

**CITY OF VIDOR
VIDOR CITY COUNCIL
REGULAR MEETING
MAY 13, 2021**

MEMBERS PRESENT:

Councilmember Kelly Carder
Councilmember Nicole McGowan
Councilmember Misty Songe
Councilmember Jessica Barker

MEMBERS ABSENT:

(Mayor's Position - Vacant)
Councilmember Gary Herrera
Councilmember Larry Williams

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 Pro-tem 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 - Motorcycle Safety Awareness Month

Mayor Pro-tem Songe proclaimed the month of May, 2021, as Motorcycle Safety Awareness Month in the City of Vidor and urged all citizens to remain aware of motorcyclists and afford them the courtesies they deserve. The Proclamation was accepted by James "Noah" Boyett, Edmond Frederick, Tonya "Scooch" Mills, Vic Smith, and Robert Woodard.

Mr. Boyett stated May is the month the weather starts getting nice, and motorcyclists start coming out. Mr. Boyett asked everyone to look twice at intersections and explained there are over 400,000 motorcycle riders in the State of Texas alone. Mr. Boyett gave a brief overview of the Region IV group, and Mr. Frederick discussed a motorcycle accident that took place within a mile of his house last year in which his best friend of 50 years was killed. Mr. Frederick stated there are no do-overs and encouraged citizens to play a game similar to slug-bug but looking for motorcycles instead of Volkswagen Beetles to make them more aware.

A -4. Citizen Comments

There were no citizen comments.

B. COUNCIL CONSENT AGENDA

B -1. Approval of Accounts Paid:

Paid Invoices:	General Fund - \$236,351.04
	Child Safety - \$424.06
	Municipal Court Building Security Fund - \$70.82
	Emergency Management - \$180.82

LEOSE - \$29.99
Federal Forfeiture - \$13,450.00
Hotel Occupancy - \$10,000.00
Disaster Fund - \$8,341.21
Juvenile Case Manager Fund - \$249.89
Sanitation Fund - \$45,065.09
Employee Benefits Trust - \$55,495.99

B -2. Approval of Minutes: Regular Meeting – April 22, 2021
Special Called Meeting – May 4, 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:

April 19, 2021:	\$ 1,025.05
May 04, 2021:	\$ 749.73
May 10, 2021:	\$ 626.94

B -4. Ratification of the payment of the quarterly criminal court costs and fees in the amount of \$54,524.82 out of General Account/Pooled Cash

A motion was made by Councilmember Carder, seconded by Councilmember McGowan, to **APPROVE THE COUNCIL CONSENT AGENDA AS PRESENTED.** The Council voted four (4) for and none (0) opposed. The motion carried.

C. COUNCIL REGULAR AGENDA

C -1. Swearing in of the newly elected Council member of the City Council

Jura el miembro del Concejo Municipal recientemente electos

Chris Leavins, City Attorney, explained Ms. Carder was previously sworn in but could not make the last meeting, so this is a ceremonial oath. Kelly Carder was ceremonially sworn in as Council Member - Ward 1 by Judge Michael Abbott.

C -2. Presentation of Certificate of Election to newly elected Council member of the City Council

Presentación del Certificado de elección del miembro del Concejo Municipal recientemente electos

Judge Michael Abbott presented Kelly Carder with a Certificate of Election, and a few moments were taken so that Ms. Carder could take pictures with her family.

C -3. Recognition of Girl Scout Troup 130458 for the work done at Pirate Pride Park

Robbie Hood, City Manager, stated Connie (Lott) and Girl Scout Troup 130458 did an amazing job at the park by the Library. Percy Flanigan, Street/Drainage/Parks Supervisor, displayed pictures for Council, staff, and the audience. Ms. Lott explained a parent volunteered to recycle the tires which were cut, painted, and made into the shape of a flower, and the girls then planted flowers inside the “flower.” Ms. Lott thanked Mr. Flanigan for getting everything ready for them.

C -4. Presentation by Raj Ataya, MS, Orange County Game Warden

Raj Ataya, Orange County Game Warden, stated there are five major bodies of water in Orange County and explained the summer of 2020 was the busiest ever encountered. Mr. Ataya stated there was a 50% increase in boat traffic. Mr. Ataya explained there were a total of 286 accidents last year state-wide including 53 fatal accidents (60% increase), 135 injuries (64.6% increase), and \$2.7 million in property damage (33.8% increase). Mr. Ataya stated the goal is to reduce those numbers by 5%. Mr. Ataya stated even with all of the increases, staff has not changed. Mr. Ataya explained there are 500 game wardens statewide, with only 3 in Jefferson County and 2 in Orange County.

Mr. Ataya explained approximately 50% of the boating accidents in Texas have been due to boating while intoxicated. Mr. Ataya stated it is not illegal to drink while driving a boat, but it is against the law to do it while intoxicated, and the same limits apply.

Mr. Ataya discussed the upcoming fishing changes and explained the flounder limit drops to zero beginning the first week of November and running through the first two weeks of December. Mr. Ataya stated these changes have been promoted for several months, so there will probably not be any warnings issued. In closing, Mr. Ataya gave his state issued cell phone number and explained game wardens are on call 24 hours a day. Rod Carroll, Chief of Police, thanked Mr. Ataya and stated he has seen Mr. Ataya interact with children and educate them. Chief Carroll stated Mr. Ataya and his partner were also one of the first ones to come and offer help after Hurricane Imelda. Chief Carroll stated Mr. Ataya is a tremendous asset to the County and this agency.

C -5. Consideration and possible action to approve a permit for the replacement of a pipeline filed and requested by Gulf State Pipe Line Co., Inc. across Church Street and Old Highway 90, for a pipeline beginning in Beaumont, Texas and ending in Silsbee, Texas

Chris Leavins, City Attorney, explained the application was resubmitted and signed, and Gulf State Pipe Line has provided the certificate of insurance with the City as an additional insured and the bond. Mr. Leavins stated they have met all of the requirements under the Ordinance. Larry Smart, Gulf State Pipe Line Co., explained they did an assessment back in February and found issues with the existing pipeline. When asked, Mr. Smart stated the pipeline carries natural gas.

A motion was made by Councilmember Carder, seconded by Councilmember Barker, **to approve the replacement of the pipeline.** The Council voted four (4) for and none (0) opposed. The motion carried.

C -6. PUBLIC HEARING to show just cause why the buildings, dwelling, or structures located at 770 West Railroad and 880 West Davis, Vidor, Texas, should not be demolished or repaired in accordance with the Ordinances of the City of Vidor, Texas

Mayor Pro-tem Songe opened the **PUBLIC HEARING to show just cause why the buildings, dwelling, or structures located at 770 West Railroad and 880 West Davis, Vidor, Texas, should not be demolished or repaired in accordance with the Ordinances of the City of Vidor, Texas** at 7:36 p.m.

Chris Leavins, City Attorney, questioned Linda Cathey, Code Enforcement Officer, regarding the condition of the property located at 880 West Davis. Ms. Cathey stated the property was inspected on October 13, 2019 and again on May 11, 2021. *(Pictures were displayed for the audience and Council.)* Ms. Cathey stated the property is open and accessible, and she believes it to be a dangerous structure as defined by the Ordinance. Ms. Cathey confirmed all notices were sent out, but no permits have been pulled or repairs made.

When questioned by Mr. Leavins regarding the property located at 770 West Railroad, Ms. Cathey stated the property was inspected on August 30, 2019, and found to be vacant and damaged by an apparent fire. *(Pictures were displayed for the audience and Council.)* Ms. Cathey explained the property was inspected again on May 11, 2021 and was found to be in the same or worse condition. Ms. Cathey stated all notices were sent out, but no repairs have been made and no permits pulled. Ms. Cathey stated she believes the property to be a dangerous structure per the Ordinance and asked Council to approve the demolition.

Mayor Pro-tem Songe asked if there were any persons in the audience with an interest in either of the properties discussed, but there were none, so she closed the **PUBLIC HEARING to show just cause why the buildings, dwelling, or structures located at 770 West Railroad and 880 West Davis, Vidor, Texas, should not be demolished or repaired in accordance with the Ordinances of the City of Vidor, Texas** at 7:42 p.m.

C -7. Consideration and possible approval of an Ordinance finding certain buildings, dwellings and/or structures located at 770 West Railroad and 880 West Davis, 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

Chris Leavins, City Attorney, explained because this is an Ordinance and all Council members are not present, it will have to come back for a second reading at the next meeting.

A motion was made by Councilmember Carder, seconded by Councilmember McGowan, **to demolish the structures located at 770 West Railroad and 880 West Davis if repairs are not made within thirty (30) days.** The Council voted four (4) for and none (0) opposed. The motion carried.

C -8. Consideration and possible action to approve a Resolution for the appointment/reappointment of members to the Planning & Zoning Commission

Robbie Hood, City Manager, stated there are three (3) open positions on the Planning & Zoning Commission due to expiring terms. Mr. Hood explained Karen Trahan has expressed an interest in continuing to serve; Jay Odom has stated he appreciates the time he has spent on the Commission, but his schedule does not allow him the time to continue; and Jessica Barker vacated her position when she became a Council member.

Mayor Pro-tem Songe stated Seth LaPray and Joseph Webb have expressed interest and called them to the podium. Ms. Songe stated she has just gone through an election with both of them and watched them campaign and put forth a lot of effort. Mr. LaPray asked to be appointed to the Commission and stated he believes he will bring a different perspective. Mr. LaPray stated he is willing to work really hard and thinks he has proven that. Jerad Spencer, Chairman of the Planning & Zoning Commission, stated he thinks Mr. LaPray will be a great asset. Mr. Webb explained he has lived in Vidor for two years but was raised in Vidor, played sports in Vidor, and coached in Vidor. Mr. Webb stated he recently ran for City Council, and even though he did not make it, he would still like to be actively involved and would like to volunteer his time.

Councilmember Barker made a motion **to appoint Joseph Webb, Seth LaPray, and Karen Trahan to the Planning & Zoning Commission.** Councilmember McGowan seconded. The Council voted four (4) and none (0) opposed. The motion carried.

C -9. Discussion and possible action to approve AN ORDINANCE OF THE CITY OF VIDOR, TEXAS AMENDING GENERAL FUND CHARTER DESIGNATED AND STREET AND DRAINAGE – CAPITAL OUTLAY – EQUIPMENT IN THE CITY’S BUDGET FOR THE

**FISCAL YEAR BEGINNING OCTOBER 1, 2020, AND ENDING ON SEPTEMBER 30, 2021
IN THE AMOUNT OF \$10,000 FOR THE PURCHASE OF A WATER PUMP FOR THE JET
RODDER; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A
SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE (*Second Reading*)**

Mayor Pro-tem Songe explained this is the second reading of this Ordinance, and Robbie Hood, City Manager, gave a brief explanation for the new Council members.

A motion was made by Councilmember McGowan, seconded by Councilmember Carder, **to approve Ordinance 1389**. The Council voted four (4) for and none (0) opposed. The motion carried.

C-10. Discussion and possible action to appoint a member of Council to the committee to review Request for Proposal (RFP) responses for Auditing Services

Cheryl Ray, Supervisor of Finance & Accounting, explained we have gone out for proposals for firms to do our annual audits for the next five years. Ms. Ray stated we received three responses and are looking for a member of Council to serve on the committee to review them.

Councilmember Carder made a motion **to appoint Councilmember McGowan for the committee**. Councilmember Songe seconded. The Council voted four (4) for and none (0) opposed. The motion carried.

C-11. Discussion and possible action to appoint a member of Council to the committee to review Request for Proposal (RFP) responses for abstracting, title, and related real estate services for the CDBG-DR Buyout program

Cheryl Ray, Supervisor of Finance & Accounting, explained we have similarly gone out for bids for the CDBG-DR buyout program and the bids are due May 20, 2021. A brief discussion ensued.

A motion was made by Councilmember McGowan, seconded by Councilmember Carder, **to appoint Councilmember Barker to the committee**. The Council voted four (4) for and none (0) opposed. The motion carried.

C-12. Discussion and possible action to authorize City Manager to spend \$9,100 on City Hall Generator

Robbie Hood, City Manager, explained we lost the big generator during the freeze of 2021 and with hurricane season quickly approaching, he asked to get it repaired.

A motion was made by Councilmember Carder **to authorize the City Manager to repair the generator**, and Councilmember Barker seconded. The Council voted four (4) for and none (0) opposed. The motion carried.

C-13. Consideration and possible action to approve a Resolution approving the recommendation of the Selection Review Committee for administrative services for the City's American Rescue Plan of 2021 funding for application preparation (if applicable), project administration, and project-related management services

Cheryl Ray, Supervisor of Finance & Accounting, explained we really did not need a committee, as we only received one response; therefore, the committee recommends Traylor & Associates.

Councilmember Carder made a motion **to go with Traylor & Associates for administration services for the City's American Rescue Plan of 2021 funding as recommended.** Councilmember McGowan seconded. The Council voted four (4) for and none (0) opposed. The motion carried.

C-14. Consideration and possible action to approve a Resolution approving the recommendation of the Selection Review Committee for administration services in conjunction with the submittal of an application for funding through the 2021 Hazard Mitigation Grant Program for DR-4572 Hurricane Laura to prove application preparation, project administration, and project-related management services, if awarded

Cheryl Ray, Supervisor of Finance & Accounting, explained this is the same thing, and Traylor & Associates was the only response.

A motion was made by Councilmember Carder, seconded by Councilmember McGowan, **to go with Traylor & Associates for administration services.** The Council voted four (4) for and none (0) opposed. The motion carried.

C-15. Consideration and possible action to approve rates, opening date, and capacity limits for the City pool

Robbie Hood, City Manager, called Percy Flanigan, Street/Drainage/Parks Supervisor, to the podium and commended his department on the work done at the City pool. Mr. Flanigan displayed pictures and explained the stripe around the pool, the lifeguard stand, and all of the concrete tables in the yard and under the awning were repainted. Mr. Flanigan stated all of the metal on the awning structures was also sanded and repainted, and the black part on the building was pressure washed and repainted.

Mr. Hood reviewed the starting date (*May 29th*), closing date (*August 8th*), and rates as presented on the sheet included in the Council packets. Mr. Hood explained the rates have not been changed since 2006 and are well below other facilities in the area. Mr. Hood stated the recommendations before Council are the result of a meeting held this afternoon to discuss.

Councilmember Carder made a motion **to approve the rates and dates as presented and get the pool open,** and Councilmember Barker seconded. The Council voted four (4) for and none (0) opposed. The motion carried.


C-16. Consideration of Adjournment

A motion was made by Councilmember Songe, seconded by Councilmember Carder, for **Consideration of Adjournment.** The Council voted four (4) for and none (0) opposed. The motion carried, and the Regular Meeting of the Vidor City Council adjourned at 7:57 p.m.

These minutes approved May 27, 2021.


Misty Songe, Mayor Pro-tem

ATTEST:


Vicki Watson, City Secretary