidroz, Getz, Wright, Pate, Samuel and Sam. Also present were Kyle Hayes, City Manager; Tyrone Cooper, City Attorney; Tina Broussard, City Clerk.

Proclamations, Presentations, Recognitions

None

Public Comment: Persons may speak on scheduled agenda items 1-4/Consent Agenda.

Carlos Zaffirini

401 W. 15th St. #840

Austin TX

Spoke in regards to Items 2, 3, & 4 on the Agenda; the creation of the Beaumont Municipal Local Provider Participation Fund, asked that council consider these items for approval

CONSENT AGENDA

- * Approval of minutes – **June 2, 2015**
- * Confirmation of committee appointments – **Resolution 15 - 102**

Clarke Baker would be appointed to the Parks and Recreation Advisory Committee. The term would commence June 9, 2015 and expire June 8, 2017. (Councilmember Mike Getz)

Donna Forgas would be appointed to the Library Commission. The term would commence June 9, 2015 and expire June 8, 2017. (Councilmember Mike Getz)

- A) Authorize the City Manager to sign an amended Interlocal Agreement related to the management and operation of the 800MHz radio system – **Resolution 15 - 103**
- B) Approve a resolution accepting maintenance of the street, storm sewer, water and sanitary sewer improvements in Windemere Subdivision Section Three – **Resolution 15 - 104**
- C) Authorize the City Manager, or his designee, to execute all documents related to a Memorandum of Understanding Addendum with the Garth House, Mickey Mehaffy Children’s Advocacy Program, Inc. – **Resolution 15 - 105**
- D) Authorize the City Manager to apply for and receive funding through the Edward Byrne Memorial Justice Assistance Grant program and to execute all documents necessary, specifically, an inter-local agreement with the City of Port Arthur, Texas and Jefferson County, Texas in order to reallocate Justice Assistance Grant funds – **Resolution 15 - 106**

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

AYES: MAYOR AMES, COUNCILMEMBERS GUIDROZ, GETZ, WRIGHT, PATE, SAMUEL AND SAM

NAYS: NONE

MOTION PASSED

GENERAL BUSINESS

- 1. Consider a request to repeal Ordinance 15-010 approving a Specific Use Permit to allow a retail, used clothing and merchandise store in an RCR (Residential Conservation Revitalization) District at 1795 Park.

In May, 2015, City Council approved a Specific Use Permit (File 2227-P) at 1795 Park for a used clothing and merchandise store. Following this approval, staff received a written protest from LinMarie Garsee, a neighbor, claiming that she was not provided proper notification of the Joint Public Hearing on April 20, 2015.

For public hearing notification, the ordinance requires that in addition to publication in a newspaper, written notice is to be given “...to all such owners who have rendered their said property for city taxes as the ownership appears on the last approved city tax roll.”

Research showed that notification had been mailed to Ms. Garsee’s Post Office Box. However, in July, 2014, Ms. Garsee submitted a request to the Jefferson County Appraisal District to change her ownership billing address from the Post Office Box to her home address at 495 Craig. Because the city’s computer system reflected the older address, the notification was sent to the Post Office Box.

If the City Council feels that a new hearing is necessary, the item could be reconsidered at the June 15, 2015 Joint Public Hearing of the Planning Commission and City Council.

Approve the repeal of the ordinance and reconsider the item at the June 15, 2015 hearing.

Councilmember Samuel moved to **APPROVE A RESOLUTION THAT ORDINANCE NO. 15-010 BE AND IT IS HEREBY REPEALED.** Councilmember Getz seconded the motion.

AYES: MAYOR AMES, COUNCILMEMBERS GUIDROZ, GETZ, WRIGHT, PATE, SAMUEL AND SAM

NAYS: NONE

MOTION PASSED

Resolution 15 – 107

PUBLIC HEARING

- * Receive comments related to the creation of the Beaumont Municipal Local Provider Participation Fund

Public Hearing Open: 2:04 p.m.

None

Public Hearing Close: 2:04 p.m.

2. Consider approving an ordinance authorizing participation in a Municipal Health Care Provider Participation Program.

Councilmember Pate moved to **ADOPT AN ORDINANCE ENTITLED AN ORDINANCE AUTHORIZING THE CITY OF BEAUMONT'S PARTICIPATION IN A MUNICIPAL HEALTH CARE PROVIDER PARTICIPATION PROGRAM, COLLECTION OF A MANDATORY PAYMENT, AND USE OF FUNDS FROM MANDATORY PAYMENTS.** Councilmember Wright seconded the motion.

AYES: MAYOR AMES, COUNCILMEMBERS GUIDROZ, GETZ, WRIGHT, PATE, SAMUEL AND SAM

NAYS: NONE

MOTION PASSED

Ordinance 15 - 016

3. Consider approving a resolution authorizing the execution of Indigent Care Affiliation Agreements with Christus Hospital and Baptist Hospitals of Southeast Texas.

Councilmember Guidroz moved to **APPROVE A RESOLUTION THAT THE CITY MANAGER BE AND HE IS AUTHORIZED TO EXECUTE AN INDIGENT CARE AFFILIATION AGREEMENT BETWEEN THE CITY OF BEAUMONT AND CHRISTUS HOSPITAL. BE IT FURTHER RESOLVED THAT THE CITY MANAGER BE AND HE IS HEREBY AUTHORIZED TO EXECUTE AN INDIGENT CARE AFFILIATION AGREEMENT BETWEEN THE**

CITY OF BEAUMONT AND BAPTIST HOSPITALS OF SOUTHEAST TEXAS. Councilmember Sam seconded the motion.

AYES: MAYOR AMES, COUNCILMEMBERS GUIDROZ, GETZ, WRIGHT, PATE, SAMUEL AND SAM

NAYS: NONE

MOTION PASSED

Resolution 15 – 108

4. Consider a resolution authorizing the execution of a Certification of Governmental Entity Participation for Hospital Affiliates.

Councilmember Pate moved to APPROVE A RESOLUTION THAT THE CITY MANAGER BE AND HE IS HEREBY AUTHORIZED TO EXECUTE THE CERTIFICATION OF GOVERNMENTAL ENTITY PARTICIPATION FOR HOSPITAL AFFILIATES IN ACCORDANCE WITH THE REQUIREMENTS OF ESTABLISHING A MUNICIPAL HEALTH CARE PROVIDER PARTICIPATION PROGRAM. Councilmember Guidroz seconded the motion.

AYES: MAYOR AMES, COUNCILMEMBERS GUIDROZ, GETZ, WRIGHT, PATE, SAMUEL AND SAM

NAYS: NONE

MOTION PASSED

Resolution 15 – 109

WORKSESSION

- * Review and discuss amending the Code of Ordinances to allow the riding of bicycles on sidewalks adjacent to roadways without designated bike lanes

Kyle Hayes, City Manager, reviewed and discussed the Code of Ordinances to allow the riding of bicycles on sidewalks adjacent to roadways without designated bike lanes. The Manager stated that the issue is that no person shall ride a bicycle on other than a vehicular road or path designed for that purpose. A bicyclist shall be permitted to wheel or push a bicycle by hand over any grass area or wooded trail or on any pathway reserved for pedestrian use. Bicyclists shall at all times operate their machines with a reasonable regard for the safety of others, signal turns, pass to the right of any vehicle they are overtaking and pass to the right of any vehicle they may be meeting.

The options for Council consideration, 1) allow biking on sidewalks, except where there are also designated bike lanes, example: Calder Avenue, Rolfe Christopher, Westgate etc., 2) allow biking on all sidewalks. The manager stated the topic would be brought back to Council for an action item at a future Council meeting.

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

COUNCILMEMBER COMMENTS

COUNCILMEMBER SAM -

STATED THAT IN THE LAST THREE MONTHS HE HAS HEARD NEGATIVE THINGS ABOUT CERTAIN AREAS IN THE CITY IT'S OFFENSIVE TO HIM, STATED THAT IF NOTHING POSITIVE CAN BE SAID THEN THERE ARE HOPES THAT NOTHING WILL BE SAID, THINKS THAT WHAT ALL OF COUNCIL WANTS TO DO IS TO NOT MAKE NEGATIVE COMMENTS ABOUT CERTAIN OF THE DIFFERENT AREAS OF THE CITY, STATED TO COUNCILMEMBER SAMUEL THAT HE KNOWS THAT HE HAS A POSITIVE OUTLOOK FOR THE CITY

COUNCILMEMBER SAMUEL -

COMMENTED IN REGARDS TO BEING APPROACHED AT THE MALL BY A CITIZEN WHO HANDED HIM A NOTE IN REGARDS TO WHERE A PERSON CAN LIVE OR NOT LIVE, ALSO COMMENTED ON HIS 30 PLUS YEARS THAT HE HAS SERVED ON COUNCIL, ALSO MADE COMMENTS IN REGARDS TO A HEADLINE IN THE EXAMINER, THANKED THE EXAMINER FOR THE ARTICLE THAT THEY WROTE, THEY WILL NEVER GET THE OPPORTUNITY TO INTERVIEW HIM AGAIN, ALSO THANKED THE BEAUMONT ENTERPRISE FOR THEIR OBJECTIVE ARTICLE, ALSO MADE COMMENTS ABOUT THE SPECIFIC USE PERMIT AND CERTIFICATE OF OCCUPANCY THAT HE IS SEEKING FOR THE NEW OFFICE HE IS WANTING TO RELOCATE INTO

COUNCILMEMBER PATE -

ASKED THAT THE CITIZENS PRAY FOR HIM AND COUNCIL, THEY ARE NOT PERFECT AND THEY ALL TRY AND DO THE RIGHT THING AND LIVES IN A COUNTRY SO THAT WE CAN MAKE CHOICES, FORTUNATE TO ATTEND THE CHANGE OF COMMAND CEREMONY AT THE 842ND TRANSPORTATION UNIT, STATED THAT ALL OF COUNCIL APPRECIATES SERVING THE CITIZENS OF BEAUMONT

COUNCILMEMBER WRIGHT -

CONGRATULATED ALL OF THE GRADUATES THAT GRADUATED ON LAST WEEK, GAVE SPECIAL CONGRATULATION TO HER GRANDSON SKYLAR VALLIER WHO ALSO GRADUATED ON LAST WEEK, ALSO COMMENTED ON THE LUNCHEON THAT SHE AND THE MAYOR ATTENDED FOR THE TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES OF THE BUCKNER CHILDREN AND FAMILY SERVICES AT THEIR NEW BUILDING CALLED THE LAUREL, ENCOURAGED EVERYONE TO GET OUT AND VOTE DURING EARLY VOTING WHICH IS GOING ON RIGHT NOW FOR THE RUN-OFF IF YOU LIVE IN A WARD IV, ELECTION DAY IS JUNE 20, 2015

Randjia Jones

1195 Caldwell

Beaumont TX

Spoke to Council in regards to the City of Beaumont Water Utilities Department

Chris Watkins

545 Roberts Ave

Beaumont TX

Spoke to Council in regards to the City of Beaumont Water Utilities Department

Denise M. Hinz

3030 French Rd. #225

Beaumont TX

Stated that there are many like her in the city who are in a wheelchair or with a handicap, stated that it's difficult to get around the city because there are no adequate sidewalks, told Council that just today she was almost hit by a car when crossing the street, said it is very difficult for a person in her situation to get on and off the city bus, also stated that there are not enough covered bus stops to prevent from getting rained on and protect them from the sun when waiting on the bus, asked that Council please look into this situation

Open session of meeting recessed at 2:56 p.m.

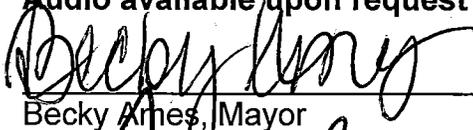
EXECUTIVE SESSION

- * Consider matters related to contemplated or pending litigation in accordance with Section 551.071 of the Government Code:

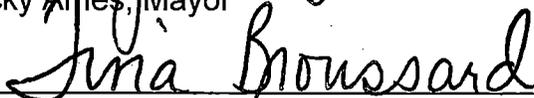
Pamela Cole v. Emilio Romero; Cause No. 23081

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

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



Becky Arnes, Mayor



Tina Broussard, City Clerk

