



REGULAR CITY COUNCIL MEETING AGENDA

JUNE 9, 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
- ✓ 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. COMMUNITY INTEREST MATTERS, ANNOUNCEMENTS & PRESENTATIONS

COUNCIL SWEARING IN CEREMONY

- ☞ Police Color Guard
- ☞ Pledge of Allegiance
- ☞ Opening Prayer
- ☞ Administration of Statements of Elected Officer
- ☞ Administration of Oaths of Office
- ☞ Present Certificates of Election

III. 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.

- 1) Barbara Bullard – Discuss drainage and flooding concerns

IV. CITY SECRETARY READS THE GUIDELINES TO SPEAK BEFORE COUNCIL

MINUTES

M1. APPROVAL OF MINUTES FOR THE MAY 26, 2015 REGULAR COUNCIL MEETING.

RESOLUTIONS

RS1. A RESOLUTION AUTHORIZING THE FILING OF A TEXAS WATER CODE ENVIRONMENTAL ENFORCEMENT CIVIL SUIT.

Person presenting this item: Courtney Coates, Director of Public Works

BRIEF: Chapter 26, Section 7.352 of the Texas Water Code requires that a local government desiring to exercise power pertaining to violations of the Texas Water Code must adopt a resolution authorizing the exercise of such power. This resolution will assist in protection of the City's drinking water supplies from unauthorized discharges from a dairy or dairies that have the potential to affect the City's drinking water.

RS2. A RESOLUTION AUTHORIZING AN AGREEMENT WITH THE CITY OF ABILENE TO TEMPORARILY ASSIGN ALL OR PART OUR WATER RIGHTS IN THE BRAZOS RIVER AUTHORITY SYSTEM ACQUIRED IN 1997 AND 2008 CONTRACTS WITH CERTAIN RESTRICTIONS AND TERMS.

Person presenting this item: Courtney Coates, Director of Public Works

BRIEF: Abilene is in need of additional water supplies to meet its immediate water supply needs. Abilene and Cleburne wish to enter into an agreement whereby Cleburne temporarily assigns its rights under the 1997 Contract and 2008 Contract to Abilene for Abilene's diversion and use from BRA's water supply system ("**BRA System**") under certain specified terms and conditions and for a period of years as agreed upon by the contract.

RS3. *PUBLIC HEARING* A RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR A TEXAS COMMUNITY DEVELOPMENT PROGRAM GRANT BENEFITTING PAREX USA, INC.

Person presenting this item: Jessica James, Economic Development Manager

BRIEF: Funds from the grant will be used to construct public infrastructure necessary for a new

manufacturing facility to be located south of Sparks Drive in the Cleburne Industrial Park. PAREX, USA is estimating approximately \$12 to \$14 million of new capital investment and creation of 40 new jobs within three years. A preliminary economic impact analysis has been prepared based on these estimates for the project. The analysis shows the project will have a positive impact and will be beneficial to the local citizens. The city and other local taxing entities will also receive positive gains in tax revenues from the project.

ORDINANCES

OR1. AN ORDINANCE AMENDING THE 2014-2015 ANNUAL BUDGET (#9), BY REALLOCATING \$20,000 FROM LEASED EQUIPMENT IMPROVEMENT PROGRAM FUND (03), ENGINEERING DEPARTMENT (0372-8950) TO ENTERPRISE WATER-WASTEWATER FUND (60), WASTEWATER TREATMENT DEPARTMENT, CAPITAL VEHICLES (6097-8950).

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

BRIEF: This change will provide funding for a 2015 Chevrolet Truck for the Waste Water Treatment Department.

OR2. AN ORDINANCE AMENDING TITLE III: ADMINISTRATION, CHAPTER 33: POLICE PROTECTION, SECTION 33.03 POLICE RESERVE FORCE.

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

BRIEF: The proposed revision changes the language to conform with legislative changes.

OTHER COUNCIL MATTERS

OC1. CREATE AND APPOINT ADMINISTRATION/BUSINESS REGULATIONS CODE REVIEW COMMITTEE.

Person presenting this item: Shelly Doty, City Secretary

BRIEF: In preparation for the future growth, resulting from the completion of the Chisholm Trail Parkway, several committees have been created to review and, if necessary, update the City's Code of Ordinances (Land Use and Development, Police and Fire – Code Enforcement). There is a need to create a committee that would be responsible for ten (10) chapters that do not fall under a larger department's/division's responsibility, such as Chapter 31 - Boards, Commissions & Public Bodies and Chapter 117 – Taxis and Buses. Staff requests the creation of this committee and the appointment of the following members to this committee: Robert Warren, Janelle Parker and Councilwoman Gayle White. City Staff members will include representatives from the City Secretary's office, Human Resources and Finance.

WORKSHOP

I. CITY MANAGER'S UPDATE ON MUNICIPAL BUSINESS

- A. Mid-year medical benefits review and 2015-2016 benefit options presented by Brent Weegar, IPS Advisors – Debra Powledge
- B. Discussion and direction regarding the Railroad Museum and bank building – Dan O'Leary/Courtney Coates
- C. Discuss Panther Aviation Inc selling hangars to another party and approval of lease assignment – Sharlette Wright
- D. Discuss ordinance amending maximum period for land leases at the Airport; and amending all name references in the chapter as per Council Resolution #RS06-2010-42 – Sharlette Wright
- E. Discuss contract with Childress Engineers for the Sparks Drive connection – Courtney Coates
- F. Mosaic – sign ordinance review – 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.**

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. Temporary water rights for City of Abilene

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

ADJOURNMENT

ADJOURNED AT:



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.