

CARL HARBERT <i>Council Member, Place 1</i>	DAVID RUTLEDGE <i>Mayor</i>	ERIC ANDRUS <i>Council Member, Place 4</i>
KIRK ROCCAFORTE <i>Council Member, Place 2</i>		TERRI GAUTHIER <i>Council Member, Place 5</i>
TAMMI FISETTE <i>Mayor Pro-Tem / Council Member, Place 3</i>		LUCY FIELDS <i>Council Member, Place 6</i>

CITY COUNCIL PUBLIC HEARINGS AND MEETING MINUTES CITY OF BRIDGE CITY August 15, 2017

The City Council of Bridge City met in a meeting on Tuesday, August 15, 2017, at the City Hall of Bridge City, 260 Rachal, Bridge City, Texas.

1. **CALL TO ORDER**

Mayor David Rutledge called the City Council meeting to order at 6:00 p.m.

CITY COUNCIL PRESENT:

Mayor David Rutledge
Council Member Carl Harbert
Mayor Pro-Tem Tammi Fisette
Council Member Kirk Roccaforte
Council Member Eric Andrus
Council Member Terri Gauthier
Council Member Lucy Fields

CITY STAFF PRESENT:

City Manager Jerry D. Jones
City Secretary Sherry Tisdale
City Attorney Paul M. Fukuda
Finance Director Karen Morgan
Personnel/Purchasing Director Jeanie McDowell
Police Chief Paul T. Davis
Utility Superintendent Mike Lund
Asst. Utility Superintendent Mike Die

2. **INVOCATION AND PLEDGE TO THE UNITED STATES FLAG AND THE STATE OF TEXAS FLAG**

Following the invocation given by Mayor Pro-Tem Fisette, Mayor Rutledge led in the pledge of allegiance to the United States flag and to the State of Texas flag. At the conclusion of the pledges, Mayor Rutledge thanked everyone for coming to the meeting.

3. **APPROVAL OF THE AGENDA**

Council Member Fields made a motion to approve the agenda, seconded by Council Member Gauthier.

With no discussion, Mayor Rutledge called for a vote.

MOTION CARRIED.

Ayes: Mayor Rutledge, Mayor Pro-Tem Fisette, Council Members Harbert, Roccaforte, Andrus, Gauthier, and Fields.

Noes: None. **Absent:** None.

4. PUBLIC HEARINGS

(a) City Council to hear and consider public comments regarding the proposed 2017-2018 Budget for the City of Bridge City, Texas

"This budget will raise more total property taxes than last year's budget by \$123,025 or 7.29%, and of that amount \$35,797 is tax revenue to be raised from new property added to the tax roll this year."

After reading Agenda Item 4(a) Mayor Rutledge opened the public hearing at 6:02 p.m. Mayor Rutledge asked twice if there were any questions or comments on this budget.

With no discussion, Mayor Rutledge closed the public hearing at 6:03 p.m.

(b) City Council to hear and consider public comments regarding the proposed ad valorem tax rate for the 2017 tax year for the City of Bridge City, Texas, levied as follows:

\$0.20391 per \$100.00 valuation - Debt Service Rate (Interest and Sinking)

\$0.31609 per \$100.00 valuation - Maintenance and Operations Rate

\$0.52000 per \$100.00 valuation - Total Tax Rate

After reading Agenda Item 4(b) Mayor Rutledge opened the public hearing at 6:04 p.m. Mayor Rutledge asked if there were any questions or comments.

Mr. Jones referred Council to a new cover page for the budget (Memo from Ms. Morgan - Attachment No. 1). He said the numbers that the City received from the Appraisal District were incorrect again. He said staff is in the process of having to re-advertise the City's rates again at a cost of about \$1,500.00. This is the third set of numbers that were incorrect. He said this has never happened before. Ms. Morgan stated that the values supplied by the Appraisal District were correct in their calculation; but they left out the values that go to Court to be appealed. They did not give those numbers to Karen Fisher, Tax Assessor-Collector, when she calculated the tax revenue.

Council Member Harbert asked if the City could ask the Appraisal District to help pay for the \$1500.00. Council Member Gauthier asked if the City was obligated in any way. Mr. Jones said

he didn't think it would be a bad move to write them a letter and asked that they take care of this since it was their problem. He said this probably would not happen.

Mr. Jones said another thing was the original estimates on values were \$31,000,000.00 off. He said that seems excessive on this end, and City staff would be checking into this.

Mayor Pro-Tem Fissette asked if there was a possibility that these new numbers will be incorrect. Mr. Jones commented no.

At the conclusion of discussion, Mayor Rutledge closed the public hearing at 6:08 p.m.

Mayor Rutledge then announced, "A vote on the tax rate for the City of Bridge City 2017 Tax Year will be held by the City Council on Tuesday, September 19, 2017 at 6:00 p.m., at City Hall, located at 260 Rachal, Bridge City, Texas.

5. REPORTS & COMMENTS

(a) City Manager

City Manager Jerry Jones had the following report for Council:

1. Flushing project: flushing again tonight - in Sunnyside area
2. Filtration project: Romero well still not approved to start filtration system - the well has been re-lined but actual cement casing outside the lining was old but fine - left the casing like it was with the new liner inside - now TCEQ (Texas Commission on Environmental Quality) wants confirmation on how that concrete was applied - the City does not have anything on this so now the City has to apply for an exception for them to allow the City to use this well - this is another delay but City staff will do what they want

Mayor Rutledge asked Mr. Jones if the City could ask TCEQ if that's the only thing holding up this well and whenever the City gives them this information - which will be good, complete and correct - will the City be ready to go. Mr. Jones said they won't give him that answer because they will find something else. He said this is frustrating, but City staff will do what it needs to do to make this thing work.

3. Park equipment project: the new equipment is under construction - three stands are up and tied together - pour footings to stabilize them tomorrow - will start adding other pieces around it

(b) City Council

Council Member Carl Harbert said Kenneth Prosperie called him and said he wanted to tell the Water Department "Thank you very much, and he has the cleanest water he's ever seen." Mr. Prosperie told him that they are doing a great job.

Council Member Kirk Roccaforte stated that our Senator and Representatives are in Special Session now, as we speak. He sent an email to both of our representatives about the taxation subject. They are also dealing with school financing. "As long as they're in session, we're in trouble."

Mayor Pro-Tem Tammi Fisette gave the following report:

1. Park Equipment: Posts on Facebook are stating that people are so excited about the new equipment. Everybody is talking about it, and it will be wonderful for the City. Thank you to City staff for putting up the equipment.
2. Send out thoughts and prayers to Officer Becky Joiner and asked Chief Davis to pass it along to her.
3. Thank you to the guys for their assistance in Mr. LeBlanc's house fire.

Council Member Lucy Fields commented to "Save the Date" for the Christmas Parade on Saturday, December 2, 2017.

(c) City Staff

There were no comments from City Staff.

(d) Mayor

Mayor David Rutledge commented, to echo what Mr. Roccaforte said, they not only need to make contact with our representatives but also need to thank them for their service. Let them know - under no uncertain terms - what you feel about these bills and that they are really trying to undercut the cities.

6. CITIZEN COMMENTS

There were no citizen comments.

7. RESOLUTIONS

(a) Consideration and possible action to approve Resolution No. 2017-16(R) nominating Tim Schossow as a candidate for the Board of Directors of the Orange County Appraisal District

Mr. Fukuda read Resolution No. 2017-16(R), in its entirety, nominating Tim Schossow as a candidate for the Board of Directors of the Orange County Appraisal District (Attachment No.2).

Council Member Roccaforte made a motion to nominate Tim Schossow, as stated in Resolution No. 2017-16(R). Motion was seconded by Council Member Fields.

Council Member Harbert asked who is this man. He said he doesn't know this man so he doesn't see how he could vote for him. Council Member Harbert asked if they could have Mr.

Schossow at a meeting to speak to Council and introduce himself. Mayor Rutledge stated that he could make that arrangement.

With no further discussion, Mayor Rutledge called for a vote.

MOTION CARRIED.

Ayes: Mayor Rutledge, Mayor Pro-Tem Fissette, Council Members Harbert, Roccaforte, Andrus, Gauthier, and Fields.

Noes: None. **Absent:** None.

(b) Consideration and possible action to approve Resolution No. 2017-17(R) adopting the proposed 2017-2018 Budget for the City of Bridge City, Texas

Mr. Fukuda read Resolution No. 2017-17(R), in its entirety, adopting the proposed 2017-2018 Budget for the City of Bridge City, Texas (Attachment No.3).

Council Member Fields made a motion to approve Resolution No. 2017-17(R), seconded by Council Member Andrus.

With no discussion, Mayor Rutledge called for a vote.

Votes were orally given as follows:

COUNCIL MEMBER HARBERT	YES
COUNCIL MEMBER ROCCAFORTE	YES
MAYOR PRO-TEM FISSETTE	YES
COUNCIL MEMBER ANDRUS	YES
COUNCIL MEMBER GAUTHIER	YES
COUNCIL MEMBER FIELDS	YES
MAYOR RUTLEDGE	YES

MOTION CARRIED and RESOLUTION PASSED.

Ayes: Mayor Rutledge, Mayor Pro-Tem Fissette, Council Members Harbert, Roccaforte, Andrus, Gauthier, and Fields.

Noes: None. **Absent:** None.

8. ITEMS FOR DISCUSSION AND POSSIBLE ACTION

(a) Consideration and possible action to ratify the property tax revenue increase reflected in the 2017-2018 Budget for the City of Bridge City, Texas in accordance with TEXAS LOCAL GOVERNMENT CODE §102.007(c)

Council Member Roccaforte made a motion to ratify the property tax revenue increase reflected in the 2017-2018 Budget for the City of Bridge City, Texas in accordance with the TEXAS LOCAL GOVERNMENT CODE §102.007(c). Council Member Gauthier seconded the motion.

With no discussion, Mayor Rutledge called for a vote.

MOTION CARRIED.

Ayes: Mayor Rutledge, Mayor Pro-Tem Fisetle, Council Members Harbert, Roccaforte, Andrus, Gauthier, and Fields.

Noes: None. **Absent:** None.

(b) Consideration and possible action to approve the minutes of the July 25, 2017 City Council Special Meeting (Budget Workshop)

Mayor Pro-Tem Fisetle made a motion to approve the minutes of the July 25, 2017 City Council Special Meeting (Budget Workshop). Council Member Fields seconded the motion.

With no discussion, Mayor Rutledge called for a vote.

MOTION CARRIED.

Ayes: Mayor Rutledge, Mayor Pro-Tem Fisetle, Council Members Harbert, Roccaforte, Andrus, Gauthier, and Fields.

Noes: None. **Absent:** None.

(c) Consideration and possible action to approve the City bills for the month of July 2017

Council Member Andrus made a motion to approve the July 2017 City bills (Attachment No. 4) agenda, seconded by Council Member Harbert.

With no discussion, Mayor Rutledge called for a vote.

MOTION CARRIED.

Ayes: Mayor Rutledge, Mayor Pro-Tem Fisetle, Council Members Harbert, Roccaforte, Andrus, Gauthier, and Fields.

Noes: None. **Absent:** None.

(d) Consideration and possible action to approve an Interlocal Agreement between the South East Texas Regional Planning Commission (SETRPC) and the City of Bridge City regarding 9-1-1

Council Member Andrus made a motion to approve an Interlocal Agreement between the South East Texas Regional Planning Commission (SETRPC) and the City of Bridge City regarding 9-1-1 (Attachment No. 5). Motion was seconded by Council Member Roccaforte.

With no discussion, Mayor Rutledge called for a vote.

MOTION CARRIED.

Ayes: Mayor Rutledge, Mayor Pro-Tem Fisetle, Council Members Harbert, Roccaforte, Andrus, Gauthier, and Fields.

Noes: None. **Absent:** None.

(e) Discussion and possible action regarding the protocol for execution of judgment in D160249-C, City of Bridge City v. Blacke, and code enforcement of 320 Rosen Street, Bridge City, Texas

Council Member Fields made a motion to discuss and take possible action regarding the execution of judgment in D160249-C, City of Bridge City v. Black, and code enforcement of 320 Rosen Street, Bridge City, Texas. Motion was seconded by Council Member Andrus.

Mr. Jones began by saying that this is well past the time allotted to have the property cleaned up and the trailer moved. He said they have visited with a lady named Tamela with Adult Protective Services. She is going to try to help the City with this situation. Ms. Blacke's son spoke to Tamela the last time he was in town, and he said if he could not be here when this is taken care of, he would get a cousin to come down and try to work with her. The bottom line is the trailer has to be moved. It's time for the City to do something. Adequate notice has been given. Mr. Jones told Council what that "something" is - is what they are going to talk about. He said he assumes that the they are talking about physically moving the trailer because nobody else is going to do it. He said staff thought they had found a trailer park just around the corner where she could park it, but the park is full. He said they did find a place that's on Patillo Street. It's a small trailer park and the guy that owns it says that she can put it out there. Mr. Jones said Council just needs to decide how to proceed and where they are going. Is the City going to pay for moving and re-setup - and will the City pay for the whole thing. Council Member Fields asked if the trailer park has water, sewer, and electrical tie-ins. Mr. Jones said yes, or a septic system.

Mr. Jones said if the City were going to move this trailer, they would have to hire somebody to do all the tie-ins, re-leveling of the trailer - the whole thing - plus moving it. He said he doesn't know what type of resistance the City will receive when they physically hook on to it. Council Member Fields asked if the trailer is in good enough shape to be moved to actually re-locate it. Mr. Jones replied he hopes so, but he doesn't know for sure. Council Member Harbert asked if it would be better for someone to go over there and inspect it. Mr. Jones said the only problem he sees with this is getting someone to go in and inspect it while Ruby is there. He said the mover could probably see if it's movable. Mr. Jones stated whatever the City does, it's going to be a bad situation.

Council Member Fields said there are a lot of trees and shrubs that will have to be cut out around this trailer to get it out of there. Mr. Jones said that can be done, but the order also says the car has to be moved, cut all the grass on the property has to be cut, and house has got to be brought up to Code. There's a whole lot more to this than just moving the trailer.

Council Member Fields asked if all of this would be at the City's expense and then there would be a lien put on the property. Mr. Fukuda said Ms. Blacke is not allowed to, or anyone at her direction, enter the residence while it is in this dangerous condition. She would be responsible to bringing the house up to code if she had the ability to do so. Mr. Fukuda explained, obviously, any contractor or estimator would be able to go on to the property to do that function, but she cannot live there. He said he firmly believes that there is no reasonable

expectation that the City will ever recover any costs from this situation. Council Member Harbert asked if there could be a lien put on the property. Mr. Fukuda replied that it could happen but the value of the property would have to be worth something.

Mr. Jones said City crews could go in and cut the yard and trim the brush. When it gets to doing something with that house and making it livable, he doesn't think that is possible.

Council Member Andrus asked how long would it take to condemn the house. Mr. Fukuda said there is a process in ordering that house to be repaired within a certain period of time. If it's not, then the house can be demolished. Mr. Fukuda said the City is taking the steps necessary to get to the place where this is an option. Ms. Blacke is not allowed to go into the house. This has been working on 8-plus years, no repairs have been made, and no permits have been pulled. Mr. Jones said there were two separate groups that would have totally rebuilt the house for her, at no cost, and she wouldn't sign the papers for them to do it.

Mayor Pro-Tem Fissette asked Mr. Jones if he had been in contact with her son. Mr. Jones said he had not. Mr. Fukuda said he had two conversations with him. Mayor Pro-Tem Fissette asked Mr. Fukuda if the son possibly had some suggestions in handling this situation. Mr. Fukuda replied that it was his understanding that the son was going to participate in a resolution, but he has not seen any participation at this point.

Council Member Fields asked if Ms. Blacke was aware of what her options are as far as moving her trailer across the bridge. Mr. Fukuda replied that she has been served with a copy of the judgment. Council Member Fields asked if she actually understands she will be moved.

Council Member Roccaforte stated that, obviously, someone needs to make contact with her and make her aware that "this day" we're moving the trailer. He said could we send an officer over there. It's an order, but she's got to be aware of the day. You can't just hook up the trailer and move it. Somehow the City has got to make contact.

Chief Davis asked Mr. Fukuda if there is any other notice that she needs. The order says the City can now move her. Mr. Fukuda said the City has the authority to move it and remediate the situation there so there's no additional legal notice that needs to be given; however, Mr. Roccaforte is correct that steps need to be taken in order to make this as smooth as possible - not that it will be.

Chief Davis said he has a suggestion for Council's consideration. He stated the intent to give her notice should come from the Code Enforcement Officer. He said they would be more than happy to go with him. Whether or not she will be able to comprehend what they are telling her is a whole separate matter. At this point, Ms. Blacke can be given notice. Law enforcement can make sure there is no disturbance of any sort. He said he would recommend to Council that they establish a drop-dead deadline. Once it is established, Mr. Philpott would provide her with the information that is necessary - whatever form Mr. Fukuda deems appropriate. Then Ms. Blacke has the notice and the City can begin to move forward. Obviously, the role of the Police Department is going to be to insure this goes in an orderly fashion.

Council Member Roccaforte said the City will need to do notice of when the electricity is going to be turned off and the water is going to be turned off. Council Member Fields asked if the City can do that when the service isn't in the City's name. Mr. Fukuda stated there is a court order to move the trailer. To cut services to move it would be potentially dangerous otherwise.

Council continued discussion of the process in moving the trailer. Mayor Rutledge suggested that the lady with Adult Protective Services be contacted to get there ahead of time so Ms. Blacke is not even on her property.

Mr. Jones said the Adult Protective Services lady called him today and said she was calling Ms. Blacke's son tonight and would call him back tomorrow.

Mr. Fukuda said he thinks what Mr. Jones wants - in the event that Ms. Blacke wants to reside in this other trailer park on Patillo - is it Council's pleasure to pay to move that trailer. It would have to be something that Ms. Blacke set up independently with the trailer park owner. In the face of that not happening, would the plan then be for some contractor to take and remove this trailer to a storage facility and will charge Ms. Blacke fees for that. At some point, it would be taken if the fees weren't paid.

Mr. Jones said that supposedly the son said he would pay the trailer spots. He said he would have a lot more information after hearing from Adult Protective Services.

Discussion was then held on moving contractors.

Council Member Fields asked if Ms. Blacke chooses not to move with the trailer - does the City have to allow her time to get her personal belongings out. Mr. Fukuda said he thinks that's what the notice would be - the City is going to move it at "this date".

At the conclusion of discussion, Mr. Jones said the City is going to do this. He really wanted information on how Council thinks it should be done. Regardless of what happens, the City is going to get a black eye. It will be said that we're the bad guys, and we're taking some little lady's house that doesn't have a place to live. Mr. Jones said how the City does this needs to be the right way - whatever that is.

Council Member Harbert said that there are a lot of people out there that are concerned about her safety and they know she needs to go to a different place. He also said he agreed with Chief Davis's suggestion that the City gets a set date and gets Mr. Philpott out there to notify Ms. Blacke that "this date" the City will have all the utilities cut off, and "this date" the trailer moves. Chief Davis stated that the City has been more than generous.

Mr. Fukuda said he didn't think that any action is necessary by Council, but what Mr. Jones was interested in was the direction. He asked Mr. Jones if he thinks he got the direction he wanted. Mr. Jones said he would call the Adult Protective Services lady tomorrow. He also said he would call Gulf States and see how long it takes to disconnect services if the City requests it. He will get all the information on the park and see what it costs. Then he would get costs from a moving guy and get all this together and get it back to Council.

Mr. Jones said his big concern is that it will be said, "You have a lady on the street with no place to live." Mayor Pro-Tem Fisetta said she thinks the suggestions Council had tonight need to be discussed with her son, and he could possibly guide her through the options. Council Member Roccaforte added "if you can get him to talk to you."

Mayor Rutledge stated that NO ACTION will be taken by Council at this time.

9. ADJOURN

Council Member Andrus made a motion to adjourn the meeting at 6:52 p.m., seconded by Council Member Gauthier.

MOTION CARRIED.

Ayes: Mayor Rutledge, Mayor Pro-Tem Fisetta, Council Members Harbert, Roccaforte, Andrus, Gauthier, and Fields.

Noes: None. **Absent:** None.

/s/ David Rutledge

David Rutledge, Mayor

ATTEST:

/s/ Sherry Tisdale

Sherry Tisdale, City Secretary