

**CITY OF VIDOR  
VIDOR CITY COUNCIL  
SPECIAL MEETING  
October 15, 2024**

**MEMBERS PRESENT:**

Mayor Songe  
Councilmember Lee  
Councilmember McGowan  
Councilmember Thompson  
Councilmember Barker  
Councilmember Bourque  
Councilmember Weldon

**MEMBERS ABSENT:**

**Administrative Personnel:** Robbie Hood, City Manager; Pebbles Eckhoff, Finance Director; Rachel Duplechain, City Secretary; Chris Leavins, City Attorney; Rod Carroll, Chief;

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

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

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

Mayor Songe, called Cody Baken, first. My name is Cody Baken, I worked for the City of Vidor Police Department full-time for six (6) years, during this time I came to find out that I love this city. I am not originally from here. I am from Bridge City, but I love serving the citizens and I love living here. The only reason we moved off was so I could have more education and better myself, but we both agree, me and my wife, that our full intention was to come back here, to serve this community and to raise our family here. I want to begin by first saying I respect each and every one of you, sitting on this Council and those serving in the Administration of this city. I believe each of have a diversity in background both professionally and personally which lends itself to leading the City of Vidor. Additionally, I would like to say I respect each of you just for simply being here, putting yourself on the public stage and sacrificing your time for the betterment of our city. So, while I was working for the city, I worked for the Chief and he had us read leadership books, and I am going to tell you right now they are trying, and I would be lying if I said I didn't have a few choice words in my mind when I was reading them. However, one thing I did learn was that those traits and principles that I read about, as I experienced more in life kept popping up and the one subject matter that came to mind was the difference between managing and leading. The one thing I have come to realize is this Council is managing, this Council is not leading and that is not directed at any one person, it's as a body. The failure to lead has come from grudges and in fighting, it has permeated the city hall, it has

permeated the citizenry. The goal of this Council has shifted from good governance to the settlement of personal grudges and vendettas. Going forward many people in this city have asked that you all get back to governing the city the way it should be, set aside petty grudges, set aside your personality conflicts, and stand up with unity and represent the city like you were elected to do. This whole grudge match stems from the issue with the City Manager, over a year ago. Everyone in relation to this failed, the Mayor failed, she was the first contacted and she failed in her handling of it and bringing it to this Council; this Council failed in adequately listening to the citizens of what they were actually saying. What they were actually saying is the HR policies for this city are terrible, you don't have them, they have no faith in your HR policies, but the City Council chose to be tone deaf to it. I think the eventual end result was that Mr. Hood is still here, and he has done a lot of good for this City and continues to do it with the team he has built. However, those grudges have again reared their head and instead of attacking each other it has gone to attacking him and the team. This City is divided we are looking like the national stage now. The City Council has become polarized, you are not voting for objectives reasonings, you are now voting based on your personality conflicts and voting blocs; and it not the way our city should be governed. One thing that I found interesting, Michael Thompson, Councilmember interjects, I would like to take a motion as our current Ordinance states that everyone will get the three (3) minutes, I would like us to take a vote on whether Mr. Baken, be allowed to continue. Baken, thank you that is all of my time. Songe, thank you Cody.

Songe, calls Deborah Fetherlin. Deborah Fetherlin, I wasn't here a year ago, so I don't know any of the grudges that happened a year ago, all I know that as a concerned citizen watching many cities in our Southeast Texas, general area, no one is watching the accounting. I don't care about anybody's personal life, I don't care who you have married, I don't care how many times you have married, I don't care what you do on your personal time, I am not getting into that, never have gotten into any of that, I don't care. I don't know the City Manager personally, I don't know any of you except Misty, personally. I have met the City Secretary socially before, but that is it. My main objective from day one September 26<sup>th</sup>, was the audit. The audit have not been properly done since 2021; state law says those audits have to be done within 120 days. Those audits have to be posted to the public as soon as they are presented to Council. In 2023, there was no Accountant paid for an audit, there was none presented to Council, no I'm not tipping my hand on that one. There was not an audit done, it was delivered to the Audit Company, September 27, 2024, exactly one day after I pitched a fit of where they were. The last three weeks I have endured a lot of criticism because I am from Beaumont. When what I feel like is I am sitting here in a room yelling fire and nobody is listening to me. An audit does more than catch wrongdoing, actually an audit doesn't catch wrongdoing, an audit is for state purposes it gives us an actual third-party review of how the city is doing. It is a vital part, and it is mentioned numerous times through our Ordinances. I would also like to express my opinion of last week's meeting, there is not one person representing the City of Vidor, with the exception of Councilman Barker, that upheld the Ordinances set in 1967, by thirteen (13) men. Our City Attorney let you down when two members walked out that door. The meeting was over period, you lost your quorum, the meeting should have ended right then. I would like to question why the City Attorney didn't do his job advising the City Mayor that it ended. I agree with the gentleman that spoke before me that there is a whole lot going on in this room, which I said September 26<sup>th</sup>. When I say this has to stop, I don't know what the petty grievances are, but there are bigger issues at hand. Councilmember Thompson, I would like to take a vote as to whether or not to let Ms. Fetherlin continue. Fetherlin, I yield my time. Songe, thank you Ms. Debra.

Mayor Songe, calls Nick Lagusis. Nick Lagusis, first gentleman that spoke hit the nail on the head, kept hearing about audits, mmm okay so an audit was late. At the Library it was stated preliminary audit passed with flying colors and we are waiting on the stamped letter, so I want to put an end to that. The 2022 audit was done just not posted, so that puts an end to that. Yes, things are going on and all stems back to a year ago, everything good that has gone on in Vidor in the past ten (10) years is gone out the window. Now I have got friends all the way up in Dallas, Texas, man what's going on down there, we thought Vidor, changed? Well, I thought it did too. Current Mayor, only Mayor in the history of Vidor, 5-0 vote of no confidence,

which needs to happen again and a recall needs to happen as multiple people are finally stating that's where the problem really lies, is the Mayor Misty Songe, of Vidor, Texas. That is all I have got. Songe, thank you

**B. COUNCIL CONSENT AGENDA**

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

<b>Paid Invoices:</b>	<b>General Fund –</b>	<b>\$349,171.05</b>
	<b>MCBSF –</b>	<b>\$348.94</b>
	<b>Hotel Occupancy –</b>	<b>\$11,698.27</b>
	<b>Disaster Fund-</b>	<b>\$1280.60</b>
	<b>Proprietary Fund –</b>	<b>\$52,173.26</b>
	<b>Total:</b>	<b>\$414,672.12</b>

**B -2. Approval of Minutes: Regular Meeting – September 26, 2024**

A motion to **approve the Consent Agenda** was made by Councilmember McGowan, seconded by Councilmember Thompson. The Council voted six (6) for and none (0) opposed. **The motion carried.**

**C. COUNCIL SPECIAL CALLED AGENDA**

**C -1. Discussion and possible action to approve an Ordinance of the City of Vidor, Texas regarding the City's Texas Municipal Retirement System Benefits Providing Employees with Five-Year Vesting**

Pebbles Eckhoff, Finance Director, this is just a specific Ordinance that TMRS requires for their records. They were unable to accept the Ordinance for passing of the budget for this. Mayor Songe, so it is already in the budget. Eckhoff, correct. Robbie Hood, City Manager, as soon as this is approved, we will get this sent over to TMRS to put into effect for November 1<sup>st</sup>. Songe, November 1<sup>st</sup>, okay

A motion to **approve an Ordinance of the City of Vidor, Texas regarding the City's Municipal Retirement System Benefits Providing Employees with Five-Year Vesting**, was made by Councilmember McGowan, seconded by Councilmember Thompson. The Council voted six (6) for and none (0) opposed. **The motion carried.**

**C -2. Discussion and possible action to approve a Resolution authorizing the execution of the Agreement for the Temporary Closure of State Right of Way for the Vidor Homecoming Parade**

A motion to **approve a Resolution authorizing the execution of the Agreement for the Temporary Closure of the State Right of Way for the Vidor Homecoming Parade**, was made by Councilmember McGowan, seconded by Councilmember Thompson. The Council voted six (6) for and none (0) opposed. **The motion carried.**

**C -3. Discussion and possible action to approve a Resolution authorizing payments under the Buyout Payment Assistant Request for: (1) Down Payment Assistance for six (6) households (2) Incentive for staying within the City of Vidor for six (6) households and (3) Relocation Assistance for ten (10) households, in the total amount of \$320,000, to be reimbursed by the Texas General Land Office**

Aleta Cappen, Emergency Management, howdy so according to the grant that we have for the buy-out program most of these houses as you well know are over on the West Circuit area, we did have a couple that are outside that area. Those houses on West Circuit that we are going to buy are going to be used to make a retention pond. Which in the future won't happen with this grant because of course that takes money, but our goal is be a Birding Habitat. We have to pass these up front, the GLO will not let us submit and let them pay. We have to pay up front and then let them pay us. Robbie Hood, City Manager, what is the turnaround on that. Cappen, well I don't want you to hold me to it, because nothing has gone like I thought it would go with this grant, but if everything gets turned in and we do not do these all at the same time, they will be done increments, we are hoping that it takes two months. It takes thirty (30) days for all their reviews and kicking back and looking at it again, so typically once we turn it in, I think we will have that money back to us within sixty (60) days. Pebbles Eckhoff, Finance Director, Mayor/Council, previous payments that were submitted to them we are getting back between thirty (30) to sixty (60) days.

**A motion to approve a Resolution authorizing payments under the Buyout Payment Assistant Request for: (1) Down Payment Assistance for six (6) households (2) Incentive for staying within the City of Vidor for six (6) households and (3) Relocation Assistance for ten (10) households, in the total amount of \$320,000, to be reimbursed by the Texas General Land Office, was made by Councilmember McGowan, seconded by Councilmember Thompson. The Council voted six (6) for and none (0) opposed. The motion carried.**

**Mayor Songe, then moved to C-5, while Aleta was still up to speak.**

**C -4. Discussion and possible action to approve an Ordinance amending the Vidor Code of Ordinances by amending Chapter 2 – Administration, Article VII – Council Governance Policy and Rules of Procedure, Section 2-278 – Meetings, (m-5) Speakers, remove the suggestion of the three (3) minute time limit.**

Mayor Songe, so I will use today as an example it's very hard to fit everything in the three (3) minutes, our Ordinance actually states a suggestion of three (3) minutes. I do not feel that is significant enough for most citizens to speak unless you have done it a couple of times, as all three (3) speakers did go over the three (3) minutes. So, if we are adamant about putting in a time as it does not have a set time now, my suggestion is to give five (5) minutes to allow the additional time for the citizens to have the right to speak. Councilmember Thompson, that is one thing that I will agree with our Mayor on, I also agree that the three (3) minutes is a little tight. As it stands, we do have this in the Ordinance as it says three (3) minutes and the issue that has come up is I have multiple citizens come to me who have witnessed events where somebody was stopped at the three minutes, and somebody wasn't. That's when we get into issues of things like freedom of speech, can we restrict one person vs another person and in my opinion the answer to that is no. It needs to be fair across the board. Do I necessarily think it should go all the way to five (5) minutes, no not necessarily, because this rule is put into place for the intent to make sure these meetings are going smoothly and efficiently and we can get to all the agenda items and if we have a lot of people speaking that everyone has the fair opportunity and their time to speak. One of the things that I would like to see is in one of the versions of this is right about where I would like to see it and take some of the ambiguity out of the current there is that little bit of ambiguity where it states suggestion of three (3) minutes. I think it states that speakers keep their statements to the three (3) minutes at the discretion of the chair, that's the part where I have some contingent with, we can't say on the basis of one person's content vs another person's content of their that you can't have more time and you

can have more time. So, the version of this that I would like to see go through would have that statement about the discretion of the chair come and it go directly to a vote as to whether or not we continue the statements or end the statements by majority vote. That way it protects everybody involved and gives everybody the same fair treatment across the board and then the Council can vote on what they think is fair and on whether those statements are productive to the meeting. Songe, so I am going to disagree with that I think its citizens comments it's either time everybody or time nobody, I don't think we should pick and choose. Councilmember McGowan, no he is saying that, he is saying time everybody. Thompson, that's what I said. I am saying the discretion out of it so that it's not up to necessarily the chair it's a set four minutes. Songe, well I very rarely time anybody and it's always been everybody or nobody. So, we just need to make sure we are not dictating who can speak and the content. Thompson, I agree we are not going to dictate the content, who they are or where they are from. That we allow them all to speak for the same amount time and then we make the decision as to whether or not they be cutoff. Songe, so we are putting the five minutes in there or we are putting no time in there. Thompson, I would like to say increase to four minutes and not necessarily the five (5) minutes.

A motion to **approve an Ordinance amending the Vidor Code of Ordinances by amending Chapter 2 – Administration, Article VII – Council Governance Policy and Rules of Procedure, Section 2-278 – Meetings, (m-5) Speakers, remove the suggestion of the three (3) minute time limit**, was made by Councilmember McGowan, seconded by Councilmember Thompson. The Mayor conducted a roll-call vote, Councilmember Lee Ward 1, aye; Councilmember McGowan Ward 2, aye; Councilmember Thompson Ward 3, aye; Councilmember Barker Ward 4, no; Councilmember Bourque Ward 5, aye; Councilmember Weldon Ward 6, aye.

Council voted five (5) for and one (1) opposed. **The motion carried.**

**C -5. Discussion and possible action to approve a Resolution authorizing a 25% increase in the cost of demolitions for thirteen (13) properties (as allowed by contract) in the total amount of \$120,025.00, to be reimbursed by the Texas General Land Office**

Aleta Cappen, Emergency Management, so to demo the houses we have to pay for this up front, we can't just send it, and they pay us. The original bid for the demo of these houses was turned in back in April of 2023, and we are all aware that prices have increased across the board for everything that we do, whether it's the landfill cost increase, or insurance to function or operational maintenance of the equipment, and then operational maintenance expenses of the company itself. So, their request which is provided for in the grant they can request up to a 25% cost increase and in your packet, you will see what the original cost was and what the total for the 25% total is. So, the total increase is \$20, 210.00 across the board for all the properties. Councilmember McGowan, and that total amount will be reimbursed? Cappen, yes mam.

A motion to **approve a Resolution authorizing a 25% increase in the cost of demolitions for thirteen (13) properties (as allowed by contract) in the total amount of \$120,025.00, to be reimbursed by the Texas General Land Office**, was made by Councilmember Thompson, seconded by Councilmember McGowan. The Council voted six (6) for and none (0) opposed. **The motion carried.**

**C -6. Consideration of Adjournment**

A motion to adjourn the meeting was made by Councilmember McGowan, seconded by Councilmember Thompson. The Council voted six (6) for and none (0) opposed. **The motion carried; the meeting adjourned at 7:23 pm.**

*These minutes were approved on October 24, 2024.*



ATTEST:

Rachel Duplechain, City Secretary

Misty Songe, Mayor