

AARON ROCCAFORTE <i>Mayor Pro-Tem/Council Member, Place 1</i>	DAVID RUTLEDGE <i>Mayor</i>	DANNY HARRINGTON <i>Council Member, Place 4</i>
MIKE REED <i>Council Member, Place 2</i>		TERRI GAUTHIER <i>Council Member, Place 5</i>
TAMMI FISETTE <i>Council Member, Place 3</i>		RICHARD SAVOY <i>Council Member, Place 6</i>

CITY COUNCIL REGULAR MEETING

CITY OF BRIDGE CITY

March 1, 2022

The City Council of Bridge City met in a regular session on Tuesday, March 1, 2022, 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
 Mayor Pro-Tem Aaron Roccaforte
 Council Member Mike Reed
 Council Member Tammi Fisette
 Council Member Danny Harrington
 Council Member Terri Gauthier
 Council Member Richard Savoy

CITY COUNCIL ABSENT: None.

CITY STAFF PRESENT:

City Manager Brent Walker
 City Secretary Jeanie McDowell
 City Attorney Paul Fukuda
 Finance Director Karen Morgan
 Personnel/Purchasing Director Kim Tucker
 Utility Superintendent Mike Die
 Public Works Director Mike Lund
 Police Chief Tod McDowell
 Assistant Police Chief Robert Bergeron

2. INVOCATION

Invocation given by Council Member Fisette.

3. PLEDGE TO THE UNITED STATES FLAG AND THE STATE OF TEXAS FLAG

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.

4. APPROVAL OF AGENDA

Mayor Pro-Tem Roccaforte made a motion to approve the agenda, seconded by Council Member Fisette.

With no corrections, additions, or deletions, Mayor Rutledge called for a vote.

MOTION CARRIED.

Ayes: Mayor Rutledge, Mayor Pro-Tem Roccaforte, Council Members Reed, Fisette, Harrington, Gauthier and Savoy.

Noes: None.

Absent: None.

5. CITIZEN COMMENTS

Steven Hilton
4800 Candlewood
Orange, TX 77630

"The Mayor and I came to an agreement; I would stop my movement and cease acting like a child. I agreed and thought it was over. On February 7, 2022, I effectively became a political prisoner due to Joy Simonton who lied to Judge Johnson and had me committed to a nut facility, but Bridge City Captain Teague and Officer Granger came to that hearing February 10th to testify against me.

Mayor Rutledge, "Sir, sir can you tone it down a little bit, we are all right here we can hear you."

Mr. Hilton, "Oh, I don't need a mike Mayor."

Mayor Rutledge, "The mike will pick you up real well."

Mr. Hilton, "Okay. Why did they there, why were they there. This stinks of Robert Bergeron and as per the Mayor, you agreed to have him stop taunting me. Now, I have lodged a complaint on ..who sent Teague and Granger. Teague and Granger don't even know me, why were they even sent, answer, to keep me incarcerated as a political prisoner. If anything, Granger and Teague's presence made this situation worse. Oh, and I have to ask, did Captain Teague have an undercover stink in Hell Angels? I'm sorry. Honestly as many tatoo's he has it is flat out

embarrassing for this agency and trust me I am not scared of anyone with ridiculous amount of tattoo's, not scared at all. Let's not forget his extra martial affair with the Chief's assistant. I can't believe y'all haven't stepped in, it is embarrassing. Obviously, Mayor you have no control over Robert Bergeron. Every time I tap, the reason I'm here right now, is because something has been done to me. Every time. You will not bully me especially, you especially since you have no control over Robert Bergeron. Robert Bergeron is a weak man and doesn't have strong morals, righteous morals, and no dignity. In reality, Robert Bergeron was made assistant Chief to mask how weak he really is. Y'all have blood on y'all hands, blood in y'all streets, because of Robert Bergeron, unavenged blood, your agency takes bribes, it is okay with Robert Bergeron. You have no control over getting assaulted by the justice of the peace, unavenged, Robert Bergeron was there. Also, my arrest was false. Also, Tommy Stokes, Tommy Stokes, Tommy Stokes his arrest was false too. Robert Bergeron is the king of backdoor deals and I want his career head, metaphorically, metaphorically, on a stick. You have to choose Mayor. How much money does this City have to pay before they actually do something? I sit there and hopefully somebody is actually stating you know what he is right. BCPD's administration is doing everything backwards, I have four unanswered complaints pending right now, four unanswered complaints, and I want to say this is not Chief McDowell's fault, but he did inherit the problem of Bridge City PD due to the weak leadership of Paul Davis. I also, I laughed my butt off when Robert Bergeron was passed over for Chief. Good, that was a good decision. If anyone thinks that I'm doing this because of my ex-wife, you are wrong. I will remain a mystery which is my biggest asset. No one will know what I am up to next until I'm ready to reveal my hand, get ready for a wild ride. It's actually, it's actually started to honest bring ... business I might go away. Make no mistake I am going to destroy people's careers as soon as I get on the stand. Since I was arrested, it is inevitable. It has been seven months and I don't have a court date for a Class C charge. It has been seven months and my horn honking case still has not been submitted to the DA's office. Why won't y'all give me a court date, push me up to the front of the line, I'm sure no one would care. Thank you."

Kenneth Prosperie
819 Sunnyside

"The article I have given you all explains how the State has tried to give us tools to keep tent cities from starting up in the State of Texas. Recently, I became aware of someone living under Cow Bayou bridge. They parked their truck and were living in it and started littering the place where families go to enjoy boat recreation. Everyone knows if you allow one, there will be ten more before you know it. I know from experience of living in a larger, larger city this can and will create problems. Sanitation, crime, drugs, litter, etc. I'm here today to ask our Council to make sure we make Ordinance to protect our citizens of this small community. With our new city manager and

with his experience, maybe our council can come with some ordinance that can work when these problems arise. Also, I would like Bridge City Police, our Sheriff's Department, our State Police Game Warden to be aware of allegations that people are buying and selling drugs on Bailey's Road. We need to work as a team to rid these problems of our community. Thank y'all very much."

6. REPORTS AND COMMENTS FROM:

(a) City Manager

City Manager's report for Council:

Mr. Walker said he was going through a lot of the policies and some of the reports that the Council received are some of the things he was working on. He said he would eventually have the reports available for Council to review. He said he was working with Incode to get reports he used where he came from. He said he would create them for the Council and they would get them once a month, such as financial information and budget information. He said he would try to simplify the reports for the Council to understand.

(b.) City Council Report

Council Member Terri Gauthier said she would like to share with everyone there is a big initiative taking place in Orange County that they are asking for leadership participation. The Orange County Economic Development Corporation and SETRPC are joining together with Connected Nation of Texas to facilitate the broadband access. She said we need to get a survey out to determine the needs for broadband in Orange County. She said the government has realized the internet is not just a luxury anymore. She said they would be putting a lot of money through the Cares Act into Orange County, Jefferson County and Hardin County. She said Jasper County had theirs done a year or two ago with Connect Nation, and they did a good job because of it being such a rural area. She said they would be teaming up together and asking the Community Leaders, business leaders and everyone in Bridge City and Orange County to get the word out and encourage people to take this survey. The survey would be asking what internet speed and cost per month each person has, the digital devices in the homes and other internet usage. She said there is a lot of money that goes in the SETRPC, and they would disburse it depending on the survey information. Council Member Gauthier would like to encourage everyone to get the word out. She said they are getting the information out through the schools, medical industry, libraries, and public safety. She said she wanted everyone to know that this is a big initiative for Orange County, so please get the information out.

Mayor Rutledge said this is a big initiative for the State and this was one of the top five legislative priorities for the Governor, Lieutenant Governor and the Speaker of the House. He said they all agreed on this to be a priority, so please take the survey and distribute the flyers.

(c.) City Staff Report
Miscellaneous City Staff:

Public Works Director Mike Lund gave a report of several projects:

- The CDBG yard lines are about completed, the contractor has about 5 or so left to do.
- A bid was awarded to a local contractor for the manholes on East Roundbunch, but the start date would be a couple of two or three months because of supplies.
- The Waterwood tank that was moved from Romero to Waterwood, is almost completed, they still need to get it tied in and filled with water.
- The City had a Pre Bid Meeting for Sunnyside well. The bid openings would be next week.

(d) Mayor

Mayor David Rutledge had the following report:

1. TML Annual Conference will be on October 5-7, 2022 in San Antonio, Texas.
2. Next year the June board meeting would be in the hometown of the President, and we can have it in Bridge City. Please be thinking of a way we could take the Board Members that would be available on a swamp tour or do something that would showcase the City's area.
3. The Mayor would be out of town next council meeting to attend a conference in Washington, DC for the National League of Cities.

7. ITEMS FOR DISCUSSION & POSSIBLE ACTION

(a) Consideration and possible action to approve minutes of the February 15, 2022 City Council Meeting

Mayor Pro-Tem Roccaforte made a motion to approve the February 15, 2022 City Council Meeting minutes, seconded by Council Member Harrington.

With no corrections, additions, or deletions, Mayor Rutledge called for a vote.

MOTION CARRIED.

Ayes: Mayor Rutledge, Mayor Pro-Tem Roccaforte, and Council Members Reed, Fisette, Harrington, Gauthier and Savoy.

Noes: None.

Absent: None.

(b) Consideration and possible action to approve an Aerial Waiver authorizing Orange County Mosquito Control District to fly at low altitudes as required for the application of insecticides for the abatement of mosquitoes within the limits of the City of Bridge City for the year 2022

Council Member Reed made a motion to approve an Aerial Waiver authorizing Orange County Mosquito Control District to fly at low altitudes for the abatement of mosquitoes within the limits of the City of Bridge City for the year 2022, seconded by Mayor Pro-Tem Roccaforte.

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

MOTION CARRIED:

Ayes: Mayor Rutledge, Mayor Pro-Tem Roccaforte, and Council Members Reed, Fisetto, Harrington, Gauthier and Savoy.

Noes: None.

Absent: None.

(c) Consideration and possible action to appoint a member to the Planning and Zoning Commission to fill the unexpired term of Kim Davis

Council Member Fisetto made a motion to appoint Bryan Leatherwood to fill the unexpired term of Kim Davis, seconded by Council Member Harrington.

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

MOTION CARRIED:

Ayes: Mayor Rutledge, Mayor Pro-Tem Roccaforte, and Council Members Reed, Fisetto, Harrington, Gauthier and Savoy.

Noes: None.

Absent: None.

(d) Consideration and possible action to appoint a member to the Building Standards Committee to fill a vacancy

Mayor Pro-Tem Roccaforte made a motion to appoint Thanh Nguyen to fill a vacancy on the Building Standards Committee, seconded by Council Member Gauthier.

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

MOTION CARRIED:

Ayes: Mayor Rutledge, Mayor Pro-Tem Roccaforte, and Council Members Reed, Fisetto, Harrington, Gauthier and Savoy.

Noes: None.

Absent: None.

8. WORKSHOP ITEM FOR DISCUSSION ONLY

(a) Discussion of developing and implementing an Ordinance regarding coin operated machines in the City of Bridge City.

Mayor Rutledge said City Staff included in your packet examples of other cities that had ordinances regulating coin operated machines. Mayor Rutledge said it is up to the Council to decide if they wanted to regulate game rooms. He said the County had adopted a very detailed ordinance that regulates game rooms in the county that applies to non-city parts of the county. He said from what he understood from Commissioner Roccaforte, Precinct 3 it is a tried and true ordinance.

Commissioner Roccaforte said the County instituted the Ordinance about three months ago and it has worked. He said it gives the Sheriff Department the ability to see what is going on. He said anyone with 5 or more machines have to meet all the standards of the Ordinance. He said the machines have to be visible from the street, they cannot have locked doors, they cannot let people in and out of the room and they have to allow officers to go in and out if they would like to. He said the businesses could be checked by code enforcement officer at any time to make sure they are in compliance with all the specs of the ordinance. They would have to have a business account and checking account.

Mayor asked if they could vet the applicants for licenses and are there fees associated with the ordinance.

Commissioner Roccaforte said all the game rooms that were not wanted in this area have disappeared, and they have had way less problems with the machines in other businesses. Mayor Rutledge said Commissioner Roccaforte made a point that it was over 5 machines in a business or in one building that could be regulated.

Commissioner Roccaforte said you can't deny the game rooms. You can't say they could not come in to your town.

Mayor Rutledge said they are allowed by statute to exist, but the City could regulate them.

Commissioner Roccaforte said the ordinance has worked well and it has done everything they had hoped it would.

Mayor Rutledge said he made some notes as he went through Orange County's ordinance, and they are as follows:

He said Natalie had some suggestions she pulled from other entities.

Page 2 – very bottom 3.02g. Orange County Environmental Health and Compliance Code Officer. Mayor suggested to call it "City Manager or his designee or his designated officer". He said the City would not be tying to one person or group of people.

Article V page 5, Item 4.03 – states the cities are on their own.

Item 5.02 – A. Form – the City would need a form and it would need to be on the website.

Next Item is the permit fee and it a \$1,000, Natalie and other people have recommended the City stay with that \$1,000 application fee. That fee is standard across the area.

Council Member Harrington asked if the application fee is an annual.

Mayor Rutledge said it was a one-time fee and there is also a renewal fee.

Mayor Rutledge asked Mr. Fukuda if the City could refer to a table for all fees. So if we would change the fees, the Ordinance would not have to be rewritten.

Mr. Fukuda said we would have to amend the fees by ordinance, but we could have a table as an Exhibit.

Mayor Rutledge said his suggestion would be to have a fee schedule.

Page 6, 8e – It states the Orange County Tax Stamp including the year of expiration of each tax stamp required. Mayor asked if it is inside the City limits there would not be a county stamp on the machine, correct?

Mr. Fukuda said that is correct and the City would have their own stamps.

Page 13 Duration – the county ordinance states that all permits expire from date of issuance. Mayor said he wonder if it would be better to have all permits to expire on December 31. If a permit is issued within the year, they would get a prorated permit. He believes it would make it easier on staff to have all permits to expire on the same day.

Mr. Fukuda said he would like Council to think about it, but he does not know if there is a benefit to prorate particular the application because the amount of work.

Mayor Rutledge said no not the application, just the annual permit fee.

Council Member Harrington asked if the application fee would still be \$1,000.

Mayor Rutledge said it would be, which would cover manpower, for the work to go into a submitting a permit and background checks.

5.10 (b) fee for renewal – Natalie said \$400, he had in mind \$500, please be thinking of a number if the Council wants to do this.

Page 14 – distance from buildings like schools, churches and residential neighborhoods. The county ordinance states 1,500 feet from existing or planned construction. If one has already been platted and accepted by P&Z, but not if it has not been accepted by the county or P&Z. Commissioner Roccaforte said it would be a subdivision that has been approved. He said he would get Mr. Fukuda to look at the fees in the legislation because they are pretty cut and dry. Mr. Fukuda said it may be the same issue as it was laid out for the counties, if that is the section he was thinking of and may not apply to the city.

Mr. Walker said they averaged all the cities around and that is how they arrived at \$400.

Page 14(2) states there shall be 2,000 feet from another game room. He told Council to be thinking about these numbers because the city can change them. He said these numbers are a guide to go by, but if you feel they could impose a hardship then they could be changed.

Page 15 Inspections – Police Officers, Fire Safety Officials and designated county employees may enter a business with consent, with a warrant, or under exigent circumstances. But right above it says they could go in and inspect any business at any time.

Mr. Fukuda said the language is a little problematic.

Mayor Rutledge said yes it is.

Mr. Fukuda said he thinks subsection A is just restating the position of the parties that individuals could always go for administrative purposes without a warrant to look for violations or regulations. He said they could do so with consent, and with a warrant or under exigent circumstances. He said that is always the case and stating that the regulations within themselves don't give the city specific right to enter the property in addition to that. He said but these things are what the law is anyway, like the health inspector has the right to go into the kitchen to look for violations under that guide for that purpose but does not give him the right to search in the drawers to look for contraband. He said the police could but they would to have a warrant for that.

Mayor Rutledge said this is just the administrator's access.

Mr. Fukuda said yes at first it is saying these people can inspect for administrative violations, but these regulations don't give you more of a right to search than the law ordinary gives you, but it also acknowledges that these people can do more than administrative searches if they have a consent, or a warrant, or exigent circumstances.

Page 19 - 8.01 – states the game room that is already in operation on the effective date of these Regulations shall be given a grace period of thirty (30) days to commence the application process. Wouldn't that be to submit an application because commencing an application process would be picking up a packet.

Mr. Walker said if they were unlicensed, it would be giving them thirty (30) days to get licensed once the Council passed the ordinance.

Mayor Rutledge said it says to commence the application process.

Mr. Walker said it would take time to process because you have to do the background.

Mayor Rutledge said to him it is saying they have thirty (30) days to go pick up a packet, then the clock starts, then where does the clock go after that. He said it has nothing saying when the application is due for them to continue on for one that is already in operation.

Mr. Walker said just his guess probably left it that way because depending on how fast the city goes through that process to approve, because if they are objected you would have to go through another process.

Mr. Fukuda said Subsection A addressed that.

Mayor Rutledge said yes it does.

Mr. Fukuda said Mayor, it doesn't clear it up, because to your point I pick up the application but never submit that application.

Mayor Rutledge said they could just keep going, that is the way he thought it read.

Mr. Fukuda said then this is saying once the application process is commenced what is the application process when I picked it up is that enough. He said probably once the application

has been submitted that would be the key factor. He said whether you picked up or not should not matter it is if you submitted it or not.

Mayor Rutledge said that is why I thought it should be submitted within that first thirty (30) day period for an existing business.

Council Member Harrington said if they are operating illegally, do we have let me operate thirty (30) more days illegally.

Mayor Rutledge said that is a good question.

Council Member Harrington said if they are operating illegally, should they be shut down until they are legal.

Mr. Fukuda asked if he mean't permitted?

Mr. Harrington said yes, permitted.

Mayor Rutledge said let them keep operating and they would have a certain amount of time to be permitted.

Council Member Gauthier said they would have a certain amount of time.

Mayor Rutledge told Mr. Fukuda he would like better wording on that.

Mr. Fukuda said he was thinking the language similar to properly completed application is submitted, because properly completed and if they are missing any information maybe would not extend their grace period. He said he understood the next subsection states if you make that application within the next thirty (30) days properly filled out then you submit it to the City then if it is on the City to take longer than the thirty (30) days you will get additional time until the City makes a decision.

Mayor Rutledge said that is the language he wanted.

Mayor asked if everyone had any comments on the ordinance.

Mayor Pro-Tem Roccaforte said the hours of operation was not mentioned.

Mayor Rutledge said the Council really needs to think about that.

Mr. Fukuda said it was Section 6.07.

Mayor Rutledge said the County's Ordinance was 8 a.m. to 10 p.m. and he told the Council to keep the hours in mind and decide what hours to put in the ordinance. He said his suggestion would be the Council look at this and make all your comments and give to the City Secretary by Wednesday, March 9, 2022. Ms. McDowell will compile the suggestions and the Council can go through them to make suggestions to put in the ordinance, such as fees, times, distances, etc.

9. ADJOURN

Council Member Harrington made a motion to adjourn the meeting at 6:49 p.m., seconded by Mayor Pro-Tem Roccaforte.

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

MOTION CARRIED.

Ayes: Mayor Rutledge, Mayor Pro-Tem Roccaforte, and Council Members Reed, Fisette, Harrington, Gauthier and Savoy.

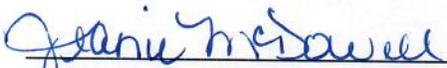
Noes: None.

Absent: None.



David Rutledge, Mayor

ATTEST:



Jeanie McDowell, City Secretary