

**VERNON CITY COMMISSION  
REGULAR MEETING  
OCTOBER 25, 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: Interim City Manager Joe Pence, City Prosecutor Jonathan Whitsitt, Police Chief Tom Wilson, Public Works Director Darell Kennon, Finance Director Anne Garmon, Fire Chief J.J. Oznick, Community Development Director Monica Wilkinson 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**

Pam Gosline spoke on behalf of the Pride Committee and thanked the Commission for help with the city-wide cleanup on October 8<sup>th</sup>. It was very successful. The downtown planters have been painted and flowers are planted. The yard and business of the month recognition continues.

Molly Baldwin noted that the last open meeting was fruitful and those attending received a good understanding of the process of the city manager search firm. She also voiced concerns about the contingency plan while a new transmission line is being installed and about Tourism Department Plans for the future.

Tony Kemp has been monitoring the collapsed building and hopes that he will be considered for the demolition.

**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, September 27, 2016; Minutes of the Special City Commission Meeting held on Tuesday, October 18, 2016; and Minutes of the Finance Meeting held on Monday, September 26, 2016.
- B. Second Reading of Ordinance No. 1697 Amending Fiscal 2015-2016 Budget.

- C. Second Reading of Ordinance No. 1694 Granting a Franchise to Atmos Energy Corporation.
- D. Second Reading of Ordinance No. 1698 Granting a Utility Easement across Antelope Street to Tyson Foods, Inc.
- E. Payment to Green Earth Contracting LLC for Asbestos Abatement at 1716 Pease St. in the Amount of \$10,995.
- F. Payment to Xylem Water Solutions for Emergency Purchase of Submersible Pump for Wastewater Treatment Plant in the Amount of \$13,079.96.
- G. Continuation of Agreement with First Southwest Asset Management for Arbitrage Rebate Services at a Cost of \$1,950.
- H. Financial Investment Report, Vouchers, and Payroll & Benefit Expense. September 1, 2016 – September 30, 2016.

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

**AWARD OF A CONTRACT FOR BUILDING DEMOLITION AT 1716 PEASE STREET**

Community Development Director Wilkinson updated the Commission on the status of the building at 1716 Pease Street, noting that the west wall has been stabilized. Asbestos abatement will begin on October 26 and will take about one week. Demolition Request for Proposals was received on October 21. The City will provide sand to fill the basement and waste will be provided by a negotiated contract with Progressive Waste Solutions. Work must be completed within sixty days. Brick and concrete can be left in the basement.

There were two bids received. TNT Construction bid is \$29,600 and Kemp Tree Service bid is \$85,000. There will be a pre-demolition meeting with the engineer so that contractor is sure of what the job requires, and staff would like to have the engineer present during demolition. Staff finds no reason not to accept the low bid.

There was discussion of having the engineer present during demolition and the need for hands-on work.

Commissioner Ferguson made the motion to approve the staff recommendation of award of a contract for building demolition at 1716 Pease Street to TNT Construction for \$29,600.

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

**RESOLUTION No. 1000**

Commissioner Spears made the motion to approve Resolution No. 1000 accepting the Texas Community Development Block Grant (TxCDBG) from the Texas Department of Agriculture.

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

**INTERLOCAL AGREEMENT WITH NORTEX FOR ADMINISTRATIVE SERVICES**

Commissioner Spears made the motion to approve Interlocal Agreement with Nortex Regional Planning Commission for administrative services in connection with TxCDBG Grant Project.

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

**TOURISM ADVISORY BOARD APPOINTMENTS**

City Secretary Byers noted to the Commission that they have two board appointment applications and two openings on the Tourism Advisory Board.

Commissioner Taylor made the motion to reappoint Carolyn Randel to the Tourism Advisory Board.

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

Commissioner Hinojosa made the motion to appoint Jimmy Surber to the Tourism Advisory Board.

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

**APPOINTMENT FOR AN UNEXPIRED TERM ON THE HOUSING AUTHORITY BOARD**

Commissioner Ferguson made the motion to approve appointment of William Noble to fill an unexpired term on the Housing Authority Board.

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

**COMMISSION MEETING AND HOLIDAY SCHEDULE**

Commissioner Hinojosa made the motion to approve the Commission Meeting and Holiday Schedule for 2017.

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

**APPROVE STREET CLOSURE FOR THE LIGHTED CHRISTMAS PARADE ACTIVITIES**

Commissioner Spears made the motion to approve closure of Pease St. between Main St and Cumberland St for the Lighted Christmas Parade activities on December 10.

Community Development Director noted that the demolition of 1716 Pease Street would not be completed by then and recommends no action until an alternate plan can be submitted. Motion dies for lack of a second.

**PURCHASE OF PICKUPS**

Commissioner Spears made the motion to approve the bid of \$30,810 to Sam Pack Ford for the Street Department pickup and the bid of \$30,637.64 to Vernon Auto Group for the Water Department pickup.

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

**ORDINANCE NO 1699**

**AN ORDINANCE OF THE CITY OF VERNON, TEXAS, AMENDING CHAPTER 42, PEDDLERS, SOLICITORS AND BEGGARS OF THE CODE OF ORDINANCES OF THE CITY OF VERNON, TEXAS; PROVIDING FOR A PENALTY CLAUSE; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

City Secretary Byers explained that the City could not prohibit door-to-door solicitations, and could not place the cost of the permit at a fee higher than the cost to administer the permit. She recommends the use of the advertising budget to inform citizens of their right to prohibit solicitors on their property by placing a "No Solicitors" sign near their door as outlined in the city ordinance. This ordinance would also make the itinerant merchants permit the same price as the peddlers permit and allow merchants to apply once a month instead of once a quarter.

Commissioner Hinojosa made the motion to approve Ordinance No. 1699 Amending Solicitors & Peddlers Ordinance.

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

**FUND BALANCE POLICY**

Finance Director Anne Garmon noted that the city's "fund balance" represents its equity within a fund at any given time, represented by the difference between fund assets and liabilities. Fund assets such as receivables are not immediately available to pay bills. For that reason fund balance may be less useful than the cash balance in describing assets on hand to meet current obligations. Director Garmon recommends a twenty-five percent (25%) cushion in cash balance as the goal, noting that whatever percent we adopt must be achievable.

Interim City Manager Pence noted that the policy should be in the form of an ordinance or resolution, and the city should make sure that we operate our budget properly.

Digital Recording on file

Discussion included saving money and operating within our means, the need for emergency expenditures, audit comments and the problems if those comments are not addressed. Director Garmon noted that it is simpler to have a "Cash on Hand" policy.

The Wichita Falls policy was discussed and it was determined that staff will bring policy recommendations before the Commission at the December or January regular meetings.

**CONTRACT FOR EXECUTIVE SEARCH FIRM TO FILL CITY MANAGER POSITION**

Mayor Rogers outlined the discussion with Chris Hartung Consulting during the October 18 Special Meeting.

Commissioner Spears made the motion to approve a contract with Chris Hartung Consulting for Executive Search Firm to fill City Manager Position.

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

**EXECUTIVE SESSION – DELIBERATION CONCERNING PERSONNEL – CITY ATTORNEY**  
**GOVERNMENT CODE SECTION 551.074**

There was no motion to enter Executive Session.

**ACTION REGARDING EXECUTIVE SESSION**

Commissioner Taylor made the motion to appoint Jonathan Whitsitt as City Attorney.

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

**ADJOURN**

Commissioner Hinojosa made the motion to adjourn the meeting at 7:47 p.m.



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Joe Rogers  
Mayor

ATTEST:



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Linda Byers  
City Secretary