



REGULAR CITY COUNCIL MEETING AGENDA

AUGUST 23, 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 Eddie Scheler, Ascension Lutheran Church

III. PLEDGE OF ALLEGIANCE

IV. COMMUNITY INTEREST MATTERS, ANNOUNCEMENTS & PRESENTATIONS

Presentation – STARS Award Recipient – Keith Scarbrough, Fire 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 AUGUST 9, 2016 COUNCIL MEETING.

BQ1. AUTHORIZE EMERGENCY REPAIR OF A VERTICAL PUMP MOTOR AT THE WATER TREATMENT PLANT BY MOTOR-TECH CORP FOR AN AMOUNT OF \$25,672.

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

BRIEF: A high service pump at the Water Treatment Plant required emergency repairs. Motor-Tech Corp. has previously provided competitive repairs and was available to provide the emergency repair. Cost to pull the motor, repair, reinstall, test, crane and transportation was \$25,672.00.

RS1. A RESOLUTION AUTHORIZING RENEWAL OF INTERLOCAL AGREEMENT WITH JOHNSON COUNTY FOR THE PROVISION OF JAIL SERVICES.

Person presenting this item: Rob Severance, Chief of Police

BRIEF: Since 2001, the City of Cleburne has had an agreement in place with Johnson County for the incarceration of our Class C Misdemeanors as the City does not have a jail facility. Incarceration of all other prisoners is provided for under other agreements and state statutes. The rate per day for detention services is \$45.00 per prisoner. This proposed new interlocal agreement is a renewal with no changes through September 30, 2017.

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

Person presenting this item: Terry Leake, Director of Finance

RESOLUTIONS

RS2. A RESOLUTION AUTHORIZING CONTRACT WITH NORTH TEXAS CONTRACTING FOR THE CLEBURNE STATION DEVELOPMENT PROJECT FOR AN AMOUNT OF \$7,964,301.40.

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

BRIEF: Sealed bids were solicited for the completion of the Cleburne Station development infrastructure that includes roads, parking lot, drainage, detention pond and water and wastewater lines. Bids were received from two (2) vendors. Childress Engineers reviewed the bids and verified references. The lowest, most responsible bid was received from North Texas Contracting in the amount of \$7,964,301.40, which includes a contingency of \$724,027.40 (10% of the project).

RS3. A RESOLUTION STATING THE CITY COUNCIL'S INTENT TO ADOPT A TAX RATE OF \$.804018 PER HUNDRED DOLLARS OF VALUATION FOR FISCAL YEAR 2016-2017 AND SCHEDULE A PUBLIC HEARING ON THE TAX RATE FOR THE REGULAR COUNCIL MEETING ON TUESDAY, SEPTEMBER 27, 2016 AT 5:00 PM.

Person presenting this item: Terry Leake, Director of Finance

BRIEF: Chapter 26, Texas Property Tax Code, requires taxing units to comply with "Truth-in-Taxation" laws in setting tax rates and perform an effective tax rate calculation. The calculated Fiscal Year 2016-2017 effective tax rate is \$.827837 utilizing the July 25, 2016 certified tax roll as the basis for calculation. The proposed rate for FY 2016-2017 is \$.804018 per \$100 of valuation, which is the rate presented to City Council at the budget workshop on August 15, 2016. This rate is unchanged from FY 2015-2016, and, if adopted, would be the fourth straight year with this proposed tax rate. As the proposed rate of \$.804018 is lower than the effective tax rate of \$.827837, legislation requires that a city only need to publish the "Notice of Proposed Tax Rate" to be in compliance with Chapter 26 of the Texas Property Tax Code. The "Notice of Proposed Tax Rate" for FY 2016-2017 will be published on Wednesday, August 24, 2016 in the *Cleburne Times-Review*. In order that the citizens of Cleburne be informed of the proposed FY 2016-2017 tax rate, the proposed resolution reflects the City Council's intention to adopt a tax rate of \$.804018. The City Council will hold a public hearing on the proposed tax rate at the regularly scheduled council meeting on Tuesday, September 27, 2016 at 5:00 pm. for the adoption of the tax rate.

As a point of reference, the effective tax rate calculation set the interest and sinking rate (Debt Service Fund rate) at \$.150362. The remainder of the tax rate of \$.653656 will be allocated to operations and maintenance (General Fund rate). The ordinance adopting the FY 2016-2017 tax rate will reflect these rates, as required by the effective tax rate calculation.

ORDINANCES

OR1. AN ORDINANCE AMENDING TITLE IX: GENERAL REGULATIONS, CHAPTER 98: PARKS & RECREATION REMOVING ALL PROVISIONS FOR CAMPING IN PARKS.

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

BRIEF: Review and consider amending the ordinance to make corrections to the current ordinance. The amendments are considered housekeeping in nature, and will clarify the existing

ordinance. At the October 27th, 2015, City Council meeting, camping at any Cleburne Parks and Recreation park facility was banned (Ordinance #OR10-2015-72).

OR2. AN ORDINANCE APPROVING STRENGTH OF FORCE ALLOCATION RELATING TO THE CLASSIFICATION AND NUMBER OF POSITIONS FOR FIREFIGHTERS AND POLICE OFFICERS FOR THE CITY OF CLEBURNE, PURSUANT TO CHAPTER 143 LOCAL GOVERNMENT CODE.

Person presenting this item: Clint Ishmael, Fire Chief

BRIEF: Chapter 143.021 of the Local Government Code mandates that the Cleburne City Council establish classification of fire fighters and police officers and prescribe the number of positions in each classification of fire fighter and police officer. The Fire Chief recommends the strength of force ordinance to provide fire-based ambulance services. The Police Chief recommends this ordinance in restructuring the management of the Cleburne Police Department over time with the intention of protecting those individuals who have tested into promotional positions while working towards eliminating the rank of "Corporal".

OTHER COUNCIL MATTERS

OC2. APPOINTMENTS TO THE AIRPORT ADVISORY BOARD.

Person presenting this item: Sharlette Wright, Airport Manager

BRIEF: Ms. Brenda Engelhardt will have completed her second term on the Board as of September 11. Staff recommends that Christi Bradley be considered for appointment to fill this vacancy. Staff also requests that Ron Layland continue to serve on the board for a second term that will end April 22, 2017 if reappointed.

§90.105 Created; Composition; Appointment; Terms of Members. There is hereby created and established an airport commission in and for the city. It shall be comprised of five members who shall be appointed by the City Council, and they shall hold office at the pleasure of the Council; provided, however, that the term of office shall in no event, without reappointment, exist for a longer period than two years.

OC3. APPOINTMENTS TO THE PARKS AND RECREATION ADVISORY BOARD.

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

BRIEF: Jay Moore resigned from the board due to moving out of town. Mr. Kim Lively has submitted his application for consideration to fill this vacated seat. Also, Garey Wylie has completed his first term as of June 24th and would like to serve another term.

§98.015 Created; Composition; Appointment of Members. (A) There is created a Park and Recreation Board for the city. The Board shall be composed of seven members who shall be appointed by the City Council. (B) The City Manager shall serve as an ex officio member of the Park and Recreation Board.

OC4. APPOINTMENTS TO THE ANIMAL SHELTER ADVISORY BOARD.

Person presenting this item: Rob Severance, Chief of Police

BRIEF: Dr. Jacqueline Brockett, Assistant Chief of Police Amy Knoll, and Ashlee Masters' second terms expired this year. Citizen Mary Wheatley and the rescue representative Joyce Pruett requested to resign from the board this year. Also, citizen Franki Collins' 1st term expires September 9th. Staff is requesting to reappoint Franki Collins to a second term and appoint Dr. Craig Jones, Heather Bickell and Landra Hale to replace Dr. Brockett, Knoll, and Masters. The department is requesting that Rhonda Guenther replace Mary Wheatley and Elizabeth Jeffcoat replace Joyce Pruett.

§91.34: Animal Shelter Advisory Board. (A) There is hereby created and established an Animal Shelter Advisory Board for the city. It shall be composed of at least one licensed veterinarian, one county or municipal official, one person whose duties include the daily operation of an Animal Shelter, one representative from an animal welfare organization, and three citizens selected at large. Members shall hold office at the pleasure of the Council; provided, however, that the term of office shall in no event, without reappointment, exist for a longer period than two years. Initial terms shall be staggered in order to provide continuity and effectiveness. The animal welfare organization representative shall be exempt from the residency requirement in §31.03 of the Code of Ordinance.

WORKSHOP

I. CITY MANAGER'S UPDATE ON MUNICIPAL BUSINESS

- A. Discuss drainage features and policies as described in §154.123 of the Code of Ordinances – Mayor ProTem Kelly
- B. Discuss Yellow Jacket Road and remedies for vehicle and pedestrian traffic – Councilman Sturgeon

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.**

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.