

**VERNON CITY COMMISSION
REGULAR MEETING
DECEMBER 18, 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, Travis Taylor and Phil McCuiston.

Staff Present: City Manager Mitch Grant, Police Chief Tom Wilson, Public Works Director Bob Cochran, Community Development Director Monica Wilkinson, Finance Director Anne Garmon, Main Street Director Dan Kelleher and City Secretary Linda Byers.

Mayor Bearden 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, November 27, 2012, and minutes of the Finance Committee Meeting held on Monday, November 26, 2012.
- B. Second Reading of Ordinance No. 1601 – Sale of property at 2014 Wanderer Street.
- C. Financial Investment Report for the month of November, 2012 with interest earned totaling \$3,000.49 and vouchers from November 1, 2012 – November 30, 2012 in the amount of \$781,314.03.

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

TRAFFIC CONTROL DEVICES IN 900 BLOCK OF PARADISE ST.

City Manager Grant explained that Mr. Brian Sosebee previously submitted a petition requesting that a school zone be established around the Wilbarger Pre-School on the 900 block of Paradise Street. Mr. Grant noted that state law does not require a school zone around non-public schools, and that parents are not allowed to drop off or pick up children without signing them in or signing them out. There is also ample off-street parking, and "Slow Children Playing" signs were placed on Mr. Sosebees' block.

Digital Recording on file

Following discussion, no action was taken.

BUSINESS DEVELOPMENT CORPORATION REPORT

BDC Board Chairman Bobby Crews reported a strategic planning session of the BDC Board and plans to increase focus and support of local businesses. With BDC Board approval, he is recommending adoption of personnel policy and operational plans, and an increase in transparency and accountability. Following the resignation of the CEO, the board has no plans to hire a new CEO right away.

Board member Jonathan Voekel also told the Commission that the BDC needs more structure and will increase auditing.

Following the report, there was discussion by all City Commission members.

ACTION REGARDING BDC POLICIES

No action was taken, but the BDC Board will report back to the Commission each month.

ORDINANCE NO. 1604

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF VERNON, TEXAS, APPROVING THE SALE OF THE PROPERTY AT 1112 MAIDEN STREET, APPROVING THE SALE PRICE, AND REQUIRING THAT DELIVERY OF THE PROPERTY BE EXECUTED TO THE PERSON NAMED BELOW

Commissioner Dennis made the motion to approve Ordinance No. 1604 - approving sale of property at 1112 Maiden Street.

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

ORDINANCE NO 1605

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF VERNON, TEXAS APPROVING THE SALE OF 1928 TEXAS STREET BY SEALED BID, APPROVING THE SALE PRICE, FINDING SUCH TO BE FAIR MARKET VALUE, AND REQUIRING THAT DELIVERY OF THE PROPERTY BE EXECUTED TO THE WINNING BIDDER.

City Manager Grant explained that there were two bids received for property at 1928 Texas Street that was seized, also known as the Coleman Game Room. The high bid was \$31,650 from L&B Properties. Mr. Grant consulted a realtor and was told that this was a reasonable offer. Mr. Grant recommended acceptance of the bid and approval of the ordinance to sell the property.

Digital Recording on file

Commissioner McCuiston made the motion to accept the bid and approve Ordinance No. 1605.

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

WATER SERVICE AT 2734 CENTER DRIVE

Public Works Director Bob Cochran informed the Commission that Charles Brannon had requested water service at a home he has constructed outside the City corporate limits at 2734 Center Drive.

City ordinance requires that anyone outside the city limits requesting water service meet the following terms/conditions:

- Customer is required to pay the standard tapping & boring fee.
- Customer is required to pay current water rates.
- Customer would be required to provide a backflow prevention device.
- Customer must meet all code requirements and sign an annexation agreement.

City Manager Grant noted that the necessary paperwork had not been completed, and recommended that the approval be contingent upon completion of necessary requirements and paperwork within six months.

Commissioner Dennis made the motion to approve the authority to extend water service to Charles Brannon at 2734 Center Drive contingent upon completion of necessary documentation within the next six months.

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

ORDINANCE NO. 1603

AN ORDINANCE TO AMEND THE CITY OF VERNON, TEXAS CODE OF ORDINANCES CHAPTER 50 - TAXATION AND LICENSES, ARTICLE I. IN GENERAL, SECTION 50-2. TAX ABATEMENT POLICY, GUIDELINES AND CRITERIA; ARTICLE V. ENTERPRISE ZONES, SECTION 50-145 PROVIDING FOR AN ADDITIONAL TAX ENTERPRISE ZONE; PROVIDING SEVERANCE AND RECORDING CLAUSES; AND PROVIDING AN EFFECTIVE DATE.

City Manager Grant noted the map that outlined the two tax abatement zones. Any discrepancy between the description in the ordinance and the map, the map will prevail.

Digital Recording on file

Commissioner McCuiston made the motion to approve the second reading of Ordinance No. 1603 establishing criteria and guidelines for Tax Enterprise Zone TRZ2.

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

TAX ABATEMENT AGREEMENT FOR VERNON REAL ESTATE LLC

City Manager Grant explained that this tax abatement is for seven years in an amount that is the difference between the cost of the new facility and the value of the old facility. He noted that the company has no plans to operate the old facility once the new one is completed.

He had received a request from Vernon Nursing Facility to table this agreement, but they have no interest since this agreement is between the City and Vernon Real Estate LLC. Mr. Grant recommends approval contingent upon final review by the City Attorney.

Commissioner Brownlow made the motion to approve the Tax Abatement Agreement for Vernon Real Estate LLC.

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

MAIN STREET BOARD APPOINTMENTS

Mr. Grant explained that two Main Street Advisory Board appointments expire December 31, 2012. Meg Heatly has agreed to serve another term, and four others have agreed to serve if appointed. It was also recommended that the Fire Marshall be added as ex-officio member.

Commissioner Dennis made the motion to reappoint Meg Heatly to the Board.

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

Commissioner Dennis nominated Ty Coffee as a new member of the Main Street Board.

Commissioner McCuiston nominated Roger Townsend as a member of the Board and Daniel Escobedo and Bambi Nava as alternates.

Three Commissioners approved Ty Coffee and one Commissioner approved Roger Townsend. Ty Coffee was approved as Main Street Board Member.

Commissioner Dennis made the motion to retain Mark Farr-Nash as alternates for one year and add Roger Townsend, Daniel Escobedo, and Bambi Nava as alternates to the Main Street Board.

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

Digital Recording on file

Commissioner McCuiston made the motion to appoint ex-officio Board members:

- BDC Representative
- Chamber Executive Director Carrie Hawkins
- Community Development Director Monica Wilkinson
- Fire Marshall Danny Rozzell

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

CHAMBER OF COMMERCE TOURISM COMMITTEE APPOINTMENT

Mayor Bearden explained that Dr. Mark Reynolds has agreed to serve on the Tourism Committee along with Larry Drennan who was appointed at the November meeting.

Commissioner McCuiston made the motion to appoint Dr. Mark Reynolds as a member of the Chamber of Commerce Tourism Committee.

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

CONTRACT TO LEASE FORMER SWIMMING POOL PROPERTY

City Manager Grant noted that at the November meeting the Commission accepted a bid from Shan Stowell to lease the former swimming pool site. The terms of the contract ARE:

- Lease is for 0.87 acres
- 5 years with an additional 5 year option
- \$25 per year
- Maintain a 14 foot access to the Fire Department Training Grounds
- City Manager approves any structures before building
- Indemnification of the City

Mr. Grant recommends approval contingent upon final approval by the City Attorney.

Commissioner Dennis made the motion to approve the agreement with Shan Stowell to lease the former swimming pool property.

Commissioner Taylor seconded, and made the motion to amend the motion to require final approval by the City Attorney.

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

The amended motion to approve the agreement, contingent upon final approval by the City Attorney, passed by unanimous vote.

RESOLUTION # 942

A RESOLUTION OF SUPPORT OF THE CITY COUNCIL OF THE CITY OF VERNON, TEXAS, AUTHORIZING THE SUBMISSION OF A HOME PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR HOME FUNDS; AND AUTHORIZING MITCH GRANT, CITY MANAGER TO ACT AS THE CITY'S CHIEF EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE PROGRAM.

City Manager Grant explained that the HOME Program is a HUD program administered through the Texas Department of Housing and Community Affairs with a goal to improve the living conditions and provide safe and decent housing for eligible homeowners. This program requires no match from the city, and will be on a first-come first-serve basis.

The City can get up to \$522,000 to spend on total reconstruction of at least five new homes. The homeowner may not even have to pay back the forgivable loan if certain criteria are met.

Following discussion, Commissioner Dennis made the motion to approve Resolution No. 942 making application for funding for the HOME Program.

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

ADJOURN

Commissioner McCuistion made the motion to adjourn the meeting at 7:29 p.m.

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



Jeff Bearden
Mayor

ATTEST:



Linda Byers
City Secretary