



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 13th day of JUNE, 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 June 9, 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

JUNE 13, 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
- ✓ Bradley Anderle, 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:

- ✓ Grady Easdon, Economic Development
- ✓ Shane Pace, Community Development
- ✓ David Raybuck, Information Technology

Media:

- ✓ Matt Smith, Times-Review

II. INVOCATION by Pastor Austen Powell, Cleburne First Seventh Day Adventist Church

III. PLEDGE OF ALLEGIANCE

IV. COMMUNITY INTEREST MATTERS, ANNOUNCEMENTS & PRESENTATIONS

☆ Presentation – STARS Award for April 2017 – John Connor, Animal Services

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 MAY 23, 2017 COUNCIL MEETING.

BQ1. AUTHORIZE PURCHASE OF PERSONAL PROTECTIVE EQUIPMENT AND BUNKER GEAR FOR THE FIRE DEPARTMENT FROM CASCO INDUSTRIES FOR AN AMOUNT OF \$31,320 UTILIZING INTERLOCAL AGREEMENT WITH NORTH RICHLAND HILLS.

Person presenting this item: Clint Ishmael, Fire Chief

BRIEF: Staff is requesting approval to purchase twelve (12) sets of Globe G-Xtreme Gemini Personal Protective Firefighting clothing. Included in the quote are the structural firefighting gloves,

helmets, protective boots, Nomex hoods, face shields, and reflective helmet stickers as required. All of the equipment will be purchased from Casco Industries with the total requested expenditure being \$31,320.35. This protective clothing will be utilized for new firefighters hired to staff the ambulance service and to replace existing gear that is nearing the end of its life expectancy. The purchase from Casco Industries is through an interlocal agreement with the City of North Richland Hills (#15-017), so all competitive purchasing requirements have been met.

RS1. A RESOLUTION AUTHORIZING INTERGOVERNMENTAL AGREEMENT WITH NATIONAL PURCHASING PARTNERS FOR COOPERATIVE PURCHASING OF COMMODITIES AND SERVICES.

Person presenting this item: Terry Leake, Director of Finance

BRIEF: This interlocal agreement with NPPgov cooperative will allow the City to participate in this cooperative purchasing network for certain commodities and services used by governmental entities. All contracts through this interlocal agreement have been competitively bid, so all purchasing requirements have been met.

RS2. A RESOLUTION AUTHORIZING THE CITY MANAGER TO MAKE LINE ITEM BUDGET TRANSFERS WITHIN A DEPARTMENT BUDGET AND PROVISIONS FOR THOSE TRANSFERS TO BE COMMUNICATED TO AND APPROVED BY THE CITY COUNCIL.

Person presenting this item: Terry Leake, Director of Finance

BRIEF: Section 8.2 of the City of Cleburne Charter (Transfer of Appropriations) states “The City Manager may at any time with the approval of the City Council transfer any unencumbered appropriation balance or portion thereof between general classifications of expenditures within an office, department, or agency. At the request of the City Manager, the Council may by resolution transfer any unencumbered appropriation balance or portion thereof from one office, department, or agency to another.” To improve budgetary control and operational effectiveness within a department and meet the above charter requirements, this resolution provides for the following process for the City Manager to make line item budget transfers within a department:

- City Council authorizes the City Manager to make transfers within budget line items that are within a department, as deemed appropriate by the City Manager.
- The City Manager will provide to the City Council a monthly statement of these intrafund line item budget transfers as a Consent agenda item.

Any budgetary changes of transfers from one department to another within a fund classification will continue to be presented to City Council for approval.

OC1. APPROVE FINAL PLAT OF LOT 1, BLOCK 1, FLEECE HOMESTEAD ADDITION (BEING A 1.762 ACRE TRACT IN THE HENRY G. CRAIG SURVEY, ABSTRACT NO. 171, LOCATED IN THE CITY’S ETJ), AS REQUESTED BY WILLIE AND MELINDA FLEECE.

Person presenting this item: Shane Pace, Director of Community Development

BRIEF: The purpose for this final plat is to create one lot in the extra territorial jurisdiction for residential purposes. The Comprehensive Land Use Plan shows this area to be in the Village District

and surrounding area to be in the Village and Traditional Neighborhoods District. The Planning and Zoning Commission considers this request at their June 12, 2017 meeting.

OC2. APPROVE FINAL PLAT OF LOTS 1 THRU 8, BLOCK 1, FOX CORNER ADDITION, (BEING A 21.849 ACRE TRACT IN THE J. WALLACE SURVEY, ABSTRACT NO. 883, LOCATED IN THE CITY'S ETJ), AS REQUESTED BY JERRY FOX, REPRESENTED BY TRANS TEXAS SURVEYING.

Person presenting this item: Shane Pace, Director of Community Development

BRIEF: The purpose for this final plat is to create eight lots in the extra territorial jurisdiction for residential purposes. The Comprehensive Land Use Plan shows this area and surrounding areas to be in the Sustainable Community District. The Planning and Zoning Commission considers this request at their June 12, 2017 meeting.

OC3. APPROVE FINAL PLAT OF LOTS 1 THRU 5, BLOCK 1, MARSHALLS CROSSING, (BEING 6.39 ACRE TRACT IN THE WILLIAM OWENS SURVEY, ABSTRACT NO. 663, LOCATED IN THE CITY'S ETJ) AS REQUESTED BY JAMES MARSHAL BARTON AND LUCAS BELTRAN.

Person presenting this item: Shane Pace, Director of Community Development

BRIEF: The purpose for this final plat is to create five lots in the extra territorial jurisdiction for residential purposes. The Comprehensive Land Use Plan shows this area and surrounding area to be Sustainable Community District. The Planning and Zoning Commission considers this request at their June 12, 2017 meeting.

RESOLUTIONS

RS3. A RESOLUTION AUTHORIZING CONTRACT WITH PATTILLO, BROWN & HILL, LLP FOR AUDITING SERVICES FOR FISCAL YEAR ENDING SEPTEMBER 30, 2017 FOR AN AMOUNT UP TO \$53,700.

Person presenting this item: Terry Leake, Director of Finance

BRIEF: Section 8.12 of the City of Cleburne Charter states that an independent firm of certified public accountants will perform the annual audit and present the results to the City Council. To be in compliance with the Charter, requests for proposal were sought from public accounting firms that have a dedicated governmental accounting sector and five responses were received from: BKD, LLP, Crowe Horwath LLP, Pattillo, Brown & Hill, LLP, Weaver and Tidwell, LLP, and Whitley Penn, LLP. The responses to the request for proposal were evaluated and three firms were interviewed by the Audit Committee. Based upon the proposal responses and interviews, the Audit Committee recommends that the contract for audit services including the federally required Single Audit be awarded to Pattillo, Brown & Hill, LLP for a term of five years (Fiscal Year 2017 thru 2021). The cost for the first year of the audit is \$48,700, with the four remaining years having a cost increase of 3% annually. An additional option is for the firm to prepare and print the Comprehensive Annual Financial Report at an annual cost of \$5,000. The audit engagement letter for Fiscal Year 2017 is included in the backup. Incorporated into the engagement letter is a copy of Pattillo, Brown & Hill, LLP's most recent peer review. Peer Review is a periodic outside review, performed by another accounting firm, of a firm's quality control system in accounting and/or auditing. Peer reviews

maintain and improve the quality of the auditing services performed by firms. The firm received a peer review of pass, which is the highest rating that a firm can receive.

RS4. A RESOLUTION AUTHORIZING ECONOMIC DEVELOPMENT PROGRAM AGREEMENT WITH 6STONES MISSION NETWORK FOR RESIDENTIAL REVITALIZATION IN CLEBURNE.

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 revitalization projects in the City. The City will evaluate the program in twelve months to determine if the revitalization program should be continued.

RS5. A RESOLUTION AUTHORIZING A CONTRACT WITH EMERGICON LLC FOR EMS BILLING SERVICES UTILIZING AN INTERLOCAL AGREEMENT WITH THE CITY OF GEORGETOWN.

Person presenting this item: Clint Ishmael, Fire Chief

BRIEF: The City of Georgetown solicited request for proposals for emergency medical services billing. All proposals were evaluated and Emergicon EMS billing services was awarded the contract to provide EMS billing for the City of Georgetown. Emergicon provides billing services for Addison Fire/EMS, Argyle Fire/EMS, Carrollton Fire/EMS, Celina Fire/EMS, College Station Fire/EMS, Colleyville Fire/EMS, Cook County EMS, Denison Fire/EMS, Erath County EMS, Farmers Branch Fire/EMS, Fairview Fire/EMS, Glen Heights Fire/EMS, Jacksonville Fire/EMS, Krum Fire/EMS, Lake Cities Fire/EMS, Lewisville Fire/EMS, Life Care EMS (Parker County), Mineral Wells Fire/EMS, Murphy Fire/EMS, Pilot Point Fire/EMS, Roanoke Fire/EMS, Rowlett Fire/EMS, Sanger Fire/EMS, Somervell County EMS, Southlake Fire/EMS, Texas EMS (Hood County), and Westlake Fire/EMS. Emergicon has the experience and capacity to serve as the billing company for Cleburne Fire/EMS. The Fire Department recommends awarding a contract to Emergicon for EMS billing services.

RS6. A RESOLUTION TERMINATING THE CONTRACT WITH CENTRASOL, LLC FOR AMBULANCE BILLING SERVICES AND AUTHORIZING THE FIRE CHIEF TO PROVIDE WRITTEN NOTICE OF SAID TERMINATION TO CENTRASOL, LLC.

Person presenting this item: Clint Ishmael, Fire Chief

BRIEF: The City of Cleburne has evaluated the performance of the current ambulance service billing contractor and compared the results with other ambulance service billing companies providing services for fire based ambulance services. After careful review, the City has decided to negotiate and execute an agreement for ambulance service billing with Emergicon, LLC. Under the terms and conditions of the current agreement with CentraSol, LLC, a sixty (60) day written notice is

required to terminate the agreement. Staff is requesting Council approval to terminate the agreement with CentraSol, LLC and send the sixty (60) day written notice of termination.

RS7. A RESOLUTION AUTHORIZING AN INTERLOCAL AGREEMENT WITH JOHNSON COUNTY FOR THE PROVISION OF AMBULANCE SERVICES FOR INMATES UNDER CUSTODY OF JOHNSON COUNTY.

Person presenting this item: Clint Ishmael, Fire Chief

BRIEF: Johnson County has requested to enter into an interlocal agreement with the City of Cleburne to provide ambulance services for people under custody of Johnson County Law Enforcement. Johnson County is responsible for the provision of medical care of inmates under its custody. As of March 2016, the Cleburne Fire Department has provided 51 transports for individuals under the custody of Johnson County. The outstanding charges for those services total \$66,404. The interlocal agreement would accept the Medicare allowable charges as payment in full for any transport of people under custody of Johnson County Law Enforcement and be retroactive to cover any services provided since March 2016.

ORDINANCES

OR1. *CONTINUE PUBLIC HEARING* AN ORDINANCE REZONING 0.477 ACRES LOCATED AT 653 DEWEY ST, FROM SF-4 TO D, AS REQUESTED BY ROBIN & ANGIE HOUGHTON, REPRESENTED BY SHELBY HOFFMAN.

Person presenting this item: Shane Pace, Director of Community Development

BRIEF: On May 9, 2017 City Council requested that the applicant provide a site plan and a rendering of what the duplexes will look like. As of June 9, 2017, we have not received anything from the applicant. P&Z considered this at its April 24, 2017 meeting. This is a request to accommodate three, two-family dwelling units, each on separate lots (in accordance with a subdivision application). The surrounding property is almost entirely within the SF-4 district. The Comprehensive Land Use Plan shows this area to be in the City Center East District. The proposed use is not included in the Appropriate Uses or the Specially Permitted Uses of the City Center East District. Notifications were sent out to a 200' radius and there were inquiries but no objections. P&Z recommended approval of the rezone with a vote of 4-0.

OR2. AN ORDINANCE AMENDING TITLE IX: GENERAL REGULATIONS, CHAPTER 93: FIRE PROTECTION AND PREVENTION, §93.14 CODES AND STANDARDS ADOPTED AND TITLE XV: LAND USAGE, CHAPTER 150: BUILDING REGULATIONS, §150.015 BUILDING CODES ADOPTED BY MAKING A MODIFICATION TO THE 2012 INTERNATIONAL BUILDING AND FIRE CODES ADOPTED IN OCTOBER 2013.

Person presenting this item: Clint Ishmael, Fire Chief

BRIEF: The City of Cleburne has adopted the 2012 International Codes to regulate and promote safety and sustainability of properties within the City. The City has also adopted local amendments to better address the needs and concerns specific to the community. An amendment to Section 903.2.9 adds an additional requirement mandating fire sprinklers for all self-storage facilities unless all units are separated by a one-hour fire barrier. After reviewing the existing amendment, the Fire Department has determined the amended requirement places an unnecessary burden on businesses

wishing to develop self-storage facilities without substantially increasing the fire safety of the property. As an alternative to a one-hour wall surrounding each unit in the facility, a three-hour wall can be installed to create individual fire areas that are 2,500 square feet or less. The proposed amendment does not compromise life safety requirements designed to protect the public and firefighters responding to such fires. The Fire Department recommends adopting the proposed amendment for the 2012 International Fire Code and the 2012 International Building Code.

OTHER COUNCIL MATTERS

OC4. APPOINTMENTS TO CITY BOARDS AND COMMISSIONS.

Person presenting this item: Shelly Doty, City Secretary

BRIEF: In an effort to streamline the board and commission appointment process, the City Manager appointed several staff members to solicit and review applications, to make contact with potential candidates, then bring recommendations to the City Council for consideration. It is the committee's goal to bring recommendations to Council twice a year. The committee members are Shelly Doty, City Secretary, Debra Powledge, Human Resources Director, Clint Ishmael, Fire Chief, Tina Williams, Library Director, and Denise Jones, Assistant to the City Manager. The committee has reviewed current applications and is prepared to make recommendations to the City Council.

OC5. REAPPOINTMENTS TO CITY BOARDS AND COMMISSIONS.

Person presenting this item: Shelly Doty, City Secretary

BRIEF: The committee appointed by the City Manager was also tasked with contacting current board and commission members to determine whether they would be willing to serve a second term. The committee has contacted those members and is prepared to make recommendations to the City Council.

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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