

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 MEETING MINUTES
CITY OF BRIDGE CITY
April 3, 2018

The City Council of Bridge City met in a meeting on Tuesday, April 3, 2018, at the City Hall of Bridge City, 260 Rachal, Bridge City, Texas.

1. CALL TO ORDER

Mayor Pro-Tem Tammi Fisette called the City Council meeting to order at 6:03 p.m., and thanked everyone for taking their time in coming to the meeting.

CITY COUNCIL PRESENT:

Council Member Carl Harbert
 Council Member Kirk Roccaforte
 Mayor Pro-Tem Tammi Fisette (Chairing the meeting in Mayor Rutledge’s absence)
 Council Member Eric Andrus
 Council Member Terri Gauthier
 Council Member Lucy Fields

CITY COUNCIL ABSENT:

Mayor David Rutledge

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
 Chief Paul T. Davis
 Mike Lund, Utility Superintendent
 Mike Die, Asst. Utility Superintendent

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

Following the invocation given by Mr. Fukuda, Mayor Pro-Tem Fisette 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 Pro-Tem Fisette said she hoped everyone had a wonderful Easter.

3. APPROVAL OF THE AGENDA

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

With no discussion, Mayor Pro-Tem Fisetette called for a vote.

MOTION CARRIED.

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

Noes: None.

Absent: Mayor David Rutledge.

4. PRESENTATION OF PROCLAMATIONS

(a) *Presentation of Proclamation declaring April 2018 as “Sexual Assault Awareness Month”, as requested by Carol Duhon of the Crisis Center of Southeast Texas*

Mayor Pro-Tem Fisetette asked the representatives of the Crisis Center of Southeast Texas to come upfront to receive the proclamation. Cheryl Williams, Executive Director of the Rape and Suicide Crisis Center of Southeast Texas, Inc., introduced herself, as well as colleagues, Julie and Carol. She said they offer 24-hour services to individuals and families who experience crisis, assault or suicide. It is free of charge, and they are trained to help them. They want the individuals to know that they are not alone and this is not their fault. She thanked Council for their support.

Mayor Pro-Tem Fisetette then read the Proclamation declaring April 2018 as “Sexual Assault Awareness Month”, and thanked them for what they do, and they definitely make a difference.

(b) *Presentation of Proclamation declaring April 4, 2018 as “National Service Recognition Day”, as requested by Tyronna R. McKenzie, Director of South East Texas Foster Grandparent Program, a department of the South East Texas Regional Planning Commission*

Mayor Pro-Tem Fisetette said since no one from SETRPC was in attendance, the proclamation would be mailed to them. She then read the proclamation declaring April 4, 2018 as “National Service Recognition Day”.

Ms. McKenzie did join the meeting during the reading of the proclamation.

Council Member Roccaforte stated he would like to brag on Tyronna and her program, Foster Grandparents. He said she gets a “pack” of them to come to the meetings. He said people don’t realize - and he didn’t realize until he knew what the program was – that they have kept kids out of jail, kept kids on the “right road”, kept kids in school, helped kids pass school – it’s amazing what these senior citizens do. He said they are people that give their time every day to these kids, and there are some real amazing stories. He thanked Tyronna and her staff for the good job they do.

Mayor Pro-Tem Fisetto added her thanks to Ms. McKenzie for her time and her service.

5. REPORTS & COMMENTS

(a) *City Manager*

City Manager Jerry Jones had the following report for Council:

1. Starting process to acquire Harvey Mitigation funds: not the same funds as the Hazard Mitigation projects – they are major drainage outfall work – lift station repair – located 52 lift stations that are getting I & I (Inflow and Infiltration) – raising portions of the Sewer Plant – well pump raising – digital imaging
2. Starting grant application process for the 2019 CDBG (Community Development Block Grant) projects: again will apply for houseline replacements – project starting now will kick off pretty quick
3. Working daily on drainage complaints and culverts: crews are out every day
4. No word on Romero Filters
5. Smoke testing on low lying areas where there are shallow lines: will start relatively soon
6. BCPA Contract negotiations: Mr. Jones informed Council Members Harbert and Fields that there would be a meeting on April 10 at 5:30 p.m. in Council Room
7. Texas Water Development Board: there is a grant available in the amount of \$500,000 – staff is going to start trying to get this grant along with the others – meeting on April 11 with the TWDB Director – will keep Council updated

Mayor Pro-Tem Fisetto asked Mr. Jones if the City has gotten the numbers they were wanting for house lines this year. Mr. Jones replied yes. He said hopefully next year the grant won't require that they are in Low-to-Moderate Income areas so some of the other areas that really need replacement can be worked on.

(a) *City Council*

Council Member Carl Harbert stated he only had one question. He asked Mr. Jones if Franklin Street was on the re-surface list. Mr. Jones said he would have to go look at the map he is working on now. He did say the one that Council Member Harbert asked him about (Dennis Bell) is on that map.

Council Member Eric Andrus had the following comments on the Beautification Committee:

1. He said once the Mayor gets back from his trip, he will be getting with Council Member Harbert and other people to set a date between the City and Bridge City and Orangefield School – as it moves along he will give Council an update
2. Interest is very high
3. He said he's met with most of the kids and all they want is to be fed
4. He said he hasn't really gone around to the businesses but it's on his list

Council Member Harbert stated that Bridge City Bank said they would be honored to help.

Council Member Terri Gauthier had the following comments:

1. Commended Council Member Andrus and the Rotary Club on the great job of the Bunny Run: it's a Rotary project but there is City involvement – it was a great turn-out and a beautiful day - really great City organized event
2. The Economic Development Commission has a new video on Orange County – it is a marketing video that runs 2 ½ minutes on community vision – can be seen on EDC website or Facebook page – really a great representation of what Orange County has to offer
3. SETRPC/Census Bureau: this Thursday there will be a meeting on 2020 Census Complete Count Committee formation in Beaumont at 10 am in the Homer Nagel Conference Room at the SETRPC – definitely invite everyone to attend

Mayor Pro-Tem Tammi Fisette said she received a call today that the BASS Tournament in Orange County has been cancelled. Council Member Fields said the tournament has been postponed because of the water issues.

Council Member Lucy Fields had the following comment:

1. Thank you to the Crisis Center and the Foster Grandparent Program: she said she was a social worker and counselor during her working career – “We depended on you guys so much.” - she said she counseled many children and young adults that needed extra help – there's such a need out there – expressed thank you to both organizations

(c) City Staff

Utility Superintendent Mike Lund had the following comments:

1. Information put on City website: starting Thursday evening this will resume flushing of fire hydrants – had been put on hold because of Harvey – will be from Thursday midnight to around 3 or 4 am Friday morning – then one more day next week – area will be Fernwood towards Live Oak and Louise area – will be able to maintain flushing during the day after this

Council Member Harbert asked Mr. Lund if the water samples were posted on the website. Mr. Lund said yes, they were posted on the website.

There were no further comments from City Staff.

(d) Mayor

There were no further comments from Mayor Pro-Tem Fisette.

6. CITIZEN COMMENTS

Mayor Pro-Tem Fisette reminded the citizens that they only had three minutes to speak, and Council cannot respond. She thanked them for coming and said she appreciated their time and looked forward to what they had to say.

Joseph Hannan
1320 Elsie Street

Guest Sheet #1 - Mr. Hannan said over the past several weeks he has spent a lot of time talking to the citizens throughout our great community. They were young, elderly, low income, middle class, wealthy – regardless of their socio-economic status or political views, he encountered one common complaint without fail – “The City does not care about my problems.” He said that really struck a nerve with him. He stated, here they are today, watching Council vote on how they will handle citizen agenda requests in the future. He said he thinks the more important question is why would we not want a citizen’s voice to be heard. Currently there are two requirements to place an item on the agenda in Bridge City. Mr. Hannan stated his most recent request was denied while meeting both requirements of timing and description. In Orange, when a citizen has a concern they want to address, it gets added and the citizen’s voice is heard. He said George Bush made a powerful statement years ago. He said “most politicians who are working on their own agenda approach their power and position in the following order – they want to help friends, they want to hurt enemies, they want to do everything they can to keep the power and stay in office, and lastly, they consider whether they are doing the right thing or not.” Mr. Hannan said the people have the right to access any City-related information they deem necessary. He stated month after month, meeting after meeting, this room is virtually empty as City Council has a conversation amongst themselves. He said a lot of citizens don’t stay current with local politics in general, but what underlying causes have led them to be this way. He asked how can leaders of the community show they really do care about resolving citizen concerns. He said, what the solution is not – it’s not jumping to action at election time to address issues that have been going on for years, it’s not being reactive to a problem instead of being proactive, and it’s not most certainly letting personal feelings cloud their judgement and duty as an elected official. He said they listen to the community whether they agree with them or not, and show people you actually hear what they are saying. Trust is earned and public service is a privilege. Citizens are purposely placed at the top of the City’s organizational chart. He thanked Council for their time. Mayor Pro-Tem Fisetta thanked Mr. Hannan.

Kenneth Prosperie
819 Sunnyside

Guest Sheet #2 - Mr. Prosperie went through the hand-out he gave Council (attached). He said he doesn’t normally wears boots but he lives on Sunnyside. The first page showed how many gallons per minutes will go through a 12”, 15”, 18” pipe, etc. It’s not culverts but it gives an idea of the difference when trying to move water through pipes. He said the second page is showing 937 Sunnyside. Page 3 shows 812 Sunnyside. Page 4 shows 920 Sunnyside and the water flow has to go out that way and that pipe doesn’t work. That’s why all the water builds up on the street. Page 5 shows 950 Sunnyside and you can see all the gravel and dirt in the pipe. Going back to the first page, you see how much water is really going through that pipe. This is a problem area. Page 6 shows another area that is really bad. There’s a possibility of 12” culverts here and they are set too low. At the end of the ditch, you see the difference in the water level. That pipe is not letting the water out. This is 970 Sunnyside. He asked Council to pay attention to the water flow, and notice how high the water is on one side of the culvert and how low the water is on the other. Page 8 shows what happens when the City doesn’t get the

culverts to flow right. This is what happens when we don't do what we are supposed to do. Mr. Prosperie thanked Council. Mayor Pro-Tem Fisetta thanked Mr. Prosperie.

Margaret Prosperie
819 Sunnyside

Guest Sheet #3 - Mrs. Prosperie said she agrees with her husband. They have a lot of drainage problems. After Ike, the City hired someone to come through and tend to the drainage. They seemed to do a shoddy job at it. They weren't doing it properly. She hopes that the City hires somebody else this time that can do a better job at it. Mrs. Prosperie said she would like to refer the rest of her time to Joseph Hannan if she can.

Mr. Fukuda told her that it doesn't work that way, but she still has her three minutes. He told her she can still use her time. Mrs. Prosperie asked him if she could give it to him (Mr. Hannan), and Mr. Fukuda replied no.

Mrs. Prosperie stated there is another thing – the City drinking water issue. Her main concern was the TTHM problem – not so much the look of the water. She said she did get the new amounts – TTHM levels, and sent them to Robert Bowcock. He said they were much improved, so she doesn't know if they are supposed to go down to zero or not but they have improved. Hopefully they will continue. She thanked Council.

Mayor Pro-Tem Fisetta thanked all three citizens for taking their time and for expressing an interest in our City.

7. ORDINANCE

- (a) Consideration and possible action to approve Ordinance No. 2018-06 rezoning 195 Granger and 200 Granger from R-1 (Single Family Residential) to R-3 (Multi Family Residential) as requested by owner, Milton Crooks, in order to build two duplexes on the property, and as recommended by the Planning and Zoning Commission**

Mr. Fukuda read the caption of Ordinance No. 2018-06, thereby constituting the reading of the ordinance as required by City Charter, Section 3.10.

Mayor Pro-Tem Fisetta said they received this from the Planning and Zoning Commission recommending that Council gives approval.

Council Member Roccaforte made a motion to consider the ordinance, seconded by Council Member Harbert.

Council Member Harbert said he saw they cleaned the lot off like they are going to do a good job here. Mr. Jones said they tied these two locations in with another R-3, so it is not spot zoning. Council Member Harbert said he doesn't see where it's a problem.

Council Member Roccaforte amended his motion that Council approves the ordinance, seconded by Council Member Harbert.

With no further discussion, Mayor Pro-Tem Fisette called for a vote.

MOTION CARRIED.

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

Noes: None.

Absent: Mayor David Rutledge.

8. ITEMS FOR DISCUSSION AND POSSIBLE ACTION

(a) *Consideration and possible action to approve minutes of the February 6, 2018 City Council Meeting*

Council Member Fields made a motion to approve the February 6, 2018 City Council Meeting minutes. Motion was seconded by Council Member Andrus.

Mayor Pro-Tem Fisette asked if there were any changes or corrections. Council Member Fields said there was an error on Page 16, Item 8(b). Correction was noted by Ms. Tisdale, and Mayor Pro-Tem Fisette said it would be corrected.

MOTION CARRIED.

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

Noes: None.

Absent: Mayor David Rutledge.

(b) *Consideration and possible action to appoint alternate members to the City Board of Adjustment*

Council Member Fields made a motion to appoint alternate members to the City Board of Adjustment, seconded by Council Member Gauthier.

Mayor Pro-Tem Fisette that there are four alternate member positions available. Council Member Fields said she spoke to Patsy Dowden, and she would like to serve on this Board.

Council Member Fields amended her motion to appoint Patsy Dowden as an alternate to the Board of Adjustment, seconded by Council Member Gauthier.

With no more discussion, Mayor Pro-Tem Fisette called for a vote.

MOTION CARRIED.

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

Noes: None.

Absent: Mayor David Rutledge.

(c) *Presentation and discussion of Bridge City Wal-Mart remodeling project, presented by Robert Sullivan, Store Manager*

Mayor Pro-Tem Fisette stated that Mr. Sullivan texted her and said he would not be able to make the meeting tonight. She said she knew they had inventory tonight. She also said she believes the re-model starts next week, and it is going to be a full remodel – the whole store. She said she didn't know exactly what that consists of.

Council Member Gauthier made a motion to discuss the Bridge City Wal-Mart remodeling project, seconded by Council Member Fields.

Council Member Fields said she spoke to a Wal-Mart representative, and asked if they were going to shut down the store to remodel. She was told no, they would do sections of the store. Mayor Pro-Tem Fisette said they would send in a remodel team, and pull employees from other stores to help. She asked the citizens to have patience with the work.

(d) *Consideration and possible action to approve the 2018 Consumer Price Index (CPI) Adjustment increase of 1.0237% to be applied to the City's Municipal Telecommunications Right-of-Way Access Line Rates*

Council Member Andrus made a motion to approve the CPI adjustment increase, seconded by Council Member Fields.

Mayor Pro-Tem Fisette pointed out the past year's rates and the new rates.

With no further discussion, Mayor Pro-Tem Fisette called for a vote.

MOTION CARRIED.

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

Noes: None.

Absent: Mayor David Rutledge.

(e) *Discussion and possible approval to start process to renew Water and Sewer Bonds in the amount of \$1.2 million for Sewer Plant and I & I Improvements (Infiltration and Inflow)*

Mr. Jones reminded Council that he talked to them about this when they were working on the budget. This is the bond that is paid off in June. The process to renew this is now. The project is going to be used because of the demand on the Sewer Plant is trying to figure out a way to incorporate the Stormwater Treatment facility - that the City has that is no longer acceptable by the State – as a final settlement part in the plant. They are looking at trying to incorporate this

in and increase the capacity, and even look at maybe the possibility of a levee type pond for mediation for this. He said they are going to look at different ways of handling the I & I, as well as trying to reduce it.

Council Member Gauthier made a motion to approve to start the process to renew Water and Sewer Bonds in the amount of \$1.20 million for Sewer Plant and I & I Improvements. Motion was seconded by Council Member Fields.

With no further discussion, Mayor Pro-Tem Fisetette called for a vote.

MOTION CARRIED.

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

Noes: None.

Absent: Mayor David Rutledge.

(f) *Discussion and possible action to amend the City of Bridge City Council Decorum and Procedures Policy to provide the procedures for the City to review, approve and place citizen requests on the Bridge City Council Agenda*

Council Member Andrus made a motion to amend the City of Bridge City Council Decorum and Procedures Policy, seconded by Council Member Roccaforte.

Mr. Fukuda said this is something he will handle. The Decorum and Procedures Policy has not set up a mechanism or a standard for City personnel to place an item on the Agenda. It does say what the citizen is required to do, but it is silent thereafter. This creates some practical problems that need to be resolved so everyone's request is treated in the same manner. Despite what was heard earlier, there are some legal reasons for why something wouldn't be placed on the agenda. One of them could be a personnel issue. Personnel issue must be in closed session unless the person subject to the personnel discussion requests that it be placed in open session. Also, litigation matters are in closed session. These are executive closed session matters. The mechanism, as it is now, states that the council person, if they want something on the agenda, has to have a second council person to agree to place it on the agenda. This makes sense because if not even two of Council wants to discuss the item, why is it being placed on the agenda. The second thought is, for Council to be elected and serve, they must be a citizen of Bridge City. So obviously, Council would have the same right as any citizen to place something on the agenda. This would not make sense that one person who's a citizen – not a council member – could require it be placed on the agenda. But Council, as a citizen and a council member, couldn't put it on the agenda by themselves. This doesn't make sense. Mr. Fukuda said there needs to be procedures lined out for what is required and who is going to perform the function that is being discussed. The second thing is, if it's a complaint about a City matter, it would make sense that the chain of authority within the City department be exhausted before it is a matter that's before Council. For example, if it's a police matter that someone wants to complain about, Chief Davis should have the opportunity to resolve it and have knowledge of it before the Council were to discuss it. This would go for any department. Third, it may be repetitive. If it's already been discussed at the last meeting or two meetings

ago and the resolution was had, is it required that the same agenda item be placed when Council has just dealt with it. The timing on how this occurs also had not been established, and who makes that decision. Mr. Fukuda stated that there's a lot to discuss and figure out which may or may not be resolved tonight. There's the mechanics of how it occurs and who makes those decisions. If it's going to go before Council, as individuals on whether to decide who sponsors it, there would have to be some mechanism to receive the proposal and the specific topic to be able to prepare and discuss it. That all needs to happen and what City employee does that. There may be other considerations that Council thinks of.

Council Member Harbert said this is mainly for Council. Mr. Fukuda said no, there is a mechanism for the citizen to request to be placed on the agenda, but it doesn't say how the City makes the decision on which items will be placed on the agenda and how that occurs. Discussion was held on the current policy. Mr. Fukuda said it doesn't make sense to him to have every item put on the agenda because not every item can be discussed. Some items are repetitious and some items can be resolved within the City structure before it gets to Council.

At the conclusion of discussion, Council Member Gauthier mentioned having a workshop before making a decision on this. Mayor Pro-Tem Fisetette asked Mr. Fukuda if Council could Table this item and have a workshop. Mr. Fukuda said that was fine.

Council Member Harbert stated he didn't want the citizens to feel like they can't come talk to them because they (Council) definitely works for them. Mayor Pro-Tem Fisetette said that they want to encourage the citizens to come and talk to them.

Council Member Harbert made a motion to table this agenda item and have a workshop, seconded by Council Member Andrus.

With no further discussion, Mayor Pro-Tem Fisetette called for a vote.

MOTION CARRIED.

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

Noes: None.

Absent: Mayor David Rutledge.

9. ADJOURN

Council Member Andrus made a motion to adjourn the meeting at 6:57 p.m., seconded by Council Member Fields.

MOTION CARRIED.

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

Noes: None.

Absent: Mayor David Rutledge.

/s/ Tammi Fisette

Tammi Fisette, Mayor Pro-Tem

ATTEST:

/s/ Sherry Tisdale

Sherry Tisdale, City Secretary