

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
October 27, 2015
Kyle Hayes, City Manager

Gethrel Wright, At-Large
Michael D. Getz, Mayor Pro Tem
Robin Mouton, Ward IV
Tina Broussard, City Clerk

The City Council of the City of Beaumont, Texas, met in a regular session on **October 27, 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 Consent Agenda
- * Consent Agenda

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

Most Reverend Curtis Guillory, Bishop of Beaumont gave the invocation. Councilmember Pate 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 and Mouton. Also present were Kyle Hayes, City Manager; Tyrone Cooper, City Attorney; Tina Broussard, City Clerk.

Proclamations, Presentations, Recognitions

"Catholic Charities of Southeast Texas 13th Annual Harvest of Hope Day" - November 12, 2015 - Proclamation read by Mayor Ames; accepted by Gerri Giglio Talbot and others

Public Comment: Persons may speak on the scheduled Consent Agenda.

None

CONSENT AGENDA

- * Approval of minutes – October 20, 2015
- * Confirmation of committee appointments – **Resolution 15-236**

LaDonna Sherwood would be appointed to the Community Development Advisory Committee. The term would commence October 27, 2015 and expire October 26, 2017. (Councilmember Audwin M. Samuel) – **Removed per Councilmember Samuel**

LaBonna Spikes would be appointed to the Community Development Advisory Committee. The term would commence October 27, 2015 and expire October 26, 2017. (Councilmember Audwin M. Samuel) – **Removed per Councilmember Samuel**

Mel Wright, Ex-officio, would be reappointed to the Convention and Tourism Advisory Board. The current term would expire October 18, 2017. (Mayor Becky Ames)

Rocky Chase, Ex-officio, would be reappointed to the Convention and Tourism Advisory Board. The current term would expire October 18, 2017. (Mayor Becky Ames)

Dr. Richard Leblanc, Ex-officio, would be reappointed to the Convention and Tourism Advisory Board. The current term would expire October 18, 2017. (Mayor Becky Ames)

Lee Smith would be reappointed to the Community Development Advisory Committee. The current term would expire October 1, 2017. (Councilmember Robin Mouton)

- A) Authorize the Chief of Police to execute and maintain a non-terminal agency agreement with the Beaumont Independent School District Police Department – **Resolution 15-237**
- B) Authorize the Mayor, City Manager, and Emergency Management Coordinator to execute a Mutual Aid Agreement and four addendums with the Beaumont Independent School District – **Resolution 15-238**

Councilmember Pate moved to approve the Consent Agenda excluding two appointments. Councilmember Mouton seconded the motion.

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

NAYS: NONE

MOTION PASSED

GENERAL BUSINESS

1. Mark Merrill and Dorothy Bowen would like to rezone the property they own at 4575, 4579 and 4585 North Major Drive to GC-MD (General Commercial-Multiple Family Dwelling) to accommodate a mixed use project of apartments and commercial businesses. Several newer apartment complexes have been, or will soon be built on adjacent property and across Major Drive.

At a Joint Public Hearing held October 19, 2015, the Planning Commission recommended 7:0 to approve a request for a rezoning from an A-R (Agricultural-Residential) to GC-MD (General Commercial-Multiple Family Dwelling) or a more restrictive district at 4575, 4579 & 4585 North Major Drive.

Approval of the ordinance.

Councilmember Guidroz moved to **ADOPT AN ORDINANCE AMENDING CHAPTER 28 OF THE CODE OF ORDINANCES OF BEAUMONT, TEXAS, AND IN PARTICULAR THE BOUNDARIES OF THE ZONING DISTRICTS, AS INDICATED UPON THE ZONING MAP OF BEAUMONT, TEXAS, BY CHANGING THE ZONING OF PROPERTY PRESENTLY ZONED A-R (AGRICULTURAL-RESIDENTIAL) DISTRICT TO GC-MD (GENERAL COMMERCIAL-MULTIPLE FAMILY DWELLING) DISTRICT FOR PROPERTY LOCATED AT 4575,**

4579 AND 4585 NORTH MAJOR DRIVE, BEAUMONT, JEFFERSON COUNTY, TEXAS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL AND PROVIDING A PENALTY. Councilmember Wright seconded the motion.

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

NAYS: NONE

MOTION PASSED

Ordinance 15-045

- 2 Chris Ali, on behalf of Dr. Arfeen, is asking to open a cocktail bar at 6632 Phelan Boulevard. The property is zoned GC-MD (General Commercial-Multiple Family Dwelling). The cocktail bar is to be called "Portus" and will be serving patrons 25 years old and up. Hours of operation will be from 6 p.m. to 2 a.m., therefore, interference with parking for surrounding businesses will be minimal.

At a Joint Public Hearing held October 19, 2015, the Planning Commission recommended 7:0 to approve a request for a Specific Use Permit for a cocktail bar at 6632 Phelan Boulevard.

Approval of the ordinance.

Councilmember Getz moved to **ADOPT AN ORDINANCE ENTITLED AN ORDINANCE GRANTING A SPECIFIC USE PERMIT TO ALLOW A COCKTAIL BAR IN A GC-MD (GENERAL COMMERCIAL-MULTIPLE FAMILY DWELLING) DISTRICT AT 6632 PHELAN BOULEVARD IN THE CITY OF BEAUMONT, JEFFERSON COUNTY, TEXAS.** Councilmember Wright seconded the motion.

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

NAYS: NONE

MOTION PASSED

Ordinance 15-046

3. Akram Khalil would like to use the property located at 958 and 978 Orange Avenue and 1350 Gilbert Street to expand the parking for a proposed restaurant to be located at 1325 College Street. The restaurant will be located in GC-MD (General Commercial-Multiple Family Dwelling) zoning and, since a Specific Use Permit is not required, plans are under review. During preliminary review it was noted that parking would not be sufficient. This additional parking would bring the applicant into compliance with current requirements.

At a Joint Public Hearing held October 19, 2015, the Planning Commission recommended 7:0 to approve a request for a Specific Use Permit to allow parking for a restaurant in an RCR (Residential Conservation Revitalization) district subject to the following conditions:

1. Landscaping and screening be installed and maintained as per ordinance requirements, including provision of island, medians and/or peninsulas and perimeter buffer.
2. Irrigation system shall be installed and maintained for all required landscaping.

Approval of the ordinance, subject to the following conditions:

1. Landscaping and screening be installed and maintained as per ordinance requirements, including provision of island, medians and/or peninsulas and perimeter buffer.
2. Irrigation system shall be installed and maintained for all required landscaping.

Approval of the ordinance.

Councilmember Mouton moved to **ADOPT AN ORDINANCE ENTITLED AN ORDINANCE GRANTING A SPECIFIC USE PERMIT TO ALLOW PARKING FOR A RESTAURANT IN AN RCR (RESIDENTIAL CONSERVATION REVITALIZATION) DISTRICT, AT 958 AND 978 ORANGE AVENUE AND 1350 GILBERT STREET, WITH THE CONDITIONS, IN THE CITY OF BEAUMONT, JEFFERSON COUNTY, TEXAS.** Councilmember Wright seconded the motion.

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

NAYS: NONE

MOTION PASSED

Ordinance 15-047

4. Soutex Surveyors & Engineers is requesting an abandonment of a portion of the Isla Avenue right-of-way. Chaudhry Bashir (Arain, LLC) intends to build a retail gasoline/convenience store on this property located at 1480 Interstate 10 East. At the creation of this portion of Isla Avenue, awkward angles were left along the south right-of-way line. To allow sufficient room for vehicles to maneuver in front of the store, the applicant would like push the structure as far north as possible. Abandoning this portion of the right-of-way will better accommodate the needed layout.

At a Joint Public Hearing held on October 19, 2015, the Planning Commission recommended 7:0 to approve a request to abandon a 293.42 square foot section of Isla Avenue.

Approval of the ordinance.

Councilmember Guidroz moved to **ADOPT AN ORDINANCE ENTITLED AN ORDINANCE VACATING AND ABANDONING A 293.42 SQUARE FOOT SECTION OF THE ISLA AVENUE RIGHT-OF-WAY, 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 15-048

WORKSESSION

Review and discuss appointments to various Boards, Commissions and Committees

Kyle Hayes, City Manager discussed various appointments to various Boards, Commissions and Committees with the Mayor and Council. The following were discussed: The Planning and Zoning Commission, Community Development Advisory Committee, Small Business Revolving Loan Fund Board, Drug-Free Beaumont Commission, Convention and Tourism Advisory Board, Library Commission, Keep Beaumont Beautiful Commission, Animal Health Advisory Committee, Parks and Recreation Committee, Police Department Community Advisory Committee and Historic Landmark Commission

COUNCILMEMBER COMMENTS

COUNCILMEMBER MOUTON -

STATED THAT SHE WAS WEARING PINK FOR THE LAST MEETING FOR THE MONTH OF OCTOBER, ANNOUNCED THE GIFT OF LIFE GALA ON THURSDAY, OCTOBER 29, 2015, ENCOURAGED EVERYONE TO COME OUT AND ATTEND, IT'S A PLEASURE TO SERVE

COUNCILMEMBER SAMUEL -

NONE

COUNCILMEMBER PATE -

ANNOUNCED THAT THE CRIME STOPPERS OF THE YEAR AWARD WILL BE ON TUESDAY AFTERNOON, THOSE NOMINATED WERE DONE SO BY THE BEAUMONT POLICE DEPARTMENT, ALSO THE BEAUMONT POLICE DEPARTMENT TRUNK-OR-TREAT ON SATURDAY, OCTOBER 31, 2015, FROM 2:00 P.M. TO 5:00 P.M., ALSO ANNOUNCED THAT LAMAR UNIVERSITY BASKETBALL WILL BE KICKING OFF THEIR BASKETBALL SEASON WITH A BREAKFAST ON SATURDAY MORNING, OCTOBER 31, 2015, AT THE MONTAGNE CENTER, THEN THE FOOTBALL GAME WILL BE PLAYING AT 7:00 P.M.

COUNCILMEMBER WRIGHT -

STATED THAT THIS SATURDAY WILL BE HALLOWEEN ASKED THAT EVERYONE BE WATCHFUL FOR THE KIDS THAT ARE OUT TRICK-OR-TREATING, ALSO ANNOUNCED THE EAT A BUG EVENT AT THE ART MUSEUM FROM 10:00 A.M. TO 2:00 P.M., COMMENTED ON SEVERAL PHONE CALLS THAT SHE RECEIVED ABOUT THE UPKEEP AND NON-TRIMMING AROUND THE SIDEWALKS AT SPROTT PARK, STATED SHE WENT OUT TO SEE FOR HERSELF AND THINKS THAT ALL THAT IS NEEDED IS FOR THE WEED-EATER TO BE CLOSER TO THE GROUND

MAYOR PRO TEM GETZ -

STATED THAT THE HONOR FOR THE CRIME STOPPERS AWARD ISN'T GOING TO ALLISON BUT TO THE DOWLEN/WEST NEIGHBORHOOD ASSOCIATION WHERE SHE IS THE PRESIDENT, ANNOUNCED THAT ROCKTOBERFEST WILL BE ON FRIDAY, OCTOBER 30, 2015, AT THE JEFFERSON THEATRE, STARTING AT 6:00 P.M., ENCOURAGED EVERYONE TO GET THEIR TICKETS EARLY, THEY TEND TO SELL OUT FAIRLY QUICK, STATED THAT HE RECEIVED A PHONE CALL FROM A PRINCIPAL AT ONE OF THE SCHOOLS, THE PRINCIPAL STATED THAT THERE IS A PROBLEM WHERE PARENTS AREN'T PICKING UP THEIR CHILDREN UNTIL WELL PAST THE TIME THAT THE SCHOOL DAY HAS ENDED, WANTED TO SEE IF THE CITY COULD DO ANYTHING IN THE FORM OF A CITY ORDINANCE, STATED THAT HE WOULD CHECK WITH THE DISTRICT ATTORNEY'S OFFICE, BIRD POLICE DEPARTMENT AND ADMINISTRATION AS WELL AS THE CITY ATTORNEY'S OFFICE TO SEE WHAT CAN BE DONE, TEACHERS HAVE TO GO HOME TO THEIR FAMILIES AS WELL

COUNCILMEMBER GUIDROZ -

COMMENTED ON ALLISON GETZ BEING RECOGNIZED BY CRIME STOPPERS, ALSO COMMENTED ON CHIEF SINGLETARY AND HIS ATTENDANCE TO THE NEIGHBORHOOD ASSOCIATION MEETINGS, GLAD TO HAVE A CHIEF OF POLICE THAT CARES SO MUCH ABOUT THIS CITY, ALSO MADE COMMENTS ON THE WORKSHOP ON LAST WEEK, THANKED EVERYONE FOR BEING IN ATTENDANCE

CITY ATTORNEY COOPER -

NONE

CITY MANAGER HAYES -

NONE

MAYOR AMES -

SPOKE IN REGARDS TO INDIA FEST THAT TOOK PLACE OVER THE WEEKEND, AS WELL AS THE VIETNAM GROUP THAT RAISED THE MOST MONEY ACROSS THE STATE TO ERECT A MEMORIAL AT THE TEXAS STATE CAPITAL, THEY BROUGHT A CONFERENCE TO TOWN AND IT WAS WELL ATTENDED AND AN AWESOME EVENT, CONGRATULATED THE GRANT RECIPIENTS FROM CAPITAL ONE BANK AND THANKED CAPITAL ONE FOR SHOWCASING THOSE LOCAL ORGANIZATIONS

Public Comments (Persons are limited to three minutes)

Rodney Dencklau

3030 French Rd. #425

Beaumont TX

Spoke in regards to the disabled getting a job, stated that people don't realize how hard it is for them to get a job, they are always treated like second class citizens, wanted to express that if a business hires a disabled person they are going to work ten times harder than the normal person because they are wanting and willing to work, stated that they need jobs just like everyone else

Jude Peredez

10620 Gage Rd.

Beaumont TX

Commented on the Municipal Transit issue, stated that he has been in contact with the Department of Justice, they have informed him that the citizens of Beaumont have the right to have a Civilian Review Board over the Beaumont Police Department, a group of at least 25 concerned citizens can sit on this board, the Justice Department will send a mediator to help set up the review board, the time has come to establish a Civilian Review Board, all interested citizens are invited to sit on the board to help our police force do the job that we pay them to do, lives have been loss because of the delay, if you have been effected by police misconduct, please step up and contact the Civilian Review Board through the Department of Justice or contact Jude@#beaumonttxastea

Patrick Gibbs

4835 Corley St.

Beaumont TX

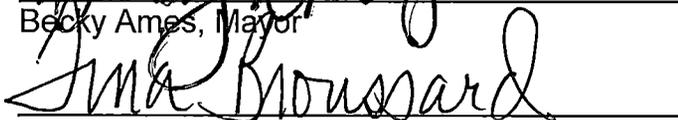
Thanked Council for all that they do, asked as a citizen, how would he be able to touch basis with each individual Councilmember or all of them at one time

With there being no Executive Session, Council adjourned at 2:44 p.m.

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



Becky Ames, Mayor



Tina Broussard, City Clerk

