

REGULAR MEETING
MARCH 27, 2012

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, Main Street Director Dan Kelleher, Parks & Cemetery Supervisor Tony DeHoyos, 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 was no Public Comments.

CONSENT AGENDA

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

- A. Minutes of the Regular City Commission Meeting held on Tuesday, February 28, 2012, and minutes of the Finance Committee Meeting held on Monday, February 27, 2012.
- B. Second reading of Ordinance No. 1586 regarding zoning change for 1610 Pease Street.
- C. Second Reading of Ordinance No. 1588 allowing for impoundment of certain uninsured vehicles.
- D. Financial Investment Report for the month of February, 2012 with interest earned totaling \$6,124.94 and vouchers from February 1, 2012 – February 29, 2012 in the amount of \$1,013,107.62.

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

REPORT - ANNUAL FIRE/EMS DEPARTMENT

Fire Chief Smead reported that the department responded to 2,011 calls for service with EMS accounting for 1,525 and Fire accounting for 486. This is a decrease of 12% from the previous year, but instead of each patient contact counting as a separate call, this year each incident was a

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separate call for service whether or not it had multiple patient contacts. Notable events for 2011 included:

- Awarded a TIFMAS grant for a 2011 Ford F-550 brush truck which was placed in service in June, 2011.
- Six personnel were certified as Paramedics.
- Six personnel were deployed on TIFMAS calls in response to fires in Possum Kingdom, Bastrop and Magnolia, and were gone for 14 days.
- Received grants totaling \$11,688 for supplies, equipment and firefighter training.

REPORT – WATER CONSTRUCTION & DROUGHT ISSUES

Public Works Director Cochran reported that the Ion Exchange Vessels are already showing rust spots and blisters despite sitting idle waiting on completion of the discharge line. We have a one year warranty, and the painting contractor and engineer will inspect the vessels for repair. They assured us that this was not out of the ordinary and could be repaired.

The discharge line is in place, but there is a delay with the pumps that are on order. The TCEQ was here and inspected the pipeline. The mixing zone on the north end has to be extended to 100 feet.

Testing has started for the Phosphorus Study.

The static water level in our Winston Well Fields are in better shape that last year, but it will be watched closely when the farmers start up their pivot systems.

REPORT – AQUATIC CENTER CONSTRUCTION

Parks & Cemetery Supervisor Dehoyos reported that the majority of the work is completed for all plumbing routed to the pump/filter room. Work continues on the mechanical room, and construction has begun on the bathhouse/concession area. A lot of activity is expected in the coming weeks with the slide arriving soon, and continued construction on the bathhouse. A Pool Manager has been hired and Lifeguards are being hired and scheduled for training.

REPORT – COMMUNITY RECYCLING PROGRAM

City Manager Grant reported that IESI, Inc. will place recycling bins at Mestizo's Restaurant, Bank of the West, United Supermarket, City Hall, D.L. Green Park, and the Booker T. Washington Building at no cost to the City. They will accept cardboard, plastics, glass, paper, aluminum, steel and tin. Materials will be co-mingled and sorted at IESI's McKinney, Texas facility.

MAIN STREET FACADE IMPROVEMENT MATCHING GRANT

Main Street Director Kelleher explained that Brantley Wright had applied for a Main Street Façade Improvement Matching Grant for Phase 1 of their project, which is to remove the metal off of the façade and windows. The State Design Office recommends their project be done in two phases. The fiscal impact would be a maximum of \$2,000 or 50% of the total cost. There is a total of \$21,000 available for this type of activity. The Main Street Design Committee, Vintage Vernon Foundation Board, Main Street Advisory Board and staff recommend approval.

Commissioner Dennis made the motion to approve the Main Street Façade Improvement Matching Grant for Phase 1 of Brantley-Wright Building Façade Improvement.

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

**MAIN STREET FAÇADE IMPROVEMENT MATCHING GRANT PROGRAM
GUIDELINE CHANGES**

Main Street Director Kelleher explained that the Main Street Advisory Board and the Vintage Vernon Foundation Board have agreed on the following change to the Main Street Façade Improvement Matching Grant Program Rule:

“If the Vintage Vernon Board and the Vernon Main Street Advisory Board recommend approval of a grant application, but their respective recommendations include conditions that differ from one another in any substantive way, then these two bodies shall reconcile their recommendations prior to submitting them to the City Commission.”

Commissioner Brownlow made the motion to approve changes to the Main Street Façade Improvement Matching Grant Program Rule.

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

REPORT – MAIN STREET PROGRAM ACTIVITY

Main Street Director Kelleher presented a Power Point presentation highlighting the activities of the Main Street Program during the past year.

**ASPHALT ZIPPER PURCHASE
FIRST TIME PAVING PLANS**

City Manager Grant explained that Public Works Director Cochran had an idea to accelerate our first time paving plans. We could take a hiatus of one to three years on the regular seal coat program and use the funds to purchase an Asphalt Zipper Machine, spreading the payments of \$50,000 each over three years, and use the remaining \$150,000 each year to do first time paving and emergency seal coating as it comes up. We should be able to accomplish our goal of paving 24 miles of unpaved streets in four to five years, with the first nine streets recommended by the paving committee paved in the current year.

Public Works Director Cochran explained the process of using the Asphalt Zipper to build the road base and applying a single course of paving to unpaved streets.

Following a short discussion, Commissioner McCuiston made the motion to purchase an Asphalt Zipper and acceleration of first time paving plans as presented.

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

ORDINANCE NO. 1587

AN ORDINANCE AMENDING SECTION 40-23 AND ADDING SECTION 40-26 OF ARTICLE II - ROY ORBISON PARK, PAVILLION & AQUATICS CENTER IN CHAPTER 40, PARKS & RECREATION, OF THE CODE OF ORDINANCES OF THE CITY OF VERNON, TEXAS; PROVIDING FOR REPEALING, A SAVINGS CLAUSE, RECORDING AND AN EFFECTIVE DATE.

Commissioner Dennis made the motion to approve second reading of Ordinance No. 1587 establishing user fees and rental rules for the Aquatic Center.

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

ORDINANCE NO. #1589

AN ORDINANCE AMENDING SECTION 26-35 AND SECTION 26-36 OF ARTICLE II, COLLECTION AND REMOVAL SERVICES OF CHAPTER 26 - GARBAGE AND TRASH, 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 is a CPI rate increase in sanitation rates subject to the latest agreement with IESI Inc.

Commissioner Taylor made the motion to approve Ordinance No. 1589 approving a rate increase for sanitation as per the IESI contract.

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

RESOLUTION NO. 930

AN RESOLUTION OF THE CITY COMMISSION OF THE CITY OF VERNON, TEXAS, CANCELING THE MAY 12, 2012 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.

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City Secretary Byers explained that since there were no opposed candidates for the May 12, 2012 General Election, that election can be cancelled and all candidates declared elected.

Commissioner McCuiston made the motion to approve Resolution No. 930 cancelling the City General Election.

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

RESOLUTION NO. 931

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF VERNON, ELECTING NOT TO REQUIRE THE REMITTANCE OF A PEG FEE BY HOLDERS OF A STATE ISSUED CERTIFICATE OF FRANCHISE AUTHORITY.

City Manager Grant explained that a fee currently being collected by Suddenlink Cable to fund activities associated with the Public Access Channel to be segregated for specific use, or we can opt out of collection of the fee since we do not use a public access channel.

There was discussion of the uses of the fee, the effect on the consumer, along with options for use of the money if the fee continues.

Commissioner Taylor made the motion to table the resolution until the next City Commission Meeting. This will give staff time to investigate options for this fee.

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

EXECUTIVE SESSION

Commissioner McCuiston made the motion to enter Executive Session at 8:17 p.m. under Government Code Section 551.071 – Consultation with Attorney regarding Pending Litigation.

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

RESUME REGULAR SESSION

Commissioner McCuiston made the motion to resume regular session at 8:43 p.m.

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

ACTION FOLLOWING EXECUTIVE SESSION

Commissioner McCuiston made the motion to approve action by the Attorney regarding pending litigation.

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

ADJOURN

Commissioner McCuiston made the motion to adjourn the meeting at 8:44 p.m.

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



Jeff Bearden
Mayor

ATTEST:



Linda Byers
City Secretary