

REGULAR MEETING
APRIL 27, 2010

Mayor Jeff Bearden called the Regular Meeting of the City Commission to order at 6:30 p.m. in the Commission Chambers, and a quorum was declared present.

Present: Mayor Jeff Bearden

Commissioners: Jimmy Dennis, Russell Brownlow, Travis Taylor and Phil McCuiston

Staff Present: City Manager Mitch Grant, City Attorney Trish Byars, Police Chief Tom Wilson, Fire Chief Kent Smead, Community Development Director Monica Wilkinson, Finance Director Anne Garmon, and City Secretary Linda Byers.

Commissioner Brownlow led the group in the Pledge of Allegiance to the U.S. and Texas flags, followed by the invocation.

PUBLIC COMMENT

Mayor Bearden opened the meeting to Public Comment from those who had submitted Requests to Speak during Public Comment Forms.

Charles McArthur asked for help in mowing the weedy, vacant lots in the North Vernon area.

CONSENT AGENDA

Commissioner Brownlow moved the following items, under the Consent Agenda be approved:

- A. Minutes of the Regular City Commission Meeting held on Tuesday, March 23, 2010.
- B. Reappointment of Dr. Randall Schaffner as Local Health Authority.
- C. Request from the Police Department to update and reapply for the COPS Hiring Recovery Program (CHRP) Grant.
- D. Expenditures for the State Energy Conservation Office Grant for HVAC retrofit at the Police Department (\$7,000.00), HVAC Retrofit at City Hall (\$6,000.00), Lighting Retrofit at City Hall (\$5,000), and a 5Kw Vertical Wind Turbine at the Wastewater Treatment Plant (\$40,000.00).
- E. Calling a Special Meeting to be held on May 13, 2010 @ 1:00 p.m. in order to canvass the May 8, 2010 Election.
- F. Financial Investment Report and Vouchers – March 1, 2010 through March 31, 2010.

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

TOURISM REPORT

The Tourism Committee Report to be presented by Joe Rogers was moved to later in the agenda by unanimous consent.

REVITALIZATION TASK FORCE REPORT

Carolyn Grimes, Chairman of the Downtown Revitalization Task Force, reported that the task force has spent over a year researching, discussing and testing best practices utilized by cities and town throughout the country that faced similar problems with their older city centers. The objective being the downtown area be a place of community pride, gatherings, identity, and economic success.

She reported that one successful approach is the National Main Street Program, part of the Texas Historical Commission's Community Heritage Development Division. As a unique economic development tool, the Main Street Four-Point Approach is the foundation for local initiatives to revitalize districts by leveraging local assets-from cultural or architectural heritage to local enterprises and community pride. This strategy fosters incremental improvements in four broad areas:

1. Economic Restructuring – redefines the district's niche in the marketplace and sharpens the competitiveness of existing businesses, while nurturing new enterprises that respond to today's consumers' needs.
2. Design – targets infrastructure and building improvements that lay the groundwork for a physical transformation that will be both functional and attractive.
3. Promotion- focuses on authentic community assets, with high-quality image development campaigns and events that will attract new shoppers, visitors, and residents.
4. Organization- builds a pathway to leadership in local efforts by launching community-based, volunteer-driven nonprofit entities that empower residents and investors to collaborate for sustainable revitalization.

Ms. Grimes also explained that the deadline for application to the 2011 Texas Main Street Program is July 30, and a non-binding "Intent to Apply" is due May 14. The Task Force asks that the City of Vernon submit an Intent to Apply to the program, which will begin the process of identifying community willingness to support the economic restructuring, design improvements, promotional aspects, and organizational requirements for Vernon to become a Texas Main Street City and to fully embrace a proven preservation and economic development program to revitalize it's historic downtown.

The Mayor and Commissioners voiced their appreciation for the efforts of the Task Force.

TEXAS MAIN STREET PROGRAM

Ms. Grimes explained that if the city filed the "Intent to Apply" for the Main Street Program, the State Agency will come and make presentation to the city, and answer any questions, and help us as a community to decide if Vernon wants to participate in the program.

Commissioner Dennis asked what the cost would be for the city to participate. City Manager Grant responded that the minimum cost would be one full-time salaried person (\$35,000 - \$50,000). The total program cost would be about \$100,000 for three years. Some of the

program money could be raised through fund-raisers, events, private foundations, hotel-motel funds, and citizens. It is best not to get the money from one spot.

Commissioner Dennis made the motion to approve a letter of intent to participate in the Texas Main Street Program in order to gauge local support before any actual commitments are made.

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

TAX COLLECTION AGREEMENT

Wilbarger County has made plans to take over collection of property taxes for all entities. City Manager Grant noted the following considerations:

- The City needs the option of choosing our own Tax Attorney. We currently use Perdue Brandon Fielder Collins and Mott and the county uses McCreary, Vaselka, Bragg & Allen, P.C. The county has agreed to allow us this option.
- Collection costs are deducted from taxes collected. Chris has agreed to allow us to pay by check in order to help with our accounting.
- The county has agreed to certify the calculation of the effective tax rate. The Chief Appraiser cannot do this at the present time; however, she could with some training.
- Our Charter says that we adopt the prior year tax rate if the city fails to adopt a rate. This contract sets a deadline of September 30. Instead of bearing extra cost for passing the deadline, I think it would be better if we automatically adopted the prior year rate in the unlikely event that that happens. This would have to undergo some legal review.
- Our cost is uncertain. The CAD total budget should be reduced at least \$13,100. This should be a savings to the entities by economy of scale. Our cost to Wilbarger County is \$4,500. We currently pay the Appraisal District \$17,819.80 for Appraisal and \$15,118.42 for collection.

Tax Collector Chris Quisenberry was present and stated that her office was flexible, and willing to work with the City. Chief Appraiser Sandy Burkett stated that she appreciates the city wanting to improve the Appraisal District.

Commissioner Dennis abstained from discussion and voting on this matter since he is on the Appraisal Board.

Commissioner Taylor made the motion to approve the comments as noted above and in the City Manager's memo regarding the Tax Collection contract with Wilbarger County.

Commissioner McCuiston seconded the motion, which passed by a vote of 4 – Ayes, and one abstaining.

ORDINANCE NO. 1540

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF VERNON, TEXAS; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

Commissioner Brownlow made the motion to approve first reading of Ordinance No. 1540.

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

ORDINANCE NO. 1541

AN ORDINANCE GRANTING TO AEP TEXAS NORTH COMPANY, CONSENT TO MAKE A PARTIAL ASSIGNMENT OF ITS FRANCHISE TO CONSTRUCT, MAINTAIN AND OPERATE LINES AND APPURTENANCES AND APPLIANCES FOR CONDUCTING ELECTRICITY IN, OVER, AND UNDER AND THROUGH THE STREETS, AVENUES, ALLEYS AND PUBLIC RIGHTS-OF-WAY OF THE CITY OF VERNON, TEXAS TO ELECTRIC TRANSMISSION TEXAS, L.L.C.

Greg Blair, representing AEP Texas North Company explained that they had transferred part of their ownership to Electric Transmission Texas L.L.C., and they are seeking permission to transfer franchise rights for that section of transmission lines.

City Manager Grant noted that after consultation with attorneys, he had no adverse comments.

Commissioner McCuistion made to motion to approve the first reading of Ordinance No. 1541.

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

FINANCIAL ADVISORY SERVICES CONTRACT

Vince Viaille, with Specialized Public Finance Inc., provided the Commission with information about his company and various options for possible cost savings to the City in refunding the Series 2000 Certificates of Obligation.

City Manager Grant noted that there was no need to take action on this item at this time. The City has done business with First Southwest Company for many years and with Vince Viaille while he was with that company. He advised the City meet with representatives from First

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Southwest in the same way that was done with Mr. Viaille, and recommended the commission take no action at this time.

There was no motion and no action taken on this agenda item.

PURSUE REFUNDING CITY DEBT

There was no motion and no action taken on this agenda item.

CONTRACT WITH AMD ENGINEERING

City Manager Grant explained that Leslie Bruce and John Tucker, formerly with Kimley-Horn and Associates, were lead engineers on several of the City's projects, and had developed a new company (AMD Engineering.) It would be in the City's best interest for them to continue as engineers on projects that they are familiar with so that we don't have to start over with a new engineer.

The proposed contract is a master agreement to allow them to continue with the projects currently in progress. Mr. Grant pointed out that this is not in conflict with our contract with Kimley Horn and Associates.

Commissioner Dennis made the motion to approve the contract with AMD Engineering contingent upon legal review by the City Attorney.

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

TOURISM REPORT

Joe Rogers, presented the Quarterly Tourism Report for the Hotel-Motel Tax Committee. The Hotel-Motel Tax Committee has adopted two new forms as recommended by the Texas Hotel-Motel Association; the funding application form and the post event report form. These forms spell out the rules very well, and enables the committee to determine how each event effected the Hotel-Motel industry.

The Hotel-Motel Committee held a priority and goal setting session that included the committee, each hotel and motel owner and elected officials. The main goals were to promote the events center, blue TXDot signs for businesses, dynamic billboards and Vernon brochures.


Event hearings will be June 30. Applications are due by May 28. A workshop was held to educate applicants for event funding about how to use the new forms,

A preliminary budget has been prepared so that the committee will know how much funding will be available for events. Income is estimated at \$230,000. After fixed expenses for the Red River Valley Museum, Chamber of Commerce and City of Vernon, they will have approximately \$113,000 for event funding.

ADJOURN

Commissioner McCuiston made the motion to adjourn the meeting at 7:43 p.m.

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



Jeff Bearden
Mayor

ATTEST:



Linda Byers
City Secretary