

**CITY OF VIDOR
VIDOR CITY COUNCIL
REGULAR MEETING
MAY 28, 2020**

MEMBERS PRESENT:

Mayor Kimberly Stiebig
Councilmember Angela Jordan
Councilmember Kelly Carder
Councilmember Misty Songe
Councilmember Keith Buesing
Councilmember Gary Herrera
Councilmember Jane Hill

MEMBERS ABSENT:

Administrative Personnel: Chris Leavins, City Attorney; Vicki Watson, City Secretary; 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 7:03 p.m., Mayor Stiebig presiding.

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

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

A -3. Citizen Comments

Melissa Wagner, 980 Central Drive, spoke on behalf of the Swim Team of Orange County, and explained without a pool, there is no swim team. Ms. Wagner stated the Special Olympics also hold their event at the City pool and asked Council not to close it.

Janice Maxey, 4280 W. Sutton Drive, stated she has two children with physical disabilities and explained they cannot participate in other sports, but they can swim.

Wendy Hebert, 685 Kent, spoke in support of the swim team and explained she uses the pool for aerobics. Ms. Hebert also discussed issues with the house next door and questioned where Vidor is on condemned property.

B. COUNCIL CONSENT AGENDA

B -1. Approval of Accounts Paid:

Paid Invoices:

**General Fund – \$120,991.23
Sanitation Fund – \$17,365.05
Juvenile Case Management – \$146.59
Municipal Court Building Security Fund – \$37.82
Emergency Management – \$158.68**

Federal Forfeiture Fund – \$1,180.00

Hotel Occupancy – \$2,320.00

Disaster Fund – \$9,858.12

- B -2. Approval of Minutes: Regular Meeting – May 14, 2020
Emergency Special Called Meeting – May 14, 2020**

- 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:**

May 11, 2020: \$ 1,208.53

May 20, 2020: \$ 545.55

- B -4. Ratification of the payment of the monthly sales tax in the amount of \$4,410.77 out of General Account/Pooled Cash**

A motion was made by Councilmember Songe, seconded by Councilmember Carder, to **APPROVE THE COUNCIL CONSENT AGENDA AS PRESENTED**. The Council voted six (6) for and none (0) opposed. The motion carried.

C. COUNCIL REGULAR AGENDA

(Mayor Stiebig moved up agenda item C-9.)

- C -9. Consideration and possible approval of a Resolution approving the sale of a 2009 Ford F150 police unit that is surplus property to Orange County Constable, Precinct Two *(This truck was removed from the Vidor Police inventory when it was wrecked. The truck has 150,000 miles.)***

Rod Carroll, Chief of Police, explained this vehicle is a 2009 Ford F-150 that was removed from service after an 18-wheeler hooked the front bumper when making a turn, and drug the officer down the street. Chief Carroll spoke highly of Constable Gunter's reputation as a narcotics officer.

A motion was made by Councilmember Carder, seconded by Councilmember Herrera, to **approve the sale of the police unit**. The Council voted six (6) for and none (0) opposed. The motion carried.

- C -1. Consideration and possible action to select a contractor as the successful bidder for the 2020 Road Rehab Project**

Michelle Falgout, Falgout Consulting, explained a cover letter and bid list are included in Council packets. Ms. Falgout stated six bids were received, and all of the information was reviewed for each of the bid packets, and after careful consideration of the best interest of the City, she recommends awarding the bid, and the added alternate, to LD Construction for the 2020 road rehab project. Discussion ensued.

Councilmember Herrera moved to **go with LD Construction**, and Councilmember Carder seconded. **ROLL CALL VOTE:** Councilmember Carder, aye; Councilmember Jordan, aye; Councilmember Songe, aye; Councilmember Buesing, aye; Councilmember Herrera, aye; and Councilmember Hill, aye. The motion carried 6-0.

- C -2. Consideration and possible approval of a Resolution approving and authorizing that the COVID-19 Fund be operated for 2020 in accordance with the CV-Coronavirus Emergency Supplemental Funding Program grant application through the Office of the Governor of the State of Texas**

Cheryl Ray, Supervisor of Finance & Accounting, explained this is for the JAG grant that was approved at the last meeting.

A motion was made by Councilmember Songe, seconded by Councilmember Jordan, to **approve Resolution 918**. The Council voted six (6) for and none (0) opposed. The motion carried.

C -3. Consideration and possible approval of a Resolution authorizing and approving the City Manager contract with Robbie Hood for a two (2) year term

Chris Leavins, City Attorney, explained the only change to the Resolution given to Council is the date which was changed from June 18th to June 16th. Mr. Leavins stated this is a 2+ year contract from June 16, 2020-September 30, 2022.

Councilmember Herrera made a motion to **approve the contract with Robbie Hood**. Councilmember Carder seconded. ROLL CALL VOTE: Councilmember Jordan, aye; Councilmember Songe, aye; Councilmember Buesing, aye; Councilmember Herrera, aye; Councilmember Hill, aye; and Councilmember Carder, aye. The motion carried.

Mayor Stiebig questioned if Council would be opposed to having Mr. Hood come on in as a consultant in the meantime, Mr. Leavins explained this would need to be a separate contract for an hourly rate as consultant. Mr. Hood stated he has plenty of vacation time and offered to take two hours a day, so that he is not double-dipping, and will come over free of charge.

C -4. Discussion and possible action requiring individuals that are walking within the Right of Ways of roadways at night to wear protective and/or reflective vests

Mayor Stiebig stated she was approached by Chief Carroll after four serious accidents. Rod Carroll, Chief of Police, explained out of the four serious accidents, two were fatalities and one was life-altering. Tommy Harrington, 1430 Orange Street, discussed the difficulty in seeing pedestrians at night on Orange Street and encouraged Council to pass the requirement for the reflective vests. Discussion ensued.

Chief Carroll explained the bicycle Ordinance was put into place after three very serious accidents during his first year here, including one fatality, and stated they have had great success with it. Chief Carroll also discussed a problem with skateboarders that has recently surfaced and explained skateboarders are not covered in the traffic code. Discussion ensued.

Chief Carroll explained he would rather get compliance than to issue citations and stated no one walks away unscathed after an accident. After Council discussion, Chris Leavins, City Attorney, stated he can bring an Ordinance back if Council chooses and will continue to research.

A motion was made by Councilmember Herrera, seconded by Councilmember Buesing, to **approve moving forward**. The Council voted six (6) for and none (0) opposed. The motion carried.

C -5. Consideration and possible approval of a Resolution approving amendments to the City of Vidor Investment Policy

Cheryl Ray, Supervisor of Finance & Accounting, explained the investment policy has to be approved every year, and the only changes that have been made are the dates and the names of people.

Councilmember Songe made a motion to **approve Resolution 920 amending the City investment policy**. Councilmember Jordan seconded. The Council voted six (6) for and none (0) opposed. The motion carried.

C -6. Discussion and possible action regarding reopening of the City pool for 2020 season

Mayor Stiebig discussed issues with the motor for the pump which started after Imelda and explained as of yesterday it was working, but today it is not. Cheryl Ray, Supervisor of Finance & Accounting, explained the motor has been replaced or rebuilt four times. Discussion ensued regarding the size of the motor, who has worked on it, how long it has been running, and having a professional come out and find the problem and fix it.

Mayor Stiebig also discussed the staffing and certification issues and explained the Red Cross in Beaumont is still closed. A lengthy discussion ensued.

Chris Leavins, City Attorney, explained legally under the Governor's orders, any public pool must be permitted by the local government, so the thought is that would be an action by the governing body to say we are going to open the pool. Mr. Leavins stated the current regulations are still 25% capacity for any outdoor or indoor pool. Mr. Leavins stated Council can move to open it when these items are fixed, but there are a lot areas that are uncertain. Mr. Leavins stated Council's options are to make a motion to permit the pool to open or just bring it back once we have more answers. Discussion ensued.

A motion was made by Councilmember Buesing, seconded by Councilmember Carder, **to move forward in reopening the City pool.**

Ms. Ray questioned to what extent Council wants it opened and asked for clarification such as if it will just be open for swimming, or will it include parties and swim lessons, etc. Councilmember Carder stated that does not matter. Ms. Ray stated Council must give City staff guidance. Councilmember Carder stated right now we move forward with opening the pool, and then we can see what the Governor's orders are at that time. Discussion ensued regarding 25% capacity, staggering swim times, etc. Councilmember Herrera stated the main goal is to get the pool opened, and when it gets to that point, then Council can determine what they want to do based on the Governor's orders. Discussion ensued.

The Council voted six (6) for and none (0) opposed. The motion carried.

C -7. Consideration and possible approval of an application for Coronavirus Relief Fund grant

Mayor Stiebig explained this is an automatic allocation which provides 20% up front. Cheryl Ray, Supervisor of Finance & Accounting, explained the City's initial allocation is approximately \$150K, but to get the rest (*approximately \$450K*), we have to submit plans for using the money.

Chris Leavins, City Attorney, explained we need a Resolution as part of the grant package. (*Councilmember Buesing stepped out at 7:58 p.m.*)

A motion was made by Councilmember Songe, seconded by Councilmember Jordan, **to approve the application and Resolution for the Coronavirus Relief Fund grant.** The Council voted five (5) for and none (0) opposed. The motion carried.

(*Councilmember Buesing returned to the Council Chamber at 7:59 p.m.*)

C -8. Consideration and possible approval of a Resolution approving the transfer of a HUD-Code manufactured home park license for Magnolia Estates MHP, located at 22190 IH-10, Vidor, Texas, to LTLA Magnolia Estates, LLC

When Council questioned the location of the park, Rod Carroll, Chief of Police, advised it is located near the Church Street underpass on the north side of the interstate. Mayor Stiebig explained there are no trailers in it right now, and a brief discussion ensued.

Chris Leavins, City Attorney, explained there is still an active permit which became effective January 1, 2020. Mr. Leavins stated it will be grandfathered in because it is the same license; it is just transferring from one owner to another.

Councilmember Songe moved to **approve the transfer of the manufactured home park license**. Councilmember Carder seconded. ROLL CALL VOTE: Councilmember Songe, aye; Councilmember Buesing, aye; Councilmember Herrera, aye; Councilmember Hill, aye; Councilmember Carder, aye; and Councilmember Jordan, aye. The motion carried.

C-10. Discussion and possible action regarding likely excavation, damage, and repairs to Garland Street due to notification from Flint Hills for the replacement and/or repair of gas line

Chris Leavins, City Attorney, explained they are wanting to replace the gas line and have submitted paperwork. Mr. Leavins stated we do not understand why they are doing it on a different side of the road than what we thought they were, and explained there is no necessary action, but the Ordinance requires us to notify Council.

Michell Falgout, Falgout Consulting, explained she just got this this afternoon and discussed Flint Hill's timeline for the work and the restoration of the road to the City's standards. Ms. Falgout stated they have to give Romeo (*Lingad, Street/Drainage/Parks Supervisor*) a 48-hour notice before they start, and she feels sure Romeo will be there to make sure they do it right. A brief discussion ensued regarding road closures and notification.

Councilmember Buesing asked if the companies who come out and build up our roads are required to come to us for a permit. Ms. Falgout explained they come to the City Manager for a permit and are given very explicit instructions. Discussion ensued.

Mr. Leavins explained in a lot of cases, the lines were there before the roads, but there are certain requirements they have to meet, such as a bond and insurance. Mr. Leavins explained no formal action is needed from Council for them to repair their own line.

C-11. Consideration of Adjournment

A motion was made by Councilmember Songe, seconded by Councilmember Carder, for **Consideration of Adjournment**. The Council voted six (6) for and none (0) opposed. The motion carried, and the Regular Meeting of the Vidor City Council adjourned at 8:12 p.m.

These minutes approved June 11, 2020.



Misty Songe, Mayor Pro Tem

ATTEST:



Vicki Watson, City Secretary