

**REGULAR MEETING**  
**JULY 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, Fire Chief Kent Smead, Community Development Director Monica Wilkinson, Police Chief Tom Wilson, Finance Director Anne Garmon, Public Works Director Bob Cochran and City Secretary Linda Byers.

Commissioner Dennis 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.

Jose Cardenas stated to the Commission that all citizens who spoke at the public hearing were against dumping into the Pease River. He also made claims about the TCEQ application. He stated that he trusted the Commission to act in the best interest of the citizens.

**CONSENT AGENDA**

Commissioner Dennis moved the following items, under the Consent Agenda are approved:

- A. Minutes of the Special City Commission Meeting on July 6, 2010, Minutes of the Special Meeting held on June 28, 2010, Minutes of the Regular Meeting held on June 22, 2010, and Minutes of the Finance Committee Meeting held on June 21, 2010.
- B. A policy extending acceptable noise levels to 11:00 pm for Summers Last Blast weekend.
- C. Street Closures for the Annual Vintage Vernon Ghost Tours & Folk Festival. Streets to be closed are Pease St. between Main St. and Cumberland St. and Cumberland Street between Wilbarger St. and Pease St.
- D. Carnegie City-County Library Budget for Fiscal 2010-2011, with the same funding as in 2009-2010.
- E. Wilbarger County Appraisal District Budget for Fiscal 2010-2011.
- F. Wichita-Wilbarger 9-1-1 District FY2011 "Draft" Budget.
- G. Auditor Engagement Letter for Fiscal 2009-2010 with Edgin, Parkman, Fleming & Fleming, PC of Wichita Falls, TX.
- H. Letter of Understanding between the City of Vernon Police Department and the Vernon Independent School District with respect to continue providing a School Resource Officer.

- I. Financial Investment Report with total earned interest reported of \$25,558.69 and Vouchers totaling \$995,041.50 for the period June 1, 2010 through June 30, 2010.

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

### **TOURISM COMMITTEE – 2<sup>ND</sup> QUARTER REPORT**

Joe Rogers, President of the Tourism Committee informed the Commission that they had granted \$65,000 to twenty-nine (29) events with amounts based on return on investment, or how much Hotel Occupancy Tax was generated.

The Tourism Committee is working on a comprehensive marketing campaign with brochures, billboards, banners, trade show booths and an updated website. A sports brochure has been authorized that would highlight sporting venues across town to encourage coaches to use our facilities for playoff games.

Mayor Bearden thanked the committee for their hard work.

### **WATER STORAGE TANK REPORT**

Public Works Director Bob Cochran reported that the 2 million gallon tank on Strayhan Street is 77% complete and the 75,000 gallon tank in the Odell Winston Field has not begun construction. There might be a slight delay for demolition of existing tanks, but the construction is on schedule. Total project is \$3.1 million and \$896,135 has been billed to date.

### **CHANGE AUGUST REGULAR MEETING**

Commissioner Dennis made a request to change the date of the August Regular City Commission meeting to August 23, 2010.

Commissioner McCuiston made the motion to approve changing the date of the meeting.

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

### **AQUATIC CENTER FUNDING PLAN**

City Manager Grant explained that we would not receive notification about our Texas Parks & Wildlife Grant Application for several more weeks, but outlined a plan to finance with conventional financing the amount covered by the grant if grant funding is not approved, and to seek some additional funds in the form of donations.

He requested approval to proceed with the project with a limit of \$1,500,000 on the entire project.

Commissioner McCuiston made the motion to approve plans for the Aquatic Center Funding. There was discussion of alternative options if conventional financing is pursued.

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

**AQUATICS CENTER ENGINEER**

City Manager Grant outlined the Request for Qualifications process to select an engineer. Kimley Horn and Associates was the firm selected by the scoring committee. Their ability and references were excellent. They will charge a fee of \$30,000 for preliminary engineering of the project and 10% of construction cost for the Document, Bidding and Construction phases of the project.

Commissioner Brownlow made the motion to approve the contract with Kimley Horn and Associates pending appropriate amendments and legal review.

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

**ORDINANCE NO. 1545**

**AN ORDINANCE AMENDING SECTION 52-172 OF CHAPTER 52-TRAFFIC OF THE CODE OF ORDINANCES OF THE CITY OF VERNON PROHIBITING INTERFERENCE WITH PARADES; AND PROVIDING FOR A PENALTY, A REPEALING SECTION, A SAVINGS SECTION, A RECORDING SECTION AND FOR AN EFFECTIVE DATE.**

Mayor Bearden explained that this ordinance would improve the safety of Summers Last Blast and other parades, but because of publication requirements, would not be in effect before the 2010 Cruise.

Commissioner Dennis made the motion to approve Ordinance No. 1545.

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

**WILBARGER GENERAL HOSPITAL TRANSPORT AGREEMENT**

Fire Chief Smead explained that Wilbarger General Hospital had requested an agreement for short ambulance transports at a discounted rate similar to the agreement that the City has with the North Texas State Hospital. Rates will be at 40% discount off of the adopted ambulance rates established by the City Commission.

Commissioner Taylor made the motion to approve the agreement with Wilbarger General Hospital.

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

**AIR EVAC EMS TRANSPORT AGREEMENT**

Fire Chief Smead explained that this agreement is similar to the agreement with Wilbarger General Hospital, with the same rates, if our ambulance service picks up a patient and transports them to a landing zone for Air Evac. If they landed at the airport and we picked up their crew, or if we treat their patient before transport, we would now be compensated for that service.

Commissioner McCuiston made the motion to approve the agreement with Air Evac EMS.

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

**ORDINANCE NO. 1546**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF VERNON TEXAS, AUTHORIZING BUDGET AMENDMENT NUMBER 2 TO THE 2009-2010 OPERATING BUDGET DUE TO UNFORSEEN SITUATIONS, AND DECLARING AN EMERGENCY.**

City Manager Grant explained that this amendment was for emergency purchase of hand held meter reading equipment that was no longer repairable at a cost of \$11, 570 that will be a transfer from the contingency funds.

Commissioner Taylor made the motion to approve Ordinance No. 1546.

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

**FISCAL YEAR 2010-2011 BUDGET**

City Manager Grant explained that as the Budget Officer he had prepared the budget for the City Commission. Highlights of that Budget include:

- \$20,000 for new paving
- \$44,420 for pool operation in 2011
- Advanced Life Support for the Ambulance Service (with grant from Wilbarger General Hospital)
- Main Street Program
- 2 vehicles for the Police Department
- Fire Truck for the Fire Department
- New phone system for City Hall
- 9 months of operation for the Ion Exchange Plant
- Increased budget for Debt Service
- Keep Step & Grade, but does not include a cost of living raise.
- No property tax or water rate increase

Total Preliminary General Fund Budget is \$6,308,306, and Utility fund Preliminary Budget is \$6,145,051.

Mayor Bearden expressed appreciation for the hard work that went into completing the budget. There was no specific discussion about the budget, but future work sessions are needed.

### **SCHEDULE BUDGET WORK SESSION**

Following discussion of various dates, Commissioner Taylor made the motion to schedule a Special Meeting for a budget work session.

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

### **EFFECTIVE TAX RATE**

City Manager explained the Truth in Taxation requirements for adopting tax rates. Following discussion of hearings required if property taxes were increased, Commissioner Taylor made the motion to approve a proposal to adopt the lower of the Effective or Rollback Tax Rates to generate the same revenue as 2009.

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

### **FIRE APPARATUS PURCHASE**

City Manager Grant explained that since the new fire truck has been included in the 2010-2011 Proposed Budget, Fire Chief Smead has prepared a Request for Proposal for the new Fire Truck. As long as the budget is adopted before bids are accepted, Mr. Grant suggested proceeding with an RFP to get started ordering that truck.

Fire Chief Smead noted that the amount included in the proposed budget is the anticipated Lease Payment for a Quint Truck. He does not expect much change from those June proposals.

There was discussion about proposals for Quint and pumper or RFP for only a Quint. The proposals that were considered at the June, 2010 meeting were not good because the funds in the current budget for the purchase were not being used.

Commissioner McCuiston made the motion to authorize bids for purchase of a Quint Fire Apparatus for Fiscal 2010-2011.

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

### **RESOLUTION NO. 904**

**A RESOLUTION AUTHORIZING PARTICIPATION IN  
THE TEXAS MAIN STREET PROGRAM AND  
DESIGNATING THE CITY MANAGER TO COORDINATE  
PROGRAM ACTIVITIES.**

City Manager Grant expressed Thanks to Carolyn Grimes and Monica Wilkinson for over 100 man hours expended on the application for the Texas Main Street Program.

Community Development Director Wilkinson explained that she has prepared the essay and other parts of the application, and Carolyn Grimes prepared the historical documentation.

Carolyn Grimes noted that we have received 32 letters of support from business owners, and the community is behind the application.

Commissioner Brownlow made the motion to approve Resolution No. 904.

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

### **CREATE MAIN STREET FUND**

Commissioner Dennis made the motion to approve the creation of the Main Street Fund and approve transfer of \$61,500 from the proceeds of the sale of the former police station from the General Fund.

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

### **ORDINANCE NO. 1547**

**AN ORDINANCE CONSIDERING ALL MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE AND DELIVERY OF CITY OF VERNON, TEXAS GENERAL OBLIGATION REFUNDING BONDS, SERIES 2010; ESTABLISHING PARAMETERS FOR THE REDEMPTION OF CERTAIN OUTSTANDING OBLIGATIONS OF THE CITY; AUTHORIZING THE ISSUANCE OF THE BONDS; APPROVING AND AUTHORIZING INSTRUMENTS AND PROCEDURES RELATING TO SAID BONDS; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT.**

George Williford, with First Southwest, told the Commission that Government Code §1207 allows refunding bonds via a Parameter Sale and explained that the Commission establishes bond sale parameters (Maximum interest rate, Minimum savings threshold for refunding, Aggregate principal amount of issue, Final maturity date, and expiration of delegated authority). The pricing officers can only approve sale if these parameters are met. The reasons for a Parameter Bond sale are flexibility.

Mr. Williford went on to explain that in refunding the 2000 Bonds; a minimum present value of 3% is required, which would be a net savings of \$89,742.29. This ordinance expires January 27 if the parameters are not met. He should be ready to market the bonds in 10-14 days.

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Commissioner Taylor made the motion to approve Ordinance No. 1547 for General Obligation Refunding Bonds, Series 2010.

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

**EXECUTIVE SESSION**

Commissioner McCuiston made the motion to enter Executive Session – Section 551.071 – Consultation with Attorney regarding pending or contemplated Litigation at 7:48 pm.

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

**RESUME REGULAR SESSION**

Commissioner McCuiston made the motion to resume regular session at 8:18 pm.

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

**AUTHORIZE ENGINEERING TO CONSTRUCT DISCHARGE LINE**

City Manager Grant explained that anticipated cost for engineering to construct a discharge line from the Ion Exchange Plant would be \$40,000 to \$50,000.


Commissioner Brownlow made the motion to approve authorization to commence engineering to construct a discharge line from the Ion Exchange plant.

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

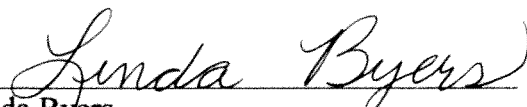
**ADJOURN**

Commissioner Taylor made the motion to adjourn the meeting at 8:20 p.m.

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

  
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Jeff Bearden  
Mayor

ATTEST:

  
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Linda Byers  
City Secretary