

**City Of Vidor
Vidor City Council
Regular Meeting
May 25, 2023**

MEMBERS PRESENT:

Councilmember Mercedes Lee
Councilmember Nicole McGowan
Councilmember Michael Thompson
Councilmember Jessica Barker
Councilmember Gary Herrera
Councilmember Kathryn Weldon

MEMBERS ABSENT:

Mayor Misty Songe

Administrative Personnel: Robbie Hood, City Manager; Betty Strong, City Secretary; Katrina Jones, Finance Director; Chris Leavins, City Attorney; 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 Pro-Tem McGowan 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 Pledges.

A -3. Proclamation – *Motorcycle Safety Awareness Month*

Mayor Pro-Tem Nicole McGowan read the proclamation. Edmond Frederick accepted the Proclamation and gave a brief overview of some statistics about motorcycle safety. Paused for pictures.

A -4. Citizen Comments

Melissa Smith 835 Creekwood, stated she works for Orange County Emergency Services District #1. She expressed concerns about a call on May 13, 2023 about a seizure patient and does not understand why Acadian did not call the Fire Department. Ms. Smith said she feels Acadian does not reach out to the ESD and wants individuals to be aware of this. Ms. Smith explained she is aware of some other calls the Fire Department is not aware of and feels the Fire Department is not receiving the proper information from Acadian's dispatch.

Rose Luce, Allegiance Dispatcher explained she is speaking about the same incident as Ms. Smith and described the call she received for the seizure patient. Ms. Luce stated she called Acadian and was told they were at level zero meaning they had no ambulances. Ms. Luce informed the audience someone should have called from Acadian.

Kenneth Luce, 1838 Leigh St. described an incident from several months ago about a child unresponsive at Best Med and informed the audience the parents called 911 fifteen (15) minutes prior to the time he arrived. Mr. Luce stated the ambulance shows up on scene in five – six (5-6) minutes and refused other assistance.

Kaylee Whisneant, 305 N. Vidor Lane explained to the audience she feels she was failed by Acadian. She described the incident that occurred with her child seizing for thirty-five (35) minutes. Ms. Whisneant stated since she put this incident on Facebook, she sees that other parents have had issues with Acadian and feels Acadian should do better.

B. COUNCIL CONSENT AGENDA

B -1. Approval of Accounts Paid:

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|-----------------------|--|
| Paid Invoices: | General Fund - \$233,961.39 |
| | MCBSF - \$510.86 |
| | Vidor Animal Shelter - \$24.95 |
| | Hotel Occupancy Tax Fund - \$911.50 |
| | Disaster Fund – \$5,823.00 |
| | Juvenile Case Manager Fund - \$330.64 |
| | Judicial Efficiency Fee - \$300.00 |
| | Proprietary Fund - \$20,410.03 |

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|-----------------------------------|--|
| B -2. Approval of Minutes: | Regular Meeting – May 11, 2023 |
| | Special Called Meeting – May 16, 2023 |

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 16, 2023: | \$ 1,553.15 |
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A motion was made by Councilmember Thompson, seconded by Councilmember Herrera, 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

C -1. Consideration and possible action regarding Final Report received from the Planning & Zoning Commission concerning recommended establishment and adoption of Zoning in the city limits of Vidor, Texas

Jerad Spencer, Planning and Zoning Chairman explained the modifications requested as follows:

- Change Mobile Home Parks to Manufactured Home Districts
- Remove Mobile Home designation from West Maple and Oak Street and change to residential 1
- Designate the 10 acre (5 of which are usable) tract on Sargent Street to multifamily residential
- Suggested change to Manufactured Home District- South Mission Street off Alamo
- Suggested change to Manufactured Home District- South Dewitt from old Hwy 90 on the west side until South Dewitt and Forest Lane intersection
- Suggested change to Manufactured Home District- areas off Flora, Delores and Zoann
- Suggested change to Manufactured Home District- South Main North of Alamo Street (about 38 acres) 1340 South Main (Houseman)-Mr. Spencer explained this change is on hold.

- Suggested change to Mixed Use- Emerald Forest (land next to the Jr. High about 85 acres) (Houseman)
- Suggested Orange street be Multi Use
- Suggested 450 North Bolivar (The Vidorian Building) change to Commercial Use
- 1445 South Main Lot by water tower Manufactured Home District (Marsh)

Michael Thompson, Councilmember Ward 3 asked how a citizen will be affected if in a current residential neighborhood being zoned for commercial. Mr. Spencer explained how this works and described the grandfathered status. Gary Herrera, Councilmember Ward 5 asked how long the Council will have to review this information. Mr. Hood and Mr. Leavins explained this is for Council's review and that Council is the final approval. Timing will be based on how long the Council takes to make a final decision.

C -2. Public Hearing to receive public comments from citizens and other interested parties concerning the recommended establishment and adoption of Zoning in the city limits of Vidor, Texas.

Mayor Pro-Tem McGowan opened the Public Hearing to receive public comments from citizens and other interested parties concerning the recommended establishment and adoption of Zoning in the city limits of Vidor, Texas at 7:24 p.m.

Mr. Spencer read an email from Mr. Lussier and he and Mr. Leavins answered the questions as listed below:

Hello I am Stephen Lussier, my wife and I are the owners of the property at 3150 hwy 12 Vidor TX 77672. It has been brought to my attention that my neighbor and I's property is being rezoned as commercial. I looked at the zoning map online to confirm this. I have been also made aware that my property will be grandfathered in. My questions are:

1. Why has my neighbor and I's property been selected for this and not made part of the residential zone?
2. How does this affect my ability to make improvements/ receive permits for my property?

For questions 1 and 2: Mr. Spencer, Chairman of the Planning and Zoning Commission explained this is in an area with existing businesses. This property will still be categorized as residential property unless the property is later built as commercial property. Nothing changes regarding how you can make improvements or receive permits for your property.

3. When does this go into effect?

Chris Leavins, City Attorney explained this will be up to Council once the Ordinance is passed and finalized.

4. I have not received any notification about this zoning. I learned of it completely from happen stance. The secretary explained that if I visited the city's website or followed social media I would have known. As a taxpayer, I would like to know why there hasn't been any notification by mail to affected properties. Thank you for your time and I'd like to thank your secretary for being able to email my questions.

Mr. Leavins explained the Local government code was followed and the notice was published in the local paper, on the community bulletin boards at City Hall and on the City website per the required statute.

Gary Herrera, Councilmember Ward 5, stated he wants to look further at the plan. Mr. Hood stated he highly recommends the Council to review the plan and pose any questions they may have.

Mayor Pro-Tem McGowan asked if any others had comments for the Public Hearing. There were none.

Mayor Pro-Tem McGowan closed the public hearing at 7:28 p.m.

C -3. Discussion and possible action to approve Resolutions appointing members to the Planning and Zoning Commission due to term expirations (3)

Robbie Hood, City Manager informed Council of the three (3) members whose term is expiring at the end of May 2023. Jerry Aldridge, Fletcher Inzer, and Anthony Foster. Mr. Hood asked council to consider reappointing each of the existing members to the Planning and Zoning Commission. Gary Herrera, Councilmember Ward 5 expressed he may have a person interested. Mr. Herrera asked this to be moved to next month for further review. Jessica Barker, Councilmember Ward 4 asked if any of the members mentioned have any properties not in compliance with our current ordinances. Mr. Hood stated he will refer this to Code Enforcement and get back to Council.

A motion was made by Councilmember Herrera, seconded by Councilmember Barker, **to Table this topic to the next Regular Council Meeting.** The Council voted six (6) for and none (0) opposed. The motion carried.

C -4. Consideration and possible action to approve a Resolution authorizing the submission of a Project of Special Merit Grant application to the Texas General Land Office for implementing Terry Gully Bird Habitat.

Aleta Cappen explained the grant to Council and presented a slide show. Ms. Cappen explained this application is due June 6, 2023 and there is no share cost to the City. Jessica Barker, Councilmember Ward 4 asked if the City will be required to maintain the habitat going forward. Ms. Cappen explained the City will be responsible for this maintenance and informed council the City would be required to maintain it as a retention/detention pond as well.

A motion was made by Councilmember Herrera, seconded by Councilmember McGowan, **to Authorize the submission of an application to TX GLO for the Terry Gully Bird Habitat.** The Council voted six (6) for and none (0) opposed. The motion carried.

C-5. Consideration of Adjournment

A motion was made by Councilmember Herrera, seconded by Councilmember Barker, 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 7:38 p.m.

These minutes approved June 8, 2023.



Misty Songe, Mayor

ATTEST:



Betty Strong, City Secretary