

**VERNON CITY COMMISSION
REGULAR MEETING
JANUARY 26, 2016**

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: Ruben Hinojosa, Travis Taylor and Britt Ferguson.

Staff Present: City Manager Joseph Jarosek, City Prosecutor Jonathan Whitsitt, Police Chief Tom Wilson, Fire Chief Marcus Smith, Public Works Director Darell Kennon, Finance Director Anne Garmon, Municipal Judge Lori O. Adams, and City Secretary Linda Byers.

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

PUBLIC COMMENT

Willie King spoke representing the North Vernon Ministerial Alliance and citizens who appreciate the effort in cleaning up lots, but think it is too slow in number of properties being cleaned up. He asked for stiff fines and penalties for property owners who did not maintain their property.

Alexander Asanaenyi supported stiff penalties for persons who dump on other persons property.

Vincent Latour spoke concerning sale of the old Gibson's building, stating that if the building is sold it discourages developing the rest of the block.

CONSENT AGENDA

Commissioner Hinojosa made the motion to approve the consent agenda.

- A. Minutes: Attached are minutes of the Regular City Commission Meeting held on Tuesday, December 15, 2015; and Minutes of the Finance Meeting held on Monday, December 14, 2015.
- B. Second Reading of Ordinance No. 1676 to Rescind the Sale of Tax Property Located at 2005 Canal St.
- C. Financial Investment Report, Vouchers, and Payroll & Benefit Expense. December 1, 2015 – December 31, 2015.

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

PUBLIC HEARING FOR ZONING CHANGE

Mayor Rogers Opened the public hearing to consider a Zoning Change Request by the RFJ Auto Properties, LLC to change the zoning of Lots 1-5, 15-19 Block 4 of the Pettit's Highway Addition and Lots 5&6 of the Scurlock & Lorance Addition to the City of Vernon from Single Family Residential (R-2) to Convenience Commercial (C-C).

There was no public comment and Mayor Rogers closed the public hearing.

ORDINANCE NO. 1677

AN ORDINANCE CHANGING THE BOUNDARIES OF ZONING DISTRICTS, DEFINING THE LOCATION OF THE NEW BOUNDARIES, AND PROVIDING FOR CONFLICT, VALIDATION, RECORDING AN EFFECTIVE DATE.

City Manager Jarosek explained that the Planning & Zoning Commission had voted to approve the zoning change request by the RFJ Auto Properties, LLC to change the zoning of Lots 1-5, 15-19 Block 4 of the Pettit's Highway Addition and Lots 5&6 of the Scurlock & Lorance Addition to the City of Vernon from Single Family Residential (R-2) to Convenience Commercial (C-C).

Jay Risen representing Halff explained that they are rezoning this piece of property so that all of all of the property could be replatted.

Commissioner Taylor made the motion to approve Ordinance #1677 for a zoning change request by the RFJ Auto Properties, LLC to change the zoning of Lots 1-5, 15-19 Block 4 of the Pettit's Highway Addition and Lots 5&6 of the Scurlock & Lorance Addition to the City of Vernon from Single Family Residential (R-2) to Convenience Commercial (C-C).

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

POLICE DEPARTMENT RACIAL PROFILING AND YEARLY REPORT

Chief Wilson explained the racial profiling requirements and the report which reflected 665 total motor vehicle stops with 62 searches conducted.

Chief Wilson also presented the Crime Analysis for 2015 which reported:

20,798 Calls for Service,	116 Assaults,
85 Family Violence,	484 Total Arrests,
40 Burglaries,	42 Burglaries of a Vehicle,
47 Drug Arrests	24 Auto Thefts
5 Robberies	67 Criminal Mischief
215 Theft	16 Sex Offenses
859 Traffic Citations	1190 Traffic Warnings

Digital Recording on file

Chief Wilson also reported that there were \$15,045 obtained in Federal and State Grants. Commissioner Ferguson asked why crimes were up but arrests were down. Chief Wilson responded there were many variables; there were fewer citations because officers are required to spend more time on investigations and have less time on the streets. Major Crimes are what they spend the priority of time on instead of traffic citations.

JUSTICE ASSISTANCE GRANT (JAG) PROGRAM APPLICATION

Chief Wilson requested permission to apply for this Justice Assistance Grant and a Homeland Security Grant. The Chief also explained the process for grant applications, approval of the grants and purchase of the equipment.

Commissioner Hinojosa made the motion to approve Justice Assistance Grant (JAG) Program Application and the application to Homeland Security for Police Department funding.

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

ACCEPTANCE OF CRIMINAL JUSTICE DIVISION GRANT

Chief Wilson explained that this grant requires a twenty-five percent match by the City, which is already included in the existing budget.

Commissioner Taylor made the motion to approve acceptance of Criminal Justice Division Grant for body-worn cameras in the amount of \$12,654.

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

CHAPMAN FORESTRY FOUNDATION GRANT

City Manager Jarosek explained that this grant will purchase fifteen trees for Allingham Park. We will be responsible for installation and irrigation.

Commissioner Hinojosa made the motion to approve Chapman Forestry Foundation Grant in the amount of \$2,500.

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

MAIN STREET ADVISORY BOARD APPOINTMENT

City Manager Jarosek explained that Meg Heatly's application to be reappointed for another three-year term on the Main Street Board was in the packet.

Commissioner Taylor made the motion to approve reappointment of Meg Heatly to a three year term on the Main Street Advisory Board.

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

RESOLUTION NO. 993

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF VERNON, TEXAS, THAT AUTHORIZES THE CITY OF VERNON INVESTMENT POLICY AND PROVIDING FOR RECORDING AND AN EFFECTIVE DATE.

City Manager Jarosek noted that this revised Investment Policy incorporates current legal updates and addresses Public Funds Investment Act requirements and accurately reflects our conservative investment strategy.

Commissioner Hinojosa made the motion to approve policy review and Resolution No. 993 approving Investment Policy for 2016.

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

ORDINANCE NO. #1678

AN ORDINANCE AMENDING SECTION 54-62 OF ARTICLE III – SEWERS 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 Jarosek explained that this is an ordinance clarifying the recommended minimum sewer billing language. It will not increase sewer rates or billing, but will insure that the historical minimum volume is maintained.

Commissioner Taylor made the motion to approve Ordinance No. 1678 clarifying the language on sewer volume billing.

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

ORDINANCE NO. 1679

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF VERNON, TEXAS, APPROVING THE SALE OF THE PROPERTY AT 2005 CANAL STREET, AND 1614 LONDON STREET, APPROVING THE SALES PRICE, AND REQUIRING THAT DELIVERY OF THE PROPERTY BE EXECUTED TO THE PERSON NAMED BELOW

City Manager Jarosek explained that 2005 Canal Street will now be sold to the second highest bidder – Nick Alvarez, and 1614 London Street will be sold to Arnold and Tanya Steel.

Following a short discussion, Commissioner Hinojosa made the motion to approve Ordinance No. 1679 for the sale of tax property located at 2005 Canal Street and 1614 London Street.

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

ORDINANCE NO. 1680

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF VERNON TEXAS, AUTHORIZING BUDGET AMENDMENT NUMBER 1 TO THE 2015-2016 OPERATING BUDGET.

City Manager Jarosek informed the Commission that several years ago the City received an anonymous donation of \$2,000 to plant trees at the cemetery, but due to the drought, those trees were never planted. Since the funds were not used in the year they were received, they were absorbed into fund balance. Best practice is to ask for an appropriation from fund balance and amend the current year's budget so that these funds can be used to purchase and plant trees at the cemetery.

Commissioner Hinojosa made the motion to approve Ordinance No. 1680 amending FY 2015-2016 Budget.

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

APPROVE ORDER OF GENERAL ELECTION

City Secretary Byers explained that each year the City Commission must issue an order calling for the election of City Officers to server for a period of two years along with an order of appointment for an election judge and alternate judge. The Mayor and Commissioner Place 1 and Place 2 will be on the May 7, 2016 ballot.

Commissioner Taylor made the motion to approve Order of General Election.

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

CONSULTING AGREEMENT FOR FY 2015-2016

City Manager Jarosek explained that the name of the firm assisting with the FY2015-2016 audit had changed to Moore, Truelove, Pharis, Meyers & Marsh CPA, PLLC and this consulting agreement is a formality to reflect the agreement with the new firm for FY2015-2016.

Commissioner Hinojosa made the motion to approve consulting agreement with Moore, Truelove, Pharis, Meyers & Marsh CPA, PLLC for FY 2015-2016.

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

SELF-INSURED OPTIONS FOR EMPLOYEE BENEFITS

Commissioner Taylor requested that this agenda item be switched with the Real Property Executive Session.

EXECUTIVE SESSION
DELIBERATION CONCERNING REAL PROPERTY - WATER.

Commissioner Taylor made the motion to enter Executive Session – Government Code, Title 5, Chapter 551- Section 551.072 – Deliberation Concerning Real Property – Water at 7:28 pm. The Water Advisory Board was invited into executive session.

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

RESUME REGULAR SESSION

Commissioner Taylor made the motion to resume regular session at 8:58 pm.

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

ACTION REGARDING REAL PROPERTY

Commissioner Taylor made the motion to proceed with negotiations on the subject tract.

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

SELF-INSURED OPTIONS FOR EMPLOYEE BENEFITS

City Manager Jarosek explained that a broker is used to obtain our health insurance rates because of their expertise and knowledge. Tommy Morris Agency solicited quotes from Blue Cross, Aetna, Cigna, United Healthcare and Texas Municipal League for both self-insured plans and fully-insured plans. Aetna and Cigna declined to quote because of our small size and geographic location. United Healthcare declined to quote on a self-funded plan for the same reasons. Texas Municipal League and Blue Cross provided both self-insured and fully-insured quotes.

These rates and the proposals were discussed. Mayor Rogers wanted staff to find out what brokers charged and what other agencies were selling insurance to other cities, and instructed staff to call up other brokers to get quotes.

EXECUTIVE SESSION
DELIBERATION CONCERNING REAL PROPERTY - BUILDINGS.

Commissioner Taylor made the motion to go into Executive Session - Government Code, Title 5, Chapter 551- Section 551.072 – Deliberation Concerning Real Property – Buildings at 9:09 pm.

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

RESUME REGULAR SESSION

Commissioner Ferguson made the motion to resume regular session at 9:41 pm.

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

ACTION REGARDING REAL PROPERTY

Commissioner Ferguson made the motion to advertise the Gibson Property to be sold with a \$150,000 minimum bid.

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

EXECUTIVE SESSION
DELIBERATION CONCERNING PERSONNEL - CITY MANAGER EVALUATION

Commissioner Hinojosa made the motion to enter Executive Session – Deliberation Concerning Personnel - Government Code, Title 5, Chapter 551 – Section 551.074 – City Manager Evaluation at 9:42 pm.

Commissioner Taylor seconded that motion.

Digital Recording on file

City Manager Jarosek read a statement stating that he appreciates the evaluation, but that when he learned about the evaluation he asked for items to be evaluated, and was not provided with those items. He stated that this process was unreasonable and unfair.

Following a vote with Mayor Rogers and Commissioner Hinojosa voting to enter executive session and Commissioner Taylor and Commissioner Ferguson voting against, The Commission did not enter into executive session.

ADJOURN

The meeting was adjourned at 9:43 p.m.



Joe Rogers
Mayor

ATTEST:



Linda Byers
City Secretary