

REGULAR MEETING
OCTOBER 27, 2009

Mayor Jeff Bearden called the Regular Meeting of the City Commission to order at 6:30 p.m. in the Commission Chambers, and a quorum was declared present.

Present: Mayor Jeff Bearden

Commissioners: Jimmy Dennis, Russell Brownlow, Travis Taylor and Phil McCuiston

Staff Present: City Manager Mitch Grant, City Attorney Trish Byars. Police Chief Tom Wilson, Fire Chief Kent Smead, Public Works Director Bob Cochran, Finance Director Anne Garmon, Community Development Director Monica Wilkinson, Municipal Judge Delores Flores and City Secretary Linda Byers.

Commissioner McCuiston led the group in the Pledge of Allegiance to the U.S. and Texas flags, followed by the invocation.

PUBLIC COMMENT

Mayor Bearden opened the meeting to Public Comment from those who had submitted Requests to Speak during Public Comment Forms.

Brenda Eaton expressed her appreciation to the City Commission for the good job that they are doing.

Nathan King spoke in support of Resolution #891 and Resolution #892 to place stop sign on Indian Street, and thanked the Commission for taking prompt action on this matter.

Carl Zipperle voiced his opposition to the Ambulance Rate increases.

CONSENT AGENDA

Commissioner Dennis requested the removal of Item H from the consent agenda.

Commissioner Dennis moved the following items under the Consent Agenda be approved:

- A. Approve Minutes for the Regular City Commission Meeting held on Tuesday September 22, 2009.
- B. Approve Fire Prevention and Safety Grant application through the Department of Homeland Security for Knox Box System and Locking Fire Department Connection's. The FDC plugs lock the caps of automatic fire sprinkler systems and standpipe systems to prevent damage to the connections.
- C. Approve Brock Farm Lease renewal for five (5) years to Matt Belew.
- D. Approve declaration of surplus of three (3) police cruisers and one (1) bucket truck.
- E. Approve bid for chemical purchases for Water and Wastewater Departments to Southwest Chemical Services of McAlester, Oklahma.

- F. Approve purchase of protective clothing for Fire/EMS from Casco in the amount of \$12,110.
- G. Approve the purchase of a power unit for the Hurst Jaws of Life rescue tools from Wilson Fire Rescue in the amount of \$6,525.
- H. Removed for separate consideration.
- I. Approve Lease Purchase for a mower for the Cemetery Department through John Deere Municipal Lease-to-Purchase Program at 5.25% interest rate for nine (9) semi-annual payments.
- J. Approve Lease Purchase financing for Vehicle and Equipment Purchases for 2010 from Bank of the West. Terms of the financing are 60 month interest rate = 3.68%, 84-month interest rate = 4.31%, and 144 month interest rate = 4.55%.
- K. Approve purchase of a generator for the new Police Station from Fancher Electric at a price of \$14,250. The cost will be reimbursed from a Homeland Security Grant.
- L. Approve Second Reading of Ordinance #1529 allowing operation of golf carts on city streets.
- M. Approve bids for flooring installation at the new Police Station to Talbot Home Showroom Carpets in the amount of \$7,394.50.
- N. Approve changes to the Personnel Policy Manual regarding Hazardous Materials Certification Pay in the Fire Department, and allowing advance use of Sick Leave during pandemic type events.
- O. Approve Edgin, Parkman, Fleming & Fleming, PC's planned scope and timing for the audit for Fiscal Year ending September 30, 2009.
- P. Approve Vouchers for September 1, 2009 through September 30, 2009.

Commissioner McCuistion seconded the motion, which passed by unanimous vote.

CONSENT AGENDA ITEM H:
BIDS FOR CONSTRUCTION OF STORAGE BUILDING FOR FIRE/EMS

Commissioner Dennis noted that the Capital Budget for this construction was \$10,000, but the sole bid received was from Santa Rosa Construction for \$12,587. He suggested that staff see if we could not do something to get the proposals closer to the budgeted amount.

Commissioner Dennis made the motion to deny approval of the bid for construction of the storage building.

Commissioner Brownlow seconded the motion.

Commissioner Taylor noted that other bidders for this project did not have workers compensation insurance. Santa Rosa Construction was the only bidder with workers comp insurance. He would like to see a local company receive the bid approval.

Commissioner Dennis would like to see the specifications downsized from the 20 ft. x 20 ft. proposed or changed to get the building within the budget and still keep the bid locally.

Fire Chief Smead noted that a bid from Snyder Steel was less than the \$10,000 budget, but they don't have workers comp, and won't bid against Santa Rosa Construction. Mr. Smead is willing to look at other options.

Tape # 846 and #847

City Manager Grant suggested that the Commission could approve the building contingent upon getting the cost below \$10,000.

Mayor Bearden noted that the Commission not approving this bid does not mean they do not approve of getting the building built.

After further discussion, the motion was approved by unanimous vote.

2010 CENSUS PRESENTATION

Bill Garden, 2010 Census Partnership Specialist for the Dallas Regional Census Center addressed the City Commission and explained the importance of obtaining an accurate Census, and ways that the City could help in that endeavor. The main points that he emphasized were that the census is safe, confidential, for statistical purposes only; it is easy, there are only 10 questions; and it's important because the census effects how federal funding is allocated.

The City will be forming a Complete Count Committee. A Questionnaire Assistance Center will be open by mid-March, possibly at the Auditorium, and there will be "Be Counted" sites with blank census forms. Information will also be placed on the City Website.

RESOLUTION NO. 891

A RESOLUTION OF THE CITY OF VERNON AUTHORIZING FOR THE PLACEMENT OF A STOP SIGN AT THE INTERSECTING ROADWAY OF INDIAN STREET AND EAGLE STREET, AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner McCuistion made the motion to approve Resolution No. 891.

Commissioner Brownlow seconded the motion, which passed by unanimous vote.

RESOLUTION NO. 892

A RESOLUTION OF THE CITY OF VERNON AUTHORIZING FOR THE PLACEMENT OF A STOP SIGN AT THE INTERSECTING ROADWAY OF INDIAN STREET AND BOWIE STREET, REMOVAL OF THE EXISTING YIELD SIGN AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Dennis made the motion to approve Resolution No. 892.

Commissioner McCuistion seconded the motion, which passed by unanimous vote.

**CITY OF VERNON, TEXAS, COMBINATION TAX AND REVENUE CERTIFICATES
OF OBLIGATION, SERIES 2009**

Consideration of adoption of an Ordinance authorizing the issuance and sale of City of Vernon, Texas, Combination Tax and Surplus Revenue Certificates of Obligation, Series 2009; Levying and annual Ad Valorem Tax and providing for the security for and payment of said Certificates; and enacting other provisions relating to the subject has been rescheduled for the regular meeting of the City Commission to be held at 6:30 pm on November 24, 2009, at the City Hall at 1725 Wilbarger Street, Vernon, Texas.

RESOLUTION NO. 893

The City of Vernon is proposed to receive approximately \$50,000 from the American Recovery and Reinvestment Act (ARRA) Energy Efficiency and Conservation Block Grant (EECBG) through the State Energy Conservation Office (SECO). In order to receive this grant, the City must pass a resolution stating our support of energy efficiency and the ARRA EECBG.

City Manager Grant noted that he has been in contact with Mr. Ben Crandall of CLEAResult Consulting. CLEAResult works with AEP to implement energy efficiency through the CitySmart Program and will be conducting a free energy audit of city facilities in November. The audit will be very useful in helping the City determine the most efficient use of the energy efficiency and conservation grant funds.

Commissioner McCuiston made the motion to approve Resolution No. 893.

Commissioner Dennis seconded the motion, which passed by unanimous vote.

RESOLUTION NO. 890

A RESOLUTION OF THE CITY OF VERNON, TEXAS,
DESIGNATING THE AUTHORIZED SIGNATORIES FOR
DRAWDOWN REQUESTS FROM THE TEXAS
DEPARTMENT OF RURAL AFFAIRS FOR ALL OF THE
CITY'S TEXAS COMMUNITY DEVELOPMENT PROGRAM
PROJECTS.

Commissioner Brownlow made the motion to approve Resolution No. 890.

Commissioner Taylor seconded the motion, which passed by unanimous vote.

ENGINEER – TEXAS CAPITAL FUND PROGRAM
WESTERN TRAIL DRIVE STREET PROJECT GRANT

City Manager Grant explained that Brandt Engineers had removed themselves from consideration for this project. Requests for Proposal were re-issued and Mr. Grant recommends contracting with Kimley-Horn and Associates, Inc. at a cost of \$39,900, which will be paid by grant.

Commissioner Taylor made the motion to approve this engineering contract.

Commissioner McCuiston seconded the motion, which passed by unanimous vote.

FEASIBILITY STUDY FOR ALTERNATE DISPOSAL OF BRINE

As directed last month, City Manager Grant asked Kimley-Horn and Associates, Inc. to quote a price to conduct a small study for alternate methods of disposal of the brine water produced with the Ion-Exchange Plant once it gets operational again.

The main focus of the feasibility study will be to look at cost and timing to utilize an injection system. They will also look at a pre-treatment process to utilize our current method of disposing through the wastewater plant. Cost for the study will be \$9,300.

Commissioner Dennis made the motion to authorize the feasibility study.

Commissioner Taylor seconded the motion, which passed by unanimous vote.

ORDINANCE NO. 1530

AN ORDINANCE AMENDING CHAPTER 3 ½ ,
AMBULANCES, OF THE CODE OF ORDINANCES OF THE
CITY OF VERNON; BY REPEALING EXISTING RATES AND
ADOPTING A NEW SCHEDULE OF RATES; PROVIDING A
SAVINGS AND SEVERABILITY CLAUSE; REPEALING ALL
ORDINANCES IN CONFLICT; AND PROVIDING FOR
RECORDING AN EFFECTIVE DATE.

Mr. Grant responded to Mr. Carl Zipperles' comments, noting that these rates were set by a rate study of area and regional rates. Medicare will not pay for non-emergency transfers. These new rates will recoup medical costs and are in line with similar cities. Medicare patients will not be billed for medicine as outlined in the ordinance. Rates for Basic Support remain the same. Special events rates are being changed to reflect the actual costs of the service.

Commissioner Taylor made the motion to approve Ordinance No. 1530.

Commissioner Dennis seconded the motion, which passed by unanimous vote.

ORDINANCE NO. 1515

AN ORDINANCE REPLACING SECTION 19-22 AND AMENDING SECTION 19-22 AND SECTION 19-23 (A) OF ARTICLE II, CHAPTER 19, PARKS & RECREATION, OF THE CITY OF VERNON CODE OF ORDINANCES, AS AMENDED TO ABOLISH THE ROY ORBISON PARK PAVILION SCHEDULING BOARD AND TRANSFERRING THOSE DUTIES TO THE CITY SECRETARY; PROVIDING FOR REPEALING, A SAVING CLAUSE, RECORDING OF THE ORDINANCE AND AN EFFECTIVE DATE.

Commissioner Brownlow made the motion to approve Ordinance No. 1515.

Commissioner Taylor seconded the motion, which passed by unanimous vote.

PURCHASE OF FRONT END LOADER

Proposals were received for a new front end loader for the Street Department and Public Works Director Bob Cochran recommended a 2010 Catapillar model 938H with a multi-purpose bucket with 3.25 cubic yard capacity at a price of \$175,000. The purchase will be made with a down-payment of \$27,800 with the remaining \$147,200 financed over a period of seven (7) years.

Commissioner Taylor made the motion to approve the purchase.

Commissioner Dennis seconded the motion, which passed by unanimous vote.

APPRAISAL DISTRICT BOARD NOMINATIONS

Commissioner McCuiston nominated Commissioner Jimmy Dennis to serve on the Appraisal District Board.

Commissioner Taylor seconded the motion, which passed by unanimous vote.

BILLS FROM BRANDT ENGINEERS

City Manager Grant explained that the City received bills from Brandt Engineers for work during the last year on two projects. There were discrepancies between their final bill and the amount of time that can be verified. After discussion with Public Works Director Bob Cochran, Mr. Grant recommends that the City pay a total of \$10,433 for payment in full for these expenses.

Commissioner Taylor made the motion that the City Manager craft a letter with the help of the City Attorney to respond to the bills for payment from Brandt Engineers, with the intent that our payment be payment in full.

Commissioner Dennis seconded the motion, which after discussion, passed by unanimous vote.

Tape # 846 and #847

ADJOURN

The meeting was declared adjourned at 8:17 p.m.

Jeff Bearden
Mayor

ATTEST:

Linda Byers
City Secretary