

**VERNON CITY COMMISSION  
REGULAR MEETING  
MAY 24, 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: Guy Spears, Ruben Hinojosa, Travis Taylor and Britt Ferguson.

Staff Present: City Manager Joseph Jarosek, City Prosecutor Jonathan Whitsitt, Police Chief Tom Wilson, Fire Chief J.J. Oznick, Public Works Director Darell Kennon, Finance Director Anne Garmon, Community Development Director Monica Wilkinson, and Tourism and Main Street Director Brandy McIntyre.

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

**PUBLIC COMMENT**

There was no public comment.

**CONSENT AGENDA**

Commissioner Taylor made the motion to approve the consent agenda.

- A. Minutes of the Regular City Commission Meeting held on Tuesday, April 26, 2016; Minutes of a Special City Commission Meeting held on Wednesday, April 20, 2016; Minutes of a Special City Commission Meeting held on Thursday, May 12, 2016; and Minutes of the Finance Meeting held on Monday, May 25, 2016.
- B. Financial Investment Report, Vouchers, and Payroll & Benefit Expense. April 1, 2016 – April 30, 2016.

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

**PARTICIPATION IN COMMUNITY GARDEN**

City Prosecutor Whitsitt informed the Commission that he had drawn up a lease between the owners of the property on behalf of the Town North Community Center for a ten year lease. The City is not involved in the lease.

Commissioner Spears made the motion to provide a water meter and sprinkler system to the community garden provided the garden construction is completed.

Digital Recording on file

Commissioner Ferguson seconded the motion, and following brief discussion, the motion passed by unanimous vote.

**MAYOR PRO-TEM**

Commissioner Spears nominated Commissioner Taylor.

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

**ORDINANCE NO. 1687**

**AN ORDINANCE AMENDING SECTION 54-56 AND 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 the rate for tapping fees was changed from the first reading to more closely reflect the actual cost of staff time in locating and inspecting the completed work. The out of city limit sewer rates reflect the same increased cost as out of city limits water rates.

Commissioner Taylor did not want to pass this ordinance due to the unknown factors associated with the upcoming bond issue and the interest and sinking rate.

Commissioner Taylor made the motion to table this ordinance as well as Agenda Item No. 7 until the September meeting.

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

**SEWER SERVICE TO CHRISTOPHER GRANGER**

This item was addressed in the motion with Ordinance No. 1687.

**ORDINANCE NO.1688**

**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 2016 RATE REVIEW MECHANISM FILINGS; 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.**

City Manager Jarosek explained that this is the rate settlement between Atmos Energy Corporations Mid-Tex Division and the Atmos Cities Steering Committee (ACSC) of which the City is a member. This settlement will result in a monthly increase for the typical residential customers' bill of \$1.26 and \$3.81 for a commercial customer. The ACSC Executive Committee, consultants and attorneys recommend that all cities adopt the proposed rate settlement.

Randy West, Customer Service Representative for Atmos Energy, informed the commission that even though this is a relatively small increase per customer it will allow Atmos to continue to replace outdated service lines.

Commissioner Hinojosa made the motion to approve Ordinance No. 1688 approving a negotiated settlement and the rate review mechanism (RRM) with Atmos Energy Mid-Tex Division.

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

**ORDINANCE No. 1689**

**AN ORDINANCE AMENDING CHAPTER 2 – ADMINISTRATION, ARTICLE III – BOARDS AND COMMISSIONS, DIVISION 3 – MAIN STREET ADVISORY BOARD, SECTION 2-117 – BOARD CREATION AND ESTABLISHMENT, AND PROVIDING FOR THE RECORDING AND AN EFFECTIVE DATE.**

Main Street and Tourism Director McIntyre explained that the Main Street Advisory Board recommended a change in the required number of Board members from seven to five members. There have been problems obtaining a quorum and several members have resigned, so making a smaller Main Street Advisory Board would be beneficial.

Commissioner Ferguson made the motion to approve Ordinance No. 1689 approving change in the Main Street Advisory Board.

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

**ACCEPT BODY WORN CAMERA GRANT**

Police Chief Wilson explained that the Commission approved the application for this grant at the January meeting. The grant from the Governor's Office was awarded to the City for 13 body worn cameras. The City will be required to pay twenty-five percent of the total project cost of \$10,095.91. The current operating budget is sufficient to pay the matching \$2,523.98.

Commissioner Spears made the motion to approve acceptance of grant award for body worn camera grant totaling \$7551.93.

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

**STOP SIGN AND YIELD SIGN**

City Manager Jarosek explained that these signs should increase traffic flow efficiency and increase safety of children walking to and from Central School.

Commissioner Hinojosa made the motion to approve placement of stop sign at the intersection of Marshall Street and Lexington Street and the placement of a yield sign at the intersection of Marshall Street and Eagle Street.

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

**PURCHASE SEWAGE GRINDER FOR WASTEWATER PLANT**

City Manager Jarosek explained that this sewage grinder breaks down plastic and other waste that will not break down chemically. Without this grinder functioning properly the flow can become clogged and the impair pumps leading to the belt press. The current grinder is ten years old and is worn out. Cost will be paid from the current budget.

Commissioner Hinojosa made the motion to approve the purchase of a sewer grinder for the Wastewater Treatment Plant at a cost of \$8,850.

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

**REGIONAL WATER PLANNING GROUP NOMINATION**

City Manager Jarosek explained that his current term on the Regional Water Planning Group – Area B will expire in August, 2016.

Commissioner Spears made the motion to approve nomination of City Manager Jarosek as a representative to the Regional Water Planning Group – Area B.

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

**PURCHASE ORDER SOFTWARE AND RELATED COSTS**

City Manager Jarosek explained that the current system does not allow for all departments to have access to real time financial data, and the system for tracking purchase orders is failing. A high speed internet system shared by all administrative locations would enable everyone to have access to financial data and an integrated purchase order software program would make up-to-the-minute financial data available.

The current proposal would cost the city \$23,575.88, but those costs would change as staff researches a less costly internet solution.

Following extended discussion, the proposal died for lack of a motion.

**CHANGE TO SECTION 9-3 OF CITY CHARTER**

Commissioner Spears explained that a candidate who runs unopposed for a vacated seat cannot assume office until he would have been elected. City Prosecutor Whitsitt explained that under Local Government Code Section 22.010, a General Law City could appoint an interim Commissioner, but the City of Vernon is a Home Rule City, and our Charter applies. The City could place a proposal on a future ballot to allow the City Commission to appoint an interim commissioner to fill a vacant seat until the end of that term. The proposal would be decided by voters.

Mayor Rogers noted that if we were going to change our Charter for this item, other sections of the charter might need to be changed and should be included in future changes. There was discussion of possible charter changes, and including those changes on the May, 2017 ballot.

**FY2015-2016 BUDGET**

City Manager Jarosek explained that the budget planning process would begin with the assumption that the revenues would remain neutral. Each department has made budget requests for capital items and each item that is eligible for financing is highlighted. Requests include \$1,020,000 of capital items that are eligible for short-term tax notes, \$595,000 of items eligible for Person Property Financing CO's (PPFCO), and \$1,020,000 of items eligible for Certificate of Obligation (CO) financing.

Mr. Jarosek also outlined the proposed calendar that would need to be followed if these projects proceed as well as the cost of a merit increase for employees (\$88,554) and the cost of ending the City Hall furlough with the merit increases (\$137,755). He also noted the cost of increased mowing along Highway 287 right-of-way (\$22,968) and cost of cleaning up lots and dilapidated structures. The plan presented for dilapidated structures is a five year plan.

Eric Macha with First Southwest, explained the process for financing of capital projects through tax notes, PPFCO's and/or Certificate of Obligation.

**EXECUTIVE SESSION - CONSULTATION WITH ATTORNEY**

Commissioner Taylor made the motion to enter Executive Session – Government Code, Title 5, Chapter 551- Section 551.071 – Consultation with Attorney at 7:59 pm.

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

**RESUME REGULAR SESSION**

Commissioner Hinojosa made the motion to resume regular session at 8:41 pm.

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

**ACTION FOLLOWING EXECUTIVE SESSION**

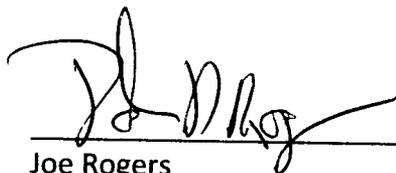
Commissioner Spears made the motion to accept bid of \$250 for 2400 Olive Street from Frances Carr, accept the bid of \$250 for 2118 Pease Street from Gloria Holland, accept the bid of \$1,700 for 2418 Fannin Street from Ken Turner, and accept the bid of \$400 for 1403 Mesquite Street from Lynn Hickey.

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

**ADJOURN**

Commissioner Taylor made the motion to adjourn the meeting at 8:43 p.m.

Commissioner Hinojosa seconded the motion which passed by unanimous vote.

  
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Joe Rogers  
Mayor

ATTEST:

  
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Linda Byers  
City Secretary