



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 14th day of JUNE, 2016, at 5:00pm, 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 June 10, 2016, 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

JUNE 14, 2016

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
- ✓ Shelly Doty, City Secretary
- ✓ Ivy Peterson, Deputy City Secretary
- ✓ Fritz Quast, City Attorney

Division Directors:

- ✓ Burton Barr, Community Services
- ✓ Courtney Coates, Public Works
- ✓ Clint Ishmael, Fire Services
- ✓ Terry Leake, Finance
- ✓ Debra Powledge, Human Resources
- ✓ Rob Severance, Police Services

Department Heads:

- ✓ Willie Resto, Information Technology

Media:

- ✓ Matt Smith, Times-Review

II. INVOCATION by Pastor Todd Barham, Hope Church

III. PLEDGE OF ALLEGIANCE

IV. COMMUNITY INTEREST MATTERS, ANNOUNCEMENTS & PRESENTATIONS

Presentation: Government Finance Association Distinguished Budget award for FY 2016

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 MAY 24, 2016 REGULAR COUNCIL MEETING.

BQ1. AUTHORIZE PURCHASE AND INSTALLATION OF UPGRADED 911 RECORDING EQUIPMENT AND SOFTWARE FROM COMMERCIAL ELECTRONICS CORP FOR AN AMOUNT OF \$24,529.50.

Person presenting this item: Willie Resto, Information Services Manager

BRIEF: The North Central Texas Council of Governments has advised that there are funds available through the Commission on State Emergency Communications program (PPS 028). The program assists cities in upgrading their 911 equipment in order to provide region-wide reliable and consistent service. Cleburne's 911 public safety answering points (PSAPs) recorder is 10 years old and in need to upgrading. The upgrade is not budgeted, but this program allows for reimbursement of expenses up to \$25,000 which will be disbursed by NCTCOG's Regional 911 division. Quotes were obtained and Commercial Electronics Corp offers the most responsible pricing for a total of \$24,529.50. There will be an annual maintenance cost of \$2,516.76.

RESOLUTIONS

RS1. A RESOLUTION AUTHORIZING THE ISSUANCE OF A BUILDING MOVING PERMIT TO MOVE A HOUSE FROM 204 W KILPATRICK ST TO 1205 STANWOOD AVE, PURSUANT TO TITLE XV: LAND USAGE, CHAPTER 150: BUILDING REGULATIONS, SECTION 150.103: CONSENT OF ADJACENT PROPERTY OWNERS, AS REQUESTED BY PROPERTY OWNER ROGER PEDIGO.

Person presenting this item: Courtney Coates, Public Works Director

BRIEF: On May 15, 2016, an application for a building moving permit was submitted by Roger Pedigo and Billy Hilton to move a house from 204 W. Kilpatrick St. to 1205 Stanwood Ave. Nineteen (19) property owners within 200 feet of 1205 Stanwood were notified. Thirteen (13) responses in favor were received and one (1) against. Five (5) property owners did not respond. Section 150.103 (C) allows for Council to approve or deny the building moving permit without acquiring consent in writing when in the judgement of the City Council no substantial injury or damage will be caused the property lying within 200 feet of the lot on which the building will be placed. If the permit is approved, all other requirements of Section 150.090- 150.105 will be met prior to issuance of the permit. For information on previous Council action, see attached action form.

ORDINANCES

OR1. AN ORDINANCE ACCEPTING UNSOLICITED BID AND APPROVING THE SALE OF CERTAIN TRACT LOCATED AT 1302 BRADLEY CT, ACQUIRED AT DELINQUENT TAX FORECLOSURE SALE; AUTHORIZING THE MAYOR TO EXECUTE DEED WITHOUT WARRANTY AND AUTHORIZING THE RELEASE OF ALL LIENS AND ENCUMBRANCES HELD BY THE CITY AGAINST SAID PROPERTY; AS REQUESTED BY DAVID AND DEBRA WITHERSPOON.

Person presenting this item: Shelly Doty, City Secretary

BRIEF: City of Cleburne, for itself and the use and benefit of Johnson County, Hill College, and the Cleburne ISD acquired title to a certain tract of real estate at a Sheriff sale held on the 6th day of January, 2015, in Cause No. T201000499, street address 1302 Bradley Ct., Lot 2 Block 5, West Hollow, Cleburne ISD vs. James A. Davis. David Witherspoon, has made an offer to purchase the property for the sum of thirteen thousand, one hundred seven dollars and no cents (\$13,107.00). The city will be receiving \$2,037.00 for post constable sale mowing liens. It is in the best interest of the City and its taxpayers to return this property to a productive use.

OR2. AN ORDINANCE ACCEPTING UNSOLICITED BID AND APPROVING THE SALE OF CERTAIN TRACT LOCATED AT 213 N PENDELL ST, ACQUIRED AT DELINQUENT TAX FORECLOSURE SALE; AUTHORIZING THE MAYOR TO EXECUTE DEED WITHOUT WARRANTY AND AUTHORIZING THE RELEASE OF ALL LIENS AND ENCUMBRANCES HELD BY THE CITY AGAINST SAID PROPERTY, AS REQUESTED BY ROGER AND COURTNEY PEDIGO.

Person presenting this item: Shelly Doty, City Secretary

BRIEF: City of Cleburne, for itself and the use and benefit of Johnson County, Hill College, and the Cleburne ISD acquired title to a certain tract of real estate at a Sheriff sale held on the 3rd day of November, 2015, in Cause No. T201300086 street address 213 N. Pendell St., Lot B Block 555, Original Cleburne, AKA Hoshours Addition, Cleburne ISD vs. Gay Lynn Rest. Roger Pedigo, has made an offer to purchase the property for the sum of nine thousand, nine hundred fifty-eight dollars and 56 cents, (\$9,958.56). The city will be receiving \$1,168.50 for post constable sale mowing liens. It is in the best interest of the City and its taxpayers to return this property to a productive use.

OR3. AN ORDINANCE APPROVING SIGN VARIANCE LOCATED AT 839 N NOLAN RIVER RD FOR A MONUMENT/GROUND SIGN (VARIANCE TO HEIGHT); AS REQUESTED BY CLEBURNE EYE CLINIC, REPRESENTED BY AMBER MCKNIGHT WITH B&S SOUTHERN SIGNS & CRANE SERVICES.

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

BRIEF: Owners of Cleburne Eye Clinic are requesting a monument/ground sign be installed at 839 N. Nolan River Rd. The request was denied for its height in accordance with the new ordinance that was adopted on January 26, 2016. Section H for Industrial TDA states that the maximum height of a ground sign cannot be any higher than 8 feet tall. The proposed ground sign is 11.25 feet tall.

Staff recommends denial of the requested variance. The sign would meet the ordinance if the top element was removed.

OTHER COUNCIL MATTERS

OC1. APPOINTMENT OF MAYOR PRO TEM FOR A PERIOD OF TWO YEARS.

Person presenting this item: Shelly Doty, City Secretary

BRIEF: This appointment coincides with the two-year term of the newly elected mayor. Section 3.9 of the City Charter states, “The Council shall elect a Mayor pro tem from their members who shall act as Mayor during the absence or disability of the Mayor and, if a vacancy should occur, shall become Mayor until the next regular election.”

OC2. APPOINTMENTS TO THE MUSEUM ADVISORY BOARD.

Person presenting this item: Burton Barr, Director of Parks & Recreation

BRIEF: Patricia Bonds completed her second term on May 16th. Also, Josh Turner resigned his position in March. Staff requests appointing Charles Lummus and Lynda Allen to fill these vacancies.

WORKSHOP

I. CITY MANAGER’S UPDATE ON MUNICIPAL BUSINESS

- A. Presentation by Mosaic Planning and Development Services and discuss the zoning component for the code update – Courtney Coates

ADJOURNMENT

ADJOURNED AT:



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