

**City Of Vidor
Vidor City Council
Regular Meeting
April 28, 2022**

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; Chris Leavins City Attorney; Betty Strong, City Secretary; Katrina Jones, Finance Director; Heather Watson, HR/Payroll specialist; 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 7:01 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. Citizen Comments

Shaelyn Anderson, 612 Greenbriar came as a spokesperson for the taxpayers on her street. She thanked Council for the ditches being dug and work being done. Ms. Anderson stated her concern is about Greenbriar being dug up five (5) years ago and being left that way. Ms. Anderson stated the potholes are bad and feels the dirt and rocks are a hazard. She stated vehicles and homes are getting dusty and rocks could cause damage to vehicles. Ms. Anderson stated she has been given several reasons as to why the road has not been paved yet. Ms. Anderson closed asking Council and the Councilmember of Ward two (2) have Greenbriar paved.

B. COUNCIL CONSENT AGENDA

B -1. Approval of Accounts Paid:

Paid Invoices:	General Fund - \$120,614.10
	MCBSF - \$54.81
	Emergency Management - \$456.34
	Disaster Fund - \$11,931.31
	Proprietary Fund - \$32,487.82

B -2. Approval of Minutes: Regular Meeting – April 14, 2022

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 11, 2022:	\$ 4,207.19
April 15, 2022:	\$ 4,823.53
April 25, 2022:	\$ 1, 293.15

B -4. Ratification of the payment of the monthly sales tax in the amount of \$6,357.73 for March 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. Discussion and possible action for issuance of temporary or limited duration permit for emergency and non-emergency ambulance services in the City until an ambulance service is selected after receipt of proposals

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

C -2. PUBLIC HEARING to show just cause why the buildings, dwelling, or structures located at 210 Denver St. 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 210 Denver St., Vidor, Texas, should not be demolished or repaired in accordance with the Ordinances of the City of Vidor, Texas** at 7:07 p.m.

When questioned by Chris Leavins, City Attorney, Richard Oldbury, Code Enforcement Officer, explained the property located at 210 Denver, was inspected on August 17, 2021. Mr. Oldbury stated the structure is in disrepair and vacant. Mr. Oldbury 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 and the substandard report regarding the violations were sent to the property owner Sherry Meadors on March 24, 2022, 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 210 Denver, Vidor, Texas, should not be demolished or repaired in accordance with the Ordinances of the City of Vidor, Texas** at 7:11 p.m.

C -3. Consideration and possible approval of an Ordinance finding certain buildings, dwellings and/or structures located at 210 Denver St., 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 Herrera, to **approve the ORDINANCE**. The Council voted five (5) for and none (0) opposed. The motion carried.

C -4. PUBLIC HEARING to show just cause why the buildings, dwelling, or structures located at 395 N. Dewitt, 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 395 N. Dewitt, Vidor, Texas, should not be demolished or repaired in accordance with the Ordinances of the City of Vidor, Texas** at 7:12 p.m.

When questioned by Chris Leavins, City Attorney, Richard Oldbury, Code Enforcement Officer, explained the property located at 395 N. Dewitt, was inspected on April 24, 2018 and again on April 22, 2022. Mr. Oldbury stated the structure is in disrepair and vacant. Mr. Oldbury 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 and the substandard report regarding the violations were sent to the property owner Monica Petrie on March 24, 2022, 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. Nick Lagusus 425 W. Park Street states he believes there is an issue with ownership. Mayor Songe informed Mr. Lagusus this issue had been resolved previously. Chris Leavins, City Attorney explained this hearing is not about the ownership of the property. 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 395 N. Dewitt, Vidor, Texas, should not be demolished or repaired in accordance with the Ordinances of the City of Vidor, Texas** at 7:17 p.m.

C -5. Consideration and possible approval of an Ordinance finding certain buildings, dwellings and/or structures located at 395 N. Dewitt, 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 Aldridge, to **approve the ORDINANCE**. The Council voted five (5) for and none (0) opposed. The motion carried.

C -6. PUBLIC HEARING to show just cause why the buildings, dwelling, or structures located at 1275 Marshall, 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 1275 Marshall, Vidor, Texas, should not be demolished or repaired in accordance with the Ordinances of the City of Vidor, Texas** at 7:18 p.m.

When questioned by Chris Leavins, City Attorney, Richard Oldbury, Code Enforcement Officer, explained the property located at 1275 Marshall, was inspected on March 10, 2022 and again on April 22, 2022. Mr. Oldbury stated the structure is in disrepair and vacant. Mr. Oldbury 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 and the substandard report regarding the violations were sent to the property owner Thomas Lawrence Bordwell on March 10, 2022, but no permits have been pulled or repairs made.

Jerry Aldridge, Councilmember Ward 3, asked about a travel trailer in the most recent pictures. Mr. Oldbury explained there is no one living in this travel trailer and informed council this is the neighbors travel trailer and it would be moved from the property by them.

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 1275 Marshall, 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 -7. Consideration and possible approval of an Ordinance finding certain buildings, dwellings and/or structures located at 1275 Marshall, 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 Aldridge, to **approve the ORDINANCE**. The Council voted five (5) for and none (0) opposed. The motion carried.

C -8. PUBLIC HEARING to show just cause why the buildings, dwelling, or structures located at 1425 Dogwood, 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 1425 Dogwood, 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 Chris Leavins, City Attorney, Richard Oldbury, Code Enforcement Officer, explained the property located at 1425 Dogwood, was inspected on November 10, 2021 and again on April 22, 2022. Mr. Oldbury stated the structure is in disrepair and vacant. Mr. Oldbury 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 and the substandard report regarding the violations were sent to the property owner Lynn Mathues on March 24, 2022, 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 1425 Dogwood, Vidor, Texas, should not be demolished or repaired in accordance with the Ordinances of the City of Vidor, Texas** at 7:25 p.m.

C- 9. Consideration and possible approval of an Ordinance finding certain buildings, dwellings and/or structures located at 1425 Dogwood, 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 Aldridge, to **approve the ORDINANCE**. The Council voted five (5) for and none (0) opposed. The motion carried.

C- 10. Consideration and possible action to set the time at the Regular Council Meeting on May 12, 2022, to canvass the election results.

Betty Strong, City Secretary informed council the May 12, 2022 date would be too soon to hold the canvass due to being contracted with the county. Ms. Strong informed council the county would not be complete with counting provisional and absentee votes until the week of May 16th. Ms. Strong informed council we could hold the canvass on either Tuesday May 17, 2022 or Wednesday May 18, 2022 with Wednesday May 18, 2022 being the last day to canvass.

A brief discussion ensued.

A motion was made by Councilmember McGowan, seconded by Councilmember Aldridge, to **schedule the cavass for the May 7, 2022 election on Wednesday May 18, 2022 at 7pm during a special called meeting**. The Council voted five (5) for and none (0) opposed. The motion carried.

C- 11. Report from the City Secretary to cover election night procedures for the 2022 General Election to be held on May 7, 2022.

Betty Strong, City Secretary gave an overview of election night procedures informing council she will send a group text message to all the candidates once results are in and then inform everyone else. Mrs. Strong stated she will be at City Hall after the polls close and provide popcorn and snacks while everyone waits for the results. Mrs. Strong explained last year's results came in at about 8:30pm.

C-12. Discussion and possible action to approve Insurance Benefits Consultant selection.

Heather Watson, HR/Payroll Specialist, explained that staff received three (3) proposals for a Benefit Consultant. Mrs. Watson informed council of the staff's selection and explained the selection of TK Health will provide the city with a savings of about \$38,000.00 a year due to TK Health not asking for any compensation outside of their commissions. Mrs. Watson gave a brief overview of the qualifications of TK Health.

Robbie Hood, City Manager, explained his previous relationship with this consultant and introduced Liz McKee 2515 Golden Oak in Orange Texas. Ms. McKee came to the podium and addressed council with an overview of the company and her background.

Gary Herrera, Councilmember Ward 5, expressed his appreciation that they are a local company.

A brief discussion ensued.

A motion was made by Councilmember McGowan, seconded by Councilmember Aldridge, to **approve the contract to TK Health for the City's Insurance Benefits Consultant**. The Council voted five (5) for and none (0) opposed. The motion carried.

C-13. Discussion and possible actions approving a resolution authorizing the use of the standard allowance for loss of revenue for FY 2020 in the amount of \$335,391.19 as allowed by the ARPA Final Rule. (If approved, use of the funds will be for the purpose of conducting general governmental services to be considered by Council before authorized for use.)

Katrina Jones, Finance Director, gave an overview of the ARPA funds and informed council this is the first allocation of the \$1.3 million and under the final rule we can use these funds for any government service.

Robbie Hood, City Manager, clarified staff will present the projects to council before moving forward.

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-14. Discussion and possible action to approve a Resolution appointing a member to the Planning and Zoning Commission

Robbie Hood, City Manager, explained the position will expire May 2022.

Nick Lagusis, 425 W. Park Street addressed the council and gave an overview of his interest and qualifications to be considered for the open position to the planning and Zoning Commission.

Mayor Songe stated council would like to wait until after the election to decide on this item.

Mayor Songe tabled this item until the next meeting.

C-15. Consideration and possible action regarding approval of an authorized variant under Chapter 62 – Subdivisions for the proposed extension of Filmore Street

Percy Flanigan, Supervisor of the Street and Drainage department gave an overview and provided pictures of Filmore street and the survey for the audience and council. Mr. Flanigan explained the width of the street is forty-three (43) feet. Mr. Flanigan informed council his crew shot grade on this property and there is better than a four (4)-foot drop in grade for drainage. Mr. Flanigan stated Mr. Brewer is requesting a variance for the width of the road.

Mayor Songe explained after meeting with the engineer he stated the road needs only twenty-four (24) feet for two (2) vehicles to pass easily.

Gary Herrera, Councilmember Ward 5 asked for the current Ordinance requirement. Mr. Flanigan explained it is currently required to be sixty (60) feet across according to The City of Vidor's Ordinance. Mr. Herrera then asked about the drainage and if this will be a cul-de-sac.

David Brewer 1025 Texla Road stated it will be a cul-de-sac with a turn around and there will be two (2) houses on the road.

A brief discussion ensued.

Jane Hill, Councilmember Ward 6, asked if this agreement will be in writing. It was confirmed that all the agreements will be in writing.

Mayor Songe clarified this discussion is for the approval to start the project with the variance of the road size.

Discussion ensued.

Jessica Barker, Councilmember Ward 4, asked for clarification that the four (4) foot drop would be sufficient for drainage. Mr. Flanigan verified it is sufficient.

A motion was made by Councilmember McGowan, seconded by Councilmember Herrera, to **approve the Variance under Chapter 62 for the proposed expansion of Filmore Street**. The Council voted five (5) for and none (0) opposed. The motion carried.

C-16. EXECUTIVE SESSION pursuant to Section 551.071 of the Texas Government Code – Consultation with Attorney, regarding pending or contemplated litigation and settlement offers

Mayor Songe recessed the regular meeting to go into **EXECUTIVE SESSION at 7:47 p.m. - Deliberation pursuant to Texas Government Code, Section 551.071 – Consultation with Attorney**

Mayor Songe reconvened the regular meeting at 8:00 p.m.

C -17. Consideration and possible action arising or related to Agenda Item C- 16.

No action taken on this item.

C-18. Consideration of Adjournment

A motion was made by Councilmember Hill, 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 8:00 p.m.

These minutes approved May 12, 2022.


Misty Songe, Mayor

ATTEST:


Betty Strong, City Secretary