

**REGULAR MEETING  
OCTOBER 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 Commissioner Jimmy Dennis absent.

Present: Mayor Jeff Bearden

Commissioners: 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, Main Street Director Dan Kelleher, Municipal Judge Gene Heatly, and City Secretary Linda Byers.

Commissioner Taylor 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.

Ada Wages, Registered Agent for WW Enterprises LLC addressed the commission concerning a high weed citation. Mayor Bearden asked staff to follow up on her complaint.

**CONSENT AGENDA**

Commissioner Brownlow moved the following items under the Consent Agenda are approved:

- A. Minutes of the Regular City Commission Meeting held on Tuesday, September 27, 2011 and minutes of the Finance Committee Meeting held on Monday, September 26, 2011.
- B. Temporary street closure on Pease Street from Cumberland Street to Main Street for the Doughboy Statue Rededication on November 11, 2011.
- C. Application for the 2012 Chapman Tree Grant for trees at the new Fire Station and to replace several trees that died near the Police Station on Main Street.
- D. Second Reading of Ordinance No. 1572 regarding amendment to Tax Reinvestment Zone TARZ1 Criteria.
- E. Second Reading of Ordinance No. 1573 amending Junk and Debris Rules.
- F. Application for TIFMAS Fire Fighting Grant for firefighting activities.
- G. Resolution No. 925 authorizing the Application for a Grant from the Nortex Regional Solid Waste Advisory Committee for Brush Reuse.
- H. Application for a grant from Walmart for Public Safety Equipment.
- I. Financial Investment Report for the month of September, 2011 with interest earned totaling \$6,853.40 and vouchers from September 1, 2011 – September 30, 2011 in the amount of \$1,592,347.55.

**PROCLAMATION FOR THE SANTA ROSA PALOMINO CLUB**

Mayor Bearden read a proclamation in appreciation of the Santa Rosa Palomino Club and the honor of the club being invited to participate in the 2012 Tournament of Roses Parade, and asking the citizens of Vernon to honor Vernon's "Ambassadors on Horseback" and wishing them well as they prepare for and travel to the 2012 Tournament of Roses Parade.

**BUSINESS DEVELOPMENT CORPORATION REPORT**

Sean Stockard, BDC President/CEO reported to the commission concerning the ballot measure on the November 8, 2011 ballot. The BDC has been in their new offices since August 1, and plan an open house for October 27 from 10 am until 1 pm. Mr. Stockard invited the City Commission and citizens to attend. He is doing preliminary work on programs that will be implemented if the ballot measure passes.

**TOURISM COMMITTEE REPORT**

Carrie Hawkins, Chamber of Commerce Executive Director, informed the Commission about the new Community Guide, the Tourism Focus Maps, and the Chamber Marketing Campaign. Ms. Hawkins reported that the new website is scheduled for delivery in December, and it will be social media capable. The entry signs at each entrance into the city are scheduled to be updated. She also reported:

- About attendance at the Texas Trophy Hunters meeting.
- The 2011-2012 Budget and events funded.
- Future events planned.
- Sales tax being above expectations.

**BRINE DISCHARGE LINE CONSTRUCTION REPORT**

Public Works Director Bob Cochran reported that a telephone conference was scheduled with Kimley-Horn & Associates on Friday. They are finalizing plans, specs and contract documents, with bids to be advertised by the end of October and plans to have a contract by the November meeting. The project should be completed 60 – 90 days after the award of a contract (weather permitting), with plans to place the Nitrate Plant back into operation by the first quarter of 2012.

**AQUATIC CENTER CONSTRUCTION REPORT**

Parks Superintendent Tony Dehoyas reported that the construction was set back by the rain, but excavation is complete except for the area for the slide. They have begun setting forms. The construction fence has been relocated and the West door of the Orbison Clubhouse is accessible. Construction is 20% complete.

**EXECUTIVE SESSION**

Commissioner Taylor made the motion to enter Executive Session at 6:53 pm under Government Code Section 551.074 – Deliberation regarding appointment of Municipal Court Associate Judge/Clerk.

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

**RESUME REGULAR SESSION**

Commissioner Taylor made the motion to resume regular session at 7:22 pm.

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

**APPOINT MUNICIPAL COURT ASSOCIATE JUDGE/CLERK**

Commissioner Brownlow made the motion to accept the recommendation of Gene Heatly and Linda Byers to appoint Lori Adams as Municipal Court Associate Judge/Court Clerk and set a salary of \$23,634, with salary increases based upon completion of Clerk I training of a 3% raise, completion of Judges Training of a 4% raise and completion of Clerk II Training of a 6% raise.

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

**RESOLUTION NO. 924**

**A RESOLUTION OF THE GOVERNING BODY OF THE  
CITY OF VERNON, TEXAS CONDUCTING PUBLIC  
HEARING AND CONTINUING TAXATION OF GOODS IN  
TRANSIT.**

Mayor Bearden opened a Public Hearing on Ordinance # 924.

City Manager Grant explained that this is in response to Legislative changes, and does not really affect Vernon, since we do not have any facilities that store goods in transit, but passage of this Resolution allows action in the future and will keep our options open.

Mayor Bearden closed the Public Hearing.

Commissioner Taylor made the motion to approve Resolution No. 924.

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

**PURCHASES - CEMETERY PERPETUAL CARE FUND**

Commissioner Brownlow made the motion to approve \$2,261.50 from the Perpetual Care Fund for the purchase of an additional 315 sleeves to completely preserve historical cemetery records.

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

**PURCHASE POLICE DEPARTMENT VEHICLES & EQUIPMENT**

Police Chief Wilson explained that bids had been received for the following:

- Patrol Vehicle (Sam Packs Five Star Ford) \$25,145 (budgeted amount \$25,000)
- Make Ready equipment for new patrol vehicle (Sam Packs Five Star Ford)  
\$6,306 (budgeted amount \$5,000)
- Animal Control Pickup (Vernon Ford Group)\$19,844 (budgeted amount \$25,000)

Commissioner McCuiston made the motion to approve purchases for Police Department vehicles and equipment.

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

**PURCHASE PUBLIC WORKS VEHICLES & EQUIPMENT**

Public Works Director Cochran explained that bids were received for the following vehicles and equipment:

- Water Dept. Pickup (Vance Auto Group) \$25,002.75 (Budgeted amount \$22,000)
- One ton Pickup w/ Crane (Vernon Ford Dodge)  
\$23,395
- Crane for one ton pickup (Ideal Crane) \$6,930 (Budgeted amount \$30,000)
- 16' Tandem axle trailer (Trailers Plus) \$5,038 (Budgeted amount \$6,000)

Commissioner Taylor made the motion to approve the purchase of public works vehicles and equipment.

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

**PURCHASE OF FIRE HOSE**

Fire Chief Smead explained that bids had been received to purchase 5" large diameter hose to replace hose that had been taken out of service. Fire Hose is tested annually and this would allow the department to have 1100 feet of 5" hose. Low bid was from Ferrara Fire in the amount of \$6,039.

Commissioner Brownlow made the motion to approve the purchase of new fire hose.

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

**PURCHASE OF FIRE PROTECTIVE EQUIPMENT**

Fire Chief Smead explained that bids were received to purchase 8 sets of protective clothing (Coats & Pants). Low bid received was from Ferrara Fire in the amount of \$13,592.

Commissioner McCuiston made the motion to approve the purchase of fire protective equipment.

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

**ENGINEERING FOR AQUATIC CENTER BATHHOUSE**

City Manager Grant told the Commission that we are required to have an engineer for construction of the Aquatic Center Bathhouse. He has received an estimate from AMD Engineering in the amount of \$10,700. The City will be the General Contractor for construction, and will subcontract everything else.

Commissioner Brownlow made the motion to approve the contract with AMD Engineering for the Aquatic Center Concession Stand/Dressing Room.

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

**2011-2012 CAPITAL IMPROVEMENT PLAN**

City Manager Grant outlined the Capital Improvement Plan to be included in the 2012 Budget.

Commissioner Taylor made the motion to approve the Annual Capital Improvement Plan.

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

**CERTIFICATION PAY FOR FIRE DEPARTMENT**

City Manager Grant explained that this increase in certification pay for Intermediate EMT and Paramedic certification was included in the 2012 Budget as part of our move to Mobile Intensive Care Unit capabilities.

- Intermediate EMT Certification increased to \$150 per month.
- Paramedic Certification increased to \$400 per month

Commissioner McCuiston made the motion to approve changes to the Personnel Policy regarding certification pay for Paramedics.

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

**EXECUTIVE SESSION**

Commissioner McCuiston made the motion to enter Executive Session at 7:52 pm under Government Code Section 551.071 – Consultation with Attorney regarding contemplated litigation.

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

**RESUME REGULAR SESSION**

Commissioner Taylor made the motion to resume regular session at 8:02 pm.

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

**ACTION FOLLOWING EXECUTIVE SESSION**

Commissioner McCuiston made the motion to approve the action recommended by the City Attorney.

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

**EXECUTIVE SESSION**

Commissioner McCuiston made the motion to enter Executive Session at 8:03 pm under Government Code Section 551.072 – Consultation with Attorney regarding Real Property.

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

**RESUME REGULAR SESSION**

Commissioner McCuiston made the motion to resume regular session at 8:11 pm.

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

**ACTION FOLLOWING EXECUTIVE SESSION**

Commissioner Taylor made the motion to take no action at this time as recommended by the City Attorney.

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

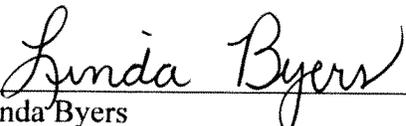
**ADJOURN**

Commissioner McCuiston made the motion to adjourn the meeting at 8:12 p.m.

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

  
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Jeff Bearden  
Mayor

ATTEST:

  
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Linda Byers  
City Secretary