

**VERNON CITY COMMISSION
REGULAR MEETING
MAY 26, 2015**

Mayor Joe Rogers called the Regular Meeting of the Vernon City Commission to order at 6:30 p.m. in City Hall, and a quorum was declared present.

Present: Mayor Joe Rogers

Commissioners: Danny McMahan, Ruben Hinojosa, Travis Taylor, and Britt Ferguson.

Staff Present: City Manager Joseph Jarosek, City Attorney Jonathan Whitsitt, Police Chief Tom Wilson, Finance Director Anne Garmon, Public Works Director Darell Kennon, Community Development Director Monica Wilkinson, and City Secretary Linda Byers.

Commissioner Taylor led the group in the Invocation and the Pledge of Allegiance to the U.S. and Texas flags.

PUBLIC COMMENT

Linda Shivers addressed the Commission about the number of employees per citizen and property taxes.

Pat Bryant encouraged the Commission not to pass Ordinance No. 1665 which would lower the retirement eligibility to twenty years.

Cary Plummer and Bill Lowery spoke about the Special Use request for a medical facility on College Drive.

Pat Quisenberry encouraged strong financial support and stated that employees should not have to defend benefits because of bad decisions at City Hall. She encouraged removal of Ordinance No. 1652 from consent and voting against it.

CONSENT AGENDA

Commissioner Hinojosa made the motion to approve the consent agenda.

- A. Minutes: Attached are copies of the Regular City Commission Meeting held on Tuesday, April 28, 2015; the Special City Commission Meeting held on Monday, May 11, 2015; the Special City Commission Meeting held on Tuesday, May 12, 2015; and Minutes of the Finance Meeting held on Monday, April 27, 2015.
- B. Second Reading of Ordinance No. 1652 Providing for Plan Changes with Texas Municipal Retirement System.
- C. Second Reading of Ordinance No. 1661 Correcting the Dates on the AEP Franchise Agreement Ordinance No. 1653 Approved in December, 2014.
- D. Second Reading of Ordinance No. 1664 – Amending Fire Marshall Ordinance.
- E. Financial Investment Report, Vouchers, and Payroll & Benefit Expense. April 1, 2015 – April 30, 2015.

Digital Recording on file

Commissioner Ferguson seconded the motion, which passed by a 4-1 vote, with Commissioner McMahan voting against.

POLICE CHIEF'S AWARD FOR OUTSTANDING PERFORMANCE

Police Chief Wilson presented this award to Dispatcher Kimberly Knight for outstanding performance preventing a person from committing self-harm.

MAYOR PRO-TEM

Commissioner Hinojosa nominated Commissioner Taylor as Mayor Pro-Tem.

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

ORDINANCE NO. 1662

AN ORDINANCE GRANTING A SPECIFIC USE; DEFINING THE SPECIFIC USE; PROVIDING FOR CONFLICT, VALIDATION, RECORDING AND AN EFFECTIVE DATE.

Mayor Rogers noted that the City needs to encourage growth and development and raise the property tax base.

Commissioner Taylor made the motion to approve second reading of Ordinance No. 1662 – Specific Use Request for a Medical Facility on College Drive.

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

ORDINANCE NO. 1665

TEXAS MUNICIPAL RETIREMENT SYSTEM

AN ORDINANCE AFFECTING PARTICIPATION OF CITY OF VERNON EMPLOYEES IN THE TEXAS MUNICIPAL RETIREMENT SYSTEM GRANTING THE ADDITIONAL RIGHTS AUTHORIZED BY SECTION 854.202(g) OF TITLE 8, TEXAS GOVERNMENT CODE, AS AMENDED, AND PRESCRIBING THE EFFECTIVE DATE FOR THE ORDINANCE.

Mayor Rogers stated that it would be financially irresponsible to submit to a \$65,000 expense that cannot be reversed.

Finance Director Garmon outlined the pros and cons of changing the TMRS retirement from twenty-five years of service to twenty years of service.

City Manager Jarosek reminded the Commission that costs will vary from year to year and this is an outline of the facts.

Following discussion, the Ordinance failed due to lack of a motion.

RESOLUTION NO. 985

**A RESOLUTION OF THE CITY OF VERNON, TEXAS
AUTHORIZING CERTAIN APPOINTED POSITIONS TO
SIGN ON BEHALF OF THE CITY ALL CHECKS, NOTES,
DRAFTS OR BILL EXCHANGES PROVIDING FOR
RECORDING AND FOR AN EFFECTIVE DATE.**

Finance Director Garmon explained that this resolution would verify and make official whose signatures are authorized for banking transactions.

Commissioner Hinojosa made the motion to approve Resolution No. 985 Authorizing Positions as Signatories for Banking Purposes.

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

ORDINANCE NO. 1666

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF VERNON, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2014 AND 2015 RATE REVIEW MECHANISM FILINGS; APPROVING A SETTLEMENT AGREEMENT WITH ATTACHED RATE TARIFFS AND PROOF OF REVENUES; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL.

Digital Recording on file

City Manager Jarosek explained that this ordinance relates to a rate settlement between Atmos Energy Corporations Mid-Tex Division and Atmos Cities Steering Committee (ASCS). The City is a member of ASCS. If approved, this ordinance would increase costs to residential customers who consume 60 CcF in the amount of \$13.68 per year and \$32.28 to the typical commercial customer.

Commissioner Taylor made the motion to approve Ordinance No. 1666 approving a negotiated settlement and the Rate Review Mechanism (RRM) with Atmos Energy Mid-Tex Division.

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

RESOLUTION NO. 986

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 Jarosek recommended continued participation.

Commissioner McMahan made the motion to approve Resolution No. 986 continuing participation in the Atmos Cities Steering Committee.

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

RESOLUTION NO. 987

A RESOLUTION OF THE CITY OF VERNON AUTHORIZING FOR THE PLACEMENT OF A STOP SIGN AT THE INTERSECTING ROADWAY OF MESQUITE STREET AND LONDON STREET, AND PROVIDING FOR AN EFFECTIVE DATE.

City Manager Jarosek noted that he, the Police Chief and the Street Superintendent all concur that this is an unsafe intersection, and would benefit from installation of a stop sign.

Commissioner Hinojosa made the motion to approve Resolution No. 987 authorizing stop sign on Mesquite Street at the intersection of London Street.

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

SURPLUS PROPERTY

City Secretary Byers explained that the Commission need to approve the list of items as surplus before staff can proceed with auction procedures or selling salvage.

Commissioner Hinojosa made the motion to approve sale or salvage of unused City property.

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

ORDINANCE NO. 1667

AMENDING THE BUDGET FOR THE FISCAL YEAR OCTOBER 1, 2014, AND THROUGH SEPTEMBER 30, 2015, FOR THE CITY OF VERNON; APPROPRIATING MONEY FOR THE VARIOUS FUNDS AND PURPOSES OF SUCH BUDGETS; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES AND APPROPRIATIONS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Finance Director Garmon explained that revenues were forecast conservatively and expenditures were forecast realistically for this budget amendment which forecasts a combined ending fund balance of \$225,920.

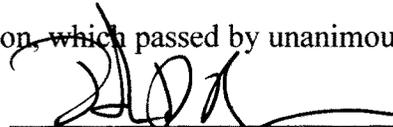
Following lengthy discussion of the specific changes from the original FY 2014-2015 Budget, Commissioner Taylor made the motion to approve Ordinance No. 1667 amending FY2014-2015 Annual Budget.

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

ADJOURN

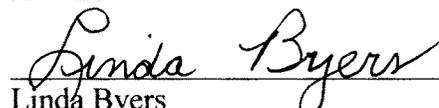
Commissioner Hinojosa made the motion to adjourn the meeting at 7:38 p.m.

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



Joe Rogers
Mayor

ATTEST:



Linda Byers
City Secretary