

REGULAR MEETING
MARCH 23, 2010

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, Community Development Director Monica Wilkinson, Code Enforcement Officer David Pilcher 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 welcomed Boy Scout Troop 87, who are working on their citizenship and their communication merit badges. He then opened the meeting to Public Comment from those who had submitted Requests to Speak during Public Comment Forms.

Keith Bradford stated that the effort to clean up the city was a good thing, but he had issues with the placement of signs at his business. He had complaints about code enforcement requirements and specifically Ordinance No 1461 in regard to junk cars in front of his business. Businesses don't know what is expected of them in regard to cars in front of their business. He asks the Commission to consider the businesses and the nature of their business and the extenuating circumstances that sometimes arise.

Angela Bradford is upset with the junk car ordinance and its effect on car repair businesses. She feels that the city is targeting businesses on Main Street and Wilbarger Street. She would like to see some coordination between the City Commission and business owners.

Carol Lowrance complained about the junk car ordinance and the city targeting businesses.

Roland Ellington stated that he understands what the city is trying to do with junk cars, especially in residential areas, but it is placing a hardship on small businesses who are already suffering from the downturn in the economy.

Randy Barnes was at the meeting representing Eugene Mangrum who owns property at 2100 Wanderer which has been condemned. He is requesting time to secure the building until they have time later in the year to make repairs.

Mayor Bearden stated that the City Commission did not intend to impose a hardship on businesses, but were trying to beautify the appearance of the community. Mrs. Bradford asked what the City Commission would do now. Mayor Bearden stated that they could not discuss the issue since it was not on the agenda, but they have heard the issues, and it would be discussed with staff.

CONSENT AGENDA

Commissioner McCuistion moved the following items, under the Consent Agenda be approved:

- A. Minutes of the Regular City Commission Meeting held on Thursday, February 25, 2010 and minutes of the Special City Commission Meeting held on Thursday, March 11, 2010.
- B. Financial Investment report and Vouchers – February 1, 2010 through February 28, 2010.

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

FEASIBILITY STUDY FOR ION EXCHANGE PLANT RESIDUAL DISPOSAL

Jeff James presented the results of a feasibility study done by Kimley-Horn and Associates to provide information on alternative disposal methods of the nonhazardous residual from the ion exchange water treatment facility. Results of this feasibility study offers several options:

1. Ion Exchange plant modifications:
 - Are currently underway and are required to have the plant fully operational.
 - A scaling design problem will need to be fixed at a cost of \$25,000.
2. Brine Discharge line to the Pease River:
 - Texas Commission on Environmental Quality (TCEQ) has approved the discharge permit, and with final approval from TCEQ, design and construction can begin.
 - Preliminary discharge pipe alignment is parallel to an existing water line easement.
 - Lower Cost than an injection well.
 - Selection of this option could go against public sentiment.
 - Additional easement required.
 - Estimated cost \$370,000.
3. New Injection Well:
 - Possibility to drill the injection well at the ion exchange plant, eliminating the need for a discharge pipeline.
 - Requires \$40,000 hydrogeological study to determine well location.
 - Eliminates the concern of the Pease River discharge option.
 - Construction time approximately one year.
 - Additional time/costs to prepare Class I General Permit Application.
 - Estimated cost \$1,370,000 plus discharge pipeline cost.
4. Existing Injection Well.
 - Will not incur the cost and time of drilling a new well.
 - Requires \$30,000 study to select target well.
 - Additional time and cost to prepare a Class I General Permit.

- Discharge line and pumping system required,
 - Estimated cost \$1,740,000.
5. Commercial Disposal Well.
- Will not incur cost and time of drilling a new well.
 - Requires \$30,000 study to select target well.
 - No operation/maintenance costs incurred by City.
 - Additional time and costs to prepare a Class I General Permit.
 - Discharge line and pumping system required.
 - Estimated cost \$1,580,000.
6. Evaporation Ponds.
- Small possibility of an abandoned storm drain line to be used as a segment line.
 - Requires property acquisition.
 - Additional time and cost to prepare TCEQ permit.
 - Discharge line and pumping system required.
 - Operation and maintenance cost of removing/disposing evaporated solids from ponds.
 - Estimated cost – not applicable. This option is not feasible.

Following this presentation, Commissioner McCuiston asked how we would know if an injection well would maintain the required volume and capacity over many years. Mr. James replied that a hydrogeological study would make scientific estimates, but there would be no guarantee. City Manager Grant noted that it is more a question of how deep to go – the deeper the injection well, the more costly. Mr. James also stated that the hydrogeological study would evaluate the layer to hold salt water but not impact the potable water supply.

There was additional discussion concerning locations of injections wells, the cost to correct the scaling problem at the ion exchange plant, and discharge to the wastewater treatment plant.

Mayor Bearden noted that the Commission would need to study the options and costs, make the public aware of the options and hear their comments at a possible public hearing in the future.

FIRE/EMS DEPARTMENT ANNUAL REPORT

Fire Chief Smead reported to the commission that the department responded to 2,321 calls for service in 2009 with EMS accounting for 1,747 and Fire accounting for 574. This is down 7% from 2008. There were 101 multiple incident situations, that is when they had two or more runs at the same time.

Six firefighters were injured in a structure fire in May, and a firefighter was injured and an ambulance was damaged in January in a motor vehicle accident.

The department received a total of \$23,010 in grants, upgraded the Fire Management Software, and placed two new ambulances and a Ford Expedition into service in 2009.

MEMORANDUM OF UNDERSTANDING
NORTEX WILDLAND TASK FORCE

Fire Chief Smead requested approval of a memorandum of understanding between the City and Nortex Regional Planning Commission/Texas Wildfire Association for our participation in a Regional Wildland Task Force. Nortex is organizing the Wildland Task Force and its members will be limited to personnel that have completed Wildland firefighter training and are able to obtain a Red Card, which is a training standard recognized by federal and state agencies. The Vernon FD currently has 6 persons trained in Wildland firefighting and are able to obtain a red card.

The task force will supply hand tools and fire shelters. The department would be responsible to provide Personal Protective Equipment (PPE), and they do not have that type of PPE. Approximate cost of Wildland PPE is \$550/per person.

Chief Smead recommended approval of this agreement.

Commissioner Dennis made the motion to approve the memorandum of understanding.

Commissioner Brownlow seconded the motion, which was approved by unanimous vote.

WICHITA-WILBARGER 911 DISTRICT BOARD APPOINTMENT

Tracy Fears, Iowa Park City Councilor has expressed his desire and willingness to be appointed to fill the position of Jerry Reed, whose term expires May 15 but who will not continue due to health reasons.

Commissioner Taylor made the motion to approve the 911 board appointment of Tracy Fears.

Commissioner McCuiston seconded the motion, which was approved by unanimous vote.

BOARD OF ADJUSTMENT APPOINTMENTS

Board members whose terms expire March 31, 2010 are Top Igou, Ricky Graf, and Pete Guerrero, Alternate. Each of these have agreed to serve another two year term from April 1, 2010 until March 31, 2012.

Commissioner Dennis made the motion to approve these appointments.

Commissioner McCuiston seconded the motion, which was approved by unanimous vote.

PLANNING & ZONING COMMISSION APPOINTMENTS

Board members whose terms expire March 31, 2010 are Buddie Rivers, Judy Heatly and Charles Parker. Everyone has agreed to serve another two-year term except Charles Parker who indicated health reasons for his decision to retire from the board.

Per the process indicated in the code of ordinances, the mayor has appointed Maurice Rosales, and he has agreed to serve if appointed. His appointment is subject to approval by the City Commission.

Commissioner McCuiston made the motion to approve these appointments.

Commissioner Brownlow seconded the motion, which was approved by unanimous vote.

2010 SEAL COAT PROJECT BIDS

Public Works Director Cochran explained to the commission that we received only one bid for the seal coat project from Freeman Construction in the amount of \$1.49 per square yard of seal coating, for the 142,920 square yards identified for seal coating this year, and as per the city's 7-year Seal Coat Plan, for a total price of \$212,950.80.

Funds in the amount of \$200,000 are available in the current budget, so staff will identify 8,600 square yards that can be postponed for a future seal coating project.

Commissioner Dennis made the motion to approve the seal coat bid from Freeman Construction.

Commissioner Taylor seconded the motion, which was approved by unanimous vote.

INTERLOCAL AGREEMENT
TML INTERGOVERNMENTAL RISK POOL

Texas Municipal League Intergovernmental Risk Pool provides our property, liability and workers compensation insurance. The TML IRP Board periodically requires member cities to sign an interlocal agreement with them.

Commissioner Taylor made the motion to approve the interlocal agreement.

Commissioner McCuiston seconded the motion, which was approved by unanimous vote.

RESOLUTION NO. 901

AN RESOLUTION OF THE CITY COMMISSION OF THE CITY OF VERNON, TEXAS, CANCELING THE MAY 8, 2010 ELECTION FOR CITY OFFICERS AND DECLARING EACH UNOPPOSED CANDIDATE ELECTED TO OFFICE; ORDERING THE POSTING OF THIS RESOLUTION AT EACH POLLING PLACE ON ELECTION DAY; PROVIDING THAT THIS RESOLUTION SHALL BE CUMULATIVE OF ALL RESOLUTIONS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

I, Linda Byers, certify that I am the City Secretary of the City of Vernon, Texas and the authority responsible for preparing the ballot for the May 8, 2010 general municipal election. I further certify that no proposition is to appear on the ballot at the election, no person has made a declaration of write-in candidacy, and all of the following candidates are unopposed:

Jeff Bearden, Mayor,
Jimmy Dennis, Commissioner, Place 1,
Russell Brownlow, Commissioner, Place 2

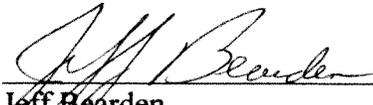
Commissioner McCuiston made the motion to approve Resolution No. 901.

Commissioner Taylor seconded the motion, which was approved by unanimous vote.

ADJOURN

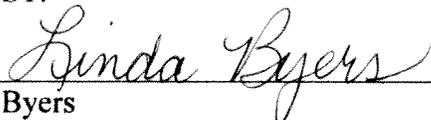
Commissioner McCuiston made the motion to adjourn the meeting at 7:43 p.m.

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



Jeff Bearden
Mayor

ATTEST:



Linda Byers
City Secretary