



REGULAR CITY COUNCIL MEETING AGENDA
FEBRUARY 23, 2016
5:00 PM
CITY HALL COUNCIL CHAMBERS
10 NORTH ROBINSON STREET

- I. ROLL CALL AND CALL TO ORDER BY MAYOR**
 - II. INVOCATION**
 - III. PLEDGE OF ALLEGIANCE**
 - IV. COMMUNITY INTEREST MATTERS, ANNOUNCEMENTS & PRESENTATIONS**
Presentation – 2015 STARS Super Star
 - 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**
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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 FEBRUARY 9, 2016 REGULAR COUNCIL MEETING.

BQ1. AUTHORIZE PURCHASE OF A HYDROVAC MAINTENANCE TRAILER, A VEHICLE FOR THE WASTEWATER TREATMENT DEPARTMENT, FROM E.H. WACHS, A BUYBOARD VENDOR, IN THE AMOUNT OF \$57,944.37.

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

BRIEF: This vehicle will be used in the Wastewater Treatment department. E.H. Wachs 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 Utility Fund budget for

the 2015-2016 fiscal year purchases.

RS1. A RESOLUTION AUTHORIZING CITY MANAGER TO NEGOTIATE AND EXECUTE A CONTRACT FOR AMBULANCE BILLING SERVICES WITH CENTRASOL, LLC FOR THE FISCAL YEAR OF 2015-2016.

Person presenting this item: Clint Ishmael, Fire Chief

BRIEF: Quotes were solicited for the purpose of ambulance billing services. Four quotes were received and qualifications were reviewed by staff within the Fire Department. Based on the lowest cost of 5% of billing collection fee and highest service levels offered, it is recommended that the contract be executed with CentraSol, LLC for ambulance billing services through the end of the 2015-2016 fiscal year, at which time formal bids will be solicited for future years billing.

Company Name	Collection Fee	Training Offered?
CentraSol, LLC	5%	Yes, Training offered for existing staff as well as subsequent new hires
Emergicon	6.5%	No
Quick Med Claims	8%	Yes, One free training session per year
Specialized Billing	8%	Yes, Webinar training offered for an additional fee

RS2. A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A JOINT ELECTION AGREEMENT WITH CLEBURNE INDEPENDENT SCHOOL DISTRICT FOR THE MAY 7, 2016 ELECTIONS.

Person presenting this item: Shelly Doty, City Secretary

BRIEF: The 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 all May 7, 2016 elections, providing for significant cost savings for the City and CISD. In addition to the established early voting locations, City Hall and Conference Center, the CISD has made a special request to include another early voting temporary branch located at the Cleburne High School as well as voting hours on Saturday, April 30th.

OC1. APPROVE ACCOUNTS PAYABLE FOR THE MONTH OF JANUARY 2016.

Person presenting this item: Terry Leake, Director of Finance

RESOLUTIONS

RS3. *PUBLIC HEARING* A RESOLUTION SUPPORTING THE SUBMISSION OF AN APPLICATION TO THE 2016 COMPETITIVE HOUSING TAX CREDIT PROGRAM THROUGH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS BY PLATEAU RIDGE SENIOR HOUSING LIMITED PARTNERSHIP, FOR THE REHABILITATION OF PLATEAU RIDGE APARTMENTS.

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

BRIEF: Plateau Ridge Senior Housing Limited Partnership has requested support from the City for their grant application. If they receive the grant, the City will waive or reduce the building permit fee up to \$1,000. All other permits, asbestos surveys, contractor registrations, etc. will not be affected. They are also requesting approval of Housing Tax Credits for Plateau Ridge and establishing the McAnear Creek Area Revitalization Zone. The zone includes Plateau Ridge Apartments and is bordered by Woodard Avenue, Granbury Street, West Henderson Street and McAnear Creek.

RS4. A RESOLUTION AUTHORIZING CITY MANAGER TO EXECUTE CONTRACT WITH PRELOAD, INC FOR THE CONSTRUCTION OF A 3,000,000 GALLON PRESTRESSED CONCRETE GROUND STORAGE WATER TANK THAT PROVIDES THE NECESSARY STORAGE AND TRANSFER POINT FROM THE JCSUD SYSTEM TO THE CITY OF CLEBURNE SYSTEM FOR AN AMOUNT OF \$1,382,040.

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

BRIEF: Sealed bids were solicited for the completion of a 3,000,000 gallon pre-stressed concrete ground storage tank. The ground storage tank will provide the necessary storage and transfer point from the JCSUD system to the City of Cleburne system. The tank will be located at the northern boundary of the city limits approximately 1,500 feet south of Indian Hills Dr. Bids were received from two (2) vendors. Childress Engineers reviewed the bids and verified references. The lowest, most responsible bid was received from Preload in the amount of \$1,256,400.00. The contract award amount is for up to \$1,382,040.00, which includes a contingency of \$125,640.00 (10% of the project).

RS5. A RESOLUTION AUTHORIZING CITY MANAGER TO EXECUTE A LEASE AGREEMENT WITH THE CLEBURNE RAILROADERS BASEBALL, LLC FOR THE CLEBURNE DEPOT BASEBALL STADIUM.

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

BRIEF: A lease with the Cleburne Railroaders Baseball LLC to operate and manage the new baseball stadium about to be constructed. The tenant will provide a non-affiliated professional baseball team to compete in the American Baseball League. The basic deal points of the lease are outlined in an attached memo.

ORDINANCES

OR1. *PUBLIC HEARING* AN ORDINANCE REZONING 64.162 ACRES LOCATED AT THE FAR WEST END OF WESTHILL DRIVE FROM SF4 TO PD, AS REQUESTED

BY EDWARD PETERS AND KENNETH LEE, REPRESENTED BY MKP ASSOCIATES, INC.

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

BRIEF: P&Z considered this at its February 8, 2016 meeting. This is a request to accommodate a new subdivision just north of Belle Meadows. The Comprehensive Land Use Plan shows this area and surrounding area to be Village and City Center West. The surrounding zoning is SF-4 (Single Family Dwelling District) and C3/C4-O (Commercial District/Private Club District with Overlay). Proposed use is included in the Appropriate Uses of the Villages and City Center West Districts. Notifications were sent out to a 200' radius and there were inquiries and objections. P&Z recommended approval of the rezone granting the proposed setbacks and utility easements, the access easement for the Thompson property and in addition the use of 100% masonry and the denial of drive approaches on University Drive by a vote of 3-2 with Ms. Brinkley and Ms. Stevenson voting against the rezone.

OR2. *PUBLIC HEARING* AN ORDINANCE AMENDING TITLE III: ADMINISTRATION, CHAPTER 30: CITY GOVERNMENT; SECTION 30.06: MASTER PLANS ADOPTED OF THE CODE OF ORDINANCES BY AMENDING SUBSECTION (A) THE 2014 COMPREHENSIVE PLAN ENTITLED "PLAN CLEBURNE; THE CLEBURNE COMPREHENSIVE PLAN, A VISION FOR THE FUTURE, A ROADMAP FOR GROWTH" BY INCORPORATING THE MCANEAR CREEK AREA REVITALIZATION PLAN.

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

BRIEF: This will amend the Comprehensive Plan by adding the McAnear Creek Area Revitalization Plan as an addendum to the plan. The plan was prepared by Jarret Consulting and was funded by National Church Residences at no cost to the City.

OR3. AN ORDINANCE AMENDING TITLE IX: GENERAL REGULATIONS, CHAPTER 93: FIRE PROTECTION AND PREVENTION, SECTION 93.16: FIRE LIMITS ESTABLISHED OF THE CODE OF ORDINANCES.

Person presenting this item: Clint Ishmael, Fire Chief

BRIEF: Chapter 93.16 of the City of Cleburne Ordinances establishes the boundaries for the fire limits in downtown Cleburne. The fire limits were implemented to limit the spread of fire in a high building density area where adjoining properties are separated by common walls. Buildings located in blocks 24, 25, 399 and 400 located south of Harrell Street, north of Dabney Street, east of South Mill Street and west of South Caddo Street do not currently comply with fire limit regulations but lack the building density and common wall configurations typical of a downtown district. Removing the fire limit requirement for the above named blocks will reduce fire resistive rating construction requirements for properties in those areas. Any restrictions for building types, facades, exterior finishes or business types should be addressed by an overlay in the downtown district. Staff recommends removing blocks 24, 25, 399 and 400 from the fire limits.

OTHER COUNCIL MATTERS

OC2. *PUBLIC HEARING* APPROVE PRELIMINARY PLAT OF BLOCKS A-M BELLE LAGOS SUBDIVISION, BEING 64.162 ACRES LOCATED AT THE FAR WEST END OF WESTHILL DRIVE, AS REQUESTED BY EDWARD PETERS AND KENNETH LEE, REPRESENTED BY MKP ASSOCIATES, INC.

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

BRIEF: P&Z considered this at its February 8, 2016 meeting. The purpose for this preliminary plat is to create a new subdivision. The zoning for this property is SF-4 (Single-Family Dwelling District). The zoning for the surrounding property is SF-4 (Single-Family Dwelling District) and C3/C4-O (Commercial District/Private Club District-Overlay). The Comprehensive Land Use Plan shows this area and surrounding to be Village and City Center West. P&Z recommended to approve the preliminary plat with the condition that the plat show the easement to the Thompson property and that the lots on University be reconfigured to not allow access onto University Drive with a vote of 5-0.

OC3. APPOINTMENT TO THE CIVIL SERVICE COMMISSION.

Person presenting this item: Debra Powledge, Director of Human Resources

BRIEF: After nearly 13 years of service on the Civil Service Commission, Mr. Dan Boulware is unable to continue serving due to scheduling conflicts. We respectfully request that Mr. Terry Marsh be appointed to fill the vacancy of Mr. Boulware. Mr. Marsh has been contacted and is willing to serve.

OC4. ACCEPT ANNUAL POLICE DEPARTMENT REPORT FOR THE RACIAL PROFILING DATA FOR 2015.

Person presenting this item: Robert Severance, Chief of Police

BRIEF: A report is submitted to City Council pursuant to state law and the Cleburne Police Department's General Order 200.053 directing such report shall be made annually to the governing body of the City of Cleburne. There are two additional agencies within the City which have law enforcement responsibilities; the Cleburne Fire Department and the Marshal's Office. Both agencies are exempt from racial profiling requirements since they do not routinely make motor vehicle stops. The appropriate exemption paperwork has been filed with TCOLE.

WORKSHOP

None

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.

§ 551.072. Deliberation Regarding Real Property; Closed Meeting

A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

§ 551.087. Deliberation Regarding Economic Development Negotiations; Closed Meeting

This chapter does not require a governmental body to conduct an open meeting: (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).

- 1) Discuss an economic development project in downtown Cleburne including any discussion regarding entertainment attractions

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.