

**VERNON CITY COMMISSION  
REGULAR MEETING  
OCTOBER 23, 2012**

Mayor Jeff Bearden called the Regular Meeting of the Vernon 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 and Phil McCuiston. Travis Taylor was absent.**

**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, and City Secretary Linda Byers.**

Commissioner Brownlow led the group in the Pledge of Allegiance to the U.S. and Texas flags, followed by the invocation.

**PUBLIC COMMENT**

There was no public comment.

**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, September 25, 2012, and minutes of the Finance Committee Meeting held on Monday, September 24, 2012.
- B. Second Reading of Ordinance No. 1594 adopting Building Codes.
- C. Second Reading of Ordinance No. 1600 accepting bids and transferring deeds for properties located at 1616 Paradise Street, 910 Wilbarger Street, 1510 St. James Street, 2000 Dean Street, and 1300 Sherman Street.
- D. Purchase of fourteen (14) P25 Portable Radios from Price Communication at a cost of \$16,898.
- E. Financial Investment Report for the month of September, 2012 with interest earned totaling \$4,739.16 and vouchers from September 1, 2012 – September 30, 2012 in the amount of \$1,320,648.42.

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

**BUSINESS DEVELOPMENT COMMISSION REPORT**

Sean Stockard, BDC President/CEO reported on the Tangerie bankruptcy and the BDC standing concerning assets of Tangerie. First Friday Breakfast for November will be moved to First Thursday so that Representative Drew Springer can be present.

**TOURISM REPORT**

Joe Rogers, Chairman of the Tourism Committee reported that revenues exceeded expenditures for the year, and the Wilbarger County Museum and Jack Teagarden Museum were working on building renovations following donations made by the Tourism Committee.

**ORDINANCE NO. 1601**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF VERNON, TEXAS, APPROVING THE SALE OF THE PROPERTY AT 2014 WANDERER STREET, APPROVING THE SALES PRICE, AND REQUIRING THAT DELIVERY OF THE PROPERTY BE EXECUTED TO THE PERSON NAMED BELOW**

Commissioner Dennis made the motion to approve Ordinance No. 1601.

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

**TDA BENTLEY STREET GRANT**

City Manager Grant explained that we have received a written contract for the Bentley Street Construction, but timing issues with job creations, the 20 jobs created by Rhodia cannot be counted for the grant. Mr. Grant recommends accepting the \$250,000 grant, contingent upon Texas Department of Agriculture acceptance of jobs created by Rhodia for this project being counted.

Following discussion, Commissioner Dennis made the motion to draft a letter to the Texas Department of Agriculture accepting the grant contingent upon jobs created prior to the contract being counted.

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

**DAMAGED POLICE CRUISER**

City Manager Grant explained that a 2008 Police Cruiser was damaged both front and rear by a hit and run driver. Estimated damages total \$6,679.69. Kelly Blue Book Value is \$8500 to \$8900. Cost for replacement vehicles range from \$25,265 to \$26,202.

Following discussion about whether to repair or replace the vehicle, Commissioner Dennis made the motion to repair the vehicle.

Commissioner McCuiston seconded the motion, and made the motion to amend the current motion to add that vehicle would be repaired if there is not frame damage. If frame is damaged, then replace the vehicle.

Digital Recording on file

Commissioner Dennis seconded the amendment.

The amended motion to repair the vehicle if there is no frame damage, and replace the vehicle if the frame is damaged passed by unanimous vote.

**EXECUTIVE SESSION #1**

Commissioner McCuiston made the motion to enter Executive Session at 7:17 p.m. under Government Code Section 551.072 – Consultation with attorney regarding real property.

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

**RESUME REGULAR SESSION**

Commissioner McCuiston made the motion to resume regular session at 7:37 p.m.

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

**ACTION FOLLOWING EXECUTIVE SESSION**

Commissioner Brownlow made the motion to authorize the City Manager and City Attorney to pursue action regarding real property.

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

**EXECUTIVE SESSION #2**

Commissioner McCuiston made the motion to enter Executive Session at 7:39 p.m. under Government Code Section 551.072 – Consultation with attorney regarding real property.

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

**RESUME REGULAR SESSION**

Commissioner McCuiston made the motion to resume regular session at 7:50 p.m.

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

**ACTION FOLLOWING EXECUTIVE SESSION**

Commissioner Dennis made the motion to authorize the City Manager and City Attorney to pursue lease terms on real property.

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

**EXECUTIVE SESSION #3**

Commissioner McCuiston made the motion to enter Executive Session at 7:51 p.m. under Government Code Section 551.072 – Consultation with attorney regarding real property.

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

**RESUME REGULAR SESSION**

Commissioner McCuiston made the motion to resume regular session at 8:08 p.m.

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

**ACTION FOLLOWING EXECUTIVE SESSION**

Commissioner Dennis made the motion to authorize the City Manager and City Attorney to pursue action regarding real property.

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

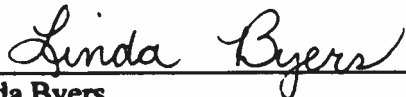
**ADJOURN**

Commissioner McCuiston made the motion to adjourn the meeting at 8:09 p.m.

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

  
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Jeff Bearden  
Mayor

ATTEST:

  
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Linda Byers  
City Secretary