



**NOTICE OF REGULAR MEETING AND WORKSHOP
OF THE CITY COUNCIL
OF THE CITY OF CLEBURNE, TEXAS**

Notice is hereby given that a **REGULAR COUNCIL MEETING AND WORKSHOP SESSION** of the above named City will be held on the 10th day of MARCH, 2015, at 5:00 p.m., in the Council Chambers at Cleburne City Hall, 10 North Robinson Street, Cleburne, Texas 76031.

At which time the following subjects will be discussed, to-wit:

Refer to attached agenda

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the above named City is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin board, in the City Hall of said City in Cleburne, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on March 6, 2015, by 5:00 p.m.



City of Cleburne

By Shelly Doty
Shelly Doty, City Secretary



City Hall is wheelchair accessible. Access to the building and special parking are available at the southeast entrance facing Chambers Street. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's Office at 817/645-0908 or by FAX 817/556-8848 at least two (2) working days prior to the meeting so that appropriate arrangements can be made.

Agenda Removal Notice

Date:

Initials:



REGULAR CITY COUNCIL MEETING AGENDA

MARCH 10, 2015

5:00 PM

CITY HALL COUNCIL CHAMBERS

10 NORTH ROBINSON STREET

I. ROLL CALL AND CALL TO ORDER BY MAYOR

City Council:

- ✓ Scott Cain, Mayor
- ✓ Dr. Bob Kelly, Mayor Pro Tem
- ✓ Gayle White, SMD 2
- ✓ Dale Sturgeon, SMD 3
- ✓ John Warren, SMD 4

Administration:

- ✓ Dan O'Leary, Interim City Manager
- ✓ Rob Severance, Deputy City Manager
- ✓ Rod Hogan, Interim Asst City Manager
- ✓ Shelly Doty, City Secretary
- ✓ Ivy Peterson, Deputy City Secretary
- ✓ Fritz Quast, City Attorney

Division Directors:

- ✓ Courtney Coates, Public Works
- ✓ Marcie Freelen, Finance
- ✓ Clint Ishmael, Fire Services
- ✓ Amy Knoll, Police Services
- ✓ Debra Powledge, Human Resources

Department Heads:

- ✓ Burton Barr, Community Services
- ✓ Jessica James, Economic Development
- ✓ Willie Resto, Information Technology

Media:

- ✓ Matt Smith, Times-Review

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. COMMUNITY INTEREST MATTERS, ANNOUNCEMENTS & PRESENTATIONS

V. CITIZENS COMMENTS

An opportunity for the public to make comments or address concerns not posted on the agenda. The City Council may take no action during this portion of the agenda. The Council may only ask clarifying questions or direct staff to take appropriate action. Each person will be allowed five minutes to comment on any particular subject. No more than two persons will be allowed to comment on any particular subject, one in favor and one against. All persons desiring to make comments under this section must sign a card prior to the council meeting identifying themselves and the topic they desire to address.

VI. CITY SECRETARY READS THE GUIDELINES TO SPEAK BEFORE COUNCIL

CONSENT ITEMS

All of the following items on the Consent Agenda are considered to be routine and self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member or citizen so requests. For a citizen to request removal of an item, a speaker card must be filled out and submitted to the City Secretary prior to the beginning of the meeting.

M1. APPROVAL OF MINUTES FOR THE MARCH 3, 2015 Rescheduled REGULAR

COUNCIL MEETING.

RS1. A RESOLUTION AUTHORIZING THE CHANGE OF AUTHORIZED REPRESENTATIVES FOR TEXAS LOCAL GOVERNMENT INVESTMENT POOL (TEXPOOL).

Person presenting this item: Marcie Freelen, Interim Director of Finance

BRIEF: These changes will provide the city with the authorization to ensure unimpeded access to funds while allowing for the investment of these local funds.

RS2. A RESOLUTION APPROVING AMENDMENTS TO THE TAX INCREMENT FINANCING DISTRICT REINVESTMENT ZONE NO. 2 PROJECT PLAN.

Person presenting this item: Jessica James, Economic Development Manager

BRIEF: The Capital Improvement Project Plan for TIF 2 was established in 2003 and needs to be amended in order to update the plan with current activities within TIF 2. On February 25, 2015, City and County TIF Board of Directors voted unanimously to approve these amendments to the project plan. City Council approval is necessary to update the plan.

OR1. AN ORDINANCE DECLARING UNOPPOSED CANDIDATES FOR COUNCILMEMBERS FOR SINGLE MEMBER DISTRICTS TWO AND THREE TO OFFICE AND CANCELLING SAID RACES FOR ELECTION HELD ON MAY 9, 2015.

Person presenting this item: Shelly Doty, City Secretary

BRIEF: The general city election was called for May 9, 2015 for the purpose of electing members to the City Council in offices of Councilmembers for Single Member Districts Two and Three. A single candidate has filed for SMD #2 and SMD #3 making both races unopposed. Under these circumstances, Subchapter C, Chapter 2 of the Texas Election Code authorizes the City Council to declare the candidates elected to office and to cancel the election. Certificates of Election will be presented following the time the election would have been canvassed.

OR2. AN ORDINANCE AMENDING THE 2014-2015 (#4) GENERAL FUND BUDGET, BY ALLOCATING FUNDS FROM THE GENERAL FUND SPORTS COMPLEX DEPARTMENT TO THE GENERAL FUND MUSEUM DEPARTMENT TO PROVIDE FOR OPERATIONAL CHANGES.

Person presenting this item: Marcie Freelen, Interim Director of Finance

BRIEF: The museum has requested their part time Museum Educator be changed to a full time position to include responsibilities for the Railroad Museum. This item was brought before 4B Board of Directors at their February 19, 2015 meeting. This will result in eliminating a vacant sports complex position and reallocate these funds to the railroad museum department. These changes will provide funding for a full-time position of Museum Educator to be split between Museum and Railroad Museum departments for the remainder of FY 14-15.

OC1. APPROVE ACCOUNTS PAYABLE FOR FEBRUARY 2015.

Person presenting this item: Marcie Freelen, Interim Director of Finance

OC2. APPROVE 2014 ANNUAL REPORT FOR TAX INCREMENT FINANCING DISTRICT REINVESTMENT ZONE NO. 1.

Person presenting this item: Jessica James, Economic Development Manager

BRIEF: The Tax Increment Financing District, Reinvestment Zone No. 1 Board of Directors met on February 25, 2015, where they reviewed and approved the 2015 Annual Report. The report was prepared by TIF consultant Larry Cline of Schrader and Cline, LLC. The report has been reviewed by the City's Finance Department and other staff and is being submitted for Council's approval.

OC3. APPROVE 2014 ANNUAL REPORT FOR TAX INCREMENT FINANCING DISTRICT REINVESTMENT ZONE NO. 2.

Person presenting this item: Jessica James, Economic Development Manager

BRIEF: The Tax Increment Financing District, Reinvestment Zone No. 2 Board of Directors met on February 25, 2015, where they reviewed and approved the 2015 Annual Report. The report was prepared by TIF consultant Larry Cline of Schrader and Cline, LLC. The report has been reviewed by the City's Finance Department and other staff and is being submitted for Council's approval.

RESOLUTIONS

RS3. A RESOLUTION AUTHORIZING A CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT THROUGH THE RESIDENTIAL DEVELOPMENT INCENTIVE PROGRAM WITH CENTURION AMERICAN DEVELOPMENT GROUP.

Person presenting this item: Jessica James, Economic Development Manager

BRIEF: Centurion American Development Group has submitted an application requesting to participate in the 1,000 Homes in Two Years Residential Development Incentive Program for a 68-lot housing subdivision known as Cross Creek Estates, Section 2, located on Country Club Road (aka FM 1718) approximately 400 feet west of the Country Club Rd and Lakeway Dr intersection. The new housing subdivision's total estimated capital investment for land and infrastructure is \$1.5 million dollars. The 380 Agreement would allow Centurion American Development Group to receive incentives up to \$1 million dollars in ad valorem tax rebates and development fee waivers for infrastructure cost over a 5-year period, when program performance standards are met.

RS4. A RESOLUTION AUTHORIZING APPLICATION AND ACCEPTANCE OF CRIMINAL JUSTICE DIVISION (OFFICE OF THE GOVERNOR) GRANT IN THE AMOUNT OF \$61,395 PROVIDING FOR LICENSE PLATE READER SYSTEMS IN POLICE VEHICLES.

Person presenting this item: Amy Knoll, Interim Chief of Police

BRIEF: Consider grant application to the Office of the Governor - Criminal Justice Division for \$61,395 to provide for license plate reader systems installed on patrol vehicles. The license plate reader system will automatically scan plates encountered and run them through the state database in

real time. The system will provide actionable information for local and regional partners, greatly enhance the efficiency of stolen vehicle identification, and equip patrol officers to expedite their response to stolen vehicle and related crimes. No match is required for this grant.

RS5. A RESOLUTION AUTHORIZING APPLICATION AND ACCEPTANCE OF CRIMINAL JUSTICE DIVISION (OFFICE OF THE GOVERNOR) GRANT IN THE AMOUNT OF \$28,564 PROVIDING FOR A CRIME DATA TECHNICIAN.

Person presenting this item: Amy Knoll, Interim Chief of Police

BRIEF: Consider grant application to the Office of the Governor - Criminal Justice Division for \$28,564.00 to provide for a Crime Data Technician. If selected for funding, this intern position will be renewable for 2 years. The Crime Data Technician will provide support for crime data collection and reporting for the department. No match is required.

ORDINANCES

OR3. AN ORDINANCE APPROVING A TEMPORARY USE PERMIT IN HULEN PARK, 900 S HILLSBORO ST FOR A CARNIVAL DURING SPRING FEST; AS REQUESTED BY DOWNTOWN CLEBURNE ASSOCIATION, REPRESENTED BY MAXINE AMMONS.

Person presenting this item: Courtney Coates, Development Services Manager

BRIEF: Downtown Cleburne Association is asking for permission to use Hulen Park, located at 900 S Hillsboro St for a carnival during Spring Fest. The applicant is requesting temporary use as authorized under §155.58 - Temporary Uses:

(A)(3) Special events (including carnivals, circuses, tent revivals). For the purpose of this section, SPECIAL EVENTS are defined as any activity or event meeting the below defined criteria. Approval for special events may be obtained from the City Council after a recommendation from the Planning and Zoning Commission.

- (a) The event or activity is carried on for a period of time not exceeding 15 consecutive days.
- (b) No retail sales conducted except those incidental to the primary activity such as refreshment and souvenir sales. Charitable and nonprofit organizations may conduct retail sales for fund raising purposes in any zoning district.
- (c) Public assemblies carried on out-of-doors or in temporary shelters or tents.

In addition to code requirements, the Parks and Recreation Board makes the following additional requirements:

1. Tarps or mats must be placed underneath anything where oil or gas could leak onto grass areas; and
2. All events must conclude by 10pm; and
3. Any damage to grounds must be repaired at DCA's expense (i.e., ruts left behind from carnival equipment); and
4. All existing parks ordinances apply (i.e., no overnight camping, no motorized vehicle traffic within park for safety, no glass containers).

The applicant meets all of the above criteria. The Carnival will begin setting up on Monday, April 27th and will complete clean up on Sunday, May 3rd. Spring Fest will be held Saturday, May 2,

2015. The hours of operation will be 8am till 10pm. P&Z recommended approval by a vote of 6-0.

OR4. *PUBLIC HEARING* AN ORDINANCE GRANTING SIGN VARIANCE FOR TWO (2) ADDITIONAL SIGNS TO FACE A STREET LOCATED AT 2408 NORTH MAIN STREET, AS REQUESTED BY PPL MOTOR HOMES, REPRESENTED BY MICHAEL GONZALEZ OF MICHAEL'S SIGNS.

Person presenting this item: Courtney Coates, Development Services Manager

BRIEF: The owners of PPL Motor Homes is requesting a variance to the sign ordinance to allow installation of three (3) wall signs to identify their business. The ordinance currently in place allows one sign on the building to identify the business. As authorized by Section 156.03, appeals and variances may be considered by the City Council.

OR5. *PUBLIC HEARING* AN ORDINANCE GRANTING SIGN VARIANCE FOR A WALL SIGN LOCATED AT 1655 WEST HENDERSON STREET, SUITE B; AS REQUESTED BY STONEWATER CHURCH, REPRESENTED BY TERRI HOUCHEN OF HIGHECH SIGNS.

Person presenting this item: Courtney Coates, Development Services Manager

BRIEF: Owners of StoneWater Church are requesting a variance to the sign ordinance to allow installation of a wall sign at Nolan River Mall to identify their church. The ordinance does not allow a wall sign facing a street if an outside wall of the business / church does not face the street. As authorized by Section 156.03, appeals and variances may be considered by the City Council.

OTHER COUNCIL MATTERS

OC4. APPROVE FINAL PLAT OF LOT 1, BLOCK 1, FOX FIELD ADDITION (.37 ACRES LOCATED AT 1507 STANWOOD ST); AS REQUESTED BY JERRY FOX.

Person presenting this item: Courtney Coates, Development Services Manager

BRIEF: The purpose for this plat is to create one residential lot. The zoning for this property and surrounding property is SF-4 (Single-Family Dwelling District). The Comprehensive Land Use Plan shows this area to be Preservation and surrounding area to be Preservation and Sustainable Community. Due to inclement weather, this plat did not go before P&Z because the meeting was canceled. This plat was approved by operation of law on March 4, 2015 according to Texas Local Government Code §212.009(a).

OC5. APPROVE FINAL PLAT OF LOTS 8, 9, 10, BLOCK 176, LIRA ADDITION (.465 ACRES LOCATED AT 1209 CHASE AVE); AS REQUESTED BY JOSE LIRA.

Person presenting this item: Courtney Coates, Development Services Manager

BRIEF: The purpose for this plat is to create one residential lot. The zoning for this property is D (Duplex Dwelling District) and the surrounding property is D (Duplex Dwelling District), SF-4 (Single Family Dwelling District), and M1 (Light Industrial District). The Comprehensive Land Use Plan shows this area to be Center City East and surrounding area to be Center City East, Village, and

Transportation and Industry. Due to inclement weather, this plat did not go before P&Z because the meeting was canceled. This plat was approved by operation of law on March 4, 2015 according to Texas Local Government Code §212.009(a).

OC6. PPROVE FINAL PLAT OF LOTS 1, 2, BLOCK 1, ROBINSON ADDITION (2.5 ACRES LOCATED IN CLEBURNE'S ETJ, THOMAS D. CLARK SURVEY); AS REQUESTED BY MARY ROBINSON, REPRESENTED BY JOHN ROBINSON.

Person presenting this item: Courtney Coates, Development Services Manager

BRIEF: The purpose for this plat is to create two residential lots. The Comprehensive Land Use Plan shows this area and surrounding area to be Sustainable Community. Due to inclement weather, this plat did not go before P&Z because the meeting was canceled. This plat was approved by operation of law on March 4, 2015 according to Texas Local Government Code §212.009(a).

OC7. APPROVE PRELIMINARY AND FINAL PLAT OF LOT 1, 2, BLOCK 1, STATE HIGHWAY 174, INDUSTRIAL ADDITION (17.258 ACRES LOCATED IN ALFRED MCBRAYER SURVEY); AS REQUESTED BY MARTRINI AIR, INC, REPRESENTED BY BANNISTER ENGINEERING.

Person presenting this item: Courtney Coates, Development Services Manager

BRIEF: The purpose for this plat is to create two lots. The zoning for this property is M2 (Heavy Industrial District) and surrounding property is M1 (Light Industrial District), M2 (Heavy Industrial District) and IH (Interim Holding District). The Comprehensive Land Use Plan shows this area and surrounding area to be Industrial TDA. Due to inclement weather, this plat did not go before P&Z because the meeting was canceled. This plat was approved by operation of law on March 4, 2015 according to Texas Local Government Code §212.009(a).

WORKSHOP

I. CITY MANAGER'S UPDATE ON MUNICIPAL BUSINESS

- A. Discuss monthly financial report for January 2015 – Marcie Freelen
- B. Discuss pavement management services by IMS (Infrastructure Management Services) – Rod Hogan
- C. Code update component review presented by Mosaic Planning and Development Services – Courtney Coates

EXECUTIVE SESSION

Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sec. 551.071, Sec. 551.072, Sec. 551.073, Sec. 551.074, Sec. 551.076, Sec. 551.087 and Sec. 418.0183(f) of the Texas Government Code (Texas Disaster Act). Refer to posted list attached hereto and incorporated herein. **Executive Session may be held, under these exceptions, at any time during the meeting that a need arises for the City Council to seek advice from the City Attorney as to the posted subject matter of this City Council Meeting.**

Reconvene into open session for possible action resulting from any items posted and legally discussed in Executive Session.

ADJOURNMENT

ADJOURNED AT:



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