

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 30, 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 30, 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 1-2/Consent Agenda
- * Consent Agenda

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

Chaplain George Blake retired Air Force Veteran and President of the Southeast Texas Veterans Group gave the invocation. Vietnam Veterans 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

Blake Hopper with Congressman Ted Poe's office made brief remarks to the Vietnam Veterans on behalf of Congressman Poe

"Welcome Home Vietnam Veterans Day" - March 30, 2010 - Proclamation read by Mayor Ames; accepted by Kerwin Stone with Southeast Texas Vietnam Veterans Chapter 292; along with other veterans

Public Comment: Persons may speak on scheduled agenda items 1-2/Consent Agenda.

None

CONSENT AGENDA

- * Approval of minutes - **March 23, 2010**
- * Confirmation of committee appointments - **None**

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- A) Approve a resolution to write-off uncollectible delinquent accounts - **Resolution 10 - 081**
 - B) Authorize the acquisition of property in the Van Worner Addition for the Downtown Event Center and Park - **Resolution 10 - 082**
 - C) Authorize the acquisition of property for the Concord Road Pavement Widening Project - **Resolution 10 - 083**

Councilmember Pate 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 authorizing the City Manager to apply for and receive additional Neighborhood Stabilization funds from the Department of Housing and Urban Development.

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.

Currently, the City has been awarded a total of \$1,185,129 to purchase, rehabilitate and resell nine (9) homes (\$1,004,800) and demolish approximately fifty (50) unsafe and abandoned structures (\$121,073) within the target area near Beaumont Housing Authority's Hope VI projects. The Texas Department of Housing and Community Affairs (TDHCA) has indicated that the City is eligible for an additional \$296,282 for the NSP program. If awarded, these funds would be used for asbestos abatement for the demolished homes (\$125,000) and construction of two (2) infill homes for sale (\$171,282).

Councilmember Smith moved to **APPROVE A RESOLUTION THAT KYLE HAYES, CITY MANAGER, BE AND HE IS HEREBY AUTHORIZED TO APPLY FOR, REPRESENT AND EXECUTE A CONTRACT IN AN AMOUNT UP TO \$296,282 THROUGH THE NEIGHBORHOOD STABILIZATION PROGRAM, A REIMBURSEMENT PROGRAM PROVIDED BY THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS.** Councilmember Samuel seconded the motion.

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

NAYS: NONE

MOTION PASSED

Resolution 10 - 084

2. Consider amending Chapter 13, Sections 13-16 and 13-17 of the Code of Ordinances establishing health fees and waiver of fees.

Administration recommended Council amend Chapter 13, Section 13-16, of the Code of Ordinances, to increase various health fees and to clarify who is to charge the fees, and amend Section 13-17 to further clarify the waiver of fees.

The City Staff has been conducting a city-wide fee review. Health fees were last amended in March 2007. A survey of the fees of other municipalities including Pt. Arthur, Orange County, Hardin County, Baytown, Galveston, Austin, Waco and Abilene concluded that the STD fees, immunization fees, fees for additional copies of death certificates and the fee for the food manager's course needed to be increased in order to be comparable to other municipal health clinics. In addition, there are two new fees that will be implemented which include a charge for replacement immunization records and a fee for additional notary signatures. Birth certificate and death certificate fees are established by the State of Texas.

During FY 2009, the Police Department began management of the Animal Control Division. Animal control fees are included in Section 13-17 which states, "The Beaumont Health Department is hereby authorized to charge fees for services..." This section should be amended to read, "The City of Beaumont is hereby authorized to charge fees for services..." to give authority for the fee to be charged by the City regardless of what department is responsible for assessing the fee.

Finally, Section 13-17 allows the STD fees established in Section 13-16 to be "waived by the director of the health department upon proof by the patient that such patient is unable to pay such fee." This section does not allow the director to discount the fees if the patient can make a partial payment but not the full payment.

The total increase in revenue generated by the higher health fees is approximately \$53,982 on an annual basis.

Councilmember Beaulieu made a motion to **ADOPT AN ORDINANCE ENTITLED AN ORDINANCE AMENDING CHAPTER 13, SECTIONS 13-16 AND 13-17 OF THE CODE OF ORDINANCES TO INCREASE VARIOUS HEALTH FEES AND TO CLARIFY WAIVER OF FEES AND WHO IS TO CHARGE THE FEES; 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 - 020

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

COUNCILMEMBER COMMENTS

COUNCILMEMBER SMITH - THANKED VIETNAM VETERANS, ANNOUNCED THAT A COMMUNITY FORUM WOULD BE HELD ON THURSDAY, APRIL 8, 2010 AT 5:30 P.M., AT THE ALICE KEITH COMMUNITY CENTER, THERE WILL BE DISCUSSION PERTAINING TO THE L. L. MELTON YMCA, WOULD LIKE TO GET INPUT FROM THE COMMUNITY AND ALSO TO LET THEM KNOW WHAT THE PLANS ARE FOR THE FUTURE, WISHED EVERYONE A HAPPY AND SAFE EASTER

COUNCILMEMBER SAMUEL - WISHED EVERYONE A HAPPY EASTER, ANNOUNCED AN EASTER EGG HUNT ON SATURDAY, APRIL 3, 2010, AT THE STERLING PRUITT ACTIVITY CENTER AT 12:00 P.M.

COUNCILMEMBER PATE - APPRECIATION TO THOSE THAT WEAR A UNIFORM AND WHAT AN HONOR IT IS TO REPRESENT AMERICA, COMPLIMENTED THE CVB ON A GREAT JOB THEY DID IN AUSTIN, TEXAS REPRESENTING THE CITY, WISHED EVERYONE A HAPPY EASTER AND A NEW BEGINNING OF SPRING

MAYOR PRO TEM WRIGHT - CONGRATULATED THE VIETNAM VETERANS, WISHED EVERYONE A HAPPY EASTER, ESPECIALLY TO THE FAMILIES OF ED SIEGEE, ROBERT COOK AND TED JOHNS WHO RECENTLY LOST A VERY IMPORTANT MEMBER OF THEIR FAMILY, THANKED OLLIE GRAVES, WHO IS THE MATRIARCH OF THEIR FAMILY, FOR INSTILLING FAITH IN THEM AND REMINDING THEM THAT NO MATTER WHAT HAS HAPPENED SPRING BRINGS FORTH NEW OPPORTUNITIES, WISHED HER HUSBAND, CLINTON WRIGHT, A VERY HAPPY EASTER AND CONTINUED RECOVERY, ANNOUNCED AN EASTER EGG HUNT ON SATURDAY, APRIL 3, 2010, AT 10:00 A.M., AT McCABE ROBERTS AVENUE UNITED METHODIST CHURCH, 1205 ROBERTS AVE., ENCOURAGED EVERYONE TO ATTEND THE TEXAS STATE FAIR

COUNCILMEMBER BEAULIEU - WISHED EVERYONE A BLESSED EASTER, THIS IS A VERY SPECIAL TIME OF YEAR FOR PEOPLE OF FAITH AND ENCOURAGED EVERYONE TO REMEMBER THE REASON FOR THIS SEASON, CONGRATULATED PAT EASON WITH CVB ON HER RETIREMENT AND THANKED HER FOR HER YEARS OF SERVICE, ACKNOWLEDGED HER FRIEND, RAY WARD, WHO VISITED COUNCIL ON TODAY

COUNCILMEMBER COLEMAN - PROUD TO HONOR OUR VIETNAM VETERANS ON TODAY, THANKED PAT EASON WITH CVB ON HER MANY YEARS OF SERVICE TO THE CITY, ENCOURAGED EVERYONE TO CELEBRATE CHRIST'S RESURRECTION BY ATTENDING CHURCH ON SUNDAY AND GIVING THANKS, ALSO COMMENTED ON THE COMPLETION OF THE TYRRELL HISTORICAL LIBRARY ANNEX THAT WILL BE CELEBRATED ON TODAY AT 5:00 P.M.

CITY ATTORNEY COOPER - WISHED EVERYONE A HAPPY EASTER

CITY MANAGER HAYES - WISHED EVERYONE A HAPPY EASTER

MAYOR AMES - CONGRATULATED PAT EASON WITH CVB ON HER RETIREMENT, COMMENTED ON BEAUMONT DAYS WHICH HAD RECORD ATTENDANCE, THANKED THOSE COUNCILMEMBERS THAT ATTENDED, ASKED THAT EVERYONE SUPPORT THE TEXAS STATE FAIR, GAVE APPRECIATION TO THE VIETNAM VETERANS, COMMENTED ON THE TYRRELL HISTORICAL LIBRARY ANNEX AND HOW BEAUTIFUL THE BUILDING LOOKS, THE LAMAR UNIVERSITY LA GRANDE BAL AND WHAT A GREAT SUCCESS IT WAS, ALSO COMMENTED ON THE RECYCLING COMMITTEE MEETING ON MONDAY, MARCH 29, 2010 AND THE SURVEY RESULTS

Public Comments (Persons are limited to three minutes)

Bruce Hoffer **2535 North St.** **Beaumont TX**

Reminded everyone that Monday night was the first night of Passover, wished everyone a happy Passover and a happy Easter, wanted to remind everyone of the Texas State Fair, also mentioned the FFA (Future Farmers of America) kids auction on Wednesday and Thursday, March 31, 2010 and April 1, 2010, which is poultry night, commented on the tennis center and how nice it is, announced that the adult soccer league has been playing, no soccer will be played this week

Open session of meeting recessed at 2:02 p.m.

EXECUTIVE SESSION

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

City of Beaumont v. Greg Abbott, Attorney General of Texas, et al
State of Texas v. James Edward Mathews, Jr.
City of Beaumont v. James Mathews

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

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

Becky Ames

Becky Ames, Mayor

Tina Broussard

Tina Broussard, City Clerk

