

**CITY OF VIDOR
VIDOR CITY COUNCIL
Special Called MEETING
November 18, 2021**

MEMBERS PRESENT:

Mayor Misty Songe
Councilmember Nicole McGowan
Councilmember Jerry Aldridge
Councilmember Jessica Barker
Councilmember Gary Herrera
Councilmember Jane Hill

MEMBERS ABSENT:

Councilmember Kelly Carder

Administrative Personnel: Robbie Hood, City Manager; Sandra Howard, City Attorney; Betty Strong, City Secretary; Cheryl Ray, Supervisor of Finance & Accounting; and, Rod Carroll, Police Chief

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

Rod Carroll, Police Chief, gave the Invocation and led the Pledge to the United States Flag and the State of Texas Flag.

A -3. Citizen Comments

None

B. COUNCIL CONSENT AGENDA

B -1. Approval of Accounts Paid:

Paid Invoices:	General Fund - \$178,634.20
	MCBSF - \$70.58
	Emergency Management - \$5,351.97
	Hotel Occupancy Tax Fund - \$22,320.00
	Proprietary Fund - \$47,361.47
	Employee Benefits Trust - \$62,571.79

B -2. Approval of Minutes: Regular Meeting – October 28, 2021

B-3. Approval of Amendment to the Minutes of the April 22, 2021, City Council meeting

B -4. 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:

November 1, 2021:	\$ 4,786.34
November 8, 2021:	\$ 4,583.41
November 15, 2021:	\$ 8,748.72

B -5. Ratification of the payment of the quarterly criminal court costs in the amount of \$60,987.46 out of General Account/Pooled Cash

B -6. Ratification of the payment of the annual Child Safety Seat and Seat Belt Violations in the amount of \$333.00 out of General Account/Pooled Cash

A motion was made by Councilmember McGowan, seconded by Councilmember Aldridge, 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 3060 Ward, 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 3060 Ward, Vidor, Texas, should not be demolished or repaired in accordance with the Ordinances of the City of Vidor, Texas** at 7:02 p.m.

When questioned by Sandra Howard, City Attorney, Richard Oldbury, Code Compliance Assistant, explained the property located at 3060 Ward, was inspected on April 19, 2021. Mr. Oldbury stated the structure is dilapidated and vacant. Linda Cathey, Code Enforcement Officer displayed pictures for the audience and Council of the structure's condition. Mr. Oldbury 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. Mr. Oldbury 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. Mr. Oldbury confirmed all notices regarding the violations were sent to the property owner (*Jeffrey Durrell (guardian of the estate) and Martha Durrell*) on June 29, 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 3060 Ward, Vidor, Texas, should not be demolished or repaired in accordance with the Ordinances of the City of Vidor, Texas** at 7:06 p.m.

C -2. Consideration and possible approval of an Ordinance finding certain buildings, dwellings and/or structures located at 3060 Ward, 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 McGowan, seconded by Councilmember Hill, to **APPROVE the Ordinance**. The Council voted five (5) for and none (0) opposed. The motion carried.

C -3. Discussion and possible action to approve a Resolution appointing a member to the Planning and Zoning Commission

No names presented. No action taken.

C -4. Discussion and possible action to approve a Resolution authorizing the execution of the Subdivision Participation Form JNJ and Subdivision Settlement Participation Form related to the Global Opioid Settlement reached by Attorneys General.

Robbie Hood, City Manager, explained the settlement agreement with Texas and Johnson & Johnson.

Discussion ensued.

Cheryl Ray, Supervisor of Finance & Accounting explained the money will go in restricted funds to be used as directed under the settlement to fight the Opioid crisis.

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

C -5. Discussion and possible action to approve a Resolution adopting the Texas Term Sheet and its intrastate allocation schedule related to the Global Opioid Settlement reached by Attorneys General.

Cheryl Ray, Supervisor of Finance & Accounting explained this is approving the payment plan for the participation in the Global Opioid Settlement.

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

C -6. Discussion and possible action to allow the Eastgate Pentecostal Church to use areas of Conn Park for parking for attendance at Christmas Festivities at the church

Robbie Hood, City Manager, explained his interactions with the Church and stated Chris Leavins, City Attorney is expecting documents from the Church for further review.

Discussion ensued about incident possibilities and weather permitting restrictions.

A motion was made by Councilmember McGowan, seconded by Councilmember Aldridge, to **allow Eastgate Pentecostal Church to use Conn Park for parking during Christmas Festivities at the Church pending proper documentation**. The Council voted five (5) for and none (0) opposed. The motion carried.

C -7. Consideration and/or possible approval of a Resolution casting 108 votes on behalf of the City of Vidor for the Orange County Appraisal District Board of Directors election from the five (5) names listed on the 2022-2023 Official Ballot to serve a term of office from January 1, 2022 – December 31, 2023

Robbie Hood, City Manager, explained the ballot and gave a candidate overview on the ballot. Councilmember Herrera explained the Appraisal Board member's process.

Discussion ensued.

A motion was made by Councilmember McGowan, seconded by Councilmember Aldridge, to **cast fifty-four (54) votes for Tim Andrews and cast fifty-four (54) votes for Karen Fisher.** The Council voted three (3) for and two (2) opposed. The motion carried.

C -8. Discussion and possible action to approve a Resolution designating authorized signatories for GLO Contract #22-085-010-D238.

Cheryl Ray, Supervisor of Finance & Accounting explained the \$15.8 million mitigation grant.

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

C -9. Discuss and possible action to approve a Resolution affirming the civil rights policies/procedures and approving civil rights notices for posting and/or publishing as required by GLO Contract #22-085-010-D238.

Cheryl Ray, Supervisor of Finance & Accounting explained this is a reaffirmation of the civil rights policies for the GLO contract # 22-085-010-D238.

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

C-10. Discussion and possible action regarding amendments to Chapter 74 – Vehicles for Hire, Article III. – Tow Trucks

Robbie Hood, City Manager, explained the city would like direction on amending Chapter 74- Vehicles for Hire, Article III. Mayor Songe explained the need for proof of insurance and that it should be required for release of a towed vehicle to protect the citizens of Vidor. Mayor Songe also stated we may be able to require a fee of \$250.00 in lieu of proof of insurance added to the tow fee. Mayor Songe went on to explain the need to increase the current tow rates and to raise the heavy tow rate to \$750.00. Rod Carroll, Chief of Police requested clarification regarding section E Chapter 74.85-Procedures for rotation list. (48-hour rule). Chief Carroll would like to know if this is 48-hour intervals or is this a minimum of 48 hours.

Discussion ensued.

Mayor Songe called upon Kevin McKee (21004 IH 10). Mr. McKee explained his interpretation of the rule of 48 hours and gave an example of his experience with this rule. Mayor Songe called upon Michael Mahoney (20585 IH 10) who also explained his take on the rule of 48 hours and offered his opinion on suggested language for this rule.

Discussion ensued.

Mayor Songe called upon Adam Dilley (21534 IH 10). Mr. Dilley explained reasoning on why a tow service would take their selves out of rotation and how the rotation works currently.

Discussion ensued.

Mayor Songe called upon Linda Cathey, Code Enforcement Officer to explain a need to start towing junk vehicles from abandoned properties.

Discussion ensued.

Council asks that Robbie Hood, City Manager meet with Code Enforcement and Wrecker Services to have a discussion and bring this back to council with requests on amendments to Chapter 74 and Junk Vehicles.

Lengthy discussion ensued.

No Action taken. Item will be brought back to a future agenda.

C-11. Consideration and possible approval of a Resolution authorizing the engagement of BrooksWatson & Co, CPAs to complete an audit for fiscal year 2020-2021 and approving and authorizing the Mayor to sign an engagement letter

Cheryl Ray, Finance & Accounting supervisor explained the city approved the contract with BrooksWatson & Co for the annual audit. This resolution is to approve the signing of the engagement letter.

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

C-12. Consideration and possible action to approve a Resolution approving financing terms for the new sanitation truck

Cheryl Ray, Finance & Accounting supervisor explained the situation with the timing of receiving the sanitation truck. She explained we can receive the new truck within 30 days once the finance terms are approved. The terms are 2.09% for five (5) years using the insurance proceeds from the wrecked truck as a down payment financing \$156,000.00.

Discussion ensued.

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

C-13. EXECUTIVE SESSIONS

- a. Executive Session pursuant to Section 551.071 – Consultation with Attorney regarding continued roofing issues at City Hall
- b. Executive Session pursuant to Section 550.071 – Consultation with Attorney, and Section 550.074 – Personnel Matters, regarding position of Associate Judge of the Vidor Municipal Court-

Mayor Songe recessed the regular meeting to go into **EXECUTIVE SESSION at 8:23 p.m. - Deliberation pursuant to Texas Government Code, Section 551.071 – Consultation with Attorney**

Mayor Songe reconvened the regular meeting at 8:56 p.m.

C-14. Consideration and possible action arising or related to Agenda Item C-13.a.

Council directs Robbie Hood, City Manager to pursue repairs to the roof at City Hall.

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

C-15. Consideration and possible action arising out of or related to Agenda Item C-13.b.


Council directs Robbie Hood, City Manager to set up a committee to include a member of Council to pursue an Associate Judge. Nicole McGowan volunteered to represent Council in the committee.

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

C-16. Consideration of Adjournment

A motion was made by Councilmember Hill, 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 9:00 p.m.

These minutes approved December 09, 2021.



Misty Songe, Mayor

ATTEST:



Betty Strong, City Secretary