

**VERNON CITY COMMISSION
REGULAR MEETING
MARCH 26, 2019 6:30 PM**

Mayor Pro-Tem Pam Gosline called the Regular Meeting of the Vernon City Commission to order at 6:30 p.m. on March 26, 2019 at City Hall, and a quorum was declared present.

Mayor Douglas Jeffrey IV - absent

Commissioners: Britt Ferguson, Don Aydelott, Pam Gosline, Justin Marsh.

Staff Present: City Manager Martin Mangum, City Attorney Jonathan Whitsitt, Police Chief Randy Agan, Fire Chief J.J. Oznick, Public Works Director Darell Kennon, Community Development Director David Pilcher, Utility Clerk Elizabeth Agan, Finance Officer Dee Boatenhamer, Main Street Coordinator Amanda Lehman

1. Call To Order

- A. Declaration of Quorum – Mayor Pro-Tem Gosline declared a quorum
- B. Invocation - Commissioner Marsh led the group in the Invocation
- C. Pledge of Allegiance – Commissioner Marsh led the group in the pledge to the United States Flag and to the Texas Flag

2. Consent Agenda:

Commissioner Aydelott moved to approve the consent agenda.

- A. Approval Minutes: Attached are Minutes of the Regular City Commission Meeting held on Monday, February 25, 2019
- B. Approval of Finance Investment Report, Vouchers, Payroll and Benefit Expense for February 1, 2019 – February 28, 2019
- C. Approval of Department reports including Finance Report and other departmental reports February 1, 2019 – February 28, 2019.

Commissioner Ferguson seconded the motion, which passed with a unanimous vote.

3. Public Comment

Hear Citizen Comments with a Limitation of Five Minutes.

(Citizens Wishing to Comment Must Complete the Provided Form and Hand it to the City Secretary before the Start of the Meeting.)

Stella Burk – “My neighbor is a hoarder. The City came and cleaned up and buried a bunch of stuff about two years ago. She has two pitbull dogs. There is a travel trailer on the property. There are also two small houses full on the property and last week they brought in a broken down building and put it on the property. I live across the street and keep my front door and blinds shut all the time. I would appreciate if there is something that can be done to make them leave the area because they won’t do anything. I live at 2402 St. James.”

Joe Rogers – “I want to thank you for everything you do in running the City every day and you are doing a great job. We are here to oppose House Bill 2959 by Representative Drew Springer. This bill will create a

county occupancy tax for Wilbarger County alone of 4%. We are asking you to oppose this bill as well. This tax will be detrimental to the city and the taxpayers as well as all of us. We believe that a cumulative 17% occupancy tax in Wilbarger County will make us uncompetitive. That will make 6% state, 7% city and 4% county. Everyone around us has 13% cumulative tax – Childress, Wichita Falls, Quanah and Seymour. We compete with Wichita Falls and Childress with guests driving down Highway 287. We compete all the time with Childress and Wichita Falls and are constantly checking rates. Hotel guests eat in our restaurants, shop in our stores and buy fuel at our gas stations. Highway 287 is a benefit to our community. In January 2020, AEP Oklaunion Power Plant will close. We estimate this loss of industry will produce 20% in occupancy losses. AEP brings thousands of customers to Vernon regularly. You combine that loss with a tax increase and we believe that loss could be catastrophic for us. If we lose 30% in revenue then the City will lose occupancy tax. We would like for the City to come together and send Representative Drew Springer a Resolution or Proclamation opposing this bill. It would be great if you would call Drew, County Judge, and County Commission. This bill is bad for Vernon's lodging community. A 4% tax increase will make us completely uncompetitive."

Randy Agan – "I was unable to get this on the agenda. Our K-9 unit just returned from certification in Abilene. Officer Hall and K-9 Jack received all of their state certification and were awarded Top Rookie Handler and Dog. They received 3rd place in the entire trial which is very unheard of with a brand new dog. We are very proud of them."

4. Proclamation – Hope Center – tabled
5. Proclamation – Sexual Assault Awareness Month – Mayor Pro-Tem Gosline read the Proclamation designating April as Sexual Assault Awareness Month
6. Proclamation – Child Abuse Prevention Month – Mayor Pro-Tem Gosline read the Proclamation designating April as Child Abuse Prevention Month.
7. Consider and Approve Annual Audit by Edgin, Parkman, Fleming & Fleming

Mike Edgin presented the annual audit for year ending September 30, 2018. He advised the unmodified opinion is very strong. Edgin stated "the City had a 3.3 million dollar increase for the year. General Fund has a positive balance of \$2,124,000 and of that unassigned part is \$1,874,000 which is roughly 3.4 months of average expenditures. It was only about three or four years ago that was less than one half of a month. The city has come a long way in few short years and in a positive way." Edgin advised there were no findings.

Edgin advised a few things need to be addressed:

1. A more accurate reconciliation is needed between the Police Department and Municipal Court.
2. Payroll process – key controls for time sheets for each employee.
3. Write offs on receivables for ambulance and utility balances after all collection efforts have been made.
4. Ambulance service reconciliation – the third party should reconcile to what the City is collecting.
5. Personnel files – employee pay step documentation.
6. Policy and Procedures Manual is needed for all aspects of the City so new employees would have a guide to follow and for cross training purposes.

Commissioner Marsh made the motion to approve the 2017-2018 Annual audit.

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

8. Discussion, Consideration and Possible Action on Auditor's Letter of Appointment – Edgin, Parkman, Fleming & Fleming

Commissioner Marsh made the motion to approve Auditor's Letter of Appointment – Edgin, Parkman, Fleming and Fleming

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

9. Public Hearing – Vernon Planning and Zoning Commission to consider a specific use/temporary zoning permit request by Atmos Energy to use an additional 300 feet of property located at 4530 Wilbarger Street as commercial for six months.

Monica Wilkinson advised "the Vernon Planning and Zoning Commission met March 26, 2019 and held a Public Hearing on this issue and they voted unanimously to approve Ordinance Number 1739 for a specific use zoning permit. This would allow Atmos Energy to use an additional 300 feet of their property as commercial. Right now the first 200 feet of their property is zoned commercial but the other property is zoned residential."

Public Hearing opened at 7:11 pm by Mayor Pro-Tem Gosline.

No Public Comment.

Public Hearing closed at 7:12 pm by Mayor Pro-Tem Gosline.

10. Discussion, Consideration and Possible Action on Ordinance Number 1739 for a specific use/temporary zoning permit request by Atmos Energy to use an additional 300 feet of property located at 4530 Wilbarger Street as commercial for six months.

Mark Bankston, Operations Supervisor for Atmos Energy advised "a new project will begin next month replacing all pipeline from Oklaunion to Quanah. The pipe will be ten inch pipe and will be placed on the pipeline right of way. The area will house a trailer to be used for contractors and supplies."

Commissioner Aydelott made the motion to approve Ordinance Number 1739 for a specific use/temporary zoning permit request by Atmos Energy to use an additional 300 feet of property located at 4530 Wilbarger Street as commercial for six months.

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

11. Discussion, Consideration and Possible Action on a request from Duane Isom of Vernon Parts Sports Bar and Grill to construct a patio on the City Right of Way on the east side of his building

David Pilcher advised "our current regulations will allow him to build a concrete floor and fence to be around it but the top is not allowed."

Commissioner Marsh made the motion to approve the request from Duane Isom of Vernon Parts Sports Bar and Grill to construct a patio on the City Right of Way on the east side of his building with a stipulation of a signed contract retaining utility easement and right of way.

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

12. Discussion, Consideration and Possible Action on the approving of sale of tax property located at 1120 Gilbert

Commissioner Ferguson made the motion to approve sale of tax property located at 1120 Gilbert for \$1,500.00.

Commissioner Marsh seconded by motion, which passed by unanimous vote.

13. Discussion, Consideration and Possible Action on the purchase of a new pickup for use in the Code Department

David Pilcher presented a bid from Vernon Auto Group of \$21,978.00 for a 2019 Ram Quad Cab 4x2 Pickup. This quote is 3% higher than the bid received from Tarrant County last month. Our purchasing policy allows up to a 5% difference to buy locally.

Commissioner Aydelott made the motion to accept the bid from Vernon Auto Group of \$21,978.00 for a 2019 Dodge Ram Quad Cab 4x2 Pickup.

Commissioner Ferguson seconded the motion, which passed with a three (Adyelott, Ferguson, Gosline) to one (Marsh) vote.

14. Discussion, Consideration and Possible Action on Ordinance Number 1740 amending Ordinance Number 1700 amending Chapter 46 of the Plumbing Code of the Code of Ordinances of the City of Vernon, Texas by correcting Section 46-3

Darell Kennon advised during a recent TCEQ investigation that the Ordinance needed to be corrected to state the amount of lead in pipes or pipe fittings from 8% to .25% in Section 46-3.

Commissioner Ferguson made the motion to approve Ordinance Number 1740 amending Ordinance Number 1700 amending Chapter 46 of the Plumbing Code of the Code of Ordinances of the City of Vernon, Texas by correcting Section 46-3.

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

15. Discussion, Consideration and Possible Action on the purchase of two new playground structures in Allingham Park

Darell Kennon advised “two substantial donations have been received in the amount \$45,000 for the purchase of new equipment for Allingham Park. Noah’s Park and Playgrounds came in with the low bid of \$43,521. We have used this equipment at Orbison Park and are very familiar with it.”

Commissioner Aydelott made the motion to approve purchase of new equipment from Noah’s Park and Playground at the cost of \$43,521.00.

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

16. Discuss, Consideration and Possible Action on the re-appointment of Glenn Barham to represent cities on the Wichita-Wilbarger 9-1-1 District Board of Managers

Commissioner Aydelott made the motion to re-appointment of Glenn Barham to represent cities on the Wichita-Wilbarger 9-1-1 District Board of Managers.

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

17. Discussion, Consideration and Possible Action on membership in the Atmos Steering Committee membership and the payment of the City of Vernon's assessment of five (5) cents per person living in the city

Commissioner Ferguson made the motion to approve membership in the Atmos Steering Committee membership and the payment of the City of Vernon's assessment of five (5) cents per person living in the city.

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

18. Executive Session pursuant to Section 551.0742 – Deliberation regarding the purchase, exchanges, lease or value of Real Property – Acquisition of Property

Commissioner Aydelott made the motion to enter into Executive Session at 7:38 pm pursuant to Section 551.0742

Commissioner Aydelott made the motion to exit Executive Session at 8:07 pm.

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

19. Adjourn – Commissioner Marsh made the motion to adjourn the meeting at 8:08 pm.

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

Pam Gosline
Mayor Pro-Tem

ATTEST:

Marsha Jo Stone, City Secretary