



REGULAR CITY COUNCIL MEETING AGENDA

APRIL 25, 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

Administration:

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

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

Department Heads:

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

Media:

- ✓ Matt Smith, Times-Review

II. INVOCATION by Pastor Neale Oliver, Henderson Street Baptist Church

III. PLEDGE OF ALLEGIANCE

IV. COMMUNITY INTEREST MATTERS, ANNOUNCEMENTS & PRESENTATIONS

☆ Proclamation – Cleburne Camera Month, May 2017

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 APRIL 11, 2017 COUNCIL MEETING.

RS1. A RESOLUTION AUTHORIZING CHANGE ORDER #1 TO CONTRACT WITH ARBOR MASTERS TREE SERVICE IN THE AMOUNT OF \$2,950, BRINGING THE TOTAL CONTRACT AMOUNT TO \$47,950.

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

BRIEF: This is to authorize payment in the amount of \$2,950.00 to Arbor Masters Tree Service for a change order authorizing additional work to complete the total area for the third phase of the city-wide tree trimming project authorized by Council. The original contract with Arbor Masters Tree Service for an amount of \$45,000.00 was approved by council resolution at the January 24, 2017 meeting. The total amount for this project including the proposed change order will be \$47,950.00.

OC1. APPROVE ACCOUNTS PAYABLE FOR THE MONTH OF MARCH 2017.

Person presenting this item: Terry Leake, Director of Finance

RESOLUTIONS

RS2. A RESOLUTION AUTHORIZING CONTRACT WITH WESTHILL CONSTRUCTION INC FOR THE NOLAN RIVER ROAD SCHOOL CORRIDOR SIDEWALK, COLONIAL DRIVE SIDEWALK AND THE BUSINESS US67 LANDSCAPING IMPROVEMENTS PROJECTS FOR AN AMOUNT UP TO \$1,551,115.30.

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

BRIEF: The City received seven (7) bid proposals on February 3, 2017 for the Nolan River Road School Corridor Sidewalk, Colonial Drive Sidewalk, and the BUS US67 Landscaping Improvements Project. Staff recommends award of the contract to the lowest responsive bidder, Westhill Construction, Inc. for a scope to include the base bid plus the alternate (see Backup for details). The total contract will include the following amounts: Base Bid (\$1,271,013.30) and Additive Alternate A (\$206,239.00) for the amount of \$1,477,252.30 with a 5% contingency (\$73,863) for a total project cost of \$1,551,115.30. Funding for the Base Bid with Additive Alternate A award including a 5% contingency totaling \$1,551,115.30 will be from a combination of federal funds in the amount of \$779,969.00, and City of Cleburne local participation and overage costs in the amount of \$771,146.30. City Council approved

Advanced Funding Agreements (AFAs) with TxDOT for the Nolan River Road Sidewalk (May 13, 2014), Colonial Drive Sidewalk (March 3, 2015), and BUS US67 Landscaping Improvements projects (January 27, 2015). The Nolan River Road and Colonial Drive Sidewalks are part of a Transportation Enhancement (TE) Program, which is a federally funded transportation project that provides pedestrian facilities that will substantially improve safety and the ability for students to walk and bicycle to school. The BUS 67 Landscaping Improvements are part of the Governor's Community Achievement Award (GCAA) Program, which is an incentive awards program in cooperation with Keep Texas Beautiful (KTB) for landscape projects along state right-of-way.

ORDINANCES

OR1. AN ORDINANCE APPROVING CLOSURE OF NORTH/SOUTH ALLEY LYING BETWEEN LOT 7, BLOCK 314 ORIGINAL CLEBURNE AND LOT 7A, BLOCK 313 (LOCATED BETWEEN 203 AND 205 GRANDVIEW ST); AS REQUESTED BY GARRY ALEXANDER.

Person presenting this item: Roy Jambor, Planning and Development Manager

BRIEF: Mr. Garry Alexander has requested that we close an alley that is not being utilized by the City and serves no other apparent public purpose. It separates two lots that he owns and prevents his desire to construct a single residential dwelling unit that utilizes all of his property at this location. Notice was sent out to all utility companies and we have not received any objections.

OR2. AN ORDINANCE GRANTING VARIANCE TO THE REQUIREMENT OF INSTALLING CURB AND GUTTER FOR LOTS 7-8, BLOCK 255, LOCATED AT 608 AND 610 ROBBINS ST, AS REQUESTED BY ANTWANETTE CHANDLER.

Person presenting this item: Roy Jambor, Planning and Development Manager

BRIEF: This is a request to waive the installation of curb & gutter. The ordinance requires curb & gutter be installed on all new construction, however, no curb & gutter exists on the adjoining lots. It is also not anticipated as a public improvement in the foreseeable future. The property currently has an address for each lot but is in the process of being replatted and when it is finalized 610 Robbins Street will be the only address associated with the property. The zoning for this lot is SF-4 (Single-Family Dwelling District). The Comprehensive Land Use Plan shows this area and surrounding area to be in the City Center East District.

OR3. AN ORDINANCE AMENDING THE CLASSIFICATION AND NUMBER OF POSITIONS FOR THE CITY OF CLEBURNE FIREFIGHTERS AND POLICE OFFICERS PURSUANT TO CHAPTER 143 OF THE TEXAS LOCAL GOVERNMENT CODE.

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

BRIEF: Previously, Council established the intent to eliminate the Corporal position through attrition and replace with Police Officers. Through recent employment actions, we have three

Corporal positions that have been vacated, so we will move forward by eliminating those Corporal positions on our staffing ordinance and replacing those with Police Officers. As the Corporal positions are a higher pay grade than Police Officers, the elimination of that classification for three positions will result in lower salary costs in the future.

OTHER COUNCIL MATTERS

OC2. CONFIRM APPOINTMENT OF ABEL RODRIGUEZ JR TO THE CLEBURNE POLICE RESERVE FORCE.

Person presenting this item: Robert Severance III, Chief of Police

BRIEF: Chief Robert Severance III and Reserve Deputy Chief Karl Hubler request Council to confirm the appointment of Abel Rodriguez Jr to the Cleburne Police Reserve Force, thereby permitting him to carry a weapon and act as a peace officer in accordance with Texas Local Government Code 341.012 and Cleburne City Ordinance 33.03. Rodriguez is honorably retired from the United States Navy. He also has seven years' experience as a Texas peace officer. Rodriguez was honorably discharged from the Mineral Wells Police Department in 2016.

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.

1. Discuss code enforcement and related issues at Clay Bennett RV Park at 1905 E. Henderson St., including denial of trailer park license, deadline to vacate, and pending bankruptcy.

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.