

MINUTES - CITY OF BEAUMONT

W.L. Pate, Jr., At-Large
Dr. Alan B. Coleman, Mayor Pro Tem
Audwin Samuel, Ward III
Tyrone E. Cooper, City Attorney

BECKY AMES, MAYOR
CITY COUNCIL MEETING
May 12, 2015
Kyle Hayes, City Manager

Gethrel Wright, At-Large
Michael D. Getz, Ward II
William R. Sam, Sr. Ward IV
Tina Broussard, City Clerk

The City Council of the City of Beaumont, Texas, met in a regular session on **May 12, 2015**, at the City Hall Council Chambers, 801 Main Street, Beaumont, Texas, at 1:30 p.m. to consider the following:

OPENING

- * Invocation Pledge of Allegiance Roll Call
- * Presentations and Recognition
- * Public Comment: Persons may speak on scheduled agenda items 2-3/Consent Agenda
- * Consent Agenda

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

Pastor "Big" Jim Salles of West End Baptist Church gave the invocation. Andrew Smith with Legacy Christian Academy Student and Eagle Scout led the Pledge of Allegiance. Roll call was made by Tina Broussard, City Clerk.

Present at the meeting were Mayor Ames, Mayor Pro Tem Coleman, Councilmembers Getz, Wright (arrived at 1:35p.m.) Pate, Samuel and Sam. Also present were Kyle Hayes, City Manager; Tyrone Cooper, City Attorney; Tina Broussard, City Clerk.

Proclamations, Presentations, Recognitions

Recognitions – Tyler McBee with Legacy Christian Academy along with others students at Legacy that are a part of the DECA program as well as his parents and sponsor

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

Public Comment: Persons may speak on scheduled agenda items 2-3/Consent Agenda.

Beth Gallaspy

5340 Rose Lane

Beaumont TX

Spoke to Council regarding Item #2 on the Agenda; asked that they approve the item authorizing the sale of property located at 1205 Franklin Street known as the Literacy Depot, her church is purchasing this property

CONSENT AGENDA

- * Approval of minutes – May 5, 2015

* Confirmation of committee appointments – **Resolution 15 – 089**

Calvin Williams would be appointed to the Police Department Community Advisory Committee. The term would commence May 12, 2015 and expire May 11, 2017. (Councilmember Bill Sam)

- A) Authorize the City Manager to execute all documents necessary for a Memorandum of Understanding between the City of Beaumont and Project AIDS Land Manor P.A.L.M. Center – **Resolution 15 - 090**

Councilmember Samuel moved to approve the Consent Agenda. Councilmember Getz seconded the motion.

AYES: MAYOR AMES, MAYOR PRO TEM COLEMAN, COUNCILMEMBERS GETZ, WRIGHT, PATE, SAMUEL AND SAM

NAYS: NONE

MOTION PASSED

GENERAL BUSINESS

1. Consider a request for a Specific Use Permit to allow a gaming room in a NC (Neighborhood Commercial) District at 3890 Avenue A.

Son Tran of Van's Grocery would like to operate a convenience store and gaming facility containing 12 "eight-liner" machines at 3890 Avenue A. Customers would only be able to receive gifts under \$5 in value, as prizes. Hours of operation would be from 9am till 8pm seven days a week.

As long as the game room does not exceed 35% of the gross floor area, parking will be sufficient. If the gaming area should exceed 35% of the gross floor area, parking will need to be increased for the use to be in compliance. The applicant has requested a waiver to the eight (8) foot screening fence and landscaped buffer at the West property line.

At a Joint Public Hearing held April 20, 2015, the Planning Commission recommended 6:2 to approve a Specific Use Permit to allow a gaming room in an NC (Neighborhood Commercial) District at 3890 Avenue A.

The Administration recommends denial of a Specific Use Permit.

Councilmember Wright moved to **DENY AN ORDINANCE GRANTING A SPECIFIC USE PERMIT TO ALLOW A GAMING ROOM IN A NC (NEIGHBORHOOD COMMERCIAL) DISTRICT AT 3890 AVENUE A IN THE CITY OF BEAUMONT, JEFFERSON COUNTY, TEXAS.** Councilmember Samuel seconded the motion.

AYES: MAYOR AMES, MAYOR PRO TEM COLEMAN, COUNCILMEMBERS GETZ, WRIGHT, PATE, SAMUEL AND SAM

NAYS: NONE

MOTION DENIED

2. Consider a resolution authorizing the City Manager to execute an Earnest Money Contract for the sale of property located at 1205 Franklin Street known as the Literacy Depot.

On February 25, 2014, City Council passed Resolution No. 14-043 accepting the bid submitted by NAI Wheeler for an annual contract to provide real estate broker services to list and sell City-owned property.

NAI Wheeler has secured one (1) potential buyer that is interested in purchasing the property located at 1205 Franklin Street. The property is known as the Literacy Depot. After reviewing the Earnest Money Contract, it is in the best interest of the City of Beaumont to execute the Earnest Money Contract with Spindletop Unitarian Church with a cash offer in the amount of \$73,000.00.

Spindletop Unitarian Church will deposit \$3,650.00 as earnest money to Texas Regional Title for a feasibility period of seven (7) days. If Spindletop Unitarian Church terminates the earnest money contract, the earnest money will be refunded to Spindletop Unitarian Church less \$1,000 that the City will retain. The date of closing will be ten (10) day after delivery of Title Commitment.

Approval of resolution.

Councilmember Pate moved to **APPROVE A RESOLUTION THAT THE CITY MANAGER BE AND HE IS HEREBY AUTHORIZED TO EXECUTE AN EARNEST MONEY CONTRACT WITH SPINDLETOP UNITARIAN CHURCH FOR THE SALE OF PROPERTY LOCATED AT 1205 FRANKLIN STREET KNOWN AS THE LITERACY DEPOT.** Councilmember Getz seconded the motion.

AYES: MAYOR AMES, MAYOR PRO TEM COLEMAN, COUNCILMEMBERS GETZ, WRIGHT, PATE, SAMUEL AND SAM

NAYS: NONE

MOTION PASSED

Resolution 15 - 091

3. Consider an amendment to Ordinance No. 15-012 to allow the owner of 3750 Marie to enroll into a work program.

At the May 5, 2015 meeting of the City Council, a contractor requested that a work program be allowed for the structure at 3870 Marie. It was later determined that there was some confusion on the part of the contractor and that he was actually requesting a work program for the structure at 3750 Marie. We are requesting that the ordinance be amended to allow a work program at 3750 Marie, within 10 days of the amended ordinance.

Sources may include General funds and Community Development Block Grant (CDBG) funding.

Approval of the amended ordinance.

Councilmember Sam moved to ADOPT AN ORDINANCE THAT ORDINANCE NO. 15-012 IS HEREBY AMENDED TO ALLOW THE OWNER OF PROPERTY LOCATED AT 3750 MARIE TO ENROLL INTO A WORK PROGRAM AND SHALL OCCUR WITHIN TEN (10) DAYS AFTER THE EFFECTIVE DATE OF THE AMENDED ORDINANCE. Councilmember Samuel seconded the motion.

AYES: MAYOR AMES, MAYOR PRO TEM COLEMAN, COUNCILMEMBERS GETZ, WRIGHT, PATE, SAMUEL AND SAM

NAYS: NONE

MOTION PASSED

Ordinance 15 - 013

COUNCILMEMBER COMMENTS

MAYOR PRO TEM COLEMAN -

STATED THAT THIS WOULD BE HIS LAST CITY COUNCIL MEETING, IT HAS BEEN AN HONOR TO SERVE THE CITIZENS OF BEAUMONT FOR EIGHT YEARS, THANKED HIS WIFE FOR ALLOWING HIM TO TAKE TIME AWAY FROM HER AND THE FAMILY TO FULFILL HIS DUTY, LOOKS FORWARD TO GETTING BACK TO NORMAL AND HELPING BEAUMONT WITH THE HEALTH COALITION WEB SITE, FINAL WORDS WERE READ FROM PHILIPPIANS 3:13 & 14

COUNCILMEMBER GETZ -

GAVE COMPLIMENTS TO TINA BROUSSARD, CITY CLERK FOR A GREAT ELECTION, STATED THAT FROM THE PEOPLE THAT HE TALKED TO THAT USED THE NEW VOTING MACHINES THEY WERE WELL LIKED AND RECEIVED, THANKED TINA FOR THE GREAT JOB SHE DID AND ALL OF THE WORK TO MAKE SURE THE ELECTION WENT SMOOTHLY, ANNOUNCED MOVIE NIGHT ON FRIDAY NIGHT AT THE JEFFERSON THEATRE, THE BLUES BROTHERS WILL BE PLAYING, DOORS OPEN AT 6:00 P.M.

COUNCILMEMBER WRIGHT -

THANKED EVERYONE THAT TOOK THE TIME TO GO OUT AND CAST THEIR VOTE FOR THE CANDIDATE OF THEIR CHOICE, WELCOMED THE NEW COUNCILMEMBER ELECT CLAUDE GUIDROZ THAT WILL BE COMING ON BOARD, THANKED MAYOR PRO TEM COLEMAN FOR THE SERVICE THAT HE HAS GIVEN TO THE CITIZENS OF THIS CITY, THANKED EVERYONE FOR RETURNING HER TO COUNCIL, ALSO STATED THAT IN THE 2200 BLOCK OF ANGELINA, THE POT HOLES ARE GROWING INTO BIGGER POT HOLES, ASKED DR. MAJDALNI, PUBLIC WORKS DIRECTOR TO GO OUT AND TAKE A LOOK AT THE POT HOLES

COUNCILMEMBER PATE -

APPRECIATED THE SERVICE OF **MAYOR PRO TEM COLEMAN**, THANKED **TINA BROUSSARD**, **CITY CLERK** FOR A JOB WELL DONE ON THE ELECTION, EVERYTHING WENT VERY SMOOTHLY, ANNOUNCED SEVERAL FUNCTIONS THAT WOULD BE HAPPENING OVER THE WEEKEND, THANKED ALL OF THE CITIZENS THAT TOOK TIME TO VOTE

COUNCILMEMBER SAMUEL -

STATED FOR AS MANY IS LED BY THE SPIRIT OF GOD THEY ARE THE SONS OF GOD, STATED TO **MAYOR PRO TEM COLEMAN** THAT HE KNOWS THAT HE'S A MAN OF FAITH, KNOWS THAT HE UNDERSTANDS THAT THERE'S NO SUCH THING AS DEFEAT OR LOSS, ALL THINGS WORK TOGETHER FOR GOOD FOR THOSE THAT LOVE HIM AND ARE CALLED TO HIS PURPOSE, TOLD **MAYOR PRO TEM COLEMAN** THAT HE WOULD DO GREAT THINGS, APPRECIATED THE TIME THAT THEY SPENT TOGETHER AND HE IS JUST CHANGING SEASONS, GOING INTO THE NEXT SEASON, GO FORTH AND CONQUER WHATEVER HE HAS FOR YOU TO DO, THANKED HIM FOR ALL THAT HE HAS DONE, THANKED **TINA BROUSSARD**, **CITY CLERK** FOR A GREAT ELECTION, CONGRATULATED THE **MAYOR AND COUNCILMEMBERS** ON THEIR RE-ELECTION, CONGRATULATED **MR. GUIDROZ** ON HIS WIN FOR **WARD I**

COUNCILMEMBER SAM -

WISHED **MAYOR PRO TEM COLEMAN** THE BEST OF LUCK AND ENCOURAGED HIM TO ENJOY LIFE, THANKED THE COUNCIL AS A WHOLE, STATED THAT THEY ALL DO AN EXCELLENT JOB, THANKED **TINA BROUSSARD**, **CITY CLERK** FOR THE GREAT JOB THAT SHE DOES

CITY ATTORNEY COOPER -

NONE

CITY MANAGER HAYES -

NONE

MAYOR AMES -

THANKED **TINA BROUSSARD**, **CITY CLERK** FOR A GREAT JOB ON THE ELECTION, THANKED **MAYOR PRO TEM COLEMAN** FOR HIS TIME OF SERVICE ON COUNCIL AND TO THE COMMUNITY, WISHED HIM THE VERY BEST OF LUCK, CONGRATULATED **CLAUDE GUIDROZ** ON BEING ELECTED TO REPRESENT **WARD I**, LOOKS FORWARD TO SEEING HIM ON COUNCIL AND THANKED EVERYONE THAT TOOK THE TIME TO GO OUT AND VOTE

Public Comments (Persons are limited to three minutes)

Erick Thomas

1185 Saxe

Beaumont TX

Spoke in regards to the Water Utilities Department

La'Fayette Spivey

6010 Chandler

Beaumont TX

Addressed the issue regarding a citizen that was being helped to cast a mail ballot who received a sample ballot that was pre-marked, asked that Council not canvass until an investigation can be done

Brenda Spivey

6010 Chandler

Beaumont TX

Spoke regarding the integrity of the mail in ballots, stated that she feels that the integrity of mail ballots has been compromised, commented on the complaint that was made by a citizen who felt she was being coerced into voting for someone other than who she wanted to vote for, requested that Council not canvass on May 19, 2015, as this situation be investigated

Landry Rountree

1565 S. Major

Beaumont TX

Congratulated Council on their re-election, thanked Mayor Pro Tem Coleman for his 8 years of service, spoke to Council on the importance of voting

Open session of meeting recessed at 2:10 p.m.

EXECUTIVE SESSION

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

The U.S. Department of Housing and Urban Development's Small Business Revolving Loan Fund

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

Audio available upon request in the City Clerk's Office



Becky Ames, Mayor



Tina Broussard, City Clerk

