



REGULAR CITY COUNCIL MEETING AGENDA

FEBRUARY 9, 2016

5:00 PM

CITY HALL COUNCIL CHAMBERS

10 NORTH ROBINSON STREET

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- I. ROLL CALL AND CALL TO ORDER BY MAYOR**
 - II. INVOCATION** by Pastor Adam Mathews, Nolan River Road Baptist Church
 - III. PLEDGE OF ALLEGIANCE**
 - IV. COMMUNITY INTEREST MATTERS, ANNOUNCEMENTS & PRESENTATIONS**
Presentation – STARS Award – Colby Burris, Police Department
 - 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 JANUARY 26, 2016 REGULAR COUNCIL MEETING.

BQ1. AWARD PURCHASE OF 2016 CHEVROLET ¾ TON SILVERADO TRUCK (A REPLACEMENT VEHICLE) FOR AN AMOUNT OF \$32,788 TO BE USED IN THE BUILDING MAINTENANCE DEPARTMENT.

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

BRIEF: This vehicle (2016 Chevrolet ¾ ton Silverado with utility body and ladder rack) will be used in the Building Maintenance department. Caldwell Country Chevrolet was awarded the BuyBoard contract for this vehicle; so all competitive purchasing requirements have been met. This purchase was discussed with Council and included in the budget for Fund 03, Leased Equipment Fund, for the 2015-2016 fiscal year

purchases.

RS1. A RESOLUTION AUTHORIZING AGREEMENT WITH THE CLEBURNE INDEPENDENT SCHOOL DISTRICT FOR HOLDING A JOINT ELECTION ON MAY 7, 2016.

Person presenting this item: Shelly Doty, City Secretary

BRIEF: The May 2016 general and/or special elections ordered by the City and CISD are to be held on the same day in all or part of the same territory. This agreement provides for a combined election, with all races and/or propositions on one voting ballot for the voters' respective precinct. The purpose of combining the elections is to maintain consistency and accessibility in voting practices, polling places, and election procedures in order to best assist the voters of Cleburne. Early Voting and Election Day polling places will be combined, making it more convenient for voters. The City will be responsible for conducting both elections, providing for significant cost savings for the City and CISD.

RS2. A RESOLUTION APPROVING 2016 PREVAILING WAGE RATES FOR PUBLIC WORKS CONSTRUCTION.

Person presenting this item: Terry Leake, Director of Finance

BRIEF: Chapter 2258 of the Texas Government Code states that a worker employed on a public work by a municipality shall be paid not less than the current prevailing rate of wages for work of a similar character in the locality in which the work is performed. The Department of Labor in accordance with the Davis-Bacon Act performs regular surveys to determine the current prevailing wage rates. Updated survey results were issued by the Department of Labor for 2016.

RS3. A RESOLUTION APPROVING CITY'S INVESTMENT REPORT FOR QUARTER ENDING DECEMBER 31, 2015.

Person presenting this item: Terry Leake, 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. For the quarter ended December 31, 2015, the City invested solely in four Local Government Investment Pools (LOGIC, Texas Class, TexPool, and TexSTAR), and included in the investment report are the newsletters from each of the pools which provides information on their average yield, net asset value, weighted average maturity, and portfolio composition. At December 31, 2015 had \$71,105,550 invested in the four pools and earned \$31,555 in interest income. The percentage allocation by investment pool is LOGIC: 30.4%; Texas Class: 27.2%; TexPool: 10.5% and TexSTAR: 31.9%.

RS4. A RESOLUTION AUTHORIZING CONTRACT RENEWAL WITH TARRANT COUNTY PUBLIC HEALTH FOR TRANSPORTATION SERVICES.

Person presenting this item: Grady Easdon, Transportation Manager

BRIEF: Tarrant County Public Health proposes to renew their contract with us to provide transportation services for their clients that reside in the City/County Transportation service area. City/County Transportation will charge Tarrant County Public Health \$40.00 per one-way trip leaving Johnson County (\$80.00 per round trip) and \$12.00 per one-way trip for all trips that remain within Johnson County (\$24.00 per round trip). The term of the contract will be February 1, 2016 - January 31, 2017. All previous terms of the contract remain unchanged from 2015 contract. Tarrant County has already approved all terms of the contract, and will be executed upon approval by Cleburne City Council.

OR1. AN ORDINANCE ORDERING ELECTION ON MAY 7, 2016 AND RUN-OFF ELECTION, IF NEEDED, ON JUNE 18, 2016.

Person presenting this item: Shelly Doty, City Secretary

BRIEF: This Ordinance constitutes Order and Calling of a General Election for the City of Cleburne, Texas, to be held on the first Saturday in May, which is May 7, 2016. This election will be held for the purpose of electing a Mayor and Councilmembers for Single Member Districts One and Four. This ordinance establishes, among other things, polling locations and times, precinct judges and their compensation, etc.

OC1. APPROVE FINAL PLAT OF LOT 1, BLOCK 1, HICKS ACRE ADDITION (BEING 1.042 ACRES IN DAVID HUNTER SURVEY), AS REQUESTED BY SONJA BRANSOM.

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

BRIEF: P&Z considered this at its January 25, 2016 meeting. The purpose for this plat is to create one lot for residential purposes. The Comprehensive Land Use Plan shows this area to be Approach Corridor and Sustainable Community. The surrounding land use is Approach Corridor and Sustainable Community. P&Z recommended approval of this plat by a vote of 7-0.

RESOLUTIONS

RS5. A RESOLUTION AUTHORIZING CONTRACT WITH YOOZ/NVOICEPAY FOR AUTOMATION OF ACCOUNTS PAYABLE INVOICING.

Person presenting this item: Terry Leake, Director of Finance

BRIEF: Yooz and NVoicePay are two individual companies that have teamed up together to offer a program that will automate many aspects of the City's accounts payable invoice entry function and has the potential to generate additional revenue for the City. The benefits of the first piece of the program (Yooz A/P automation) include reduced time spent processing invoices by City staff, reduced possible keying errors caused by manual entry, as well as elimination of potential duplicate payments to vendors. The second part of this program is NVoicePay. This software allows the City to make payments via credit card, ACH or paper check. This will reduce the costs of printing and mailing paper checks to 100% of vendors, while also allowing the City to receive the benefit of a rebate for each credit card payment made. The estimated rebate return for the City per year is \$156,000, as shown in the attached ROI chart, based upon an analysis of current City vendors and payments. While actual rebate may be less, it is anticipated that all rebates would cover the cost of the both contracts. Yooz/NVoicePay is a sole source provider for this program so all competitive purchasing requirements have been met. The City would be a test site for the program and there would be no payments due for 90 days. This accounts payable payment processing module is being used in the private business sector.

Yooz Cost: \$1,580/month

NVoicePay Cost:

One-time set up fee of \$3,000 (Deducted from the rebate generated by credit card payments)

Credit Card Payments: \$0.00

ACH Payments: \$0.43/transaction

Checks: \$0.90 + postage/transaction
Projected Revenue from NVoicePay: \$156,000

RS6. A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR PURCHASE OF 2.16± ACRES OF REAL PROPERTY LOCATED IN A. MCANIER SURVEY ON JACKSON ROAD FROM MICHAEL AND DONNA MACDONALD FOR AN AMOUNT OF \$136,429.92.

Person presenting this item: Dan O'Leary, Interim City Manager

BRIEF: This resolution gives the City Manager the authority to purchase on behalf of the City 2.16+/- acres of real property out of the A. McAnier Survey, Abst. No. 537 on Jackson Rd for an amount of \$136,429.92 plus or minus closing costs from the Michael and Donna MacDonald. This is one of four property purchases which will be used for the Cleburne Station project. Funding for this purchase will come from the recent bond sale of \$25 million dollars.

RS7. A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR PURCHASE OF 8.40± ACRES OF REAL PROPERTY LOCATED IN A. MCANIER SURVEY AT 1045 W KATHERINE P RAINES BOULEVARD FROM 1031 COMPANY (67 LLC) FOR AN AMOUNT OF \$2,469,433.00.

Person presenting this item: Dan O'Leary, Interim City Manager

BRIEF: This resolution gives the City Manager the authority to purchase on behalf of the City 8.40+/- acres of real property out of the A. McAnier Survey, Abst. No. 537 at 1045 W. Katherine P. Raines Rd. for an amount of \$2,469,433.00 plus or minus closing costs from the 1031 Company as qualified intermediary of 67 LLC. This is one of four property purchases which will be used for the Cleburne Station project. Funding for this purchase will come from the recent bond sale of \$25 million dollars.

RS8. A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR PURCHASE OF 17.50± ACRES OF REAL PROPERTY LOCATED IN A. MCANIER SURVEY AT 100 MCANIER S FROM CLE PARTNERS LTD FOR AN AMOUNT OF \$4,230,765.00.

Person presenting this item: Dan O'Leary, Interim City Manager

BRIEF: This resolution gives the City Manager the authority to purchase on behalf of the City 17.50+/- acres of real property out of the A. McAnier Survey, Abst. No. 537 at 100 McAnier S, Cleburne, TX. for an amount of \$4,230,765 plus or minus closing costs from the CLE Partners, LTD. This is one of four property purchases which will be used for the Cleburne Station project. Funding for this purchase will come from the recent bond sale of \$25 million dollars.

RS9. A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR PURCHASE OF 46.34± ACRES OF REAL PROPERTY LOCATED IN A. MCANIER SURVEY ON N NOLAN RIVER RD FROM LILLIAN BELL FAMILY PARTNERSHIP LTD FOR AN AMOUNT OF \$2,926,927.08± CLOSING COSTS.

Person presenting this item: Dan O'Leary, Interim City Manager

BRIEF: This resolution gives the City Manager the authority to purchase on behalf of the City 46.34+/- acres of real property out of the property out of the A. McAnier Survey, Abst. No. 537 on N. Nolan River

Rd. in the amount of \$2,926,927.08 plus or minus closing costs from the Lillian Bell Family Partnership, LTD. This is one of four property purchases which will be used for the Cleburne Station project. The total cost of all four properties combined is Funding for this purchase will come from the recent bond sale of \$25 million dollars.

ORDINANCES

OR2. AN ORDINANCE ACCEPTING BIDS FOR AND APPROVING THE SALE OF REAL PROPERTY ACQUIRED AT DELINQUENT TAX SALE, AUTHORIZING THE MAYOR TO EXECUTE DEEDS WITHOUT WARRANTY AND AUTHORIZING THE RELEASE OF ALL LIENS AND ENCUMBRANCES HELD BY THE CITY AGAINST ASSOCIATED PROPERTIES LOCATED AT: 112 HARMON ST, 117 KATY ST, 304 PEACOCK ST, 612 E WARDVILLE AVE, 630 E CHAMBERS ST, 1302 BRADLEY CT AND 1307 N ROBINSON ST.

Person presenting this item: Shelly Doty, City Secretary

BRIEF: The properties included in this resale were struck off to taxing entities within Johnson County. Johnson County offered the properties in a sealed bid sale held at the Johnson County tax office on September 16th, 2015. The resale was published in the Cleburne Times Review as well as on our delinquent tax attorneys' website prior to the sale. Additionally, signs were placed on each property instructing interested bidders to contact the tax attorneys' office. The resale included 34 properties total. Seven (7) of those properties were inside the Cleburne city limits. We received a high bid of \$10,000 for each of the 7 properties from the same bidder, Gene Grimes. Given the large amount of funds that will be due for the highest bidder, we have also included the second highest bid in on each property. The second highest bids would be accepted should Mr. Grimes decide not to purchase any of the properties. The Council can either accept or reject the bids received.

OTHER COUNCIL MATTERS

OC2. *PUBLIC HEARING* APPROVE FINAL REPLAT OF LOT 1R AND 2, BLOCK 1, COMMUNITY BANK ADDITION (BEING 2.146 ACRES LOCATED AT 1674 W HENDERSON ST), AS REQUESTED BY NORTHSTAR BANK, REPRESENTED BY TRANS TEXAS SURVEYING.

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

BRIEF: P&Z considered this at its January 25, 2016 meeting. The purpose for this plat is to replat one lot into two lots. The zoning for this property is C2(General Business District). The surrounding zoning is MF (Multiple-Family Housing District), C2 (General Business District), C2/C4-O (General Business District/Private Club District-Overlay), C3 (Commercial District) and PUD (Planned Unit Development). The Comprehensive Land Use Plan shows this area to be Traditional Neighborhoods and City Center West. The surrounding land use is City Center West and Traditional Neighborhoods. P&Z recommended approval of the plat by a vote of 7-0.

OC2. APPOINTMENTS TO THE LIBRARY ADVISORY BOARD – CLARA ROBERTS AND SHAY WILLINGHAM.

Person presenting this item: Tina Dunham, Library Manager

BRIEF: The first terms of Library Board members Clara Roberts and Susan Trantum expired January 14th. Ms. Trantum is unable to serve a second term. We respectfully request that Ms. Roberts be reappointed to a second term and that Mr. Shay Willingham be appointed to fill the vacancy of Ms. Trantum as she is unable to serve a 2nd term. Each has been contacted and is willing to serve.

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. § 551.072. Deliberation Regarding Real Property; Closed Meeting
 § 551.087. Deliberation Regarding Economic Development Negotiations; Closed Meeting
 § 551.071. Consultation with Attorney; Closed Meeting
 1. Discuss an economic development project in North Cleburne near the intersection of Chisholm Trail Parkway and US Hwy 67 known as Cleburne Station including any discussion regarding entertainment attractions

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.