

REGULAR MEETING
JANUARY 25, 2011

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, with all members 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, Fire Chief Kent Smead, Police Chief Tom Wilson, Finance Director Anne Garmon, Public Works Director Bob Cochran, Community Development Director Monica Wilkinson, 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.

There were no public comments.

CONSENT AGENDA

Commissioner Dennis moved the following items, under the Consent Agenda are approved:

- A. Minutes of the Regular City Commission meeting held on Tuesday, December 21, 2010, the two (2) Special City Commission Meetings held on Monday, January 3, 2011, the two (2) City Commission Special Meetings held on Monday, January 4, 2011, and the Finance Meeting held on Monday, December 20, 2010.
- B. The Fire Department purchase of Rope Rescue Equipment from Rescue Direct in the amount of \$5,707.95.
- C. An award from Metro Fire in the amount of \$22,032.00 to the Fire Department for the purchase of Fire Nozzles, Hose and Foam.
- D. Acceptance of the 2011 Chapman Tree Grant in the amount of \$2,500.00.
- E. Payment of a bill from Edgin, Parkman, Fleming & Fleming, PC in the amount of \$14,000.00 for the annual audit.
- F. Monthly Investment Report reflecting interest earnings in the amount of \$7,941.19 and Vouchers totaling \$1,204,124.35.

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

HOLIDAY MEALS "THANK YOU"

Mayor Jeff Bearden led the Commission in a big "Thank You" to Pat and Glenna Bryant for their 24 years of service to the community in preparing and serving Thanksgiving and Christmas meals.

Certificates of Appreciation were issued to those volunteers present. The 120 volunteers who have helped with cooking and serving these meals are listed below. Mrs. Bryant included her thanks to the individuals and businesses for their help in making the meals possible.

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|--------------------------------------|--|--------------------------|
| Pat & Glenna Bryant | Garland Gibbs | Wendell Rozzell |
| James & Jerry Lou Schmoker | Reynaldo Trejo | Jim & Martha Gryseels |
| Grace & Buddy McLaughlin | Lionel & Mary Chambers | Jasilyn Boyce |
| Alejandro & Daisy Corona | Don Marsh | Michael Matthews |
| Nathan Christian | Carol Gauldin | Gloria & Melida Cardenas |
| Euvonda & Dawn Hammonds | Ruth Streit | Wendell Frank |
| Joe Bob Richie | Crystal Owens | Joey B. Samples |
| George & Lujuanna Daigle | Brantley Hall | Sharon Goins |
| Jim, Vicki & Chris Pennington | Jimmy R. Scott | Edna Pitts |
| Marina, Alex & Brisa Ramirez | Ollie Mae Stewart | Yvonne White |
| Furr & Faye Standridge | Brian, Kris, Tyler & Kyle Fritze | |
| Ruben & Randall Hinojosa | Nancy Roberts | Jarrett DeLosSantos |
| Carolyn Holland | Joni, Jack & Kamryn Cary | Adaith Jackson |
| Drucy Boatman | Houston D. Pittts | David Lugo |
| Patrick & Bea Theriot | Diane Conover | Ricky Graf Family |
| Jamie & Gayla Slaugenhop | Dallas & Brenda McCarty | Bobby & Linda Martin |
| Lynn, Angela, Jenna & Paula Morrison | | Chet Campsay |
| Tony, Gayla & Daniel Dehoyas | David & Gina Seedig | Mike & Ronda King |
| Bryan Taylor | Shannon Adams | Tra & Hayden Cardwell |
| Ben Griffith | Ralph & Candy Cox | Jim Spears |
| Terry Spears | Jackie White | Jim & Elizabeth Maertz |
| Randy Bivins | Charles & Pat Graf | Amy Lorance |
| Jeremy & Harli Dann | Kali Thompson | Rose Carreon |
| Henry Ehanjaicjon | Tamara, Bennett, Amanda & Nikki Griffith | |
| Lawrence & Mary Latimer | Barbara Huerta | Esperanza Huerta |
| Mike Chacanaca | Aaron Tatyrek | |

CAROLYN GRIMES "THANK YOU"

Mayor Bearden pointed out the tremendous amount of work that Carolyn Grimes contributed in her capacity as the Revitalization Task Force Chairperson and on her own time to make our Main Street Application successful. She could not be present, but the Commission issued a certification of appreciation for her contributions.

POLICE DEPARTMENT RACIAL PROFILING REPORTS

Police Chief TOM Wilson reported a total of 24,392 calls for service in 2010. This is an increase of 2639 over 2009. The Department investigated 1431 crimes, 2828 traffic citations / 2818 warnings and 265 traffic accidents. Monetary transactions (fines & fees) increased to \$336,384 and stolen property recovered amounted to \$61,475. Only 3 formal complaints were filed against the Vernon PD personnel and 2 were sustained and 1 unfounded. Those sustained received additional training.

The department is fully staffed with 6 officers with less than one year experience. They are a young department but eager to learn and serve the city.

The Racial Profiling Report indicated 1199 motor vehicle stops: 108 African, 2 Asian, 657 Caucasian, 430 Hispanic, 1 Middle Eastern, 1 Native American.

Mayor Bearden congratulated the department on the job that they are doing.

WATER TANK CONSTRUCTION UPDATE

Public Works Director Bob Cochran reported that the Odell tank is complete except for painting. It has been disinfected and passed the bacteria test, but it cannot be painted until the temperature is consistently 50 degrees or above.

The Ion Exchange Plant Vessel Rehabilitation is 70% complete. The bacteria sample should be collected sometime this week. If it passes the test, the resin beads will be put back in the vessels and prepared for testing. It should be completed within another week.

TOURISM REPORT

Joe Rogers, Tourism Committee Chairman, told the Commission that all events had been funded for 2011. The sports brochures were out and had already brought some volleyball playoff games last fall. It will hopefully bring some more playoff games to town.

The tourism ad campaign is in progress with billboards, website update, and brochures that will be coordinated to work together.

The Tourism Committee has adopted the Chamber guidelines. They continue to support the Red River Valley Museum and other tourism activities.

OFFICE SPACE FOR MAIN STREET PROGRAM

City Manager Grant requested permission to negotiate with the Chamber of Commerce for office space for the Main Street Program. The proposed memorandum of understanding would incur no extra cost for the Chamber of Commerce and the City would share in some of their costs. In exchange the city would be able to use the Chamber receptionist.

Commissioner Brownlow made the motion to authorize the City Manager to negotiate and secure an agreement with the Chamber of Commerce for Main Street Office Space.

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

ELECTRIC UTILITY FOR KID LEAGUE PARK

City Manager Grant explained that the Lion's Club had approached the City asking to place the electric utility for the ball fields in the name of the City. This would save the community money because of our low rate contract through CAPP. The club has agreed to reimburse us for the monthly cost and continue to monitor the usage as usual. There would be no budget cost to us.

Commissioner McCuiston made the motion to transfer of electric utilities for the Kid League Ball Park which would be reimbursed by the Lions Club with the stipulation that it would not jeopardize our agreement with CAPP.

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

GENERAL ELECTION ORDER

Commissioner Dennis made the motion to approve the Order for the General Election for Commissioner's Place 3 and Place 4, and to appoint Don Ramsey as the Voting Judge.

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

RESOLUTION NO. 912

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF VERNON, TEXAS, THAT AUTHORIZES THE CITY OF VERNON INVESTMENT POLICY AND PROVIDING FOR RECORDING AND AN EFFECTIVE DATE.

Commissioner Taylor made the motion to approve Resolution No. 912.

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

ORDINANCE NO. 1555

AN ORDINANCE AMENDING SECTION 54-62(3)g OF ARTICLE III, SEWERS OF CHAPTER 54 - UTILITIES, AND SECTION 54-99(3) OF ARTICLE IV, DISCHARGE OF INDUSTRIAL WASTE, CHAPTER 54 - UTILITIES, OF THE CODE OF ORDINANCES OF THE CITY OF VERNON; AND PROVIDING FOR A REPEALING SECTION, A SAVINGS SECTION, A RECORDING SECTION AND FOR AN EFFECTIVE DATE.

City Manager Grant explained that this ordinance is pursuant to renewing the discharge permit with Tyson Foods and the rates charged. Tyson's permit is a five year permit, and one of the things that were discovered is the fact that the rate for BOD disposal was increased shortly after the last permit was issued. One thing that is hoped to accomplish is to raise the rate for larger amounts of material.

The rates that will be charged will as follows:

The surcharges for BOD and TSS are \$0.15 per pound up to and including 1560 pounds per day, amounts over 1560 pounds up to and including 1943 per day will be charged \$0.20 per pound, and amounts over 1943 pounds per day will be charged \$0.40 per pound, as determined by the formula contained in section 54-99 of this chapter.

The surcharge computation is very complicated, and the formulas will be completed before the final reading.

Commissioner Dennis commented on behalf of Tyson Foods that they want to make sure that the permit application is fair for both the City and Tyson. The new ordinance will allow increased discharge for Tyson, but will incur higher costs for that discharge. Tyson's goal is to keep the discharge in the range of the lowest rate. Following his comments, Commissioner Dennis abstained from further discussion on this ordinance because of conflict of interests.

There was discussion of the formula's that are in the current ordinance, and the modifications that would be made before the final reading.

Commissioner McCuiston made the motion to approve Ordinance No. 1555 on first reading, with the understanding that the final formulas in Section 2 will be modified.

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

ORDINANCE NO. 1556

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF VERNON TEXAS, AUTHORIZING BUDGET AMENDMENT NUMBER 1 TO THE 2010-2011 OPERATING BUDGET.

City Manager Grant explained that at budget time, we were unsure as to the final budget that was adopted by the Tourism Committee. Since then we have developed a good line-item type budget that mirrors the budget that the Tourism Committee presented to the City. This budget is not that different from the one adopted at budget time but shows a clear plan for their tourism events and other activities to put "heads in beds."

Commissioner Dennis made the motion to approve Ordinance No. 1556 on first reading.

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

TEXAS RURAL INTERNSHIP PROGRAM (TRIP) PROPOSAL

City Manager Grant informed the Commission that this program connects urban junior or senior level college students from either Sam Houston State University or Texas Tech University to participating rural communities. They would work on the Main Street Program and/or Community Development.

Our participation would be for the month of June, 2011 at a cost of \$1,000. Participating communities are required to provide room and board for the students at no charge. A host family is preferred. Mr. Grant recommends approval with the stipulation that we find a host family.

During discussion Community Development Director Monica Wilkinson explained that the student is expected to take part in government work and civic and community events. The program will be flexible about the student who is selected for our community.

Commissioner Brownlow made the motion to approve participation in the Texas Rural Internship Program.

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

CHANGE ORDER NO. 1 – ION EXCHANGE/NITRATE PLANT REHABILITATION

Public Works Director Bob Cochran explained that this change order would allow the exterior painting of the three buildings at the plant, by the contractor who is currently performing the rehabilitation of the ion exchangers and the water softener.

The paint of the exterior of the ion exchange/nitrate plant building is beginning to flake off and is becoming an eyesore. The other buildings, the booster pump station and another building are both bare red brick exterior. The three buildings would be painted to match the new ground storage tank at the same location, which would improve the overall appearance and neatness of our Water Treatment Plant. The ion exchange/nitrate plant building was past painted in 2002.

N.G. Painting, LP, the contractor doing the rehab on the ion exchange plant, has proposed a quote to pressure wash and coat the three (3) buildings at a cost of \$23,000, if the project can be completed while they are still mobilized at our plant. If they have de-mobilized from Vernon the cost would increase to a total of \$26,000. The \$23,000 cost is currently available in the bond account.

The question was asked where else the money needed to be spent. Mr. Cochran noted that any unused funds would be used to develop new wells within the city.

Commissioner Taylor asked if we had the manpower to do this project ourselves. Mr. Cochran responded "not until next winter." The City does not have the equipment to handle such a tall building, and would have to rent scaffolding and a pressure washer. There was a lengthy discussion about doing the project with city labor.

Tape #876

Commissioner Dennis made the motion to approve Change Order No. 1.

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

INTERLOCAL COOPERATION CONTRACT – TXDPS OMNIBASE

City Manager Grant explained that the City does not have a contract with Texas DPS for a statewide system called Omnibase. The system is very beneficial for courts and is easy to access. It involves a reporting system that prevents drivers license renewals from being issued to someone that fails to appear in Municipal Court and owes outstanding fines.

Commissioner McCuiston made the motion to approve the contract with Omnibase.

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

ADJOURN

Commissioner McCuiston made the motion to adjourn the meeting at 7:32 p.m.

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



Jeff Bearden
Mayor

ATTEST:



Linda Byers
City Secretary