

**VERNON CITY COMMISSION
REGULAR MEETING
NOVEMBER 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 Pat Bryant.

Staff Present: City Manager Mitch Grant, City Prosecutor Jonathan Whittsett, Police Chief Tom Wilson, 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 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 Brownlow moved the following items under the Consent Agenda are approved:

- A. Minutes of the Regular City Commission Meeting held on Tuesday, October 22, 2013, and minutes of the Finance Committee Meeting held on Monday, October 21, 2013.
- B. Grant in the amount of \$3,000 from the Wichita Falls Area Community Foundation for the purchase of Wildland Fifefighting gear for Volunteers.
- C. Financial Investment Report for the month of October, 2013 with interest earned totaling \$2,870.53 and vouchers from October 1, 2013 – October 31, 2013 in the amount of \$378,725.85 and Payroll & Benefits costs totaling \$490,043.58.

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

BUSINESS DEVELOPMENT CORPORATION REPORT

Bobby Crews, BDC President reported a large increase in applications for assistance including North Texas State Hospital, Coys, New Holland and others. Leadership Vernon 2014 is getting started and the Board has talked to Rick Hardcastle about contracting as manager of the BDC and to help with lobbying efforts in Austin.

CHAMBER TOURISM REPORT

Chamber President Carrie Hawkins reported that the community calendar has been published in two magazines and submitted to other magazines. There have been five volleyball playoff games hosted in Vernon and more expected. She also presented a billboard completion report about the new billboard on Highway 287 in Decatur. Mrs. Hawkins reported that Main Street and Façade Improvement grants and banner hardware were included in the new budget. A marquee is being considered to advertise local events.

PROPOSED CALENDAR FOR 2014

Commissioner Dennis made the motion to approve the Proposed 2014 Commission Meeting Calendar.

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

PUBLIC HEARING **OPTION FOR SALES TAX ELECTION**

Mayor Bearden opened the Public Hearing.

Commissioner Bryant noted that the BDC money has been used by predators, and changes are coming too late. The street tax would be for four years and then revert back to the BDC. Allow the voters to decide the fate of the BDC. The Street Tax would be used for sealcoat and repairs to existing streets. Lack of maintained infrastructure would hamper businesses. ½ cent sales tax should belong to the public.

Jan Bonner noted that the BDC was created in 1993 and reapproved in 2000 and explained the history of the BDC. Not financed by property tax but by Sales Tax only.

Don Malone noted that sales tax increases have allowed for lower property tax. The street tax would expire in four years and would not revert to the BDC. The street tax would not allow building new streets, but only repair existing street. The ¼ cent remaining to the BDC would barely be enough to meet debt service, and would not leave enough to even pay staff and operate the office.

Bobby Crews - Continued support of the BDC would allow continued support of local businesses.

Vincent Latour – should not throw away BDC. Mistakes cost money but lessons are learned.

Jim Trafton – BDC helped Solvay allow the biggest corporate expansion in the industry.

Andy Brumley – would like the opportunity to seek assistance from the BDC for business expansion. Citizens supported the BDC twice. A vote by the City Commission to bring the issue back to the tax payers would not be supporting the BDC, which has moved in the right direction.

Digital Recording on file

Jim Smith – BDC investment in the North Texas State Hospital has netted more than \$100 million over the years to the citizens of Vernon. BDC change to local business support is good. He supports Commissioner Bryant's idea, but would like to see a different way to do it.

Dusty Johnston – All small communities struggle with economic development, but cities who do not have a BDC are dysfunctional. Changing funding is a step backward.

Gene Tyra – Voters decided the BDC was a good thing in 1993 and 2000, decided to use funding for the events center in 2007, and in 2012 changed to use the funds for 4A activities. A decrease in funding would be a backbreaker on this community.

Randy Boyd – The average citizen does not agree that the BDC is doing a good job, but he agrees that money is needed for infrastructure.

Kelly Couch – The people who do not support the BDC only see the failures, not the successes. It is essential that the BDC continue.

Charles McArthur – More money is needed for streets but not at the expense of the BDC.

Rick Hardcastle – Spoke about rural development and past BDC successes, noting that the current leadership must work to keep the BDC alive. Don't quit because of a few losses, but give the new plan a chance to work.

Norman Brints – Stated that it would be a big mistake if we do away with the advantage we have with the BDC.

Grady Stowe – Noted we have heard from the business community, and stated that we should raise taxes – don't take from the BDC.

Connie Bumgarner – Would like for the City Commission to take the citizens seriously and be open to the public.

Jimmy Dennis – BDC is important to Tyson. It is nice to know that that BDC war chest is there if needed. He wants to have the BDC support if it is needed to keep Tyson here.

Mayor Bearden – Read the letters received in support of the BDC from Phil Bartee, Vincent Latour, Jonathan Voekel, John B. Hardin III, Dennis Johnson (President of Gebo's), and Vernon Care Center.

Commissioner Brownlow – The budget is suffering because of the drought. We have been able to maintain the infrastructure in the past and will in the future after this drought situation ends.

Commissioner Dennis – "Fail Forward" – failures are expected, but we have to move forward from them. He would like to see how the BDC moves forward from their failures. Taking the sales tax away would cause a sudden failure of the BDC.

Commissioner Taylor – We will do what's right and move on.

Commissioner Bryant – Sees the concensus, and the process has served a purpose to produce a better BDC. The current BDC Board was on watch when the abuses were taking place and should have been dismissed.

Mayor Bearden – Noted that this has been the most contentious issue to date. It is the City Commission role to make decisions and stand behind the BDC. Petition drive would be democracy in action. If they do not support the BDC it would hang out a sign that Vernon is closed for business. The discussion should be about what is best for Vernon.

Mayor Bearden closed the Public Hearing.

ACTION REGARDING PROPOSED SALES TAX ELECTION

Commissioner Bryant made the motion to place the proposed sales tax measure on the ballot.

Commissioner Taylor seconded the motion. Mayor Bearden clarified that this motion would have staff prepare to put the measure on the ballot in January and prepare Justice Department pre-clearance.

A vote was taken by show of hands. Commissioner Bryant raised his hand in support of the motion. All others raised their hand to oppose the motion. Motion failed.

ORDINANCE NO. 1624

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF VERNON, TEXAS, APPROVING THE SALE OF THE PROPERTY AT 2429 EAGLE STREET, APPROVING THE SALES PRICE, AND REQUIRING THAT DELIVERY OF THE PROPERTY BE EXECUTED TO THE PERSON NAMED BELOW.

City Manager Grant explained that this property was on the demolition list but is salvageable. The tax attorney has received an offer of \$500 for this property.

Commissioner Taylor made the motion to approve Ordinance No. 1624.

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

RESCIND BDC BOARD APPOINTMENTS

Commissioner Bryant was confused on the way he voted on previous board appointments. Would like to have previous appointments rescinded and proceed with appointment by the newly adopted procedures.

Commissioner Bryant made the motion to rescind the nominations and vote again. Motion died for lack of a second.

BDC BOARD APPOINTMENTS

No action was necessary on this agenda item.

PURCHASE OF SCBA AIR PACKS

City Manager Grant explained that this is an item that was included in the Fiscal 2014 budget. The current air packs are out of date and do not meet requirements. Ferrara Fire Apparatus submitted the low bid of \$38,225 which would be lease purchased over five years. Actual cost would be about \$7,000 per year.

Digital Recording on file

Commissioner Dennis made the motion to approve purchase of the SCBA Air Packs.

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

PURCHASE OF AMBULANCE

City Manager Grant explained that this ambulance can be purchased through BuyBoard at a cost of \$152,700. It would be lease purchased over 7 years, and the cost is shared by the County and Hospital District. There will be a six month wait time to receive the ambulance, but it is necessary to replace due to the high maintenance costs on the old ambulance.

Commissioner Brownlow made the motion to approve the ambulance purchase.

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

TOURISM COMMITTEE NOMINATIONS

City Manager Grant explained that Ashley Kieschnick and Jim Gryseels have agreed to be reappointed. Mayor Bearden submitted written appointments in accordance with written procedures.

Commissioner Brownlow made the motion to approve the reappointments.

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

EXECUTIVE SESSION

Commissioner Taylor made the motion to enter Executive Session at 8:46 p.m. under Government Code Section 551.072 – Deliberation concerning real property.

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

RESUME REGULAR SESSION

Commissioner Taylor made the motion to resume regular session at 9:38 p.m.

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

ACTION FOLLOWING EXECUTIVE SESSION

Commissioner Taylor made the motion to approve City Manager Grant taking action on real property.

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

ADJOURN

Commissioner Taylor made the motion to adjourn the meeting at 9:39 p.m.

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



Jeff Bearden
Mayor

ATTEST:



Linda Byers
City Secretary