



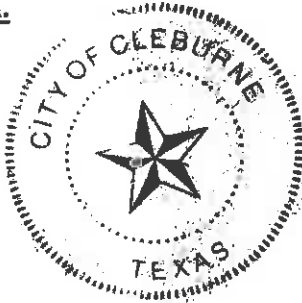
**NOTICE OF REGULAR MEETING
OF THE CITY COUNCIL
OF THE CITY OF CLEBURNE, TEXAS**

Notice is hereby given that a **REGULAR COUNCIL MEETING** of the above named City will be held on the 28th day of APRIL, 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 City Hall in Cleburne, Texas, a place convenient and readily accessible to the general public at all times, as well as the City's official website at www.cleburne.net, and said Notice was posted on April 24, 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

APRIL 28, 2015

5:00 PM

**CITY HALL COUNCIL CHAMBERS
10 NORTH ROBINSON STREET**

I. ROLL CALL AND CALL TO ORDER BY MAYOR @

City Council:

- x 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, PW Operations Manager
- ✓ Shelly Doty, City Secretary
- ✓ Ivy Peterson, Deputy City Secretary
- ✓ Fritz Quast, City Attorney

Division Directors:

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

Department Heads:

- ✓ 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

Proclamation – Motorcycle Safe Awareness Month
Proclamation – National Travel and Tourism Week
Presentation – STARS Award Recipient

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 APRIL 14, 2015 AND APRIL 21, 2015
REGULAR COUNCIL MEETING.****BQ1. AWARD WATER TREATMENT SLIDE GATE REPAIR CONTRACT TO
'SERVICES YOU CAN COUNT ON!' IN THE AMOUNT OF \$38,716.64**

Person presenting this item: Courtney Coates, Public Works Director

BRIEF: Competitive quotes were solicited for a company to repair the slide gates at the Water Treatment Plant. The lowest, most responsible quote was received from 'Services You Can Count On!'

**RS1. A RESOLUTION IN SUPPORT OF THE SOLDIERS AND FAMILIES OF FORT
HOOD MILITARY BASE**

Person presenting this item: Shelly Doty, City Secretary

BRIEF: The City Council of the City of Cleburne hereby whole heartedly supports the soldiers and families of Ft. Hood for their defense of our country and on behalf of the citizens of our community extend heartfelt thanks to III Corps and Ft. Hood for all they do for the surrounding communities including Cleburne. We are forever in debt to The Great Place.

**RS2. A RESOLUTION APPROVING THE CITY OF CLEBURNE'S INVESTMENT
REPORT FOR THE QUARTER ENDING MARCH 31, 2015**

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

BRIEF: Chapter 2256.023 of the Texas Government Code states that a written quarterly investment report must be prepared by the investment officer and submitted to the governing body. The report should cover investment transactions for all funds covered by the Act for the preceding quarter

**RS3. A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND
EXECUTE A CONTRACT RENEWAL FOR PROFESSIONAL MEDICAL DIRECTION
SERVICES**

Person presenting this item: Clint Ishmael, Chief of Fire Services

BRIEF: The Cleburne Fire Department, by State law, must have the oversight of a licensed physician serving as the medical director for the operation of Emergency Medical Services. Dr. Michelle Beeson is an emergency room physician at hospitals operated by Texas Health Resources, including Cleburne and Burleson. Dr. Beeson has served as the Medical Director for the Cleburne Fire Department for the previous 17 years. During her tenure, Dr. Beeson has greatly improved the delivery of emergency medical services for the City of Cleburne. Staff is requesting council approval for the city manager to negotiate and execute a five-year contract, renewable each year with the approval of the City and Dr. Beeson. The annual cost of medical direction is \$0.40 per capita of city population.

RS4. A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A CONTRACT RENEWAL FOR ANNUAL SERVICE CONTRACT TO GREENLANDER, LLC IN THE AMOUNT OF \$26,850.52 FOR VEGETATIVE MANAGEMENT OF CREEKS AND DRAINAGE EASEMENTS;

Person presenting this item: Courtney Coates, Public Works Director

BRIEF: Competitive quotes were solicited for a company to apply herbicide treatment to vegetation growing in selected creeks and drainage easements throughout the City. Quotes included a four (4) year renewal option. Greenlander, LLC has agreed to the same pricing as in previous years. This is the final renewal

ORDINANCES

OR1. AN ORDINANCE AMENDING TITLE XXV: LAND USAGE, CHAPTER 155 – ZONING, OF THE CODE OF ORDINANCES BY THE REZONING OF 0.227 ACRES LOCATED AT 209 S. BUFFALO FROM MF (MULTI-FAMILY HOUSING DISTRICT) TO C2 (GENERAL BUSINESS DISTRICT) AS REQUESTED BY JASON A. BERRY.

Person presenting this item: Courtney Coates, Public Works Director

BRIEF: The purpose for this is to rezone Lot 1, Block 496 Original Cleburne located at 209 S. Buffalo, from MF (Multi-Family Housing District) to C2 (General Business District) to accommodate an attorney's office. The zoning for the surrounding property is CO (Non-retail District), C1 (Local Business District), MF-4 (Multi-Family Housing District.). The Comprehensive Land Use Plan shows this area to be Downtown TDA and Preservation. The surrounding land use is Downtown TDA and Preservation. P&Z recommended approval of the rezone with a vote of 7-0.

OR2. AN ORDINANCE AMENDING TITLE XXV: LAND USAGE, CHAPTER 155 – ZONING, OF THE CODE OF ORDINANCES BY THE REZONING OF APPROXIMATELY 120.6 ACRES OF BYRON STEWART PARK LOCATED AT 2320 W. HENDERSON FROM SF-4 (SINGLE-FAMILY DWELLING DISTRICT) TO C3/SUP FOR COMMERCIAL OUTDOOR AMUSEMENT (COMMERCIAL DISTRICT WITH A SPECIFIC USE PERMIT FOR COMMERCIAL OUTDOOR AMUSEMENT) AS REQUESTED BY THE CITY OF CLEBURNE REPRESENTED BY BURTON K. BARR

Person presenting this item: Courtney Coates, Public Works Director

BRIEF: The purpose for this is to rezone approximately 120.6 acres of Byron Stewart Park located at 2320 W. Henderson St., from SF-4 (Single Family Dwelling District) to C3/SUP for Commercial Outdoor Amusement (Commercial District with a Specific Use Permit for Commercial Outdoor Amusement). The zoning for the surrounding property is SF-4 (Single-Family Dwelling District), C3 (Commercial District) and IH (Interim Holding District). The Comprehensive Land Use Plan shows this area to be Lakefront TDA, Sustainable Community, and Village. The surrounding land use is Lakefront TDA, Sustainable Community, and Village. P&Z recommended approval of the rezone with a vote of 5-2 with Chairman Corder and Ms. Chandler voting against the motion.

OR3. AN ORDINANCE AMENDING TITLE XXV: LAND USAGE, CHAPTER 155 – ZONING, OF THE CODE OF ORDINANCES, BY THE REZONING OF 0.4834 ACRES OF LOT 2, BLOCK 597, ORIGINAL CLEBURNE LOCATED AT 705 GRANBURY ST. AS DESCRIBED IN INSTRUMENT 22604, FROM SF-4 (SINGLE-FAMILY DWELLING

DISTRICT) TO CO (NON-RETAIL DISTRICT) AS REQUESTED BY DAN HUDGINS

Person presenting this item: Courtney Coates, Public Works Director

BRIEF: The purpose for this is to rezone Lot 2, Block 597 Original Cleburne located at 705 Granbury St., from SF-4 (Single Family Dwelling District) to CO (Non-Retail District) to accommodate a customized massage & bodywork office. The zoning for the surrounding property is SF-4 (Single-Family Dwelling District), and MF-4 (Multi-Family Housing District.). The Comprehensive Land Use Plan shows this area to be Center City North. The surrounding land use is Center City North. P&Z recommended approval of the rezone with a vote of 5-2 with Chairman Corder and Ms. Chandler voting against the motion

OTHER COUNCIL MATTERS

OC1. APPROVE APPOINTMENT TO THE AUDIT COMMITTEE

Person presenting this item: Marcie Freelen, Assistant Finance Director

BRIEF: The audit committee policy has been amended to remove the Assistant City Manager from the committee and add a council member to the committee. The term length is for a period of two years.

OC2.**APPROVE APPOINTMENTS TO THE ANIMAL SHELTER ADVISORY BOARD**

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

BRIEF: William Andrew's 2nd term expired on April 12, 2015. Staff requests the appointment of Mary Ann Wheatley to fill this vacancy. Ms. Wheatley has an application on file and is willing to serve if appointed. Also, board member Randy Larson's first term expires May 14th. He is willing to serve a second term should he be reappointed.

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.**

The City Council went into Executive Session at p.m.

CALL TO ORDER: The Presiding Officer shall call the Executive Session to order as authorized by Vernon's Texas Codes Annotated, Government Code, Title 5. Open Government Ethics, Subchapter D., Exceptions to Requirement that Meetings be open; as per following sections:

A. § 551.071. Consultation with Attorney; Closed Meeting

A governmental body may not conduct a private consultation with its attorney except:
(1) when the governmental body seeks the advice of its attorney about: (A) pending

or contemplated litigation; or (B) a settlement offer; or (2) on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.

1. City of Cleburne vs City of Godley settlement agreement.
2. City of Cleburne and City of Abilene temporary water rights.

ADJOURN: The Presiding Officer adjourned the Executive Session of Tuesday, APRIL 28, 2015 at p.m.

THE PRESIDING OFFICER SHALL ANNOUNCE THE RECONVENING OF THE REGULAR MEETING SESSION.

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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