

**VERNON CITY COMMISSION
REGULAR MEETING
MARCH 26, 2013**

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, City Attorney Trish C. Byars, Police Chief Tom Wilson, Fire Chief Kent Smead, Public Works Director Bob Cochran, Community Development Director Monica Wilkinson, Finance Director Anne Garmon, 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

Curtistene Dickerson and Virginia Williams voiced opposition to the ban on smoking in the homes at Public Housing of the Vernon Housing Authority.

Jim Bradford and James Dillingham both spoke to the Commission about water issues, water wells drilled South of Vernon and new sources of water.

CONSENT AGENDA

Commissioner Dennis asked to pull item A from the consent agenda for separate consideration.

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

- A. Considered separately.
- B. Second Reading of Ordinance #1606 – Setting Water and Sewer Rates.
- C. Second Reading of Ordinance #1609 – Sale of property at 3512 Cumberland Street to Ed Becker.
- D. Second Reading of Ordinance #1611 – Setting Rates for Street Cut Repairs.
- E. Financial Investment Report for the month of February, 2013 with interest earned totaling \$3,214.86 and vouchers from February 1, 2013 – February 28, 2013 in the amount of \$1,319,386.43.

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

CONSENT AGENDA ITEM A

Commissioner Dennis noted that Travis Taylor was listed as absent at the beginning of the minutes, but later made a motion. It was pointed out that on page 3 of the minutes that Commissioner Taylor arrived at 6:47 pm.

Commissioner Dennis made the motion to approve Consent Agenda Item A.

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

GOLD LEADERSHIP AWARD FOR FINANCIAL TRANSPARENCY

City Manager Grant informed the Commission that the City has been awarded the Texas Comptrollers 2013 Gold Leadership Circle Award for Financial Transparency. The City's website provides citizen's with a clear, consistent picture of spending and sharing information in a user-friendly format. City Secretary Linda Byers was recognized for her work in updating our website and applying for this award.

BUSINESS DEVELOPMENT CORPORATION REPORT

Bobby Crews, BDC President, reported that two business expansions were being considered. Policy and procedure plans should be complete within 90 days, and the Directors were invested in the process.

PUBLIC HEARING
CONDEMNATION OF STRUCTURES

Community Development Director Monica Wilkinson presented a power point program showing pictures of all of the eleven structures being considered for condemnation and explained why each should be condemned. Those structures are:

930 Gordon St.	2930 Mesquite St.	2610 Maiden St.
2719 Maiden St.	3617 Marshall St.	2320 Wanderer St.
1900 Oak St. (removed by owner)	1010 Pease St (rear) release signed by owner	
2211 Pease St. (sold-must start process over)		2514 Wanderer St.
830 Wilbarger St.		

There was a short discussion and questions about the structures.

Mayor Bearden opened a Public Hearing regarding substandard structures.

Shelia Richardson requested an additional six months to make repairs on 2514 Wanderer. She has inherited this property from the deceased owner and needs time to repair the structure.

Mayor Bearden closed the Public Hearing.

RESOLUTION NO. 949

A RESOLUTION DECLARING THAT CERTAIN IMPROVEMENTS DESCRIBED HEREIN ARE PUBLIC NUISANCES, AND REQUIRING THE TAKING DOWN AND REMOVAL OF SUCH IMPROVEMENTS.

Staff recommends that 1919 Oak St., 1010 Pease St. (rear) and 2211 Pease Street be removed from the condemnation list.

Commissioner Dennis made the motion to approve Resolution #949 with the three properties recommended by staff be deleted and remove 2514 Wanderer.

Commissioner Taylor seconded the motion.

Following discussion, Commissioner Dennis amended the motion to give 2514 Wanderer six months for repairs.

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

The amended motion to approve Resolution #949 with the three properties removed and 2514 Wanderer given six months for repairs then passed by unanimous vote.

ANNUAL FINANCIAL REPORT – YEAR ENDED SEPTEMBER 30,2012

Mike Edgin with the audit firm of Edgin, Parkman, Fleming & Fleming, PC informed the Commission that the City received an unqualified or clean audit. Highlights of the 2011-2012 audit are:

- Net assets were \$20,808,206 with \$2,274,749 that may be used to meet the City's obligations. Net assets decreased \$142,530
- Fund Balance equaled \$3,426,949 which is a decrease of \$869,952 from the prior year. All of the total Governmental Fund Balances are either restricted or committed.

Commissioner McCuiston made the motion to approve Annual Audit.

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

ORDINANCE NO. #1610

AN ORDINANCE AMENDING SECTION 54-24(a) OF ARTICLE II – LIQUID WASTE DISPOSAL OF CHAPTER 54 – UTILITIES, OF THE CODE OF ORDINANCES OF THE CITY OF VERNON; PROVIDING FOR A REPEALING SECTION; A SAVINGS SECTION; A RECORDING SECTION; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Works Director Cochran explained that during last month's meeting, discussion of this ordinance indicated that septic waste from other counties should have to pay more than Wilbarger County residents. The rates in the Ordinance were changed to reflect higher rates for counties adjoining Wilbarger County, and even higher rates for other counties farther from Wilbarger County.

Following discussion about administration of the rates, Commissioner McCuistion made the motion to approve Second Reading of Ordinance No. 1610.

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

PAVING DIRECTIVES FOR 2013

City Manager Grant explained that with the budget constraints the paving task force met and gave recommendations for paving in 2013:

- Complete the original streets selected earlier (Wichita from Violet to Oak, Bismarck from Eagle to Sherman, and Maiden from Cumberland to Laurie)
- With any money left over pave London from Stephens to Nabers and one block of Wood St from Dean to McKinney.

Mr. Grant noted that we can do a single course and rebuild these bases for around \$70,000. This would cut the budget by \$90,000 to help rebuild reserves. The Street Department has the base rebuilt on Bismarck Street, and will complete the base on Maiden and Bismarck Streets by the end of summer.

There was discussion of the seal coating, patching and street cuts, and possible grant opportunities for paving the Northeast quadrant.

Commissioner Taylor made the motion to approve the 2013 Street Paving Plan as presented.

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

CEMETERY DEVELOPMENT PLANS

City Manager Grant noted that improvements for Eastview Cemetery have been ongoing, but he felt that the City needed to make some long range plans. He presented a draft plan, but requested that the Commission appoint a committee to refine this plan and maybe develop a plan for development of Block 23.

Mr. Grant recommended that the tree planting committee of Mitch Grant, Bob Cochran, Tony Dehoyos, Joe Richie, Phil McCuiston and Jimmy Dennis be appointed as the cemetery development plan committee.

Following a short discussion, Commissioner McCuiston made the motion to approve the draft plan and the committee.

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

ORDINANCE NO. 1612

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF VERNON, TEXAS, APPROVING THE SALE OF THE PROPERTY AT 927 BISMARCK STREET AND 2605 LUNA STREET, APPROVING THE SALES PRICE, AND REQUIRING THAT DELIVERY OF THE PROPERTY BE EXECUTED TO THE PERSON NAMED BELOW

City Manager and staff recommend approval.

Commissioner Brownlow made the motion to approve Ordinance No. 1612.

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

WICHITA-WILBARGER 9-1-1 DISTRICT APPOINTMENT

City Manager Grant recommended reappointing Glen Barham (Mayor of Wichita Falls) as the cities appointee to the Wichita-Wilbarger 9-1-1 District.

Commissioner Dennis made the motion to approve the reappointment of Glen Barham.

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

RESOLUTION NO. 950

A RESOLUTION AUTHORIZING CONTINUED PARTICIPATION WITH THE ATMOS CITIES STEERING COMMITTEE; AND AUTHORIZING THE PAYMENT OF FIVE CENTS PER CAPITA TO THE ATMOS CITIES STEERING COMMITTEE TO FUND REGULATORY AND RELATED ACTIVITIES RELATED TO ATMOS ENERGY CORPORATION

City Manager Grant noted that we have annually renewed this participation.

Commissioner Taylor made the motion to approve Resolution No. 950.

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

PERSONNEL POLICY CHANGE

City Manager Grant explained that this change to Section 403 of the City Personnel Policy would enable the City to rehire seasonal lifeguards without requiring another physical each year. Drug screens would still be required. This would save about \$2,000 per year.

Commissioner Brownlow made the motion to approve the amendment to the Personnel Policy regarding physicals for part time employees.

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

RESIGNATION OF CITY ATTORNEY

Commissioner McCuiston made the motion to accept the resignation of City Attorney Trish Coleman Byars with great regret.

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

EXECUTIVE SESSION

Commissioner Brownlow made the motion to enter Executive Session at 7:49 p.m. under Government Code Section 551.074 – Personnel – City Attorney.

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

RESUME REGULAR SESSION

Commissioner McCuiston made the motion to resume regular session at 8:28 p.m.

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

ACTION FOLLOWING EXECUTIVE SESSION

Commissioner Taylor made the motion to call a Special Meeting to take action on the City Attorney position and authorize City Manager Mitch Grant to take steps to develop a job description and pay schedule.

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

ADJOURN

Commissioner McCuistion made the motion to adjourn the meeting at 8:29 p.m.

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

ATTEST:



Linda Byers
City Secretary



CITY OF VERNON
Jeff Beaman
Mayor
TEXAS