

**VERNON CITY COMMISSION
REGULAR MEETING
APRIL 22, 2014**

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, 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

Charles McArthur spoke in favor of allowing State Farm Insurance to build on Hillcrest Drive.

CONSENT AGENDA

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

- A. Minutes of the Regular City Commission Meeting held on Tuesday, March 25, 2014, and minutes of the Finance Committee Meeting held on Monday, March 24, 2014.
- B. Second Reading of Ordinance No. 1634 approving the change to the Red River Authority Contract.
- C. Second Reading of Ordinance No. 1633 increasing sanitation rates.
- D. Emergency purchase of computers due to the security threat of computers running Windows XP at a cost of \$9,021.03
- E. Texas Community Development Block Grant Grievance/Complaint Procedures.
- F. Financial Investment Report for the month of March, 2014 with interest earned totaling \$3,175.19 and vouchers from March 1, 2014 – March 31, 2014 in the amount of \$622,113.68 and Payroll & Benefits costs totaling \$496,105.17.

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

Commissioners gave unanimous consent to change the order of the agenda for the following proclamations.

ROY ORBISON DAY PROCLAMATION

Mayor Bearden read the proclamation proclaiming April 23, 2014 as Roy Orbison Day in Vernon.

NATIONAL PRESERVATION MONTH PROCLAMATION

Mayor Bearden read the proclamation proclaiming May, 2014 as National Preservation Month.

AWARDS PRESENTATIONS FOR NATIONAL HISTORICAL MONTH

Mayor Bearden and Tony Fideli presented awards for the Perdue, Brandon, Fielder, Collins & Mott Architectural Appreciation Essay Contest to:

3 rd Place Winner	Samantha Mejia
2 nd Place Winner	Bryson Garrard
1 st Place Winner	Braydon Williams

Mayor Bearden and representatives from Tyson Foods presented the awards for the Tyson Foods of Vernon Architectural Appreciation Drawing Contest to:

3 rd Place Winner	Jonathan Gilley
2 nd Place Winner	James Milner
1 st Place Winner	Andrea Mirasol

TOURISM COMMITTEE REPORT

Chamber of Commerce President Carrie Hawkins reported the success of the appreciation breakfast for the AEP work crews, the billboard project at Lone Star Station and the renewal of the Vernon ad in Travel Host West Texas. Agri-Tourism was also discussed.

SPECIAL MEETING TO CANVASS MAY ELECTION

City Secretary Byers explained the timing and need to call a Special Meeting to Canvass the May 10, 2014 Election.

Following discussion, Commissioner Taylor made the motion to call a Special Meeting on May 15, 2014 at 12:15 pm.

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

EXTENSION OF WATER LINE ON CR 128 W

Community Development Director Wilkinson explained that she had received another request for extension of the City water line on CR 128 W from James Thompson, and recommended approval.

Commissioner Dennis made the motion to approve extension of the water line outside the City limits to Mr. Thompson contingent upon completion of annexation agreements and meeting the requirements of Section 54.162 of the Code of Ordinances, and staff review.

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

EXTEND CITY WATER TO SANTA ROSA RODEO GROUNDS

Public Works Director Cochran explained that the Santa Rosa Roundup Association has requested a water extension that does not meet the requirements of the City Ordinances that would provide a temporary connection for non-potable water for use in the restrooms at the rodeo. We have set specific requirements including a locking, isolating valve that the city controls and a back-flow preventer between our line and their well, installed at their cost. There will be no usage other than the rodeo without special permission of the City Manager.

Commissioner Taylor made the motion to approve the request for the extension of water outside the city limits to the Santa Rosa Rodeo Grounds under the terms described.

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

PUBLIC HEARING
DROUGHT CONTINGENCY & WATER CONSERVATION PLAN

City Manager Grant explained that most of the recommendations from the public have been included in the current version including soaker hoses and drip irrigation in Stage Four, and allow watering in evening.

Mayor Bearden opened the public hearing.

Charles Shiplett and Loyd Bridges asked questions concerning watering with drip irrigation & soaker hoses, and the change for industry in Stage 4. Discussion included daily pumping capacity, daily consumption and rainwater harvesting. The approved document will be delivered to TCEQ by May 1.

Mayor Bearden closed the public hearing.

ORDINANCE NO. 1632

**AN ORDINANCE OF THE CITY OF VERNON, TEXAS
ADOPTING A WATER CONSERVATION & DROUGHT
CONTINGENCY PLAN; ESTABLISHING DATA,
INFORMATION, AND POLICY FOR WATER CONSERVATION
PROGRAMS; CRITERIA FOR THE INITIATION AND
TERMINATION OF DROUGHT RESPONSE STAGES;
ESTABLISHING RESTRICTIONS ON CERTAIN WATER USES;
ESTABLISHING PENALTIES FOR THE VIOLATION OF THESE
RESTRICTIONS; ESTABLISHING PROCEDURES FOR
GRANTING VARIANCES; AND PROVIDING SEVERABILITY
AND AN EFFECTIVE DATE.**

Commissioner Brownlow made the motion to approve second reading of Ordinance No. 1632 – Drought Contingency and Water Conservation Plan.

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

WATER SOURCE ACTIVITIES

City Manager Grant outlined efforts going toward the city water situation including:

- Development. Additional water wells are being developed with current property rights held by the city.
- Acquisition. Offers made to numerous property owners for additional water rights have not been successful.
- Exploration. We have finalized negotiations with a private local industry to cost share an exploration of water south of town. Contracts should be completed within two weeks.
- Reuse. We have developed forms to submit for approval with TCEQ for wastewater reuse. Estimates for industrial reuse have been prohibitive so far but we plan to go ahead with an application for local reuse on parks and other allowable uses.
- Conservation. We have continued public education regarding water conservation.
- Funding. We have made one application for loans from the TWDB for wastewater plant reconstruction and reuse and we are developing a second application for a new transmission line from the well field.
- Red River Authority Contract. The City and RRA have approved a contract for the sale of water which we hope prevents RRA from transporting water from Wilbarger County for many years.

WAIVE BIDDING REQUIREMENTS TO DEVELOP NEW WELL

City Manager Grant and Public Works Director Cochran explained that the well we drilled on the Goss property did not produce as much water as anticipated, so we abandoned that site and recovered the casing. There was \$200,000 budgeted to develop two wells. This well was bid at \$72,000, and state law only allows a 25% variance for a change order. Staff requests that the Commission declare an emergency and waive bidding requirements, since we only received one bid originally, so that staff can proceed with developing a well on the Winston Farm in an area of known production. Total cost is expected to be \$107,000 with completion of the second well.

Following lengthy discussion, Commissioner Dennis made the motion to declare an emergency to waive bidding requirements to develop a new well including drilling a new test hole on a site recommended by a drilling consultant in addition to the selected site.

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

ORDINANCE NO. 1636

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF VERNON, TEXAS, APPROVING THE SALE OF THE PROPERTY AT 704 BENTLEY 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 is next to the new cell phone tower, across from the new proposed truck stop and zoned commercial. Commissioner Taylor voiced the opinion to hold on to the property.

No motion was made on this Ordinance.

ORDINANCE NO. #1635

AN ORDINANCE AMENDING SECTION 54-151 AND 54-153 OF ARTICLE V – WATER 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.

City Manager Grant explained that after a review of rates by staff it was recommended that these tapping and boring fees and utility deposits be increased to more closely reflect actual costs for these services.

Commissioner Taylor made the motion to approve Ordinance No. 1635 amending utility deposits, tapping and boring fees.

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

AMEND MAIN STREET PHYSICAL IMPROVEMENT DEFERRED MATCHING LOAN PROGRAM

City Manager Grant explained that this change will convert the program from a forgivable loan program to a straightforward grant program, give greater flexibility in approving matching grants, and permit the award of grants that have been completed 90 days prior to approval of grant award.

Commissioner Brownlow made the motion to approve the amendment to the Main Street Physical Improvement Deferred Matching Loan Program.

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

ADJOURN

Commissioner Brownlow made the motion to adjourn the meeting at 8:05 p.m.

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



Joe Rogers
Mayor

ATTEST:



Linda Byers
City Secretary