

**VERNON CITY COMMISSION  
REGULAR MEETING  
JUNE 25, 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 Pat Bryant.

Staff Present: City Manager Mitch Grant, City Prosecutor Jonathan Whittsett, 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, Municipal Judge Lori Adams and City Secretary Linda Byers.

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

**PUBLIC COMMENT**

Rusty Haynes voiced his support of the proposal to support the Plaza Theater.

**CONSENT AGENDA**

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

- A. Minutes of the Regular City Commission Meeting held on Tuesday, May 28, 2013, minutes of the Finance Committee Meeting held on Tuesday, May 28, 2013.
- B. Second Reading of Ordinance No. 1613 regarding Atmos rates.
- C. Second Reading of Ordinance No. 1614 regarding a zoning change for 4008 Gordon St.
- D. Police Department expenditure of grant funds for Interview Rooms in the amount of \$28,000.
- E. Engagement Letter for Edgin, Parkman, Fleming & Fleming to audit Fiscal Year 2012-2013.
- F. Financial Investment Report for the month of May, 2013 with interest earned totaling \$3,225.75 and vouchers from May 1, 2013 - May 31, 2013 in the amount of \$703,508.36.

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

**BUSINESS DEVELOPMENT CORPORATION REPORT**

BDC President Bobby Crews reported that BDC is continuing work to develop policy and procedures. They will consider approval of these at the next BDC meeting. They are beginning work on next year's budget. There was a short discussion of City Commission approval of BDC policies.

**ORDINANCE NO. 1615**

**AN ORDINANCE AMENDING SECTION 16, KNOWN AS THE ELECTRICAL CODE OF THE CITY OF VERNON, BY DELETING ARTICLE II. ADMINISTRATIVE, DIVISION 2. BOARD OF ELECTRICAL EXAMINERS, AND AMENDING ARTICLE II. ADMINISTRATIVE, DIVISION 3. LICENSES AND RESTRICTIONS AND ARTICLE III. CONSTRUCTION; AND PROVIDING FOR CONFLICTS, SEVERABILITY, RECORDING, AND AN EFFECTIVE DATE.**

Community Development Director Monica Wilkinson explained that this ordinance is just a technicality to clean up the City Code of Ordinances to reflect state law.

Commissioner Dennis made the motion to approve Ordinance No. 1615 amending rules relating to local electric codes and local board of examiners.

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

**PLAZA THEATER PROJECT FUNDING AND "380" INCENTIVE POLICY AND PROJECT AGREEMENT**

Main Street Director Dan Kelleher reported that the Main Street Advisory Board is recommending that the City authorize the Main Street Program to allocate \$20,000 from the Main Street Fund in business financial support to the Plaza Theater to assist in their conversion to digital projection technology and make building upgrades. Mr. Kelleher explained the conditions of the request:

- The Plaza Theater must receive full funding for its proposed upgrades as noted in the proposal within 12 months.
- They must complete all of the upgrades as noted in the proposal within 3 months of securing funding.
- The City must develop and approve general policies that will govern the distribution of funds as permitted under Chapter 380 of the Texas Local Government Code.
- Prior to the distribution of any funds as described above the City and the Plaza Theater will negotiate and execute a mutually agreed Chapter 380 Agreement that will outline specific conditions that must be met by the Plaza Theater in order to receive the allocation described above.

Digital Recording on file

Joe Rogers Chairman of the Main Street Advisory Board recommend City Commission funding of the Plaza Theater proposal.

Mark Farr-Nash told the City Commission that 80% of theaters are digital and there may possibly be no film available by year end. The proposal will convert to digital projection, upgrade the sound system for 3-D and hearing devices for elderly, update seating to stadium seating with cup holders, and include electrical upgrades to protect new digital equipment. Projected total project cost is \$275,000. Profits for digital and 3-d movies will help with debt service.

There was discussion of grant versus loan and terms of "380" agreement conditions. City Manager Grant noted that the goal is not to set a new program but to use Section 380 to help with worthy Main Street projects. There was also discussion of Mr. Farr-Nash's fund raising.

Commissioner Taylor made the motion to approve the Main Street Board recommendation regarding the Plaza Theater Project Funding, including a directive to develop a "380" Incentive Policy and a Project Agreement.

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

#### **EXPENDITURE FOR WAYFINDER SIGNS**

Main Street Director Kelleher explained that the Main Street Advisory Board recommends a Physical Improvement Deferred Matching Loan Fund matching expenditure for the City to purchase Wayfinder signs in amount of \$800.

Commissioner Brownlow made the motion to approve the matching expenditure for Wayfinder signs in the amount of \$800.

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

#### **MAIN STREET ADVISORY BOARD VACANCY**

Main Street Director Kelleher explained that a vacancy has occurred on the Main Street Advisory Board following the resignation of Cory Curtis. Alternate Board Member Roger Townsend has agreed to serve as a Board Member if appointed. Meredith Wright has also agreed to serve.

Commissioner Dennis made the motion to elevate Roger Townson to the Main Street Advisory Board and name Meredith Wright as Alternate Board Member.

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

**RESOLUTION NO. 952**

**A RESOLUTION OF THE CITY COMMISSION OF  
THE CITY OF VERNON TEXAS, AUTHORIZING  
SUBMISSION OF A GRANT APPLICATION FOR  
ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM (AFG).**

Fire Chief Kent Smead requested approval of an application to Assistance to Firefighters Grant (AFG) for replacement of 18 Self Contained Breathing Apparatus (SCBA). This would be a 95%/5% Federal/State Cost Share grant. Total amount of the grant is approximately \$131,000 and the City's share would be approximately \$6,600.

Commissioner Dennis made the motion to approve Resolution No. 952 making application to Assistance to Firefighters Grant in the amount of \$109,875 for SCBA Airpacks and approving a 5% match.

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

**AMEND DROUGHT CONTINGENCY POLICY**

City Manager Mitch Grant explained that our current Drought Contingency Plan is 20 years old and needs to be brought up to date. He proposes immediately to put procedures in place to head off some shortfalls and authorize Public Works Director Bob Cochran and City Manager Grant to update our policy to reflect our current systems.

Mr. Grants proposals for immediate action include:

- Establish alternate watering days for even/odd addresses to even out the irrigation demand.
- Change drought stage initiation period from 90 days to 30 days.
- Establish additional fees or penalties for waste and over usage in Stage 3 Drought.
- Require a sign to be placed in yards using well water for irrigation.

Commissioner Taylor made the motion to amend the Drought Contingency Policy for extraordinary droughts.

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

**EXPENDITURE OF SOLID WASTE GRANT FUNDS FOR DEMOLITION**

Community Development Director Monica Wilkinson explained that the City has received a \$15,000 grant from the Nortex Regional Planning Commission for demolition. The grant must be used for City owned property and the City has six tax properties that could be demolished. Demolition work must be complete and funds paid by end of July. Director Wilkinson recommends a bid in the amount of \$15,000 from A.V. Mote to demolish and dispose of four properties (927 Paradise, 1010 Indian, 1929 Bowie, and 2715 Pearl).

Digital Recording on file

Commissioner Brownlow made the motion to approve expenditure of the Solid Waste Grant funds for demolition as recommended.

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

#### **CHANGE JULY REGULAR MEETING DATE**

Mayor Bearden explained that he would be out of town the week of the regular meeting. It would also help in budget preparation to add an extra week. Commissioner Dennis is also out of town that week.

Commissioner Dennis made the motion to move the July Regular Meeting to July 30.

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

#### **EXPENDITURE OF FUNDS FOR ALTERNATE JULY 4<sup>TH</sup> ACTIVITIES**

City Manager Grant explained that since we cannot have a fireworks display due to the burn ban, he has contacted companies about a laser light show. The company will erect a 20x30 foot screen at Orbison Park and show cost would be \$5,500. It will be Family Night at the Aquatic Center and he is proposing an Ice Cream contest at the Aquatics Center. A live band will be performing before dark, and laser light show will be after dark.

Commissioner Dennis made the motion to approve expenditure of funds for alternate July 4<sup>th</sup> activities.

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

#### **BUDGET WORK SCHEDULE AND PRELIMINARY GOALS**

City Manager Grant explained that the budget schedule would change with the change in the July meeting date. The schedule for publication of legal notices and meeting dates and times are outlined in the agenda packet along with recent budgetary accomplishments and goals.

Commissioner Brownlow made the motion to approve the budget work schedule.

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

#### **EXECUTIVE SESSION**

Commissioner Brownlow made the motion to enter Executive Session at 7:57 p.m. under Government Code Section 551.072 – Deliberation Concerning Real Property.

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

**RESUME REGULAR SESSION**

Commissioner Taylor made the motion to resume regular session at 8:30 p.m.

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

**ACTION FOLLOWING EXECUTIVE SESSION**

Commissioner Taylor made the motion to authorize the City Manager to continue executing his plans to pursue and develop additional water resources

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

**ADJOURN**

Commissioner Dennis made the motion to adjourn the meeting at 8:32 p.m.

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

  
\_\_\_\_\_  
Jeff Bearden  
Mayor

ATTEST:

  
\_\_\_\_\_  
Linda Byers  
City Secretary