

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
December 2, 2014
Kyle Hayes, City Manager

Gethrel Wright, At-Large
Michael D. Getz, Ward II
Jamie Smith, Ward IV
Tina Broussard, City Clerk

The City Council of the City of Beaumont, Texas, met in a regular session on **December 2, 2014**, 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 1-2/Consent Agenda
- * Consent Agenda

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

Pastor "Big" Jim Salles with West End Baptist Church gave the invocation and 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, Pate, Wright and Samuel. Absent: Councilmember Smith. Also present were Kyle Hayes, City Manager; Tyrone Cooper, City Attorney; Tina Broussard, City Clerk.

Councilmember Smith was absent due to illness.

Proclamations, Presentations, Recognitions

None

Public Comment: Persons may speak on scheduled agenda items 1-2/Consent Agenda.

None

CONSENT AGENDA

- * Approval of minutes - **November 12, 2014**
- * Confirmation of committee appointments - **Resolution 14 - 245**

Glenn Durst (Police Department Representative) would be appointed to the Animal Health Advisory Committee. The term would commence December 2, 2014 and expire December 1, 2016. (Mayor Becky Ames) (**Removed**)

Sherry Ulmer (Public Health Director) would be reappointed to the Animal Health Advisory Committee. The current term would expire November 15, 2016. (Mayor Becky Ames)

Matthew Fortenberry (Animal Control Supervisor) would be reappointed to the Animal Health Advisory Committee. The current term would expire November 15, 2016. (Mayor Becky Ames)

Cindy Meyers (Humane Society Representative) would be reappointed to the Animal Health Advisory Committee. The current term would expire September 10, 2016. (Mayor Becky Ames)

LinMarie Garsee would be reappointed to the Historic Landmark Commission. The current term would expire October 31, 2015. (Councilmember Gethrel Williams-Wright)

- A) Authorize an application for grant funds from FEMA's 2014 Assistance to Firefighters Grant Program for a mobile ventilation unit to replace Truck 74 – **Resolution 14 - 246**
- B) Approve a contract with The Lube Shop of Beaumont to provide preventive maintenance for city vehicles – **Resolution 14 - 247**
- C) Approve a contract with Tri-Con, Inc., of Beaumont to provide lubricants for use by various City departments – **Resolution 14 - 248**
- D) Approve a one year contract with the Greater Beaumont Chamber of Commerce – **Resolution 14 - 249**
- E) Approve a payment of dues to the South East Texas Regional Planning Commission for Fiscal Year 2015 – **Resolution 14 - 250**
- F) Authorize the City Manager to execute an annual agreement with Lamar University for video production services – **Resolution 14 - 251**
- G) Authorize the City Manager to execute an Interlocal Agreement with Jefferson County Drainage District No. 6 for the Parkview Drive Drainage Improvement Project – **Resolution 14 - 252**

Councilmember Samuel moved to approve the Consent Agenda excluding the first name on the Committee Appointments. Councilmember Wright seconded the motion.

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

NAYS: NONE

MOTION PASSED

GENERAL BUSINESS

1. Consider a resolution approving the purchase of a winch assembly from Earth Tool Company Inc., of Houston, TX for use by the Water Utilities Department.

The Hammerhead Winch is used in the City's pipe bursting program to replace water and sewer lines. The new winch will replace Unit 9252, purchased in October 2002 which has become unsuited for further service due to age and condition.

The old unit will be traded in for a credit of \$50,000. This is considered to be the best value to the city as it is a specialized piece of equipment and not expected to sale for that amount or more through the normal surplus auction process.

Pricing for the winch was obtained through the BuyBoard purchasing cooperative, which provides cities and political subdivisions with the means to purchase specialized equipment at volume pricing. BuyBoard complies with State of Texas procurement statutes.

Warranty for the new unit is two (2) years. Warranty service is provided by the dealer. Delivery is expected in approximately thirty (30) days.

Funds from the financing agreement for equipment for various departments is approved in FY 2014 budget.

Approval of resolution

Councilmember Pate moved to **APPROVE A RESOLUTION THAT THE CITY COUNCIL HEREBY APPROVES THE PURCHASE OF A WINCH ASSEMBLY FOR USE BY THE WATER UTILITIES DEPARTMENT FROM EARTH TOOL COMPANY, INC., OF HOUSTON, TEXAS, IN THE AMOUNT OF \$158,200 THROUGH THE BUYBOARD COOPERATIVE PURCHASING PROGRAM.** Councilmember Getz seconded the motion.

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

NAYS: NONE

MOTION PASSED

Resolution 14 - 253

2. Consider a resolution approving the award of a contract for workers' compensation excess insurance to McGriff, Seibels & Williams of Texas Inc.

The City is self-insured for its workers' compensation program. The excess insurance coverage limits the City's liability for claims from any one job-related accident or injury. The city's liability is called Self Insured Retention (SIR), which means the insurance carrier will cover all cost incurred on any individual claim of more than \$1,000,000 up to any amount authorized by statute. Our current policy is with Midwest Employers Insurance Company. The annual premium for the calendar year 2014 was \$120,758. Approximately 1255 full-time employees and 168 part-time, temporary and/or casual employees are covered by workers' compensation.

A Request for Proposal was sent to nineteen (19) vendors. Three (3) responses were received. A panel of City employees reviewed the responses. The recommendation of the panel was McGriff, Seibels & Williams who represents Colony Insurance of San Antonio. Colony Insurance has a Best Rating of A XII.

The policy is for one (1) year. There is no option to renew. Based on the 2014 projected payroll of \$75,600,000, the annual premium is \$113,302.80.

Employee Benefits Fund

Approval of resolution.

Mayor Pro Tem Coleman moved to **APPROVE A RESOLUTION THAT THE BID SUBMITTED BY MCGRUFF, SEIBELS AND WILLIAMS OF TEXAS, INC., OF SAN ANTONIO, TEXAS, REPRESENTING COLONY INSURANCE FOR A POLICY FOR EXCESS WORKERS' COMPENSATION INSURANCE IN THE AMOUNT OF \$113,302.80 BE ACCEPTED BY THE CITY OF BEAUMONT. THE POLICY IS EFFECTIVE JANUARY 1, 2015 WITH NO OPTION TO RENEW.** Councilmember Samuel seconded the motion.

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

NAYS: NONE

MOTION PASSED

Resolution 14 – 254

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

COUNCILMEMBER COMMENTS

COUNCILMEMBER SMITH -

ABSENT

COUNCILMEMBER SAMUEL -

WISHED EVERYONE A BELATED HAPPY THANKSGIVING, ALSO LOOKS FORWARD TO THE UPCOMING CHRISTMAS HOLIDAYS

COUNCILMEMBER PATE -

COMMENTED ON A WONDERFUL THANKSGIVING, STATED THAT LAMAR UNIVERSITY FOOTBALL TEAM BEAT MCNEESE AND IS TIED WITH THE MOST WINS THEY HAVE EVER HAD 8-4, NOW LOOKING FORWARD TO BASKETBALL SEASON

COUNCILMEMBER WRIGHT -

INTRODUCED A GUEST IN THE AUDIENCE, FORMER COUNCILMEMBER-AT-LARGE OF KELLER, TEXAS, MR. GARY REED, HE IS NOW THE ADA FOR JEFFERSON COUNTY FOR WHITE COLLAR CRIME, ALSO WANTED TO GET AN UPDATE FROM THE CITY ATTORNEY ON THE TITLE LENDING FROM THE STATE, REQUESTED A WORKSESSION ON SECTIONS OF THE CITY CHARTER, WOULD LIKE THE FOLLOWING ARTICLES DISCUSSED IN THE WORKSESSION, ARTICLE 5; SECTION 3 THE POWERS AND DUTIES OF THE CITY MANAGER, SECTION 4; ARTICLE 5 INTERFERENCE BY CITY COUNCIL PROHIBITED, ARTICLE 6; SECTION 9 ADOPTION OF THE BUDGET, WISHED EVERYONE AN EARLY MERRY CHRISTMAS, THANKED EVERYONE FOR THEIR WELL WISHES DURING HER ILLNESS,

ALSO RECOGNIZED THE LEGACY AWARD THAT WAS PRESENTED TO THE CITY OF BEAUMONT BY THE NLC

COUNCILMEMBER GETZ -

COMMENTED ON THE ANNUAL HOLIDAY GATHERING AT THE AMELIA NEIGHBORHOOD ASSOCIATION MEETING, THEY WERE PRIVILEGED TO HAVE A GENTLEMEN COME OUT TO PERFORM ON THE DULCIMER, HE WILL BE PERFORMING AGAIN AT THE DOWLEN WEST NEIGHBORHOOD ASSOCIATION MEETING ON DECEMBER 16, 2014, AT 6:00 P.M., INVITED THE COMMUNITY AT LARGE TO ATTEND AT THE ROGERS PARK COMMUNITY CENTER, THERE WILL ALSO BE A PERFORMANCE AT THE JEFFERSON THEATRE, THE MOVIE SANTA CLAUSE WILL BE PLAYING, ENCOURAGED EVERYONE TO BRING THE KIDS OUT TO SEE THIS WONDERFULLY RESTORED MOVIE

MAYOR PRO TEM COLEMAN -

HOPED EVERYONE HAD A GREAT THANKSGIVING, STATED THAT BEAUMONT WAS AGAIN RECOGNIZED BY THE NATIONAL LEAGUE OF CITIES FOR THE LET'S MOVE PROGRAM, THANKED THE PUBLIC HEALTH DEPARTMENT AND THE PARKS AND RECREATION DEPARTMENTS FOR ALL OF THEIR HELP

CITY ATTORNEY COOPER -

NONE

CITY MANAGER HAYES -

NONE

MAYOR AMES -

THANKED THE SABINE NECHES FOR THEIR INVITATION TO ATTEND THEIR DINNER, STATED THAT COUNCILMEMBER SMITH WILL BE VACATING HIS SEAT ON COUNCIL TUESDAY, DECEMBER 9, 2014, AS HE WILL BE SWORN IN AS THE NEW DISTRICT CLERK FOR JEFFERSON COUNTY IN JANUARY, 2015, ANNOUNCED THAT IF ANYONE IS INTERESTED IN BEING APPOINTED TO SERVE THE UNEXPIRED TERM FOR WARD IV THEY WILL NEED TO SUBMIT A RESUME' TO HER OFFICE BY FAX, EMAIL OR HAND DELIVERED TO THE EXECUTIVE OFFICE BY DECEMBER 15, 2014 AT 5:00 P.M., THE REQUIREMENT IS THAT THEY MUST LIVE IN WARD IV AND PLEASE ALSO INCLUDE IF THERE'S PLANS TO RUN IN THE MAY, 2015 ELECTION, IT WAS ASKED THAT THE CITY ATTORNEY HAVE AN EXECUTIVE SESSION FOR THE DECEMBER 15TH MEETING, THE APPOINTMENT WOULD TAKE PLACE AFTER EXECUTIVE SESSION

Public Comments (Persons are limited to three minutes)

Landry Rountree

1565 S. Major Dr.

Beaumont TX

Stated that as of Wednesday, December 3, 2014, it's been a year since the Council with the exception of Councilmember Wright took his permit away for two years, he was issued

392 tickets, stated that he has taken care of his tickets, he paid 4 tickets and the other 388 tickets were dismissed, would like to speak with any Councilmember that is available or the City Manager, feels the situation had been handled is incorrectly, discovered that three paragraphs on the ordinance that the Mayor signed is missing, he's making himself available for anyone that would like to discuss this with him

Eddie Alexander Sr.

3137 Praire Ave

Beaumont TX

Spoke on behalf of Compton Chapel Church of God, supports the abandonment of a portion of South 6th and Brenham St., the abandonment has been recommended for approval by the Planning and Zoning Commission

Phillip McMahon

3942 Broadmoor Dr.

Beaumont TX

Spoke to Council regarding his home that was damaged by a hurricane, Council has approved the order to demolish his home and would like Council to rescinded the order

Open session of meeting recessed at 2:04 p.m.

EXECUTIVE SESSION

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

Jay Brocato, et al vs. City of Beaumont, Texas; Cause No. D-183,620

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

