

# 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  
March 23, 2010  
Kyle Hayes, City Manager

Gethrel Wright, Mayor Pro Tem  
Nancy Beaulieu, 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 **March 23, 2010**, 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 2-5/Consent Agenda
- \* Consent Agenda

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

Pastor Irvin L. Barrett of Sunlight Missionary Baptist Church gave the invocation. Kaden Stewart, student at Sallie Curtis Elementary School led the Pledge of Allegiance. Roll call was made by Tina Broussard, City Clerk.

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

## Proclamations, Presentations, Recognitions

**"Kick Butt Day"** - March 24, 2010 - Proclamation read by Councilmember Beaulieu; accepted by Representatives from the Julie Rogers "Gift of Life" Program

**"YMBL South Texas Fair Days"** - March 25, 2010 through April 4, 2010 - Proclamation read by Mayor Ames; accepted by Malcolm Ray, Chairman, and other representatives from YMBL

**Public Comment:** Persons may speak on scheduled agenda items 2-5/Consent Agenda.

**None**

## CONSENT AGENDA

- \* Approval of minutes - **March 9, 2010**

- \* Confirmation of committee appointments - **None**
- A) Approve a declaration of intent to reimburse capital expenditures - **Resolution 10 - 068**
- B) Approve a resolution to adjust charges in the amount of \$64,046.58 and authorize the release of a demolition lien against property described as Lots 1, 2 and 3 of Block 20, Van Wormer Addition (805 and 855 Crocket Street), Beaumont, Texas - **Resolution 10 - 069**
- C) Authorize the City Manager to execute a one year lease agreement for the use of property located at 8155 Phelan Blvd. - **Resolution 10 - 070**
- D) Approve a resolution authorizing the acquisition of property for the Concord Road Pavement Widening Project described as Parcel #24, 0.0655 acre out of City Plat D-22, Tract 12A, pt Tracts 29 and 121, Frederic Bigner Survey (5355 Concord Road) - **Resolution 10 - 071**
- E) Approve a resolution authorizing the acquisition of property for the Concord Road Pavement Widening Project described as Parcel #55-B, 0.9483 acre tract out of Thomas Spear Survey, Abstract No. 50, Beaumont, Jefferson County, Texas (Concord Road) - **Resolution 10 - 072**
- F) Authorize the City Manager to execute an agreement to participate in the Summer Food Service Program - **Resolution 10 - 073**
- G) Authorize the acceptance of a water line and a sanitary sewer line easement to provide services for the proposed construction of Coastal Waste Disposal - **Resolution 10 - 074**
- H) Authorize the acceptance of a water line easement to provide water services for Martin Elementary School - **Resolution 10 - 075**
- I) Approve a resolution accepting maintenance of the street, storm sewer, water and sanitary sewer improvements in Jehova Jireh Village, Phase II - **Resolution 10 - 076**

Councilmember Samuel made a motion to approve the Consent Agenda. Councilmember Beaulieu seconded the motion.

**AYES: MAYOR AMES, MAYOR PRO TEM WRIGHT, COUNCILMEMBERS COLEMAN, BEAULIEU, PATE, SAMUEL AND SMITH**

**NAYS: NONE**

**MOTION PASSED**

#### **GENERAL BUSINESS**

1. Consider a request for an HC-L (Historic Cultural-Landmark Preservation) Designation at 480 Magazine.

Administration recommended denial of the HC-L request.

John Leggett has applied for an HC-L Designation.

Mr. Leggett states that the single family residence was originally two houses built in Port Arthur, Texas dating back to the Civil War era. These houses were later moved to the current location in Beaumont and combined to make one house between 1889 and 1894. This house has been in a work program twice, a partial roof has been installed, a temporary restraining order has been granted to allow the City time to consider an HC-L Designation.

The recommendation for denial is due to failure to follow City Council's order to make substantial repairs within the allotted 150 days.

At a Historic Landmark Commission meeting held February 8, 2010, the Commission approved the request by a vote of 10:0.

At a Joint Public Hearing held February 15, 2010, the Planning Commission recommended 3:2 to approve an HC-L (Historic Cultural-Landmark Preservation) Designation at 480 Magazine.

If the Council grants the HC-L Designation, Mr. Leggett would have two years to bring the property up to City code.

Councilmember Samuel moved to approve **THAT THE ACTION OF JUNE 2, 2009 IN REGARDS TO THE PROPERTY AT 480 MAGAZINE BE RESCINDED AND COUNCIL GRANT THE DESIGNATION OF HISTORICAL DESIGNATION FOR THAT PROPERTY, CONTINGENT UPON THE PROPERTY OWNER PROVIDING THE HISTORICAL LANDMARK COMMISSION WITH A WORK PLAN WITH DATES TO HAVE CERTAIN WORK DONE, WITH THE UNDERSTANDING IF THOSE CERTAIN DATES ARE NOT MET THE DESIGNATION IS SUBJECT TO REVOCATION, AND TO ADOPT AN ORDINANCE ENTITLED AN ORDINANCE AMENDING CHAPTER 30 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 ESTABLISHING AN HC-L (HISTORICAL-CULTURAL LANDMARK PRESERVATION) DESIGNATION FOR PROPERTY LOCATED AT 480 MAGAZINE, BEAUMONT, JEFFERSON COUNTY, TEXAS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL AND PROVIDING A PENALTY.** Councilmember Pate seconded the motion.

**AYES: MAYOR AMES, MAYOR PRO TEM WRIGHT, COUNCILMEMBERS COLEMAN, BEAULIEU, PATE, SAMUEL AND SMITH**

**NAYS: NONE**

**MOTION PASSED**

**ORDINANCE 10 - 018**

2. Consider amending Section 21-75 of the Code of Ordinances related to the number of Grade III Lieutenant positions in the Police Department.

Administration recommended amending Section 21-75 of the Code of Ordinances related to the number of Grade III Lieutenant positions in the Police Department.

---

Captain Melissa Ownby recently retired from the Police Department and former Lieutenant Wayne Jeffcoat was promoted to Captain. The now vacant Lieutenant position is recommended to be deleted. This action would be consistent with the City Council's deletion of a Lieutenant position on May 19, 2009 when former Lieutenant Dave Sample retired.

The annual savings would be approximately \$100,000.

Councilmember Beaulieu made a motion to **ADOPT AN ORDINANCE ENTITLED AN ORDINANCE AMENDING SECTION 21-75 OF THE CODE OF ORDINANCES TO AMEND THE NUMBER OF GRADE II POSITIONS IN THE BEAUMONT POLICE DEPARTMENT AND REMOVE THE ASSISTANT CHIEF POSITION; PROVIDING FOR SEVERABILITY AND PROVIDING FOR REPEAL.** Councilmember Smith seconded the motion.

**AYES: MAYOR AMES, MAYOR PRO TEM WRIGHT, COUNCILMEMBERS COLEMAN, BEAULIEU, PATE, SAMUEL AND SMITH**

**NAYS: NONE**

**MOTION PASSED**

**Ordinance 10 - 019**

3. Consider authorizing the City Manager to enter into a contract for the purchase of a home at 5380 Wilshire Avenue for rehabilitation and resale as part of the Neighborhood Stabilization Program.

Administration recommended approval.

The Neighborhood Stabilization Program (NSP) is a HUD-funded program authorized by the "Housing and Economic Recovery Act of 2008" (HERA), as a supplemental allocation to the Community Development Block Grant (CDBG) Program. The purpose of the program is to acquire and encourage redevelopment of foreclosed, abandoned and blighted properties in order to stabilize neighborhoods and stem the decline of house values of neighboring homes.

The proposed contract is for the acquisition of **5380 Wilshire Avenue** from the owner, Fannie Mae, in the amount of approximately \$45,000. Additional NSP funds will be used to rehabilitate this home for resale. This home is one of approximately nine (9) homes that will be purchased, rehabilitated and resold within the target area of census tracts six (6), seven (7) and nine (9).

Funds are available through the Neighborhood Stabilization Program. There is no local match.

Councilmember Samuel made a motion to **APPROVE A RESOLUTION THAT THE CITY MANAGER BE AND HE IS HEREBY AUTHORIZED TO ENTER INTO A CONTRACT WITH FANNIE MAE FOR THE PURCHASE OF A HOME AT 5380 WILSHIRE AVENUE FOR REHABILITATION AND RESALE AS PART OF THE NEIGHBORHOOD STABILIZATION PROGRAM.** Councilmember Smith seconded the motion.

---

**AYES:**        **MAYOR AMES, MAYOR PRO TEM WRIGHT, COUNCILMEMBERS COLEMAN,  
BEAULIEU, PATE, SAMUEL AND SMITH**

**NAYS:**        **NONE**

**MOTION PASSED**

**Resolution 10 - 077**

4. Consider approving a bid for the reconstruction of the walking trail at Sprott Park.

Administration recommended the award of a bid to Ranger Constructions of Galena Park in the amount of \$96,310.

Bids were received on Thursday, March 11, 2010 for furnishing all labor, materials, equipment and supplies to reconstruct the walking trail at Sprott Park. The current asphalt walking path is approximately 3,285 linear feet. The asphalt has deteriorated beyond repair and will be removed and replaced with a five (5) ft. wide concrete walking path.

Work is expected to commence in April and be completed within sixty (60) days. There is no MBE participation on this project.

Funds for this project are budgeted in the Capital Program.

Councilmember Smith made a motion to **APPROVE A RESOLUTION THAT THE BID SUBMITTED BY RANGER CONSTRUCTIONS OF GALENA PARK, TEXAS, IN THE AMOUNT OF \$96,310 FOR CONSTRUCTION OF THE SPROTT PARK WALING TRAIL BE ACCEPTED BY THE CITY OF BEAUMONT.** Councilmember Beaulieu seconded the motion.

**AYES:**        **MAYOR AMES, MAYOR PRO TEM WRIGHT, COUNCILMEMBERS COLEMAN,  
BEAULIEU, PATE, SAMUEL AND SMITH**

**NAYS:**        **NONE**

**MOTION PASSED**

**Resolution 10 - 078**

5. Consider approving a bid for the reconstruction of the walking trail at Central Park.

Administration recommended the award of a bid to Kambuso, Inc. of Houston in the amount of \$55,600.

The current asphalt walking path is approximately 1,650 linear feet. The asphalt has deteriorated beyond repair and will be removed and replaced with a five (5) ft. wide concrete walking path.

---

Central Park is located on Fourth at Fannin St. Amenities in the park include Imagination Station Playground, community center, basketball court, restroom facility, covered pavilion, tennis courts and the walking trail.

Work is expected to commence in April and be completed within thirty-five (35) days. There is no MBE participation on this project.

Funds for this project are budgeted in the Capital Program.

Councilmember Smith made a motion to **APPROVE A RESOLUTION THAT THE BID SUBMITTED BY KAMBUSO, INC., OF HOUSTON, TEXAS, IN THE AMOUNT OF \$55,600 FOR RECONSTRUCTION OF THE CENTRAL PARK WALKING TRAILS BE ACCEPTED BY THE CITY OF BEAUMONT.** Councilmember Pate seconded the motion.

**AYES: MAYOR AMES, MAYOR PRO TEM WRIGHT, COUNCILMEMBERS COLEMAN, BEAULIEU, PATE, SAMUEL AND SMITH**

**NAYS: NONE**

**MOTION PASSED**

**Resolution 10 - 079**

**WORKSESSION**

- \* Review and discuss the Preliminary 2010 Action Plan of the Five Year Consolidated Plan as well as the budget of the Preliminary Action Plan

Chris Boone, Community Development Director, discussed the Preliminary 2010 Action Plan of the Five Year Consolidated Plan as well as the budget of the Preliminary Action Plan. The dates and times following the public hearing were discussed, as well as the mandate by the U.S. Department of Housing and Urban Development (HUD). City Council has conducted public hearings and work sessions in previous years prior to adopt the City's Preliminary Annual Action Plan of the Consolidated Grant Program. Community Development Staff, along with other City of Beaumont staff and the Community Development Advisory Committee (CDAC), hosted four (4) Public Hearings in order to receive public comments on the process and activities related to the Preliminary 2010 Annual Action Plan. In accordance with the Citizen Participation Plan, a thirty (30) day comment period, which allows citizens a reasonable time to submit written comments, will follow the adoption of the Preliminary 2010 Annual Action Plan. Prior to its submission to HUD for approval, City Council will consider adopting the final Draft of the 2010 Action Plan on or about April 20, 2010.

**PUBLIC HEARING**

- \* Receive comments related to Preliminary 2010 Action Plan of the Five Year Consolidated Plan as well as the budget of the Preliminary Action Plan

Public Hearing Open - 2:08 p.m.

**None**

Public Hearing Closed - 2:09 p.m.

6. Consider approving a resolution to adopt the Preliminary 2010 Action Plan of the Five Year Consolidated Plan as well as the budget of the Preliminary Action Plan.

Administration recommended approval to adopt the Preliminary 2010 Action Plan of the Five Year Consolidate Plan as well as the budget of the Preliminary Action Plan.

The 2010 Preliminary budget totaling \$2,911,235 is comprised of Community Development Block Grant (CDBG) Funds (\$1,948,235), HOME Investment Partnership funds (\$813,000) and estimated Program Income (\$150,000).

Councilmember Beaulieu moved to **APPROVE A RESOLUTION THAT THE CITY COUNCIL HEREBY ADOPTS THE PRELIMINARY 2010 ACTION PLAN, AS WELL AS THE BUDGET OF THE PRELIMINARY ACTION PLAN, OF THE FIVE YEAR CONSOLIDATED GRANT PROGRAM.** Councilmember Pate seconded the motion.

**AYES: MAYOR AMES, MAYOR PRO TEM WRIGHT, COUNCILMEMBERS COLEMAN, BEAULIEU, PATE, SAMUEL AND SMITH**

**NAYS: NONE**

**MOTION PASSED**

**Resolution 10 - 080**

#### **COUNCILMEMBER COMMENTS**

**COUNCILMEMBER SMITH - CONGRATULATED THE LAMAR UNIVERSITY WOMEN'S BASKETBALL TEAM ON THEIR TRIP TO THE NCAA TOURNAMENT, ANNOUNCED THAT THE SOUTH PARK NEIGHBORHOOD ASSOCIATION WOULD BE MEETING ON THURSDAY, MARCH 25, 2010, ALSO CONGRATULATED PASTOR BLACK ON HIS 20 YEAR ANNIVERSARY AT SOUTH PARK BAPTIST CHURCH**

**COUNCILMEMBER SAMUEL - CONGRATULATED THE LADY CARDINALS, LOOKS FORWARD TO THEM GOING BACK TO THE CHAMPIONSHIP TOURNAMENT ON NEXT YEAR, COMMENTED ON HIS TRIP TO WASHINGTON, D.C., ALONG WITH COUNCILMEMBER PATE, THEY HAD AN OPPORTUNITY TO VISIT WITH CONGRESSMAN TED POE, THEY DISCUSSED FUNDING FOR THE CITY'S HEALTH DEPARTMENT, POLICE DEPARTMENT, THE SCHOOL SIDEWALK PROGRAM AND THE COMMUNITY DEVELOPMENT BLOCK GRANT**

**COUNCILMEMBER PATE -** CONGRATULATED THE LADY CARDINALS ON THEIR TRIP TO AUSTIN FOR THE NCAA CHAMPIONSHIP TOURNAMENT, COMMENTED ON THE WASHINGTON, D.C. TRIP AND THE VISIT WITH CONGRESSMAN TED POE, THANKED THE YMBL FOR ALL THAT THEY DO FOR THE COMMUNITY, ANNOUNCED THAT FORMER FIRST LADY LAURA BUSH WOULD BE SPEAKING AT THE BEAUMONT CIVIC CENTER, IN REGARDS TO A FUND RAISER FOR THE ENERGY MUSEUM, ON THURSDAY, MARCH 25, 2010, THERE WILL BE A "GET MOTIVATED SEMINAR" AT THE BEAUMONT CIVIC CENTER

**MAYOR PRO TEM WRIGHT -** CONGRATULATED THE LAMAR UNIVERSITY WOMEN'S BASKETBALL TEAM, CAN'T WAIT FOR THE TEXAS STATE FAIR TO ARRIVE

**COUNCILMEMBER BEAULIEU -** PROUD TO BE BACK IN BEAUMONT WHERE THE MEN ARE MEN AND GIRLS ARE CHAMPIONS, CONGRATULATED THE LAMAR UNIVERSITY GIRL'S BASKETBALL TEAM ON MAKING IT TO THE NCAA CHAMPIONSHIP, COMMENTED ON THE FUND RAISER FOR THE ENERGY MUSEUM

**COUNCILMEMBER COLEMAN -** WELCOMED CONNIE ZUICH ON HER ASSIGNMENT FOR LEADERSHIP BEAUMONT, ENCOURAGED SOUTH EAST TEXAS TO ATTEND THE YMBL TEXAS STATE FAIR AND RODEO, ANNOUNCED THE LE GRAND BAL PRESENTED BY THE LAMAR UNIVERSITY FRIENDS OF THE ARTS ON SATURDAY, MARCH 27, 2010, BEGINNING AT 7:00 P.M., AT THE MONTAGNE CENTER, LAURA BUSH WILL SPEAK AT THE ENERGY MUSEUM FUND RAISER, CONGRATULATED LAMAR WOMEN'S BASKETBALL TEAM ON THEIR TRIP TO THE NCAA CHAMPIONSHIP, COMMENTED ON HIS ATTENDANCE TO A CRISIS LEADERSHIP FOR LOCAL OFFICIALS SEMINAR, LEARNED NEW INFORMATION ON HOW TO MANAGE EMERGENCY OPERATIONS, FELT REALLY GOOD ABOUT HOW WELL PREPARED THE EMERGENCY MANAGEMENT TEAM HAS PREPARED THE CITY

**CITY ATTORNEY COOPER -** NONE

**CITY MANAGER HAYES -** NONE

**MAYOR AMES -** COMMENTED ON HOW PROUD THE LAMAR UNIVERSITY WOMEN'S BASKETBALL TEAM HAS MADE THE CITY, THE ENERGY MUSEUM FUND RAISER WITH GUEST SPEAKER, FORMER FIRST LADY LAURA BUSH, ENCOURAGED EVERYONE TO ATTEND THE TEXAS STATE FAIR, THANKED EVERYONE FOR ATTENDING THE MEETING

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

**Vernon Durden**

**2110 Westbury Rd.**

**Beaumont TX**

Congratulated the Lamar University Women's Basketball Team, congratulated Councilmembers Pate and Samuel for going to Washington, D.C., on behalf of the City, also commented on the Citizens Review Board, several citizens have asked about the status of the review board, asked that council not disappoint the citizens in appointing a Board

**Bruce Hoffer**

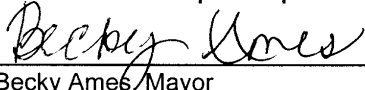
**2535 North St.**

**Beaumont TX**

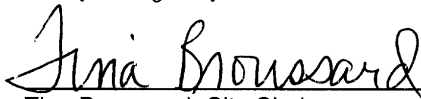
Encouraged everyone to come out to the Texas State Fair, Wednesday, March 24, 2010, which will be youth night, commented on soccer, the season will begin the first Saturday after Easter and will continue for six weeks

With there being no Executive Session, Council adjourned at 2:23 p.m.

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



Becky Ames, Mayor



Tina Broussard, City Clerk

