

REGULAR MEETING
JANUARY 27, 2009

The Regular Meeting of the City Commission was called to order at 6:30 p.m. in the Commission Chambers by Mayor Jeff Bearden, and a quorum was declared present.

Present: Mayor Jeff Bearden

Commissioners: Jimmy Dennis, Russell Brownlow, Tra Cardwell and Phil McCuiston

Staff Present: City Manager Mitch Grant, City Attorney Trish Byars. Police Chief Tom Wilson, Fire Chief Kent Smead, Public Works Director Bob Cochran, Finance Director Anne Garmon, Code Enforcement Officer David Pilcher and City Secretary Linda Byers.

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

CONSENT AGENDA

Commissioner Cardwell moved the following items under the Consent Agenda be approved:

- A. The minutes of the regular City Commission meeting held on Tuesday, December 23, 2008, for approval.
- B. Vouchers – December 1, 2008 through December 31, 2008, for approval.
- C. Bills from external auditors Edgin, Parkman, Fleming & Fleming, PC and King, Moore, Truelove & Pharis, for approval
- D. Order of General Election and designation of election judges, for approval.
- E. Application for reporting software grant for the Fire Department, for approval.
- F. Employment of First Southwest Company as Financial Advisor for water projects, for approval.
- G. Reimbursement of \$16,000 to Wilbarger County for participation in construction of new arena for a municipal public purpose, for approval.

TOURISM & MARKETING PLAN

A presentation from Chamber of Commerce Executive Director Sherri Morriss concerning the Hotel Motel Tax Committee's planned Tourism and Marketing plan was postponed until the February 24, 2009 meeting.

POLICE DEPARTMENT & RACIAL PROFILING REPORT

Police Chief Tom Wilson presented the racial profiling statistics for his department for 2008, also noting that the Vernon Police Department had a total of 23,110 calls in 2008. Of those calls 1156 were 911 calls. The Department investigated a total of 1326 crimes in 2008, down from a total of 2638 in 2007.

Total Crime Analysis for 2008 is included in the agenda packet for inspection.

Commissioner Dennis asked what constituted a contact. Chief Wilson replied that traffic stops are majority of contacts.

Mayor Bearden commended the Police Department for the job that they are doing.

PLAN FOR DANGEROUS STRUCTURE REMEDIATION

The Code Enforcement Department has identified thirty-four structures for potential condemnation within the city limits. Based on Criteria received from the City Commission (health & safety threat, structural condition, criminal activity, and proximity to a major thoroughfare) staff has prioritized each of the structures. They are requesting permission to proceed with the condemnation procedures for the top twenty (20) structures (all structures receiving 13 out of 20 points or greater).

City Manager Grant and Code Enforcement Office David Pilcher presented a power point presentation with the rankings and structures to explain and analyze the scoring and structures to be condemned. There was discussion of the various structures.

By consent the commission approved the plan as presented.

PARKING AREA PLAN FOR ORBISON PARK

Public Works Director Bob Cochran outlined the proposed plan to change the parking scheme at Orbison Park, as follows:

- Prohibit all parking on Sand Road (Install signs)
- Close the "cut-through" on the NW corner of the park to allow additional parking including "head-in"
- Expand the parking lot on the east side.
- Open the grassy area south of the baseball fields for parking and allow a cut through.
- Develop parking areas to the east and south of the soccer fields and include a new "head-in" parking area.
- Place a new stop sign to replace the yield sign for westbound traffic onto Sand Road from Ball Park Road.

Commissioner McCuiston asked how many more cars would be able to park in the new areas. City Manager Grant responded at least 30%, but the parking will not be as convenient.

Commissioner Dennis noted that the City could not enforce no parking on privately owned land on West side of Sand Road.

Mayor Bearden asked about parking on the streets within the park. City Manager Grant responded that there might be one-way streets with head-in parking in the future.

Commissioner Cardwell made the motion to approve the parking plan.

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

RESOLUTION NO. 871

A RESOLUTION OF THE CITY OF VERNON AUTHORIZING FOR THE PLACEMENT OF A STOP SIGN AT THE INTERSECTING ROADWAY OF BALL PARK ROAD AND SAND ROAD, REMOVAL OF THE EXISTING YIELD SIGN AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Dennis made the motion to approve Resolution No. 871.

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

APPOINTMENT TO CHARTER COMMITTEE

A legal review of the City of Vernon Charter was prepared by Municipal Code Corporation. In anticipation of making needed revisions to the Charter, the City Manager recommended appointment of a Charter Review Committee consisting of the following members:

Kelly Couch	Lloyd Bridges
Paul Hawkins	Lynn Tyra
Ruben Hinojosa	Bob Crews
Harold Hardcastle	Robert Thomas
Bill Huskinson	

Commissioner McCuiston made the motion to approve the recommended Committee Members.

Commissioner Brownlow seconded the motion.

Commissioner Dennis requested that Dan Richardson, Jr. be added as an alternate committee member if one of the nine is not available, and amended the motion to add Mr. Richardson as an alternate, who will attend the meetings, but not vote.

The amended motion passed by unanimous vote.

ACTION REGARDING SALE OF FIRE STATIONS

City Manager Grant explained that after an auction to sell the property failed to reach the minimum bid, there were several options for the future of the building:

- Try to sell again with sealed bids.
- RFP to lease-purchase to an individual or civic club.
- Storage for City departments.
- Agreement with another entity for their use.

The Old City Hall on Main Street was also discussed.

Commissioner McCuiston made the motion to direct staff to pursue any option as recommended and return to the City Commission with a plan for the Sand Road Fire Station.

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

AGREEMENT WITH IOWA PARK FOR K-9 USE

City Manager Grant explained that Police Chief Tom Wilson has been in negotiations with the Police Chief of Iowa Park for use of the City drug dog (K-9 Unit). Iowa Park needs a drug dog, and we do not use our K-9 on even a monthly basis. The plan as presented:

- Iowa Park will house and feed the dog and provide all operational costs
- Iowa Park will indemnify the City of Vernon regarding liability while the K-9 is not in Vernon.
- The City of Vernon will retain ownership of the dog.
- Vernon will donate the K-9 unit vehicle to Iowa Park.
- The City of Vernon can use the dog for up to 6 times per year at no cost except for the officer cost and fuel
- There will be a four year renewable term.

This agreement would save the City of Vernon approximately \$7,000 per year in operational costs plus lost time for a patrolman to care for the animal.

Commissioner McCuiston made the motion to approve the plan to develop an agreement with the City of Iowa Park.

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

**APPROVE RESPONSE TO BNSF AND TXDOT REGARDING RAILROAD
CROSSING CLOSURE**

Burlington Northern Santa Fe Railroad has approached the City with a plan to close a substandard crossing at the Waste Water Treatment Plant facility access road.

City Manager Grant recommends that the City retain the crossing for our convenience, the convenience of the local farmer that uses the access and for the fact that the closing of this crossing will cost the City money to move the access to the Waste Water Plant facility.

Commissioner McCuistion made the motion to recommend that the City not allow the closure of the crossing.

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

SOUTHWEST SEWER LINE UPDATE

Public Works Director Cochran informed the Commission that the contractor had started on the official punch list. He would like to approve Citizen's / Customers use of the line since the Certificate of Completion was effective today. The project should finish \$10,000 - \$15,000 below the original bid amount.

There will be a \$10.00 permit fee and a \$2.00 tap fee required for any customer wishing to use the new lines.

Commissioner Cardwell made the motion to approve initial customer use.

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

PLANS FOR DONATED TYSON BUILDING

City Manager Mitch outlined a plan for future use of the building donated to the City by the Tyson Corporation. The main uses discussed were:

- Move the Police Department and the Municipal Court to this location.
- Invite certain County or State agencies to share the building
- Allow some other public use of the existing Police Department/Court Building
- Possibly lease the existing Police Department/Municipal Court Building to offset costs to get the new building going.

Commissioner Cardwell asked which County/State entities would share the space. City Manager Grant responded that that was not yet determined.

Commissioner Dennis informed the City Commission that the Quit Claim Deed has been signed by Tyson Corporation and will be filed and the original sent to the City.

Tape #831

Commissioner Cardwell made the motion for approval to proceed with the plans for the building as presented.

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

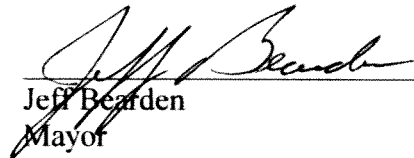
PUBLIC COMMENTS

There were no public comments.

ADJOURN

Commissioner Dennis made the motion to adjourn the meeting at 7:20 p.m.

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



Jeff Bearden
Mayor

ATTEST:



Linda Byers
City Secretary