

**VERNON CITY COMMISSION  
REGULAR MEETING  
FEBRUARY 25, 2014**

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

Present: Mayor Jeff Bearden

Commissioners: Jimmy Dennis, Russell Brownlow, and Travis Taylor.

Staff Present: City Manager Mitch Grant, City Prosecutor Jonathan Whittsett, Police Chief Tom Wilson, Fire Chief Kent Smead, Public Works Director Bob Cochran, Community Development Director Monica Wilkinson, Finance Director Anne Garmon, Main Street Director Dan Kelleher, Municipal Judge Lori Adams, EMS Supervisor Kade Long, 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**

Maria Leal informed the Commission that she was interested in purchasing the property at 2419 Wanderer St.

**CONSENT AGENDA**

Commissioner Brownlow moved the following items under the Consent Agenda are approved:

- A. Minutes of the Regular City Commission Meeting held on Tuesday, January 28, 2014, and minutes of the Finance Committee Meeting held on Monday, January 27, 2014
- B. Second Reading of Ordinance No. 1625 – Amend the Aquatics Center Operations Policy.
- C. Second Reading of Ordinance No. 1626 – Approving and Easement for ETT on Sand Road at Orbison Park.
- D. Payment to King, Moore, Truelove and Pharis for FY2013 Audit work in the amount of \$20,695.
- E. Section 504 Grievance Procedures for the 2015 New Paving Grant.
- F. Appoint Dr. Randall Schaffner as the City Health Officer.
- G. Financial Investment Report for the month of January, 2014 with interest earned totaling \$3,022.34 and vouchers from January 1, 2014 – January 31, 2014 in the amount of \$567,301.26 and Payroll & Benefits costs totaling \$487,542.25.

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

**POLICE CHIEFS AWARD**

Police Chief Tom Wilson and Mayor Bearden presented the Chiefs Award for Outstanding Performance to Officer Brian Lawler for outstanding performance involving the detection and reporting of a major fire resulting in saving several lives and minimizing property loss.

**ANNUAL FINANCIAL REPORT FOR FY 2013**

Mike Edgin with the audit firm Edgin, Parkman, Fleming & Fleming informed the Commission that the City General Fund Balance increased by \$15,565, but the Utility fund balance decreased by \$480,389 due to the loss of water sales during the drought and transfers to General Fund. He noted that water sales are the key to a balanced budget for the City.

Commissioner Taylor made the motion to approve the FY2013 Year End Financial Report.

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

**REQUEST FOR TAX ABATEMENT**

City Manager Grant explained that the Fikes Companies had made a request for tax abatement for a proposed project to demolish the current truck stop on Highway 287 at Bentley St. and construct a new \$3,950,000 Travel Center with an additional 40 employees. Total tax abatement for the City over a three year period would be approximately \$21,000.

Commissioner Dennis made the motion to approve the tax abatement request from Fikes Companies subject to legal review.

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

**RESOLUTION: 958**  
**Section 3 Policy**

**RESOLUTION OF THE CITY OF VERNON AUTHORIZING THE CITY  
MANAGER TO ACT ON BEHALF OF THE CITY; AND PLEDGING THAT THE  
CITY WILL COMPLY WITH THE SECTION 3 REQUIREMENTS.**

City Manager Grant explained that this is a requirement of the 2015 New Paving Grant. The Resolution names Mr. Grant as the Equal Rights Officer and that the City will comply with all Section 3 regulations.

Commissioner Brownlow made the motion to approve Resolution No. 958.

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

**PUBLIC HEARING FOR ZONE CHANGE REQUEST AT 718 BENTLEY ST.**

Mayor Bearden opened the Public Hearing.

Mike Chacanaca is concerned with EMF radiation and health problems since it will be near the playground at Shive Elementary.

Mayor Bearden closed the Public Hearing.

**ORDINANCE NO. 1628**

**AN ORDINANCE CHANGING THE BOUNDARIES OF ZONING DISTRICTS, DEFINING THE LOCATION OF THE NEW BOUNDARIES, AND PROVIDING FOR CONFLICT, VALIDATION, RECORDING AN EFFECTIVE DATE.**

Community Development Director Monica Wilkinson informed the Commission that Sammy and Evelyn McDonald had requested a zone change for the property at 718 Bentley in order to lease the land to Crafton Communications/AT&T for the construction of a 250 foot cell phone tower. The Planning & Zoning Commission voted unanimously to approve the change in zoning for this property from CAR to HI (Heavy Industrial). There were no objections from adjoining landowners or the public.

Following discussion on the location, Commissioner Dennis made the motion to approve Ordinance No. 1628 approving Zone Change at 718 Bentley Street.

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

**ORDINANCE NO. 1629**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF VERNON, TEXAS, APPROVING THE SALE OF THE PROPERTY AT 2419 WANDERER STREET. APPROVING THE SALES PRICE, AND REQUIRING THAT DELIVERY OF THE PROPERTY BE EXECUTED TO THE PERSON NAMED BELOW**

City Manager Grant explained that this property was owned by the various taxing entities and a bid has been received for sale of this property in the amount of \$1,182 from Maria Leal. There is a very large tree in the front yard that staff feels is a safety threat to the neighborhood. The cost to remove the tree is approximately \$700. Staff recommends approval with the stipulation that the bidder pay for the removal of the tree. The details are to be worked out before second reading of the Ordinance.

Digital Recording on file

Following discussion, Commissioner Taylor made the motion to Approve Ordinance No. 1629 the sale of 2419 Wanderer Street.

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

### **FINAL PLAT FOR VERNON REAL ESTATE LLC**

City Manager Grant explained that this final plat of the property at the intersection of Hospital and College Drive where the new nursing home facility is being built. This plat would clean of the survey and dedicate a small piece of property on the corner for additional right-of-way to the City.

Commissioner Dennis made the motion to approve the final plat and accept the right-of-way dedication for Vernon Real Estate LLC.

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

### **PLANNING & ZONING BOARD APPOINTMENTS** **BOARD OF ADJUSTMENT BOARD APPOINTMENTS**

Mayor Bearden has made nominations for the Planning & Zoning Commission to reappoint Maurice Rosalez, Sandra Holley and Donna Stribling to another two-year term.

Mayor Bearden has made nominations for the Board of Adjustment to reappoint Tip Iqou, Ricky Graf, Corey Curtis and Pete Guerrero to another two-year term.

Commissioner Taylor made the motion to approve the appointments to the Planning and Zoning Commission and the Board of Adjustment.

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

### **LEASE PURCHASE FINANCING**

City Manager Grant explained that bids were received for the annual Lease Purchase Financing for five year financing for Fire Department SCBA Gear and Utility Billing Postal Upgrade equipment, and seven year financing for an EMS ambulance. The only proposal received was from Bank of the West at a rate of 2.74%.

Cost of the EMS Ambulance will be shared by Wilbarger County and Wilbarger General Hospital.

Commissioner Brownlow made the motion to approve the annual equipment lease purchase finance bid.

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

**ORDINANCE NO. 1627**

AN ORDINANCE AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE I, IN GENERAL, SECTION 2-14 PURCHASING POLICY OF THE CODE OF ORDINANCES OF THE CITY OF VERNON, TEXAS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

City Manager Grant explained that staff recommends this change to the purchasing policy to allow the City Manager and Finance Director to set policy which would allow a change to streamline the process from written to electronic purchase orders.

Commissioner Taylor made the motion to approve Ordinance No. 1627 amending the Purchasing Policy.

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

**MAIN STREET BOARD OPERATING PROCEDURES AND RULES**

City Manager Grant told the Commission that this would be a minor change concerning ex-officio members of the Board. By designating the positions of the ex-officio members who would be appointed by the City Manager it eliminates the need for them to be re-appointed each year.

Commissioner Brownlow made the motion to approve the amendment to the Main Street Board Operating Procedures and Rules.

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

**ENGINEERING CONTRACT FOR 2015 NEW PAVING GRANT**

City Manager Grant informed the Commission that four proposals were received for Engineering Firm for the 2015 New Paving Grant. A Committee scored the proposals and staff recommends approval of a contract with AMD Engineering.

Following a short discussion, Commissioner Dennis made the motion to award the engineering contract for 2015 New Paving Grant to AMD Engineering.

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

**EXTENSION OF WATER SERVICE TO LINDA MASSINGILL**

City Manager Grant explained that Linda Massingill of 8592 CR 128 West is requesting water service at her residence due to her well going dry. She live outside the city limits 400 feet from a city water main that runs south along CR 99 South (Sand Road).

Staff recommends approval subject to a signed annexation agreement and installation details being worked out.

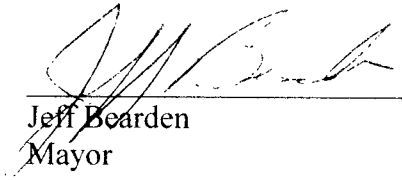
Following discussion, Commissioner Brownlow made the motion to approve the request for water service subject to the above conditions.

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

**ADJOURN**

Commissioner Brownlow made the motion to adjourn the meeting at 7:18 p.m.

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

  
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Jeff Bearden  
Mayor

ATTEST:

  
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Linda Byers  
City Secretary