

**City Of Vidor  
Vidor City Council  
Regular Meeting  
March 9, 2023**

**MEMBERS PRESENT:**

Mayor Misty Songe  
Councilmember Kelly Carder  
Councilmember Nicole McGowan  
Councilmember Gary Herrera  
Councilmember Jane Hill

**MEMBERS ABSENT:**

Councilmember Michael Thompson  
Councilmember Jessica Barker

**Administrative Personnel:** Robbie Hood, City Manager; Betty Strong, City Secretary; Katrina Jones, Finance Director; Chris Leavins, City Attorney; Rod Carrol, 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**

Chris Leavins, City Attorney gave the Invocation and led the Pledges.

**A -3. Citizen Comments**

No Citizen comments.

**B. COUNCIL CONSENT AGENDA**

**B -1. Approval of Accounts Paid:**

**Paid Invoices:**

**General Fund - \$231,316.54  
MCBSF - \$221.55  
LEOSE - \$887.15  
CDBG Fund - \$98,029.00  
Hotel Occupancy Tax Fund - \$1,295.04  
Juvenile Case Manager Fund - \$231.45  
Proprietary Fund - \$31,508.73**

**B -2. Approval of Minutes:**

**Regular Meeting – February 23, 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:**

**February 27, 2023:                 \$ 16,164.27**

A motion was made by Councilmember McGowan, seconded by Councilmember Herrera, 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. PUBLIC HEARING to show just cause why the buildings, dwelling, or structures located at 1204 N. Main 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 at 7:01p.m. Wendel Wendling 2421 Liberty, Beaumont, TX 77702 informed Council he received notice of the demolition, and his plan is to demolish the structure in the next week. He asked that council take this into consideration. Mayor Songe stated she did not have an issue with the owner accepting responsibility to take care of the structure. Robbie Hood, City Manager stated in all his career, he has never had someone want to take responsibility. Mr. Wendling stated he is here to do a service for the City. Mayor Songe asked if there were any other comments by the public. There were none.

When questioned by Chris Leavins, City Attorney, Richard Oldbury, Code Enforcement Officer, explained the property located at 1204 N. Main St., was inspected on June 3, 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, is not fit for habitation and is a hazard to the public's health safety and welfare. Mr. Oldbury confirmed all notices and the substandard report regarding the violations were sent to the property owner Gertrude Riley on February 2, 2023. Mr. Oldbury explained that Ms. Riley's contractor did pull a permit to demolish the structure today on March 9, 2023.

Mayor Songe informed the audience the owner will take care of this, and this public hearing will allow us to proceed if the owner fails to do so. 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 1204 N. Main, Vidor, Texas, should not be demolished or repaired in accordance with the Ordinances of the City of Vidor, Texas** at 7:08 p.m.

#### **C -2. Consideration and possible approval of an Ordinance finding certain buildings, dwellings and/or structures located at 1204 N. Main 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.**

Chris Leavins, City Attorney informed council they can proceed to make a motion to demolish and allow the homeowner 31 days to proceed.

A motion was made by Councilmember McGowan, seconded by Councilmember Herrera, to **approve the Ordinance to demolish 1204 N. Main St within thirty-one (31) days**. The Council voted four (4) for and none (0) opposed. The motion carried.

#### **C -3. Consideration and possible action to approve an Ordinance of the City of Vidor, Texas amending the Code of Ordinances by amending Chapter 62 – Subdivisions, Article III – Improvements and**

**Standards, regarding clearing of construction debris (including dirt and vegetation) from streets, drainage from properties and authorized variants; providing for repeal of conflicting ordinances; providing for severability; and providing for publication and an effective date. (Second Reading)**

Chris Leavins, City Attorney explained this is the second reading from the last council meeting.

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

**C -4. Consideration and possible action to approve an Ordinance of the City of Vidor, Texas amending the Code of Ordinances by amending Chapter 70 – Traffic and Vehicles, Article I – In General, prohibiting heavy equipment that operates on tracks being used or driven on City streets; providing for repeal of conflicting ordinances; providing for severability; providing for a penalty; and providing for publication and an effective date. (Second Reading)**

Gary Herrera, Councilmember Ward 5, asked for clarification. Chris Leavins, City Attorney explained the ordinance preventing a contractor from tearing up city streets and that this is the second reading from the last council meeting.

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

**C -5. Consideration and possible action to approve a Resolution in support of legislation authorizing local law enforcement to enforce Commercial Motor Vehicle laws that regulate the enforcement of Safety Standards for Commercial Motor Vehicles**

Rod Carrol, Police Chief informed Council this resolution came from Speaker Phelan's office. Chief Carroll gave some background on this process for other cities. This will allow the city to send an officer to be certified to note the conditions of commercial vehicles in our City. Chief Carroll explained the new upcoming construction to our area will increase the number of vehicles that are not road worthy on our roads and allow us to enforce the standards. Gary Herrera, Councilmember Ward 5 asked if we will get a DOT Officer and if fines will be captured by the city. Chief Carrol informed council this will allow us to have our own DOT officer and the fines will be captured by the city just like our other traffic violations. Mr. Herrera asked how the funds will be used. Chief explained he will review this information further and follow back up with Council on this information. Chief Carrol explained once this law is in effect, it will remain so until repealed.

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

**C-6. Consideration and/or possible approval of an Ordinance amending ORDINANCE 1439 calling for the elections of the Mayor and three (3) Council members in a City Elections to be held on May 6, 2023, and setting up the procedures for the election, the provisions for the officers of the election, establishing a voting precinct and polling place, and ordering a Runoff Election, if necessary, to be held on June 10, 2023. (amend voting locations)**

**Consideración y/o posible aprobación de enmendar la ORDENANZA 1439 que convoca a las elecciones del Alcalde y tres (3) miembros del Concejo en unas Elecciones Municipales que se llevarán a cabo el 6 de mayo de 2023, y establece los procedimientos para la elección, las disposiciones para la oficiales de la**

**elección, estableciendo un precinto de votación y un lugar de votación, y ordenando una Elección de Desempate, si es necesario, para el 10 de junio de 2023.**

Betty Strong, City Secretary informed Council this updates the locations for Early Voting and Election Day to reflect the County-Wide polling locations. Mrs. Strong stated this will allow voters to vote at any location listed and eliminate the need for voters to go to a specific location.

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

**C-7. Discussion and possible action to approve a Resolution awarding a contract for demolition services of 3475 East Railroad, Vidor, TX as part of the City's CDBG-DR Infrastructure Grant (#20-065-120-C407) to C&C Works, Inc. in an amount not to exceed \$9,500.**

Katrina Jones, Finance Director explained this bid was left off the approval a few meetings ago.

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

**C-8. Discussion and possible action to approve a Resolution authorizing the submittal of a 23/24 TxCDBG application to the Texas Department of Agriculture, committing matching funds, agreeing to comply with programmatic requirements, and adopting/reaffirming civil right policies.**

Percy Flanigan, Street and Drainage Supervisor explained he will gather a list of projects for this grant and bring this information back to the City Manager. Robbie Hood, City Manager explained the grant is \$500,000.00 with a 10% match. Mr. Hood explained we will bring this back to council with qualifying projects. Mayor Songe asked if this will cover about 1 mile of road. Mr. Hood verified this is correct. Gary Herrera, Councilmember Ward 5 asked about restrictions/limitations for this grant. Mr. Hood explained the LMI (low to moderate income) requirements along with the budgetary constraints.

Mayor Songe tabled this item until the next meeting.

No motion took place.

**C-9. Discussion and possible action to approve a Resolution designating authorized representatives in matters pertaining to the City's participation in the Texas Community Development Block Grant Program.**

Robbie Hood, City Manager explained the requirement for this resolution for the Mayor and City Manager to be the authorized representatives.

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

**C-10. EXECUTIVE SESSION pursuant to Section 554.074 of the Texas Local Government Code regarding evaluation of City Manager**

Chris Leavins explained the correction to a typo from 554.074 to 551.074 of the Texas Local Government Code.

Mayor Songe recessed the regular meeting at 7:22 p.m.

**C-11. Consideration and possible action resulting from Executive Session under C-11 regarding the employment and evaluation of City Manager**

Mayor Songe reconvened the regular meeting at 7:43 p.m. Mayor Songe corrected the agenda item referred to in C-11 to C-10. Should read "Consideration and possible action resulting from Executive Session under C-10 instead of C-11".

Chris Leavins stated we will bring back the resolution and contract for approval.

A motion was made by Councilmember McGowan, seconded by Councilmember Herrera, to approve **City Manager, Robbie Hood's contract to be extended until December 31, 2032**. The Council voted four (4) for and none (0) opposed. The motion carried.

**C-12. Consideration of Adjournment**

A motion was made by Councilmember McGowan, seconded by Councilmember Herrera, 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 7:44 p.m.

*These minutes approved March 23, 2023.*

  
Misty Songe, Mayor

ATTEST:

  
Betty Strong, City Secretary