

**REGULAR MEETING
NOVEMBER 22, 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.

Present: Mayor Jeff Bearden

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

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, Fire Marshall Danny Rozzell, and City Secretary Linda Byers.

Commissioner McCuistion 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 was no Public Comments.

CONSENT AGENDA

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

- A. Minutes of the Regular City Commission Meeting held on Tuesday, October 25, 2011 and minutes of the Finance Committee Meeting held on Monday, October 24, 2011.
- B. Proposal for Lease Purchase Financing for 2012 received from BB&T Government Finances of Charlotte, NC at a fixed rate of 1.92%.
- C. A grant application for Wild Land Firefighting through the State Firemens and Fire Marshall's Association Relief Fund.
- D. Acceptance of a \$4,000 award from TxDOT for the Police Department Labor Day DWI incentive program.
- E. Street Closure of Pease Street between Main Street and Cumberland Street for the Annual Lighted Christmas Parade on December 10, 2011.
- F. Acceptance of a grant from the Wilbarger Historical Commission for the Vernon Façade Improvement Program in the amount of \$1,000.
- G. Financial Investment Report for the month of October, 2011 with interest earned totaling \$6,593.59 and vouchers from October 1, 2011 – October 31, 2011 in the amount of \$973,312.12.

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

REPORT – LYDAY PARK EQUIPMENT CONSTRUCTION

Community Development Director Monica Wilkinson explained that this was a Community Build Project to install new playground equipment at Christine Lyday Park. City Parks Department Employees, about thirty volunteers along with the city manager, mayor and commission members helped with construction. There were also twenty to twenty-five onlookers who made it a community event.

There will be a ribbon cutting ceremony on December 2 at 4:00 pm to officially thank and acknowledge our donors and volunteers. Donors include the New Visions Economic Development Corporation, the Citizen's Committee headed by Charles McArthur, and several vendors.

Parks Department Supervisor Tony Dehoyas introduced and praised his staff for their work.

REPORT – AQUATICS CENTER CONSTRUCTION

Parks Department Supervisor Tony Dehoyas informed the Commission that piping for drains were being installed. Rebar placement and concrete should begin in December. He reported no problems with construction.

RESCHEDULE DECEMBER REGULAR MEETING

Following a short discussion, Commissioner Brownlow made the motion to reschedule the December Regular Meeting to December 20.

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

PROPOSED CALENDAR FOR 2012

Commissioner McCuiston made the motion to approve the 2012 meeting dates as listed on the proposed calendar for 2012.

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

UNIFORM BIDS

City Secretary Linda Byers explained that proposals were received for a two year contract to provide uniforms for City Employees. Only one response was received, from our current provider Unifirst Holdings in Wichita Falls. The bid received is actually \$.30 per uniform/week less than our current pricing due to available State of Texas BuyBoard pricing. Total price for the 24-month contract is \$18,876.

Commissioner McCuiston made the motion to approve the bid for uniform services..

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

NOMINATIONS FOR TOURISM COMMITTEE

Mayor Bearden informed the Commission of the need to clarify guidelines for appointees to the Tourism Board.

Commissioner Dennis made the motion to table nominations until the next Regular City Commission Meeting.

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

BIDS – ION EXCHANGE PUMP STATIONS AND DISCHARGE LINES

Jeff James with Kimley Horn & Associates, Inc. reported that 3 bids were received for the Ion Exchange Pump Stations and Discharge Lines. The low bid of \$375,000 was received from Pittard Construction Company. This bidder appears qualified and staff recommends acceptance of their bid.

There was a large separation between the bids, and it was mostly in the bids for the electrical systems. There was discussion about Kimley Horn overseeing the construction, the differences in the bids, and the electrical problems at the Ion Exchange Plant.

Commissioner Dennis made the motion to approve the contract for Brine Discharge Pipeline construction to Pittard Construction Company for \$375,000.

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

APPRAISAL DISTRICT BOARD APPOINTMENT

Commissioner Dennis is currently our Appraisal District Board representative and has agreed to serve another term.

Commissioner McCuiston made the motion to appoint Commissioner Jimmy Dennis as the Appraisal District Board Representative.

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

ORDINANCE NO. 1574

AN ORDINANCE AMENDING CHAPTER 2 – ADMINISTRATION, ARTICLE III – BOARDS AND COMMISSIONS, DIVISION 3 – MAIN STREET ADVISORY BOARD, SECTION 2-117 – BOARD CREATION AND ESTABLISHMENT, AND ADDING SECTION 2-120 – OPERATIONAL GUIDELINES OF THE CITY OF VERNON CODE OF ORDINANCES, AND PROVIDING FOR THE RECORDING AND AN EFFECTIVE DATE.

City Manager Grant explained that the original ordinance restricts Main Street Board members to “residents, taxpayers and registered voters.” This ordinance would change the wording to “residents or business owners” which would allow a broader pool of candidates for board members.

Commissioner McCuistion made the motion to approve Ordinance No. 1574.

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

MAIN STREET ADVISORY BOARD – OPERATING PROCEDURES & RULES

City Manager Grant explained that these operational procedures were recommendations of the Main Street Advisory Board and are adopted by reference in Ordinance No. 1574.

Commissioner Dennis made the motion to approve the Operating Procedures and Rules..

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

ORDINANCE NO. 1575

AN ORDINANCE CREATING CHAPTER 22 – FIRE PROTECTION AND PREVENTION, ARTICLE I – IN GENERAL, SECTION 22-12 – COMBUSTIBLE STORAGE PERMIT REQUIRED, OF THE CITY OF VERNON CODE OF ORDINANCES, AND ASSESSING A PENALTY FOR FAILURE TO OBTAIN A COMBUSTIBLE STORAGE PERMIT, AND PROVIDING FOR CONFLICT, VALIDATION, RECORDING AND EFFECTIVE DATE.

City Manager Grant explained that after a recent downtown fire there was worry about exposure within the fire limits. After extensive research, staff feels like this is the best tool to protect the city and buildings within the fire limits. The city is under International Fire Code, and under the IFC, city’s can charge a permit fee to store combustible materials.

This Ordinance requires a permit according to the IFC, and gives the Fire Marshall the tools to require property owners to be fiscally responsible for what is in their buildings by requiring

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either a bond or proof of liability insurance. It limits material storage to 2500 cubic feet of combustible material.

Following discussion of the requirements within the ordinance, Commissioner Taylor made the motion to approve Ordinance No. 1575 setting permit fees for storage permits under the International Fire Code..

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

PUBLIC HEARING ON ORDINANCE NO. 1576

Mayor Bearden opened a Public Hearing regarding Ordinance No. 1576 approving Zoning Change from R-1 to P-D for the Property located at the southernmost 460 feet of Block 3, Lot 4, Nabers & Stephens Addition.

There was no Public Comment, and Mayor Bearden closed the Public Hearing.

ORDINANCE NO. 1576

AN ORDINANCE CHANGING THE BOUNDARIES OF ZONING DISTRICTS, DEFINING THE LOCATION OF THE NEW BOUNDARIES, AND PROVIDING FOR CONFLICT, VALIDATION, RECORDING AN EFFECTIVE DATE.

Community Development Director Wilkinson explained that the Planning & Zoning Commission met on November 1 and approved the zoning change request from R-1 to P-D by the owners of North Texas Self Storage, Vincent Latour and Phil Barteel, who plan to expand their self storage business. There was no objection on the zoning change from the public.

Commissioner Taylor made the motion to approve Ordinance No. 1576.

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

ORDINANCE NO. 1577

AN ORDINANCE CREATING: CHAPTER 10, BUILDINGS, ARTICLE I. IN GENERAL, SECTION 10-4 INTERNATIONAL EXISTING BUILDING CODE ADOPTED, AND PROVIDING FOR CONFLICT, VALIDATION, RECORDING AND EFFECTIVE DATE.

City Manager Grant told the Commission that staff is recommending the adoption of the International Existing Building Code (IEBC), which contains requirements intended to encourage the use and reuse of existing buildings. Staff feels that the adoption of this code will

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help ease some of the development or redevelopment burdens of remodeling existing downtown buildings while maintaining the same safety standards contained within our currently adopted family of codes.

Commissioner Dennis made the motion to approve Ordinance No. 1577 – Adoption of the International Existing Building Code.

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

ORDINANCE NO. 1578

AN ORDINANCE CREATING: CHAPTER 10, BUILDINGS, ARTICLE I. IN GENERAL, SECTION 10-10 CONSTRUCTION BOARD OF APPEALS (CBOA), AND PROVIDING FOR CONFLICT, VALIDATION, RECORDING AND EFFECTIVE DATE.

City Manager Grant explained that requirements in our adopted ICC family of codes (IFC, IBC, IRC, etc.) that the City have an appeals board to hear construction issues that disagree with staff's interpretation of the codes. The Board would be made up of construction type representatives (building contractor, master electrician, master plumber, fire expert, utility representative, etc.)

Commissioner McCuiston made the motion to approve Ordinance No. 1578.

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

ORDINANCE NO. 1579

AN ORDINANCE CREATING: CHAPTER 10, BUILDINGS, ARTICLE I. IN GENERAL, SECTION 10-5 EXTERIOR MASONRY CONSTRUCTION REQUIREMENTS, AND PROVIDING FOR CONFLICT, VALIDATION, RECORDING AND EFFECTIVE DATE.

City Manager Grant explained that this ordinance would follow through with the process of updating our construction codes to meet state requirements by adopting a masonry rule for new construction in the downtown Central Business District to maintain the historic look for new construction. This maintains our visual integrity along with getting our rules up to date with guidelines that address more modern construction materials.

Commissioner Brownlow made the motion to approve Ordinance No. 1579.

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

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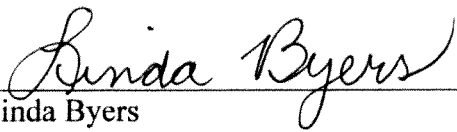
Commissioner McCuiston made the motion to adjourn the meeting at 7:28 p.m.

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



Jeff Bearden
Mayor

ATTEST:



Linda Byers
City Secretary