

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

**CITY COUNCIL MEETING MINUTES**  
**CITY OF BRIDGE CITY**  
**March 21, 2017**

The City Council of Bridge City met in a meeting on Tuesday, March 21, 2017, at the City Hall of Bridge City, 260 Rachal, Bridge City, Texas.

**1. CALL TO ORDER**

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

**CITY COUNCIL PRESENT:**

Mayor David Rutledge  
Council Member Kevin Mott  
Mayor Pro-Tem Kirk Roccaforte  
Council Member Tammi Fisette  
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  
Chief Paul T. Davis  
Municipal Court Judge James B. Scales III  
Associate Municipal Court Judge Ida Schossow  
Utility Superintendent Mike Lund  
Asst. Utility Superintendent Mike Die

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

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Following the invocation given by Council Member 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. He said Council likes to see a nice crowd at their meetings.

**3. APPROVAL OF THE AGENDA**

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

With no discussion, Mayor Rutledge called for a vote.

**MOTION CARRIED.**

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

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

**4. PRESENTATION OF PROCLAMATIONS**

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**(a) Proclamation presented to Mr. John Repasky in recognition and celebration of his 100<sup>th</sup> Birthday, which occurred on March 1, 2017**

Mayor Rutledge read the proclamation (Attachment No. 1) and presented it to Mr. Repasky. Mayor Rutledge stated that he has known Mr. Repasky for a very long time and is so proud to be able to present him with this proclamation and to wish him a "Happy Birthday". Council and the audience then gave Mr. Repasky a standing ovation. Mrs. Repasky introduced her granddaughter, great-granddaughter, and her cousin and spouse who were in attendance at the meeting.

**(b) Proclamation presented to Judge James Scales III and Judge Ida Schossow declaring the month of March 2017 as "American Red Cross Month" in the City of Bridge City**

Mr. Fukuda read the proclamation (Attachment No. 2). Mayor Rutledge presented the proclamation to Red Cross representatives Judge Scales, Judge Schossow, and Chester Jourdan, Executive Director of the Beaumont and Orange County Chapters of the American Red Cross.

**(c) Proclamation presented to Darla Daigle, with Rape & Suicide Crisis of Southeast Texas Inc., declaring the month of March April 2017 as "Sexual Assault Awareness Month"**

Mayor Pro-Tem Roccaforte read the proclamation (Attachment No. 3). Mayor Rutledge explained that Ms. Daigle was not able to attend the meeting due to illness.

**5. REPORTS & COMMENTS**

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**(a) City Manager**

**City Manager Jerry Jones** had the following report for Council:

1. "Thank You" to Mayor and Council for their flowers, prayers, and support last week - it was very much appreciated
2. Filtration system project: TCEQ has finally released the City to start the filters - the City will have to notify TCEQ seven days before starting up the filters - the California group has been contacted to come in and put the filter media in and do the fine

- adjustments they need to do - probably looking at two to three weeks (April 3rd or April 4th) before they get here - it is a fairly lengthy process so he said he doesn't think they will be online for another three to four weeks - he said he would keep Council informed as that process starts
3. Absence: Mr. Jones said he will be gone Thursday and Friday attending a Public Funds Investment workshop that he has to do every two years
  4. Two new subdivisions: Mr. Jones stated there are two new subdivisions that are in the process of putting things together - one in the extraterritorial jurisdiction of the City and one in the City limits - both of them have been put on hold because of drainage concerns

**(b) City Council**

**Council Member Tammi Fiset** recognized the following individuals for the month of March - starting with Mr. Repasky. She told him "Happy 100th Birthday and Congratulations".

Birthdays

Paul Fukuda  
Lucy Fields  
Mike Lund  
Brittany Hilton  
Danny Hodges  
Richard Harmon

Service Anniversaries

Tod McDowell - 23 years  
Danny Hodges - 5 years  
Brenda Scales - 13 years  
Richard Harmon - 17 years  
Becky Joiner - 3 years  
Jaime Hoffpaur - 7 years  
Jerry Jones - 16 years  
Ronald LeBlanc - 8 years  
Justin Thomas - 6 years

Council Member Fiset reiterated that her thoughts and prayers are with Mr. Jones and his family. Also, she said prayers are with Paul Morvant's dad.

**Council Member Lucy Fields** said "Happy Birthday" to Ms. Fiset. Her birthday is in March as well.

There were no further comments from City Council.

**(c) City Staff**

**City Attorney Paul M. Fukuda** thanked Ms. Tisdale and Ms. Fiset for their birthday wishes in a card. It was very much appreciated.

## **6. CITIZEN COMMENTS**

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*Mike Wilson, 2568 FM 92 North, Silsbee TX 77656  
(Pineywoods Sanitation)*

Mr. Wilson thanked Council for the opportunity to speak to them. He said he wanted to introduce Council to his company - Pineywoods Sanitation. He stated that they are a family-owned company and have been in business for over 20 years. They currently operate over 11 municipalities and service 35,000 customers every week and service over 2,500 commercial customers every week. They are moving into the Beaumont area. Recently they have helped the City of West Orange and the City of Silsbee save considerable money on their solid waste bid. Mr. Wilson said he wanted Council to know that there are alternatives, and they did turn in a proposal to Mr. Jones. He said, on an annual basis, it could save the City up to \$55,000 per year. He stated he's aware that the City has a solid waste company currently with Republic Waste, and they are a very good company and they provide very good service and have excellent staff. He commented that, just in the Silsbee office, they have close to 100 years of management experience - 60 of those right here in the Beaumont area. He introduced his sales person, Cathy Smart. He explained that she has been in this Beaumont/Golden Triangle Area for over 30 years, helping people save money and find alternatives. Mr. Wilson again thanked Council for their time. He told Council he would appreciate next round - if the City goes out for bids - he would like the chance to provide a bid.

Council thanked Mr. Wilson.

## **7. RESOLUTION**

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**(a) Consideration and possible action to adopt Resolution No. 2017-07(R) opposing proposed Senate Bill 2 and requesting Senator Robert Nichols to vote against this measure**

Mayor Pro-Tem Roccaforte read the resolution (Attachment No. 4). Council Member Fields made a motion to adopt the resolution as read, seconded by Council Member Gauthier.

Mayor Rutledge said the bill came out of committee at 5% and that's what they are going with to the floor of the Senate. He said he heard today that it could hit the Senate floor as soon as today. Anytime this week it could be voted on, so it is imperative that the City gets their word to Senator Nichols as quickly as the City can.

Council Member Fields asked if there were other cities doing this. Mayor Rutledge replied yes, everyone is. Mr. Jones stated that all of TML is doing resolutions. Mayor Rutledge stated that there are over 1200 cities in Texas. He said all this bill will do is "hamstring" the City and potentially cause issues with public safety and providing services to the citizens. It is a terrible bill, in his opinion.

Mr. Fukuda recommended that the council member who made the motion might consider increasing the 4% to 5%, if that conforms to what Council wants.

Council Member Fields amended her motion to the 5%, seconded by Council Member Gauthier.

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

**MOTION CARRIED.**

**Ayes:** Mayor Rutledge, Mayor Pro-Tem Roccaforte, Council Members Mott, Fiset, Andrus, Gauthier, and Fields.

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

**8. ITEMS FOR DISCUSSION & POSSIBLE ACTION**

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**(a) *Presentation of "Reflectors 4 Responders" project by Youth Leadership Southeast Texas***

Gabby Howe and Mackenzie Land presented a hand-out and explained their project with YLSET (Youth Leadership Southeast Texas), which is "Reflectors 4 Responders" (Attachment No. 5). They stated that they are two of the six members of their group. They have met also with Orangefield and Vidor and decided they would like to do "Reflectors 4 Responders". These reflectors make it easier for firefighters to quickly find and access the resources that they need to help keep the community safe. They all went to a seminar with their mentor, Mr. Lintzen (BCISD Superintendent). This is when they thought it would be best for their community to have these by the fire hydrants. They raised about a \$1000 to help pay for their reflectors. They sold gumbo at their school and sold bracelets for donations. Their goal is to set a reflector by each fire hydrant. They plan to do this on April 1 at 8 am - meeting at Bridge City Elementary. There will be donuts if people come and help. There are 275 hydrants that need reflectors. They thanked Council for their time and said, on behalf of the whole Leadership Group, they are very happy to represent Bridge City and its youth. Their comments were met with applause from Council and the audience.

Mayor Rutledge asked Mr. Lintzen if he had anything to say. He said he is extremely proud of these two girls. He also mentioned that Council Member Gauthier is a member of Leadership South East Texas (LSET). He said these girls are part of the Youth Leadership, and he is extremely proud of these students. Of all the students within their group of Orange County schools, they were the only ones that raised monies. They did it on their own and it was their ideas and their efforts. He said they raised more than enough to purchase the reflectors, the donuts, and the drinks. He said he was very excited and very proud of them. Council and the audience agreed with applause.

Mayor Rutledge said the "pitch" is on April 1 - they need adults to help them. He said they would appreciate anything they can do. He asked everyone to be mindful of the streets because there will be folks out. He thanked them for doing this for the City. It's a wonderful

project, and Council is really grateful. He said he knows the first responders will be very appreciative also.

Mr. Jones asked Mr. Lintzen, if someone wanted to help them, where do they meet them. Mr. Lintzen said they will be between the Administration Building and behind the rear part of the Elementary School. He said they will stage there and form 10 different groups with 20 to 30 reflectors each. Within those 10 different groups they will "divide and conquer."

Council Member Fisette stated she is a member of the Bridge City Fire Department. She thanked the girls very much. She said they have approximately 45 volunteers in the department and when you are getting up at 3:00 in the morning, it is nice to see those blue reflectors. She said she was in the group that put down the "Test 6". She reported that they ran over the reflectors and they held up. She told the students they have no idea how many lives or how much property they will save.

**(b) Consideration and possible action to approve the minutes of the February 21, 2017 City Council Meeting**

Council Member Andrus made a motion to approve the February 21, 2017 City Council Meeting minutes. Motion was seconded by Council Member Fields.

Mayor Rutledge asked if there were any changes, corrections, or deletions to the minutes. Hearing none, he called for a vote.

**MOTION CARRIED.**

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

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

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

Mayor Pro-Tem Roccaforte made a motion to approve the City bills for the month of February 2017 (Attachment No. 6). Motion was seconded by Council Member Mott.

**MOTION CARRIED.**

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

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

**(d) Consideration and possible action approving a request submitted by Adam Stout, with Stout Builders LLC, to tie on to City water and sewer at 165 Tower Road, which is located in the extraterritorial jurisdiction of the City of Bridge City**

Mayor Pro-Tem Roccaforte made a motion to approve a request by Adam Stout to tie on to City water and sewer at 165 Tower Road (Attachment No. 7). Motion was seconded by Council Member Gauthier.

Mr. Jones said water and sewer is available there. Water is available across the street, but the sewer will require a grinder pump and a forced main. Mr. Lund has gotten with Mr. Stout and has worked out getting this done. All the cost will be at Mr. Stout's expense on those items.

Discussion was held on the verbiage of the motion. At the conclusion of the discussion, Mayor Rutledge called for a vote.

**MOTION CARRIED** for approval of request.

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

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

**(e) *Update on Board of Adjustment annual variance granted to Mark Dunn for placement of a double-faced LED digital message board on Texas Avenue***

Mr. Jones said this variance is something that was granted in December 2014. Mr. Dunn approached the City about putting a digital sign coming into Bridge City. Billboards are not allowed in Bridge City so Mr. Dunn had to come get approval for this. It was approved to be a combination sign that has a Welcome at the top and another section that is for any announcements that the City wants to make, and a section for various organizations like Rotary and Chamber of Commerce. His primary purpose is for advertising. This is how he will pay for the sign. Council did approve it and the Zoning Board of Adjustments and Appeals approved it. It was set up on a one-year basis so that if everything was fine and the City agreed to what was going on, he could be approved for an additional year. If there were any problems, the variance would be discontinued. Mr. Jones stated there is some control over it, and Mr. Dunn is ready now to construct that sign. He finally has financing on it so they are cleaning the lot now. Right now, it will only have one side - the side coming in from Port Arthur. The backside will not be digital at this time. Once the sign gets moving and starts to make some money, Mr. Dunn will expend the funds to do the backside. Mr. Jones said it's something that has been approved but he wanted to bring it up to Council so they would know what was going on.

Mayor Pro-Tem Roccaforte asked if there was going to be anything on the backside. Mr. Jones answered, not at this time.

Council Member Andrus asked if there was going to be no advertisement. Mr. Jones said there might be a single board on the back like a billboard. He said this is something he will ask.

Mayor Pro-Tem Roccaforte asked wasn't there an agreement that was drawn up about all this specifically. Mr. Jones replied "Yes, sir." Mayor Pro-Tem Roccaforte said, "So it's all in that agreement - what he can do and cannot do." Mr. Jones said it's also being controlled by that annual variance. If anything is not being done as it should be - then the variance won't be granted again.

**(f) *Consideration and possible action regarding an amendment to the Municipal Contract for Sanitation Service between the City of Bridge City and BFI Waste Services of Texas,***

***LP d.b.a. Allied Waste Services of Beaumont//Republic Services of Beaumont extending the term beginning October 1, 2016 and continued through September 30, 2021***

Council Member Gauthier made a motion to approve the amendment to the Municipal Contract for Sanitation Service between the City of Bridge City and BFI Waste Services of Texas, LP, d.b.a. Allied Waste Services of Beaumont//Republic Services of Beaumont extending the term beginning October 1, 2016 and continued through September 30, 2021, contingent upon approval of agreement with legal counsel. Motion was seconded by Council Member Andrus.

Council Member Fissette said she had a question. She said did we just not hear a possibility of saving \$55,000 in that same type of business. Is this something we may want to look at come budget time? Mr. Jones said he looked at the contract, and he doesn't think that he sees anyway that the City is going to save \$55,000 on the contract. He said these people have been with the City, and the City has experienced a really good service record with them. They have extended this contract for five years at no charge - basically no additional charges. They have a CPI for the last four years but the first year won't have a CPI with it. Mr. Jones said when you get good service in this business; it is extremely hard to move unless something is wrong. He stated, "My experience over the last lot of years is that if you have one that is working right - you probably need to stay with it until something happens because something will happen". Mr. Jones said this is totally up to Council.

Council Member Fissette asked if this is something that Council could look at - something to consider to see what the options are.

Council Member Fields asked if the current contract goes through 2021. Mr. Jones answered no, that is why Council is looking at a five-year extension.

Council Member Andrus asked when the current contract ended. Mr. Jones replied it ended in October. He said they have been working since October trying to include the commercial property in Bridge City. It's been a little difficult to get everybody on board for this so they finally decided that they would go ahead and get the contract extended. Then, at the end of next year, try to include the commercial routes on it. The problem with commercial routes is that you have a lot of different people coming in here picking up commercial garbage. Commercial garbage is something that is not run on a timely basis. You could possibly have someone emptying dumpsters at 3 a.m. right next to a residential area. It gets extremely difficult to regulate because the City can't control all the other companies. Mr. Jones said they are trying to get it where the City has control over all the commercial and residential garbage.

Council Member Fields asked if there was any chance of putting the recycle part back inside this contract. Mr. Jones replied that there is a recycling bin here if anyone wants to use it. Very few companies want to do recycling because it really doesn't pay for itself. Mr. Jones said recycling is provided, but the customer has to bring it up here.

Council Member Fields asked how the trash pickup is going. Mr. Jones replied everything is fine. He said that is why he suggested that the City stay with this contractor. He said the City is

having no problems whatsoever. Mr. Jones stated, "When you've been in the business a long time - there's always problems. We're not experiencing that right now and that is very unusual." The contractor came in and started the automated service. The garbage cans are out and the City doesn't have garbage lying on the road anymore. Everything is in the cans and they pick it up with the automated trucks.

Mayor Rutledge asked if there were any more comments or questions.

Council Member Fisette said the issues weren't her concern - the cost savings were more her concern. She said she would like to hear different options that are offered to Council. Mr. Jones said certainly - they can bid it. He said every time that he has re-bid stuff rather than re-doing the contract - the price goes up, but it is up to Council.

Motion on the floor was to approve the contract extension (Attachment No. 8), pending a letter from the City Attorney.

Mayor Pro-Tem Roccaforte asked what is the legal that they are talking about. Mayor Rutledge said the City Attorney needs to look at the contract. Mr. Fukuda said yes, he needs to review the old contract as this goes back to that October date.

Council Member Fields asked Mr. Fukuda, "So we can't vote on it until you approve it?" Mr. Fukuda said Council can table this whole issue if the Council desires or it can be passed contingent upon the approval. He said he will do all the "behind the scenes" work. If everything is fine, the City can go forward. If not, he will come back and let Council know.

Discussion continued on how the motion should be worded or should it be tabled. Council Member Fisette said she would just like to see some options. Mayor Pro-Tem Roccaforte said, over the years, he can attest to what Mr. Jones said, but this is a long contract.

Mr. Jones told Council "I guarantee you if we bid this contract you will not get the rate we're going to get now."

Mayor Rutledge reminded Council that the motion on the floor right now is to accept this contract extension pending legal review of the contract. With no more questions or discussion, Mayor Rutledge asked for a vote

**MOTION CARRIED.**

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

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

**(g) Discussion of Senate Bill 715 regarding laws that regulate municipal annexations**

Mr. Jones said this bill is basically trying to do away with annexation. It also has a section that will do away with industrial district contracts. If a City has an extraterritorial jurisdiction area with a big company in there - rather than taxing that company - an agreement will be on a

certain price they will pay to basically not be annexed. He said Port Arthur probably has 60% of their budget related to industrial district contracts. Bridge City only has one contract. This bill will affect Bridge City because it would stop annexation and that would stop growth. It's kind of trying to push cities out of the business of being a city. He said they are trying to make sure everyone knows the affects of this bill. It will affect the school district, also. They are going to have a meeting on Thursday in Port Arthur with the city managers of Jefferson County, which will affect them more than Orange County. He said if there were a couple of people that wanted to go, he is going to be in Galveston. He said he made the meeting in Orange that was held last week. Mr. Jones said this is another one of those bills that they need to get hold of people and tell them not to vote for it.

Mayor Rutledge said this is another of those in a long line of bills that is trying to take the decision making process away from the cities and the people right here and are putting it in Austin. It takes away the city's ability to govern ourselves as a smaller group of people that know what we want in the City better than those in Austin do.

Council Member Fields asked if there was a letter that needed to go out to Senator Nichols. Mr. Jones said there is going to be a resolution that will be put together. He said right now they are trying to come up with the right wording.

Council Member Fields and Council Member Andrus said they would attend the meeting on Thursday. Mr. Jones said he would make sure what time the meeting would be held.

***(h) Consideration and possible action regarding a recommendation submitted by the Planning and Zoning Commission to approve a Preliminary Plat application from Stephen Gault for Twin Lakes Subdivision, Phase II (Lots 1 -22), which is a subdivision located in the extraterritorial jurisdiction of the City of Bridge City***

Council Member Fields made a motion to approve the recommendation by the Planning and Zoning Commission for approval of a Preliminary Plat application from Stephen Gault for Twin Lakes Subdivision, Phase II (Lots 1 - 22), which is located in the extraterritorial jurisdiction of the City of Bridge City (Attachment No. 9). Motion was seconded by Council Member Andrus.

Mr. Jones said this is 22 lots and is an additional phase on to that subdivision. It's a small piece. Mr. Jones passed around the plat of the property. He said it will go back to the Planning and Zoning Commission once Council approves it. It has already been checked out by the Drainage District, and everything is fine. He said - going out to Hwy 105 - this is the subdivision on the right side of Hwy 105. Mr. Jones said it is in the City's extraterritorial jurisdiction so the City does have to approve it.

Council Member Fields asked if the City is going to provide them services. Mr. Jones replied no, the only thing the City can control in the extraterritorial jurisdiction is land division. He also told Council Member Fields that water and sewer service is with Orangefield.

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

**MOTION CARRIED.**

**Ayes:** Mayor Rutledge, Mayor Pro-Tem Roccaforte, Council Members Mott, Fiset, Andrus, Gauthier, and Fields.

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

**9. ADJOURN**

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Council Member Andrus made a motion to adjourn the meeting at 6:50 p.m., seconded by Council Member Fields.

**MOTION CARRIED.**

**Ayes:** Mayor Rutledge, Mayor Pro-Tem Roccaforte, Council Members Mott, Fiset, Andrus, Gauthier, and Fields.

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

*/s/ David Rutledge*

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David Rutledge, Mayor

ATTEST:

*/s/ Sherry Tisdale*

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Sherry Tisdale, City Secretary