

**CITY OF VIDOR  
VIDOR CITY COUNCIL  
REGULAR MEETING  
JULY 22, 2021**

**MEMBERS PRESENT:**

Mayor Misty Songe  
Councilmember Kelly Carder  
Councilmember Nicole McGowan  
Councilmember Jerry Aldridge  
Councilmember Jessica Barker  
Councilmember Gary Herrera

**MEMBERS ABSENT:**

*(Ward 6 – Vacant)*

**Administrative Personnel:** Robbie Hood, City Manager; Vicki Watson, City Secretary; Chris Leavins, City Attorney; Cheryl Ray, Supervisor of Finance & Accounting; and Rod Carroll, Chief of Police

**A. OPENING, PRESENTATIONS, AND CITIZENS COMMENTS**

**A -1. Call to order and the establishment of a Quorum**

A quorum was present, and the Regular Meeting of the Vidor City Council began at 7:00 p.m., Mayor Songe presiding.

**A -2. Invocation and Pledge to the United States Flag and the State of Texas Flag**

Chris Leavins, City Attorney, gave the Invocation and led the Pledge to the United States Flag and the State of Texas Flag.

**A -3. Citizen Comments**

Charles M. “Mike” Jones, 620 Jackson, stated he found out the City is looking for someone for the Ward 6 Council seat and expressed his interest in filling the position. Mr. Jones explained he has family members from Vidor dating back to World War II, and he has been a licensed insurance agent for over 30 years and feels that will lend itself to some of the activities the City is involved in. Mr. Jones stated he is a veteran and an “old guy” who has been around a while and learned some things, and he feels he can contribute a service to the City.

**B. COUNCIL CONSENT AGENDA**

**B -1. Approval of Accounts Paid:**

<b>Paid Invoices:</b>	<b>General Fund - \$393,549.38</b>
	<b>MCBSF - \$179.25</b>
	<b>Emergency Management - \$8,493.21</b>
	<b>LEOSE - \$3,160.50</b>
	<b>CDBG Fund - \$121,042.84</b>
	<b>Hotel Occupancy - \$2,020.00</b>
	<b>Juvenile Case Manager - \$305.85</b>
	<b>Judicial Efficiency Fund - \$1,290.17</b>
	<b>Sanitation Fund - \$80,419.57</b>
	<b>Employee Benefits Trust - \$57,431.16</b>

**B -2. Approval of Minutes: Regular Meeting – July 8, 2021**

**B -3. Ratification of the transfer of funds from Interest & Sinking 2013 General Obligation Refunding Bonds-Capital One Bank account to Interest & Sinking 2008/2016 General Obligation Refunding Bonds-TexPool account in the following amounts:**

July 12, 2021: \$ 609.92

July 19, 2021: \$ 1,156.32

**B -4. Ratification of the payment of the monthly sales tax in the amount of \$6,132.81 for May and \$6,394.03 for June out of General Account/Pooled Cash**

A motion was made by Councilmember Herrera, seconded by Councilmember Carder, to **APPROVE THE COUNCIL CONSENT AGENDA AS PRESENTED**. The Council voted five (5) for and none (0) opposed. The motion carried.

**C. COUNCIL REGULAR AGENDA**

**C -1. Presentation, discussion, and possible approval of a Boy Scout Project**

Matthew Case distributed a handout to Council and staff and spoke regarding a proposed Boy Scout project. Mr. Case explained he would like to place three small free libraries in the City of Vidor: one at City Hall, one at the Community Center, and one at the Vidor Public Library. Mr. Case thanked Council for hearing his proposal. Robbie Hood, City Manager, explained the Community Center is owned by Orange County and not the City of Vidor.

A motion was made by Councilmember McGowan, seconded by Councilmember Aldridge, to **approve the project**. The Council voted five (5) for and none (0) opposed. The motion carried.

**C -2. Consideration and possible approval of an Ordinance finding certain buildings, dwellings and/or structures located at 785 East Bolivar, Vidor, Texas, to be public nuisances and ordering the demolition and/or repair of buildings, dwellings, or structures; providing for severability and providing for a penalty (*Second Reading*)**

Linda Cathey, Code Enforcement Officer, gave Council an update on the property located at 785 East Bolivar. Ms. Cathey explained since the last meeting and the story aired on the news, someone has come forward stating she purchased the property from a realtor out of Houston, but she had no documentation. Ms. Cathey stated until this lady has proof of ownership, she cannot issue her a permit to repair or demolish the house. Chris Leavins, City Attorney, stated under Texas law, we have to notify the property owners and anyone who has an interest in the property. Mr. Leavins stated we were aware that there was a potential person out there because it came up on the Appraisal District that the taxes were in this person's name, even though the abstractor's certificate came back and said someone else owned the property. Mr. Leavins stated we did send this person letters, but the address she gave when she came up to City Hall was different than the one we mailed the notices to. Mr. Leavins stated every public record Ms. Cathey checked gave us a different address. Mr. Leavins stated this was probably a contract for deed that was never recorded and discussed Council's options at this point. Discussion ensued.

Councilmember Carder made a motion to **approve the Ordinance and proceed with the demolition**. Councilmember Barker seconded. The Council voted five (5) for and none (0) opposed. The motion carried.

**C -3. Consideration and possible approval of an Ordinance finding certain buildings, dwellings and/or structures located at 265 Smith, Vidor, Texas, to be public nuisances and ordering the demolition and/or repair of buildings, dwellings, or structures; providing for severability and providing for a penalty (*Second Reading*)**

A motion was made by Councilmember Carder to **approve the Ordinance and move forward with the demolition of 265 Smith**. Councilmember Aldridge seconded. The Council voted five (5) for and none (0) opposed. The motion carried.

**C -4. Consideration and possible approval of an Ordinance finding certain buildings, dwellings and/or structures located at 970 Millie, Vidor, Texas, to be public nuisances and ordering the demolition and/or repair of buildings, dwellings, or structures; providing for severability and providing for a penalty (*Second Reading*)**

A motion as made by Councilmember McGowan, seconded by Councilmember Aldridge, to **approve the Ordinance for 970 Millie**. The Council voted five (5) for and none (0) opposed. The motion carried.

**C -5. Discussion and possible action to approve a Resolution appointing a member to the Planning and Zoning Commission**

Aaron Smith, 365 W. Tram, stated he has a unique perspective and expressed his interest in serving. Mr. Smith stated it is more important to make the right decision than to be right. Mr. Smith stated he wants to ensure, to the best of his ability, that correct decisions are made and explained that as a member, he would call upon members of the committee, Council, and the City Manager for clarification and better understanding of issues that come before the committee. Mr. Smith stated he would appreciate the opportunity to serve.

Nick Lagusis, 465 W. Park, stated he moved to Vidor and is looking to stay in Vidor. Mr. Lagusis stated he has been involved with projects from Frost Bank towers in Austin, Texas, to housing and hospitals in Dallas and Nederland. Mr. Lagusis stated he is very familiar with codes and thinks he can help Vidor. Mr. Lagusis stated Vidor has come a long way and has a lot of potential, and he wants to be part of the growth.

Jeff McWilliams, 3790 Highway 12, explained he has lived here the majority of his life, and he and his wife went to school here and raised four kids here. Mr. McWilliams explained he works at the papermill now but was a butcher around the area for 25 years at Price Lo, Market Basket, etc. Mr. McWilliams stated he did not have time to serve previously, but he wants to give back to the community and would be honored to serve now.

A motion was made by Councilmember Barker, seconded by Councilmember Herrera, to **appoint Jeff McWilliams to the Planning & Zoning Commission**. ROLL CALL VOTE: Councilmember Carder, aye; Councilmember McGowan, aye; Councilmember Aldridge, aye; Councilmember Barker, aye; and Councilmember Herrera, aye. The Council voted five (5) for and none (0) opposed. The motion carried.

**C -6. Discussion and possible action to approve AN ORDINANCE OF THE CTY OF VIDOR, TEXAS AMENDING STREET DEPT – CAPITAL OUTLAY – STREET/DRAINAGE CONTRACTORS AND STREET DEPT – CAPITAL OUTLAY – EQUIPMENT IN THE CITY’S BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020, AND ENDING ON SEPTEMBER 30, 2021 FOR THE PURCHASE OF A MOWER IN THE**

**AMOUNT OF \$123,000; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A WAIVER OF SECOND READING; PROVIDING FOR AN EFFECTIVE DATE**

A motion was made by Councilmember Carder, seconded by Councilmember McGowan, to approve the **Ordinance**. The Council voted five (5) for and none (0) opposed. The motion carried.

**C -7. Discussion and possible action to approve AN ORDINANCE OF THE CTY OF VIDOR, TEXAS AMENDING GENERAL FUND – FUND BALANCE AND POLICE DEPT – CAPITAL OUTLAY – EQUIPMENT IN THE CITY’S BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020, AND ENDING ON SEPTEMBER 30, 2021 FOR THE PD’S SHARE OF THE P25 NARROW BANDING SYSTEM RADIO UPGRADE IN THE AMOUNT OF \$11,034; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A WAIVER OF SECOND READING; PROVIDING FOR AN EFFECTIVE DATE**

Rod Carroll, Chief of Police, explained this is our 25% share of what has been done behind the scenes on the radio towers related to the dispatch computer upgrade from analog to digital. Chief Carroll stated this took everyone by surprise and was not included in the budget.

Councilmember Herrera made a motion to approve the **Ordinance**, and Councilmember Aldridge seconded. The Council voted five (5) for and none (0) opposed. The motion carried.

**C -8. Discussion and possible action on proposed activities at Veterans’ Memorial Park**

Robbie Hood, City Manager, explained the park is our property and though the Lions Club time took care of the park at one time, since they have disbanded, the upkeep fell back on us. Councilmember Herrera stated the park is in limbo and questioned whether or not there may be other plaques or bricks that were purchased previously and need to be placed in the park. Mr. Herrera stated he feels there needs to be a number on a sign at the park where someone interested in purchasing a brick can reach out to us. Mr. Herrera stated he would like the City to pick up the ball and keep it rolling.

Mr. Hood suggested this might be a good project for the Vidor Visitors Center. Discussion ensued. Mr. Hood suggested bringing this back in a month to see where we are. No action was taken.

**C -9. Update and report on City’s designation as a Texas Music Friendly Community**

Robbie Hood, City Manager, stated the City and Chamber of Commerce have worked very hard on this and explained we will be designated as the 23<sup>rd</sup> city in the State of Texas to receive this designation. Mr. Hood stated he would like to move as quickly as possible, and Chip Adams with the Governor’s Office suggested two dates (*August 24<sup>th</sup> and August 26<sup>th</sup>*) for the dedication. Mr. Hood explained as August 26<sup>th</sup> is a Council meeting night, we will plan on Tuesday, August 24<sup>th</sup>. Mr. Hood stated Chip is verifying his travel arrangements with his director and discussed possible activities for the event.

Councilmember Herrera stressed there will not be another designated city within the Golden Triangle, and Mayor Songe reiterated the Chamber has worked extremely hard on this. Mr. Hood stated music brings people together, and the State of Texas wants to hold our hands and move forward on this.

#### **C-10. Discussion and possible action on purchasing and installing GPS for City owned equipment**

Robbie Hood, City Manager, explained he had a very good demonstration yesterday from Verizon Wireless and discussed the various reports and data available from the system. Discussion ensued.

Mr. Hood stated he can bring this back at the next meeting with prices and will check on the availability of a representative from Houston to make a presentation. No action was taken.

#### **C-11. Discussion and possible action to approve a Resolution amending the job description of the Animal Control Officers to report to and be under the direction of the Chief of Police**

Robbie Hood, City Manager, stated Linda (*Cathey*) has done an outstanding job of bringing Animal Control from where it was to where it is now. Rod Carroll, Chief of Police, explained Animal Control has been under the Police Department at most agencies he has been with, otherwise there is a disconnect between the two. Chief Carroll stated people get very emotional about their animals, and if the calls are dispatched through the Police Department, the units will be monitoring and can drive by to make sure things remain calm.

Chief Carroll explained using body cams will not only give documentation, but people will be better behaved. Chief Carroll discussed his plans to install a camera system so that dispatch can monitor, just as they do the whole facility. Chief Carroll discussed an incident where an animal control officer and police officer were killed recently over an animal. Mayor Songe stated if a dog is missing after hours, the owner can check with the Police Department to see if it has been picked up. Mayor Songe explained if it has, the owner will have peace of mind knowing their pet will be safe for the night and can be picked up in the morning.

A motion was made by Councilmember Carder, seconded by Councilmember Aldridge, **to approve the Resolution amending the Animal Control reporting structure.** The Council voted five (5) for and none (0) opposed. The motion carried.

#### **C-12. Discussion on Code Enforcement processes and procedures within the City**

Linda Cathey, Code Enforcement Officer, explained how the junk vehicle and grass violations work. Ms. Cathey stated in the past, they sent multiple letters, but going forward, we will only send one letter which covers a twelve-month period. Ms. Cathey explained they have been a little lenient for the grass recently due to all of the rain. Discussion ensued.

Robbie Hood, City Manager, stated if an extension is granted, it needs to be warranted. Chris Leavins, City Attorney, stated we are working to simplify the junk vehicle process to keep it from bogging down the system. Discussion ensued regarding red-tagged structures, high grass and weeds, and liens on red-tagged properties. Mr. Hood stated property owners should keep the property values up for others on the same street.

Ashley Thibodeaux, Municipal Court Clerk, explained when a citation comes to Court, it resets the time to 30 days. Ms. Thibodeaux stated the defendant can pay in person at the window or online, but that does not ensure compliance. Ms. Thibodeaux explained the only time a defendant see the City Attorney/Prosecutor is if they plead not guilty. Chris Leavins, City Attorney, explained as a practical matter, he would not offer a plea unless they have come into compliance. Mr. Leavins stated if they show compliance, we can talk about the fine. A lengthy discussion ensued.

### **C-13. Filing of the City Manager's proposed tentative budget for fiscal year 2021-2022**

Cheryl Ray, Supervisor of Finance & Accounting, explained we have officially started the budget process. Ms. Ray stated a copy of the budget was emailed to the Mayor and Council and encouraged them to contact her or the City Manager if they had any questions or suggestions. Ms. Ray stated we will also post this tentative budget on the City's website in the next couple of days.

### **C-14. Consideration and/or possible approval of a RESOLUTION to establish and file a tentative budget for the City of Vidor and the fiscal year beginning October 1, 2021, and terminating on September 30, 2022, and making appropriations for each department, project, and account and giving Notice of a public hearing**

A motion was made by Councilmember Carder **to approve the Resolution establishing and filing the budget.** Councilmember McGowan seconded. The Council voted five (5) for and none (0) opposed. The motion carried.

### **C-15. Consideration and possible approval to set up new bank account for CLFRF Funds**

Cheryl Ray, Supervisor of Finance & Accounting, explained these are the American Rescue Plan funds of which we are expecting to receive half within the next few weeks. Ms. Ray stated we were originally supposed to get \$2.28 million, but Melinda (*Smith, Traylor & Associates*) believes it will be closer to \$2.5 million. Ms. Ray explained we will get half this year and half next year, but we have to set up a special bank account for those funds.

A motion was made by Councilmember McGowan, seconded by Councilmember Carder, **to approve setting up the new bank account for CLFRF funds.** The Council voted five (5) for and none (0) opposed. The motion carried.

### **C-16. Discussion and possible approval of a Resolution approving and authorizing the execution of Coronavirus State and Local Fiscal Recovery Fund documents**

Councilmember McGowan made a motion **to approve the Resolution,** and Councilmember Aldridge seconded. The Council voted five (5) for and none (0) opposed. The motion carried.

### **C-17. Consideration and possible approval of a Resolution approving amendments to the City of Vidor Investment Policy**

Cheryl Ray, Supervisor of Finance & Accounting, explained we usually review the Investment Policy annually in May, but it was delayed because of the Special Election and the recent appointment of Mr. Aldridge as Treasurer.

A motion was made by Councilmember McGowan **to approve the Resolution approving the amendments to the Investment Policy.** Councilmember Aldridge seconded. The Council voted five (5) for and none (0) opposed. The motion carried.

### **C-18. Consideration and possible approval of a Resolution approving the appointment of a Reserve Officer to the Vidor Police Department**

Rod Carroll, Chief of Police, explained this is a 28-year veteran and former SWAT and narcotics officer with Jefferson County. Chief Carroll stated he can put him through a short FTO program and have him on the streets quickly, then if there is an opening, he could laterally transfer him.

A motion was made by Councilmember Carder, seconded by Councilmember Herrera, **to approve the appointment of the Reserve Officer.** The Council voted five (5) for and none (0) opposed. The motion carried.

**C-19. Consideration and possible approval to accept Larry Williams' resignation as Ward 6 Council Member**

A motion was made by Councilmember McGowan, seconded by Councilmember Aldridge, **to accept the resignation of Larry Williams as Ward 6 Council Member.** The Council voted five (5) for and none (0) opposed. The motion carried.

**C-20. Consideration and possible approval of a Resolution approving and authorizing an extension of the City's pre-disaster debris removal contract with Ashbritt for one year**

Rod Carroll, Chief of Police, stated we all know what season it is, and it is not Christmas. Chief Carroll explained this is to make sure everything is ready in case there is an event. Councilmember Barker asked if there was a pay increase, and Chris Leavins, City Attorney, explained the original contract is from 2019, and we just keep extending it for one year.

Councilmember Carder moved **to extend the contract with Ashbritt for one year,** and Councilmember McGowan seconded. The Council voted five (5) for and none (0) opposed. The motion carried.

**C-21. Consideration and possible approval of a Resolution approving and authorizing the extension of the City's pre-disaster debris monitoring contract with Tetra Tech, Inc.**

Rod Carroll, Chief of Police, stated this is the same thing. Chief Carroll explained the monitors make sure we are following FEMA's guidelines. Robbie Hood, City Manager explained it is for a separation of powers and stated we cannot have the company picking up the debris monitoring themselves. Councilmember Herrera requested some information on Tetra Tech, and Chris Leavins, City Attorney, stated what is in the packet is the original contract from 2019.

A motion was made by Councilmember McGowan, seconded by Councilmember Carder, **to approve the Resolution extending the contract with Tetra Tech.** The Council voted five (5) for and none (0) opposed. The motion carried.

**C-22. EXECUTIVE SESSION pursuant to Section 554.074 of the Texas Local Government Code regarding evaluation of City Manager**

Mayor Songe recessed the Regular Meeting to go into **EXECUTIVE SESSION pursuant to Section 554.074 of the Texas Local Government Code regarding evaluation of City Manager** at 8:17 p.m.

Mayor Songe reconvened the Regular Meeting at 8:45 p.m.

**C-23. Consideration and possible action resulting from Executive Session under C-22 regarding the employment and evaluation of City Manager**

Councilmember Carder made a motion **to extend the City Manager's contract for an additional four (4) years to make a total of five (5) years.** Councilmember Herrera seconded. **ROLL CALL VOTE:** Councilmember Carder, aye; Councilmember McGowan, aye; Councilmember Aldridge, aye;

Councilmember Barker, aye; and Councilmember Herrera, aye. The Council voted five (5) for and none (0) opposed. The motion carried.


**C-24. Consideration of Adjournment**

A motion was made by Councilmember Carder, seconded by Councilmember Herrera, for **Consideration of Adjournment**. The Council voted five (5) for and none (0) opposed. The motion carried, and the Regular Meeting of the Vidor City Council adjourned at 8:48 p.m.

*These minutes approved August 12, 2021.*

  
Misty Songe, Mayor

ATTEST:

  
Vicki Watson, City Secretary