

**VERNON CITY COMMISSION  
REGULAR MEETING  
JANUARY 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: Interim City Manager and Public Works Director Darell Kennon, City Attorney Jonathan Whitsitt, Police Chief Tom Wilson, Fire Chief J.J. Oznick, Finance Director Garmon, Community Development Director David Pilcher, Zoning Official Monica Wilkinson, Municipal Judge Lori O. Adams and City Secretary Linda Byers.

Mayor Rogers led the group in the Invocation and the Pledge of Allegiance to the U.S. and Texas flags.

**PUBLIC COMMENT**

Molly Baldwin voiced her appreciation of the Street Department, encouraged continued condemnations of dilapidated structures to improve the look of the city and is concerned with City internal politics with different committees.

Reg Baldwin voiced continued concern with happenings from 2016.

Chano Martinez wants the street repaired at 3121 Luna Street, and a stop sign on the 1300 block of Harrison Street.

**CONSENT AGENDA**

Commissioner Taylor made the motion to approve the consent agenda.

- A. Minutes: Attached are Minutes of the Regular City Commission Meeting held on Tuesday, December 20, 2016; Minutes of a Special City Commission Meeting held on Friday, January 6, 2017; Minutes of a Special City Commission Meeting held on Tuesday, January 10, 2017 and Minutes of the Finance Meeting held on Monday, December 19, 2016.
- B. Financial Investment Report, Vouchers, and Payroll & Benefit Expense. December 1, 2016 – December 31, 2016.

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

**PUBLIC HEARING TO CLOSE A PORTION OF THE ALLEY  
ADJACENT TO AND SOUTH OF 2304 NABORS.**

Mayor Rogers opened the public hearing.

Larry Gillespie explained that 2.2 feet of Tommy and Vicky Pham's home sits in the alley. This was not discovered until they were trying to sell the house. When they requested closing that alley, it was discovered that there was an active sewer line in the alley. The Pham's are requesting closure of only six foot of the alley near their house. The active sewer line is on the other side of the twenty foot alley easement.

Charles McArthur explained that as a member of the Planning and Zoning Commission he had inquired about the sewer line in that alley, and the Planning and Zoning Commission had to deny the original request made by the Pham's and their neighbors to completely close the alley.

With no other comment, Mayor Rogers closed the public hearing.

**ORDINANCE NO. 1701**

**AN ORDINANCE DETERMINING LACK OF PUBLIC NECESSITY FOR A PORTION OF A 20 FOOT ALLEY IN THE 2300 BLOCK OF NABORS STREET; VACATING AND ABANDONING SAID PORTION OF THE 20 FOOT ALLEY IN THE 2300 BLOCK OF NABORS STREET; AND PROVIDING FOR REPEALING, SEPARABILITY, RECORDING AND AN EFFECTIVE DATE.**

Zoning Official Wilkinson explained that this ordinance is closing only a portion of the alley. The active sewer line is 15.5 feet from the structure. The legal description of the portion to be closed will be added before the second reading of the ordinance, and after the Pham's have provided a survey with that legal description. This solution of a 6 ft. by 36 ft. portion of the alley will solve all of the issues.

Commissioner Spears made the motion to approve Ordinance No. 1701 closing a six foot (6') x thirty six foot (36') portion of the twenty (20') foot alley adjacent to and south of 2304 Nabors.

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

**RESOLUTION NO. 1008**

**A RESOLUTION OF THE CITY OF VERNON, TEXAS, IN SUPPORT OF SOLUTION TO MAKE THE INTERSECTION ON US HIGHWAY 287 AT THE HARROLD TRUCK STOP SAFER.**

Mayor Rogers read Resolution No. 1008.

Digital Recording on file

Following a short discussion, Commissioner Spears made the motion to approve Resolution No. 1008 in support of solutions to make the intersection of US Highway 287 at the Harrold Truck Stop safer.

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

**ORDINANCE NO. #1700**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF VERNON, TEXAS AMENDING CHAPTER 46 OF THE PLUMBING CODE OF THE CODE OF ORDINANCES OF THE CITY OF VERNON, TEXAS BY ADDING A NEW SECTION 46-3 TO BE ENTITLED "CROSS-CONNECTION CONTROL PROGRAM"; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; ESTABLISHING PENALTIES FOR THE VIOLATION OF AND PROVISIONS FOR ENFORCEMENT OF THESE RESTRICTIONS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.**

Code Enforcement Director Pilcher explained that staff received notification from the Texas Commission on Environmental Quality (TCEQ) that during their Cross-Connection Control Program survey performed on June 22, 2016, it was determined that our current plumbing code does not adequately protect the public water system. The corrective action requires that the City adopt this updated ordinance that addresses these issues.

Commissioner Hinojosa made the motion to approve Ordinance No. 1700 adding Section 46-3; Cross-Connection Control Program to Chapter 43 – Plumbing Code, of the City of Vernon Code of Ordinances.

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

**RESOLUTION NO. 1006**

**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.**

Finance Director Garmon explained that this policy is required by law and is very conservative. There are no changes from the policy adopted for 2016.

Digital Recording on file

Commissioner Hinojosa made the motion to approve Resolution No. 1006 approving Investment Policy for 2017.

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

#### **RESOLUTION NO. 1007**

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

Finance Director Garmon explained that this Finance Policy is a codification of best practices that we are already using. This policy can be changed or updated annually in the same manner as the Investment Policy.

It is proposed that any cash windfalls be used for one-time expenses and not for recurring charges. The policy sets minimum cash balances and those balances will be reported if they fall below set standards.

Commissioner Spears suggested that once cash balances drop below a set level, the Finance Committee must approve any spending other than payroll and debt service. There was discussion of the number of days of cash balance proposed in the policy and the percentage under this strategy.

Commissioner Spears made the motion to table Resolution No. 1007 Approving Financial Policy for 2017 until the February meeting.

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

#### **ORDER OF GENERAL ELECTION**

City Secretary Byers explained that this order is for election of Commissioners in Place 3 and Place 4, as well as naming the election judges for the May 6, 2017 General Election.

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

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

**POLICE DEPARTMENT RACIAL PROFILING AND YEARLY REPORT**

Police Chief Wilson reported that his department made a total of 1031 motor vehicle stops in 2016. Of those stops there were 152 African, 10 Asian, 540 Caucasian, 326 Hispanic, 2 Middle Eastern and 1 Native American, with 91 of those stops having a search conducted.

The Police Department crime analysis for 2016 reflected 20,798 calls for service in 2016.

The department investigated:

- 123 Assaults,
- 68 Family Violence,
- 555 Total Arrests
- 69 Burglaries
- 50 Burglary of a Vehicle
- 71 Drug Arrests
- 12 Auto Thefts
- 4 Robberies
- 88 Criminal Mischief
- 358 Thefts
- 14 Sex Offenses
- 1191 Traffic Citations
- 1435 Traffic Warnings

**PURCHASE OF POLICE DEPARTMENT VEHICLE**

Commissioner Spears made the motion to approve purchase of Police Department interceptor utility vehicle at a total cost of \$34,245.34.

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

**PURCHASE OF PARKS DEPARTMENT AND CEMETERY MOWERS**

Interim City Manager Kennon explained that these mowers were approved in the 2016-2017 Budget. He is proposing purchase of a Grasshopper mower for the Parks Department at a cost of \$13,938.75 and purchase of a Kubota mower for the Cemetery at a cost of \$21,458.55.

Commissioner Spears made the motion to approve purchase of Parks Department and Cemetery mowers as recommended.

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

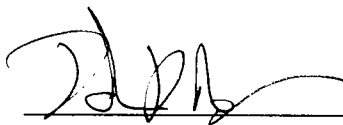
**STAFF SUBMISSION OF THE INTENDED USE PLAN  
TO THE TEXAS WATER DEVELOPMENT BOARD**

Interim City Manager Kennon explained that the City has submitted this plan for the past several years. Submission of the intended use plan does not obligate the city, but if we are approved the city could get some loan forgiveness, and we do not have to accept the loan if it is offered.

Commissioner Taylor made the motion to approve staff submission of the Intended Use Plan to the Texas Water Development Board in order to obtain possible funding through the Clean Water State Revolving Fund and the Drinking Water State Revolving Fund.  
Commissioner Hinojosa seconded the motion, which passed by unanimous vote.

**ADJOURN**

Commissioner Spears made the motion to adjourn the meeting at 7:45 p.m.



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Joe Rogers  
Mayor

ATTEST:

  
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Linda Byers  
City Secretary