



NOTICE OF REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CLEBURNE, TEXAS

Notice is hereby given that a **REGULAR COUNCIL MEETING** of the above named City will be held on the 14th day of **FEBRUARY, 2017**, 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

, 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 February 10, 2017, 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

FEBRUARY 14, 2017

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

Division Directors:

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

Administration:

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

Department Heads:

- ✓ Tom Davis, Information Technology
- ✓ Grady Easdon, Economic Development
- ✓ Roy Jambor, Development Services

Media:

- ✓ Matt Smith, Times-Review

II. INVOCATION by Pastor J.D. Wright, North Cleburne Church of Christ

III. PLEDGE OF ALLEGIANCE

IV. COMMUNITY INTEREST MATTERS, ANNOUNCEMENTS & PRESENTATIONS

- ☆ December STARS Award – Shannon Allen, Police Department
- ☆ 2016 All-Star Award – Barry Townsend, Cemetery Department

V. CITY SECRETARY READS THE GUIDELINES TO SPEAK BEFORE COUNCIL

VI. CITIZENS COMMENTS

An opportunity for the public to make comments or address concerns not posted on the agenda.

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 24, 2017 COUNCIL MEETING.

RS1. A RESOLUTION ACCEPTING QUARTERLY INVESTMENT REPORT FOR THE QUARTER THAT ENDED DECEMBER 2016.

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, 2016, 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 that provides information on their average yield, net asset value, weighted average maturity, and portfolio composition at the end of the reporting quarter. At December 31, 2016, there was \$84,094,896 invested in the four pools with total quarterly interest income of \$136,124 (see attached quarterly investment report). The percentage allocation by investment pool is as of December 31, 2016 is LOGIC: 29.3%, Texas Class: 17.2%, TexPool: 8.9%, and TexSTAR: 44.6%.

RS2. A RESOLUTION AUTHORIZING A CHANGE IN AUTHORIZED REPRESENTATIVES FOR TEXAS LOCAL GOVERNMENT INVESTMENT POOL (TEXPOOL).

Person presenting this item: Terry Leake, Director of Finance

BRIEF: The purpose of this item is to add Steve Polasek, City Manager as an authorized representative to invest funds for the City of Cleburne with TexPool. The City utilizes TexPool for investment of funds, and TexPool requires formal action by City Council to make changes to authorized representatives. This change will provide the City with the authorization to ensure unimpeded access to funds while allowing for the investment of these local funds.

RS3. A RESOLUTION AUTHORIZING A JOINT ELECTION AGREEMENT WITH CLEBURNE INDEPENDENT SCHOOL DISTRICT FOR THE MAY 6, 2017 GENERAL ELECTIONS.

Person presenting this item: Shelly Doty, City Secretary

BRIEF: The 2017 general 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 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. The City will administer the May 6th elections, providing significant cost savings for both the City and CISD.

The estimated cost of the election (\$19,650) will be shared with a proportionate "unit cost" applied to the respective jurisdiction. There are a total of six polling places, two for early voting and four on Election Day and the unit cost for each polling place is approximately \$3,275. This year, the City's election will utilize four shared polls and CISD will utilize all six polls.

RS4. A RESOLUTION IN SUPPORT OF THE SUBMISSION OF AN APPLICATION TO THE 2017 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: Denise Jones, Assistant to the City Manager

BRIEF: Plateau Ridge Senior Housing Limited Partnership, represented by National Church

Residences has requested support from the City for their grant application. If they receive the grant, the City will waive or reduce the Building Permit fees up to \$1,000. All other permits, asbestos surveys, contractor registrations, etc. will not be affected. This grant, if awarded will fund the rehabilitation/repair/update of 49 units at Plateau Ridge located at 701 McAnear St., this will also move the facility from non-profit to a taxable entity.

OR1. AN ORDINANCE ORDERING A GENERAL ELECTION TO BE HELD MAY 6, 2017 AND A RUN-OFF, SHOULD IT BE REQUIRED, ON JUNE 24, 2017 FOR THE PURPOSE OF ELECTING COUNCILMEMBERS FOR SMD TWO AND SMD THREE.

Person presenting this item: Shelly Doty, City Secretary

BRIEF: This Ordinance constitutes the official 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 6, 2017. This election will be held for the purpose of electing Councilmembers for Single Member Districts Two and Three. This Ordinance establishes, among other things, polling locations and times, precinct judges and their compensation, etc.

OC1. NOMINATION OF ASSISTANT CHIEF LINN GOODMAN OF THE CLEBURNE POLICE DEPARTMENT TO THE JOHNSON COUNTY RADIO ADVISORY BOARD FOR A ONE-YEAR TERM.

Person presenting this item: Rob Severance, Chief of Police

BRIEF: On December 12, 2016, the Johnson County Commissioners Court authorized the development of a Radio Advisory Board to provide recommendations on general operation philosophy for the county-wide radio communications system (the "System") which may include System related contract reviews, development of interoperable planning documents, System maintenance cost share methodologies, evaluation for System upgrades and/or System support staffing. The Commissioners Court designated one board member position to be a public safety representative nominated by the City of Cleburne.

BIDS & QUOTES

BQ1. AUTHORIZE PURCHASE OF TWO 2016 GODWIN DRI-PRIME PUMPS AND RELATED COMPONENTS FOR THE WASTEWATER COLLECTIONS DEPARTMENT FROM XYLEM DEWATERING SOLUTIONS FOR AN AMOUNT NOT TO EXCEED \$83,953.42.

Person presenting this item: Keith Fisher, Director of Public Works

BRIEF: The proposed purchase will provide the necessary equipment to enable the Wastewater Collections Department to bypass sewage during line repairs and is a vital part of maintaining the wastewater collection system of our community. The proposed purchase includes all necessary accessories/tooling for safe and efficient operation of the units. Purchase will be made through BuyBoard contract #509-16, so all competitive purchasing requirements have been met. This purchase was discussed with Council and included in the approved Fiscal Year 2017 Water/Wastewater (Fund 60) budget.

RESOLUTIONS

RS5. A RESOLUTION CONFIRMING THE AVAILABILITY OF LOCAL CASH MATCH FUNDS FOR GRANT OFFERED THROUGH THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS FOR THE CLEBURNE SAFE ROUTES TO SCHOOL PROJECT.

Person presenting this item: Keith Fisher, Director of Public Works

BRIEF: The Transportation Alternatives Set-Aside Program is a federally funded transportation project which provides pedestrian facilities that will substantially improve safety and the ability for students to walk and bicycle to school. The project will construct 5-foot-wide sidewalks along Nolan River Road, Woodard Avenue, and Grand Avenue that will serve three CISD campuses: Cleburne High School, Wheat Middle School, and Cooke Elementary. The City will also install ADA ramps at intersections and crossings. Costs will be allocated based on 80% Federal funding and 20% Local Government funding (Includes Engineering and Construction).

RS6. A RESOLUTION AUTHORIZING ISSUANCE OF CLEBURNE 4B ECONOMIC DEVELOPMENT CORPORATION SALES TAX REVENUE REFUNDING BONDS, REFUNDING OF \$12,845,000 OUTSTANDING CALLABLE 2007 4B CORPORATION SALES TAX REVENUE BONDS.

Person presenting this item: Terry Leake, Director of Finance

BRIEF: As a part of the FY 2017 budget discussion, staff informed the City Council and the 4B Corporation Board of the potential opportunity to refund \$12,845,000 in outstanding sales tax revenue bonds that would be callable in February 2017. These bonds were originally issued in December 2001 in the amount of \$12,400,000 and the outstanding portion was refunded in 2007, combined with an additional issuance of \$5,000,000. The 2007 issuance totaled \$16,280,000, and has outstanding interest rates ranging from 4.00% to 4.50%. In looking at market conditions in mid-January 2017, there would be the opportunity to refund the outstanding bonds at a present value savings of \$878,771 (6.84%) with an average annual savings of \$69,502 (see attached prepared by the City's Financial Advisor, FirstSouthwest, with financial information about the bond market and refunding of the outstanding bonds). The new debt would be level annual debt service, and there would be no extension of the original maturity in 2032. A benchmark of \$500,000 in present value savings over the life of the issue was set as a target to move forward with the transaction. This target was presented by staff to both 4B Corporation Board and the City Council at their respective meetings of January 19, 2017 and January 24, 2017, and the \$500,000 target of savings was affirmed by both groups. As this is a refunding transaction, a negotiated sale to bond underwriters will occur on February 14, 2017. If market conditions would deteriorate to a level that a savings of \$500,000 over the life of the issue could not be reached, it would be recommended to not move forward with the refunding. Pending favorable market conditions for the sale, there will be a special meeting of the 4B Board on Tuesday, February 14, 2017, prior to the City Council meeting, to approve the sale before it is affirmed by the City Council at their meeting. Jim Sabonis of FirstSouthwest will be present to review the results of the sale with both the 4B Corporation and City Council at their respective meetings.

RS7. A RESOLUTION AUTHORIZING RENEWAL OF A 380 ECONOMIC DEVELOPMENT AGREEMENT WITH 6STONES MISSION NETWORK FOR COMMUNITY POWERED REVITALIZATION.

Person presenting this item: Clint Ishmael, Fire Chief

BRIEF: The City of Cleburne and the non-profit organization, 6Stones Mission Network, has established a public/private collaboration to revitalize residential properties and neighborhoods in the City of Cleburne. The proposed Economic Development Program Agreement outlines the roles and responsibilities of the City and 6Stones for another twelve-month revitalization program that seeks to stabilize property values in residential neighborhoods and improve living conditions for low income families. The public/private collaboration, established pursuant to Chapter 380 of the Local Government Code, would set aside \$25,000 for 6Stones to administer the revitalization program and an additional \$25,000 maximum for a 50% reimbursement program of labor and materials invested into revitalizations projects in the City. The City would evaluate the program at the end of the 2017 fiscal year to determine if the revitalization program should be continued.

ORDINANCES

OR2. *PUBLIC HEARING* AN ORDINANCE REZONING 809 W WARDVILLE ST FROM C3 TO SF4, AS REQUESTED BY L MCBEATH, B MCGINNIS AND M MAYNARD, REPRESENTED BY SHIRLEY JOHNSON.

Person presenting this item: Nora Fussner, Planning and Zoning Coordinator

BRIEF: P&Z considered this at its January 23, 2017 meeting. The purpose for this request is to rezone 809 W. Wardville St. from C3 to SF-4 so the existing home complies with the ordinance and the potential buyer can receive proper funding. The zoning for the surrounding property is C3 (Commercial District) and SF-4 (Single-Family Dwelling District). The Comprehensive Land Use Plan shows this area and surrounding area to be City Center North and the Central Corridor Districts. Proposed use is an Appropriate Use in the City Center North District. Notifications were sent out to a 200' radius and there were no inquiries nor objections. P&Z recommended that the request for rezone be approved with a vote of 5-0.

OR3. AN ORDINANCE APPROVING SPECIAL EVENT PERMIT FOR TEMPORARY USE OF HULEN PARK LOCATED AT 900 S HILLSBORO ST FOR A CARNIVAL DURING SPRINGFEST, MARCH 14-19, 2017, AS REQUESTED BY DOWNTOWN CLEBURNE ASSOCIATION, REPRESENTED BY MAXINE AMMONS.

Person presenting this item: Nora Fussner, Planning and Zoning Coordinator and Burton Barr, Director of Parks and Recreation

BRIEF: The Planning and Zoning Commission considered this at its January 9, 2017 meeting. Downtown Cleburne Association is asking for permission to use Hulen Park located at 900 S. Hillsboro for a carnival during Spring Fest. The zoning for the surrounding property is SF-4 (Single-Family Dwelling District), MF (Multiple-Family Housing District), M1 (Light Industrial District), C1 (Local Business District) and C2 (General Business District). The Comprehensive Land Use Plan shows this area and surrounding area to be Preservation and Downtown TDA. Notifications were sent out to a 200' radius and there were no inquiries nor objections.

This item was presented to the Parks and Recreation Advisory Board on November 7, 2016. The Board approved the event, but did have several restrictions for the event. Initially, the Parks Board recommended that all carnival rides remain on concrete areas. After further negotiations with Downtown Cleburne Association, it was determined that staff was amenable to a \$2,500 deposit in

order to repair any damages to turf grass areas where the carnival rides would be within the park. The following restrictions still apply:

- All activities must be concluded by 10:00pm each night for the duration of the event due to noise ordinance.
- The carnival must end on the day stated in the special event application, no exceptions

This item was originally submitted to the P&Z as a rezoning request and they recommended approval (5-0 vote) with restrictions as recommended by the Parks and Recreation Advisory Board. It has since been determined that the authorization for use of Hulen Park can be approved with a special event permit as per the Code of Ordinances, Section 155.58. Approval for special events may be obtained from the City Council after a recommendation from the Planning and Zoning Commission.

OR4. AN ORDINANCE AUTHORIZING AN INTER-FUND LOAN IN THE AMOUNT OF \$493,000 FROM THE WATER/WASTEWATER FUND TO THE AIRPORT FUND FOR PAVEMENT IMPROVEMENTS TO THE APRON IN FRONT OF HANGAR 1000 TO BE REPAID OVER A MAXIMUM PERIOD OF FISCAL YEAR TEN YEARS.

Person presenting this item: Terry Leake, Director of Finance

BRIEF: On October 11, 2016, City Council approved attached Resolution RS10-2016-79 authorizing the City Manager to sign the Texas Department of Transportation airport project participation agreement authorizing use of the Non Primary Entitlement funds for FY 2016 to replace the apron in front of Hangar 1000. The pavement improvements will enable larger aircraft to utilize Hangar 1000 and the parking area in front. The agreement was approved by the Texas Department of Transportation on December 15, 2016, and the agreement information is included in the Resolution exhibit.

The estimated cost for the project is \$643,000 with a portion to be paid from the Federal Aviation Administration's Non Primary Entitlement funds annual allocation of \$150,000 for airport projects and the balance of \$493,000 to be paid by the City. The funding for this project would be generated from an interfund loan from the Water/Wastewater Fund to the Airport Fund and will be repaid by the profit margin proceeds from jet fuel sales due to increased Hangar 1000 use. The term of the loan will be a maximum of ten years with no interest component. Per the proposed ordinance, repayment of the interfund loan from the Airport Fund to the Water/Wastewater Fund will be budgeted annually.

OR5. AN ORDINANCE REASSIGNING AN EXISTING TAX ABATEMENT AGREEMENT WITH STEPHENVILLE LAUNDRY AND LINEN SUPPLY, INC TO NIXON UNIFORM SERVICE, INC (DBA SOUTHWEST LINEN SERVICE FOR THE REMAINING 3 YEARS.

Person presenting this item: Grady Easdon, Economic Development Manager

BRIEF: Nixon Uniform Service, Inc. recently purchased Stephenville Laundry and Linen Service, Inc dba as Southwest Linen Service located at 1873 Sparks Dr., Cleburne, Texas 76033. The new owner and former owner now request assignment of the remaining time of the City of Cleburne's Tax Abatement Agreement approved by City Council under OR06-2014-53 for a five (5) year term with fifty percent of the taxes being abated. Under **(E) General Provisions**, item **5 Assignments** in the approved abatement agreement, such assignments are allowed subject to a request from the owner and with written approval from the City. According to the abatement agreement executed on July 10, 2014, the first year of the abatement commenced on January 1, 2015. There are three years

remaining under the terms of the abatement agreement. It is the new owner's intent to continue operating this facility in Cleburne as Nixon Uniform Service, Inc. dba Southwest Linen Service, and will be responsible for complying with the terms and conditions of the tax abatement.

OTHER COUNCIL MATTERS

OC2. APPOINTMENT APPOINTMENTS TO THE PLANNING AND ZONING COMMISSION.

Person presenting this item: Nora Fussner, Planning and Zoning Coordinator

BRIEF: Mr. Gregory Johnson's term on the Planning & Zoning Commission expired January 13th. Mr. Phillip Brown has submitted an application and staff recommends his appointment.

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:



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