

**CITY OF VIDOR  
VIDOR CITY COUNCIL  
REGULAR MEETING  
AUGUST 12, 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. Proclamation – *Recycling Awareness Month***

Mayor Songe proclaimed the month of August as Recycling Awareness Month in the City of Vidor and urged all citizens of the community to join with Keep Orange County Beautiful (KOCB) in supporting and promoting KOCB efforts. Sandra Holt and Sandra Cash accepted the Proclamation on behalf of KOCB and gave a demonstration on different items that can be recycled.

**A -4. Proclamation – *Texas Music Friendly Day***

Mayor Songe proclaimed Tuesday, August 24, 2021, as Texas Music Friendly Day in the City of Vidor and urged all citizens to join us in celebrating this prestigious designation from the Office of the Governor. Mayor Songe stated the certification ceremony will be at City Hall from 3-6PM on Tuesday, August 24<sup>th</sup>. Robbie Hood, City Manager, explained only 24 cities in the State of Texas have this certification and stated a gentleman from the Governor's Office will be here to make the presentation. Atasha Quebedeaux and other board members in attendance approached the podium, and Ms. Quebedeaux explained two guitars signed by Clint Black have been donated to use as giveaways.

**A -5. Citizen Comments**

There were no citizen comments.

**B. COUNCIL CONSENT AGENDA**

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

**Paid Invoices:**                      **General Fund - \$264,596.37**  
   **MCBSF - \$72.02**  
   **MC Technology Fund - \$1,222.00**  
   **Emergency Management - \$784.40**  
   **Federal Forfeiture - \$4,892.00**  
   **Hotel Occupancy - \$2,708.45**  
   **Disaster Fund - \$148.00**  
   **Juvenile Case Manager Fund - \$150.20**  
   **Sanitation Fund - \$50,181.93**  
   **Employee Benefits Trust - \$57,358.64**

**B-2. Approval of Minutes:**              **Regular Meeting – July 22, 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 26, 2021:**                      **\$ 854.47**  
**August 2, 2021:**                      **\$ 1,543.19**  
**August 9, 2021:**                      **\$ 753.95**

**B-4. Ratification of the payment of the quarterly unemployment tax in the amount of \$3,575.77 for the first quarter 2021 out of General Account/Pooled Cash**

**B-5. Ratification of the payment of the quarterly city criminal costs and fees in the amount of \$68,797.58 for the second quarter 2021 out of General Account/Pooled Cash**

A motion was made by Councilmember Herrera, seconded by Councilmember McGowan, 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. PUBLIC HEARING to show just cause why the buildings, dwelling, or structures located at 765 West Davis Loop, Vidor, Texas, should not be demolished or repaired in accordance with the Ordinances of the City of Vidor, Texas**

Mayor Songe opened the **PUBLIC HEARING to show just cause why the buildings, dwelling, or structures located at 765 West Davis Loop, Vidor, Texas, should not be demolished or repaired in accordance with the Ordinances of the City of Vidor, Texas** at 7:16 p.m.

When questioned by Chris Leavins, City Attorney, Linda Cathey, Code Enforcement Officer, explained the property located at 765 West Davis Loop was inspected on April 6, 2015 and August 9, 2021. Ms. Cathey stated the structure is dilapidated and vacant and displayed pictures for the audience and Council of the structure's condition. Ms. Cathey stated the property continues to be in violation of Chapter 10 of the Vidor Code of Ordinances and the structure meets the definition of a dangerous structure as defined under Section 10-271. Ms. Cathey stated the structure also meets the definition of a substandard structure and cannot be

brought into compliance at a cost of less than 50% of the fair market value. Ms. Cathey confirmed all notices regarding the violations were sent to the property owner (*Mario Trujillo*) on June 7, 2021, but no permits have been pulled or repairs made.

Mayor Songe asked if there were any persons in the audience with an interest in the property, but there were none. There were no questions or comments from Council, and Ms. Songe closed the **PUBLIC HEARING to show just cause why the buildings, dwelling, or structures located at 765 West Davis Loop, Vidor, Texas, should not be demolished or repaired in accordance with the Ordinances of the City of Vidor, Texas** at 7:21 p.m.

**C -2. Consideration and possible approval of an Ordinance finding certain buildings, dwellings and/or structures located at 765 West Davis Loop, 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**

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

**C -3. PUBLIC HEARING to show just cause why the buildings, dwelling, or structures located at 320 Alamo, Vidor, Texas, should not be demolished or repaired in accordance with the Ordinances of the City of Vidor, Texas**

Mayor Songe opened the **PUBLIC HEARING to show just cause why the buildings, dwelling, or structures located at 320 Alamo, Vidor, Texas, should not be demolished or repaired in accordance with the Ordinances of the City of Vidor, Texas** at 7:22 p.m.

When questioned by the City Attorney, Chris Leavins, Linda Cathey, Code Enforcement Officer, explained the property located at 320 Alamo was inspected on May 10, 2018 and August 9, 2021. Ms. Cathey stated the structure has been gutted and displayed pictures for the audience and Council of the structure's condition on May 14, 2018 and now. Ms. Cathey stated the property continues to be in violation of Chapter 10 of the Vidor Code of Ordinances and the structure meets the definition of a dangerous structure as defined under Section 10-271. Ms. Cathey stated the structure meets the definition of a substandard structure and cannot be brought into compliance at a cost of less than 50% of the fair market value. Ms. Cathey confirmed all notices and reports were sent out to the property owners (*Fay & Marsha Bragg*) on June 7, 2021, but no permits have been pulled or repairs made.

Mayor Songe asked if there were any persons in the audience with an interest in the property, and Charles Jones, 620 Jackson, explained he drives a school bus and drops off approximately 20-25 kids that live on that street. Mr. Jones stated the property is an "attractive nuisance" to kids. There were no further questions or comments from the audience or Council, and Ms. Songe closed the **PUBLIC HEARING to show just cause why the buildings, dwelling, or structures located at 320 Alamo, Vidor, Texas, should not be demolished or repaired in accordance with the Ordinances of the City of Vidor, Texas** at 7:26 p.m.

**C -4. Consideration and possible approval of an Ordinance finding certain buildings, dwellings and/or structures located at 320 Alamo, 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**

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

**C -5. Consideration and possible approval of an ORDINANCE of the City of Vidor, Texas, amending the Code of Ordinances by amending Chapter 30, Floods, to provide for statutory authorization and updated regulatory requirements under the National Flood Insurance Program; providing for a repeal of conflicting Ordinances; providing for severability; providing for a penalty; and providing for publication and an effective date**

Linda Cathey, Code Enforcement Officer, stated everyone knows the new FEMA maps are going into effect December 16, 2021, and we had to make a few amendments to our Ordinance, such as adding some definitions and accepting the new maps. Chris Leavins, City Attorney, explained statutory authorization (*Article I*) had to be added. Mr. Leavins stated all of the changes to the Ordinance have been sent to FEMA for review, and they have been approved, so once Council approves, we will be in compliance. Mayor Songe explained this is something we had to do as they are changing their entire flood insurance program.

Councilmember Aldridge made a motion to **approve the Ordinance amending Chapter 30**, and Councilmember McGowan seconded. The Council voted five (5) for and none (0) opposed. The motion carried.

**C -6. Consideration and possible approval of a Resolution reappointing of Johnnie Andrus to the Vidor Civil Service Commission for a 3-year term to expire on 9/6/2024**

Robbie Hood, City Manager, stated he visited with Johnnie Andrus and asked if she would be willing to serve another term, and she has indicated she would.

A motion was made by Councilmember McGowan, second by Councilmember Carder, to **approve the Resolution reappointing Johnnie Andrus**. The Council voted five (5) for and none (0) opposed. The motion carried.

**C -7. Consideration and possible approval of a “Secretary’s Certificate” to designate the Orange County Tax Assessor-Collector to (1) calculate and publish the No-New-Revenue Tax Rate and Voter-Approval Tax Rate for the City and (2) to submit updated electronic data to Orange County Appraisal District**

Chris Leavins, City Attorney, gave a brief explanation of the Secretary’s Certificate and stated it is required due to a 2019 amendment. Mr. Leavins stated he spoke with the City Secretary, and we are not sure if there is a formal contract between us and the Orange County Tax Assessor-Collector to do these functions. Mr. Leavins stated the ones he has seen from other entities are about 30 years old. Mr. Leavins stated the Secretary’s Certificate, if passed, will make it formal so that we have a record of who the City has appointed to make and publish those calculations and submit values electronically to the Orange County Appraisal District.

Councilmember Herrera moved to **approve the Secretary’s Certificate**, and Councilmember Aldridge seconded. The Council voted five (5) for and none opposed. The motion carried.

**C -8. Consideration and possible approval of a Resolution to enter into a Mutual Aid Agreement with the Southeast Texas Regional Planning Commission and Counties therein**

Rod Carroll, Chief of Police, explained this has to do with 9-1-1 and indicates that all agencies within the regional Southeast Texas Regional Planning Commission will work together. Chief Carroll stated the

Regional Planning Commission are the ones we get furniture and hardware from for the call centers. Chief Carroll explained this is just a renewal. Chris Leavins, City Attorney, explained the agreement is predominately the same, we are just adding Jasper County.

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

#### **C -9. Discussion and possible action to appoint an individual to fill the Ward 6 Council vacancy**

Mayor Songe explained Larry Williams was elected to Ward 6, but he has found a home outside of the city limits and had to resign.

Jane Hill, 750 West Davis, explained she has been coming to meetings for over six years and served two times. Ms. Hill stated she did not run last time, but now that it has come open again, she would like to be appointed.

Lisa Harris, 200 West Elizabeth, explained she has a friend from Lakeview who told her about the vacancy. Ms. Harris stated she is retired law enforcement and would like to help out with code compliance. Ms. Harris stated while she was with the Sheriff's Office, she was very active in the association and served on various committees during her 26 years in law enforcement.

John Castilaw, 410 Oak Lane, explained he has lived in Vidor his whole life (40 years) and was asked by several people to serve and represent their ward. Mr. Castilaw stated he knew Ms. Jane's grandson was running, so he did not run earlier this year. Mr. Castilaw gave a brief history of his business.

Charles Jones, 620 Jackson, explained he has been a resident for 41 years, two of his sons graduated from here, and he has deep family ties here. Mr. Jones stated he is a Vietnam Veteran, was an insurance salesman for 26 years, and now drives a school bus part-time. Mr. Jones stated he feels he can contribute.

Mayor Songe stated it is very refreshing to see so many people step up and want to be a part of the solution to make our City better.

Councilmember Barker made a motion **to appoint John Castilaw to fill the Ward 6 vacancy**, and Councilmember McGowan seconded. ROLL CALL VOTE: Councilmember Carder, nay; Councilmember McGowan, aye; Councilmember Aldridge, nay; Councilmember Barker, aye; and Councilmember Herrera, nay. The Council voted two (2) for and three (3) against. The motion failed.

A motion was then made by Councilmember Carder, seconded by Councilmember Aldridge, **to appoint Jane Hill to fill the Ward 6 vacancy**. ROLL CALL VOTE: Councilmember McGowan, nay; Councilmember Aldridge, aye; Councilmember Barker, nay; Councilmember Herrera, aye; and Councilmember Carder, aye. The Council voted three (3) for and two (2) against. The motion carried.

#### **C-10. Discussion and possible action to approve an ORDINANCE of the City of Vidor, Texas, amending the Code of Ordinances by amending Chapter 46 – Miscellaneous Offenses, Article III. – Curfew for Minors, to create and establish a juvenile curfew ordinance within the City; providing for a repealing clause; providing for severability; providing for a penalty; and providing for publication and an effective date**

Mayor Songe explained she recently found out our curfew Ordinance has expired. Mayor Songe stated both she and Councilmember Barker have teenage kids, and the Ordinance needs to be put back in place. Chris Leavins, City Attorney, stated under the Local Government Code, if the Ordinance is not reviewed and

extended or modified within three years after its passage, the Government Code states it expires. Mr. Leavins stated the current Ordinance was passed in 2017, which means expired in 2020, so rather than amending it, we have to basically reinstate it by passing the whole thing again. Mr. Leavins explained in order to extend it in the future, a public hearing is required within three years to see if it is addressing concerns and to allow the public a chance to comment. Mr. Leavins stated this could be done annually. Rod Carroll, Chief of Police, stated it is pretty much standardized and mainly used by police for car burglaries. Chief Carroll stated when they see kids out and about, it gives officers a reason to make contact with them and send them home.

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

#### **C-11. Discussion and possible action to purchase GPS equipment for City owned property**

Robbie Hood, City Manager, stated if Council remembers, we talked about this at the last meeting. Mr. Hood stated an estimated cost per month is included in the packets based on the fleet we have right now. Mr. Hood explained this would be a 12-month contract initially and can be renewed annually at Council's discretion. Mr. Hood stated the prices will be locked in and will never go up. Mr. Hood discussed some of the features including tracking capabilities and reports for idling time, mileage, driving habits, etc. Mr. Hood explained these reports would be very useful in the event of another storm as FEMA reimburses us more for idling time than it does for patrolling.

Mr. Hood stated the prices before Council will be good until the end of the month, and all installation costs and equipment are included. Mr. Hood stated the Verizon Rep is supposed to be sending the contract for Chris (*Leavins, City Attorney*) to review. Mr. Hood stated this is a part of Sourcewell, similar to BuyBoard, where they have negotiated the lowest possible price, so we will not have to go out for bids. Mr. Hood recommended approving pending legal review and reiterated the rates will be locked in forever.

When asked by Councilmember McGowan for his thoughts, Rod Carroll, Chief of Police, stated this would be good especially for equipment thefts and discussed the recent theft of an excavator that was stolen from a business in Vidor and recovered at a barn on a piece of property in Caldwell, Texas. A brief discussion ensued.

Councilmember Herrera made a motion to **approve the purchase pending legal review**. Councilmember Carder seconded. The Council voted five (5) for and none (0) opposed. The motion carried.

#### **C-12. Certification of the 2021 Anticipated Collection Rate & 2020 Excess Debt Collections as presented by the Orange County Tax Assessor-Collector**

Cheryl Ray, Supervisor of Finance & Accounting, explained Karen Fisher, Orange County Tax Assessor-Collector, estimates our debt collection rate is 94%. Ms. Ray stated there was no excess debt collection last year.

Mayor Songe stated, *"The Certification of the 2021 Anticipated Collection Rate & 2020 Excess Debt Collections as presented by the Orange County Tax Assessor-Collector is as follows: 'I, Karen Fisher, Collector for the City of Vidor solemnly swear that the anticipated collection rate for the year 2021 for the City of Vidor (Debt Service) has been estimated to be 94% and the amount of excess debt service funds collected in the year 2020 has been determined to be \$0' signed by Karen Fisher. City of Vidor is required to receive the certification from Karen Fisher."*

Ms. Ray explained Karen Fisher, the Tax Assessor-Collector, is responsible for collecting the taxes for the City and is required to tell us every year what the percentage is and if we did or did not have any excess debt collections above what we needed to pay our debt, and we did not.

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

**C-13. Certification of the 2021 Property Values as presented by Orange County Tax Assessor-Collector**

Mayor Songe stated, *“The Certification of the 2021 Property Values as presented by Orange County Appraisal District states the following: “I, Scott W. Overton, Chief Appraiser for Orange County, solemnly swear that I have made or caused to be made a diligent inquiry to ascertain all property in the District subject to appraisal by me and that I have included in this summary the market and taxable values of all property that I am aware of, at an appraised value determined, as required by law.” The City of Vidor’s Total Taxable Value is \$461,451,886 and the Freeze Adjusted Taxable (Net Taxable minus Freeze Taxable minus Transfer Adjustment) is \$407,847,826.”*

Councilmember Carder made a motion to **accept the property values as presented**. Councilmember McGowan seconded. The Council voted five (5) for and none (0) opposed. The motion carried.

**C-15. Discussion of the tax rate for Fiscal Year 2021- 2022**

Cheryl Ray, Supervisor of Finance & Accounting, stated there should be a sheet in the Council packets that shows 2021-2022 property tax revenue at the different rates and the associated budget deficits. Ms. Ray stated last year’s rate of .70371 was used in the preliminary budget, which shows our tax revenue as \$2,197,015 and our budget deficit would be \$739,950. Ms. Ray explained the M&O (Maintenance & Operations) rate for our general everyday operating expenses would be .59959 and the debt rate, which only pays our debt, would be .10412. Ms. Ray stated we are required to have a separate rate for debt and the Tax Assessor-Collector gives us that rate. Ms. Ray discussed the no-new revenue tax rate and voter approval tax rate (the maximum amount that can be set before the taxpayers can call for an election). Ms. Ray recommended using .69190, because we do not know what is going to happen with next year’s valuation. Discussion ensued.

Mayor Songe stated last year’s rate was .70371, so .69190 would be a decrease. Ms. Ray explained this is not setting the rate tonight; this is just a proposal. Ms. Ray stated we can go lower, but we cannot go above it. Ms. Ray explained Council will set the rate at the next meeting on August 26, 2021.

**C-14. Consideration and possible action on establishing a proposed Maintenance and Operation tax rate and an Interest and Sinking tax rate and giving notice of public hearings, if necessary**

Cheryl Ray, Supervisor of Finance & Accounting, stated, *“The Certified Taxable Value is lower than Preliminary Values by \$17,168,079 as presented in the first draft of the budget. The City’s current tax rate is .70371 which was used in the first draft of the budget. Staff is proposing that Council pass a tax rate of .6919, which is less than prior year and less than the voter approval rate but will raise 9.563% more revenue than in the prior year, much of which is from new improvements.”*

Mayor Songe stated, *“Council needs to discuss and approve a maximum tax rate today, but that is not necessarily the tax rate that will be adopted by Council.”*

Discussion ensued.

Mayor Songe stated, “*Council approves using .69190 as the maximum total tax rate at this time. The breakdown of the proposed tax rate is as follows: \$.57787 for Maintenance & Operation, \$.11403 for Interest and Sinking with a combined proposed tax rate of \$.69190; a public hearing is required and will be held on August 26, 2021 at 7:00 p.m.*”

A motion was made by Councilmember Aldridge to set the proposed tax rate at .69190. Councilmember McGowan seconded. The Council voted five (5) for and none (0) opposed. The motion carried.

**C-16. Discussion and possible action to approve AN ORDINANCE OF THE CTY OF VIDOR, TEXAS AMENDING CITY SECRETARY ELECTION EXPENSE AND COUNCIL-CHARTER DESIGNATED IN THE CITY’S BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020, AND ENDING ON SEPTEMBER 30, 2021 FOR THE COST OF THE SPECIAL ELECTION IN THE AMOUNT OF \$6,500; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A WAIVER OF SECOND READING; PROVIDING FOR AN EFFECTIVE DATE**

Mayor Songe explained this is for the cost of the runoff election (*June 12, 2021*).

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

**C-17. Discussion and possible action to approve AN ORDINANCE OF THE CTY OF VIDOR, TEXAS AMENDING POLICE DEPT – WAGES AND GENERAL FUND-UNASSIGNED FUND BALANCE IN THE CITY’S BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020, AND ENDING ON SEPTEMBER 30, 2021 FOR THE FOUR PERCENT RAISE GIVEN TO THE POLICE DEPARTMENT AS OF JANUARY 1, 2021, IN THE AMOUNT OF \$50,000; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A WAIVER OF SECOND READING; PROVIDING FOR AN EFFECTIVE DATE**

Mayor Songe stated this was previously approved and is just to move the money. Councilmember Carder 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-18. Discussion and possible action to approve ordering the new sanitation truck that is in the budget for 2021/2022 due to the fleet now being so small after the accident with our other truck**

Robbie Hood, City Manager, explained there was an accident involving one of our sanitation trucks a few weeks ago. Mr. Hood stated the employee is okay and no one was on the road. Mr. Hood stated with COVID and the slowdown going on, if we order the sanitation truck now, we might be able to get it by March of 2022. Mr. Hood stated it is the same as others in the fleet. Cheryl Ray, Supervisor of Finance & Accounting, stated we are looking at financing it for five years, and the insurance proceeds will be put toward it.

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



**C-19. Consideration of Adjournment**

A motion was made by Councilmember Carder, seconded by Councilmember Barker, 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 8:13 p.m.

*These minutes approved August 26, 2021.*

  
Misty Songe, Mayor

ATTEST:

  
Vicki Watson, City Secretary