



City of Cleburne

REGULAR CITY COUNCIL MEETING MINUTES

MAY 8, 2007

7:00 PM

CITY HALL COUNCIL CHAMBERS
10 NORTH ROBINSON

I. ROLL CALL AND CALL TO ORDER BY MAYOR @ 7:02 PM

City Council:

- ✓ Ted Reynolds, Mayor
- ✓ Kyle Boles, Mayor Pro Tem
- ✓ Sonny Russell, SMD 1
- ✓ Robert Force, SMD 3
- ✓ John Warren, SMD 4

Administration:

- ✓ Chester Nolen, City Manager
- ✓ Adam Miles, Assistant City Manager
- ✓ Shelly Doty, City Secretary
- ✓ Sandy Dudley, Records Coordinator
- ✓ Cynthia Chapman, Legal Secretary
- ✓ Wade Adkins, City Attorney

Division Directors:

- ✓ Jerry Cash, Economic Development
- ✓ Mike Claunch, Public Services
- ✓ Bonita Hall, Human Resources
- ✓ Clint Ishmael, Fire Services
- ✓ Donna Jackson, Development Services
- ✓ Terry Powell, Police Services
- ✓ Max Robertson, Parks & Recreation
- ✓ Russell Schreiber, Public Works
- ✓ Greg Wilmore, Finance

Department Heads:

- ✓ Kim Galvin, Budget & Purchasing
- ✓ Ann Powell, Planning & Zoning
- X David Cooper, Parks & Recreation

Media:

- ✓ Matt Smith, Times-Review
 - ✓ Teresa Blackwell, Cleburne Eagle
 - ✓ Ron Pohler, KCLE
-

II. INVOCATION by Rev. John Warren, Bethel Salter AME Church

III. PLEDGE OF ALLEGIANCE

IV. CEREMONIAL MATTERS

Proclamation Cleburne Athletic Booster Club Yellow Jacket Spring Rally Week,
May 13-19, 2007

V. CITY SECRETARY READ THE GUIDELINES TO SPEAK BEFORE COUNCIL

CONSENT ITEMS

CI. MINUTES

APPROVAL OF MINUTES FOR THE APRIL 24, 2007 REGULAR COUNCIL MEETING.

BQ1.

AWARD BID FOR WILLIAMS STREET IMPROVEMENTS TO AMS COMPANY, INC IN THE AMOUNT OF \$297,903.

Person presenting this item: Kim Galvin, Budget and Purchasing Manager

BRIEF: Bids were received for the Williams Street Improvements on April 19, 2007. After reviewing the bids and references, staff is confident that the low bidder, AMS Company, Inc will perform the scope of the bid satisfactorily.

BQ2.

AWARD BID FOR COMMUNICATION TOWERS FOUNDATIONS TO SABRE COMMUNICATIONS IN THE AMOUNT OF \$67,195.

Person presenting this item: Kim Galvin, Budget and Purchasing Manager

BRIEF: Bids were solicited and received on May 1, 2007 for the Communication Tower's Foundations. Sabre Communications, who was awarded the tower and the tower installation bids, submitted the only bid for the foundations. Staff is recommending awarding to Sabre Communications.

RS1. RS05-2007-21

A RESOLUTION OF THE CITY OF CLEBURNE, TEXAS AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN ADVANCE FUNDING AGREEMENT FOR VOLUNTARY LOCAL GOVERNMENT CONTRIBUTIONS TO TRANSPORTATION IMPROVEMENT PROJECTS WITH NO REQUIRED MATCH WITH TEXAS DEPARTMENT OF TRANSPORTATION FOR INTERSECTION IMPROVEMENTS AT HWY 171 (WEATHERFORD HWY) AND WINDMILL ROAD; PROVIDING AN EFFECTIVE DATE.

Person presenting this item: Russell Schreiber, Director of Public Works

BRIEF: A traffic analysis was performed and the intersection met multiple warrants for a signal. Schlumberger has agreed to deposit \$200,000 into an escrow account with the City and Key Energy also agreeing to contribute \$75,000 to the improvements. Estimated construction costs are \$248,240.00. The City will be responsible for the remainder of the design and construction costs, approximately \$26,760. These improvements are necessary due to the increased truck and passenger vehicle traffic.

OR1. OR05-2007-25

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLEBURNE, TEXAS ADOPTING A REVISED SPEED ZONE FOR COUNTRY CLUB ROAD (FM1718) FROM SOUTH MAIN (HWY 171/174) TO HARVEST HILL DRIVE; PROVIDING FOR PENALTY OF NOT MORE THAN \$200.00 OR THE CURRENT MAXIMUM ALLOWED BY LAW FOR THIS VIOLATION IN ACCORDANCE WITH SECTIONS 71.40 AND 70.70 OF THE CODE OF ORDINANCES; PROVIDING FOR PUBLICATION; PROVIDING AN EFFECTIVE DATE.

Person presenting this item: Russell Schreiber, Director of Public Works

BRIEF: Due to the reconstruction of Country Club Road and the improvements at the golf course, City staff requested TxDOT perform a speed zone study on Country Club Road. The study resulted in the following recommendations:

CONTROL SECTION 1853-01

- ▶ 45 MPH (from near Harvest Hill Drive to near Longfellow Dr.) and;
- ▶ 40 MPH (near Longfellow Drive to near Edgebrook Court) and;
- ▶ 35 MPH (near Edgebrook Court to South Main, Hwy 171/174) and;

CONTROL SECTION 1853-01

- ▶ School Zone: 30 MPH when flashing, 45 MPH all other times (roughly near Longfellow Drive south to near South Nolan River Road) and;
- ▶ School Zone: 30 MPH when flashing, 45 MPH all other times (roughly near Lakeway Drive south to near Lindsey Lane).

OR2. OR05-2007-26

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLEBURNE, TEXAS RESCINDING ORDINANCE OR02-2007-12 APPROVED ON FEBRUARY 27, 2007 ADOPTING A REVISED SPEED ZONE FOR HIGHWAY 171 AND APPROVE A CORRECTED ORDINANCE ADOPTING A REVISED SPEED ZONE STRIP MAP FOR HWY 171 (BETWEEN THE INTERSECTION OF HWY 174/171 AND 1,000 FEET NORTH OF WINDMILL ROAD); PROVIDING FOR PENALTY OF NOT MORE THAN \$200.00 OR THE CURRENT MAXIMUM ALLOWED BY LAW FOR THIS VIOLATION IN ACCORDANCE WITH SECTIONS 71.40 AND 70.70 OF THE CODE OF ORDINANCES; PROVIDING FOR PUBLICATION; PROVIDING AN EFFECTIVE DATE.

Person presenting this item: Russell Schreiber, Director of Public Works

BRIEF: On February 27, 2007, Council passed OR02-2007-12 revising a speed zone on Hwy 171 from the intersection of Hwy 171/174 to 1,000 feet north of Windmill Road as requested by Texas Department of Transportation. TxDOT has since advised that the ordinance did not reflect the correct placement of the zones as measured to the nearest thousandth of a mile. Therefore, we need to rescind the ordinance and approve the following:

CONTROL SECTION 0365-03

- ▶ 55 MPH (1,000 feet north of Windmill Road to 383 feet north of Pipeline Road) and;
- ▶ 40 MPH (383 feet north of Pipeline Road to intersection of SH Hwy 171/174).

OC1.

APPROVAL OF ACCOUNTS PAYABLE FOR THE MONTH OF APRIL 2007.

Person presenting this item: Greg Wilmore, Director of Finance

MOTION: To approve as presented

	Motion	Second	Aye	No	Abstain	Absent	Result
Russell	X		X				X Approved as presented
Boles			X				Approved as amended
Force		X	X				Denied
Warren			X				Withdrawn
Reynolds			X				Tabled
							Postponed until:
X	Motion Carried		Motion Failed				Roll Call

RESOLUTIONS

RS2. RS05-2007-22

A RESOLUTION OF THE CITY OF CLEBURNE, TEXAS AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT TO CONTRIBUTE FUNDS TO TEXAS DEPARTMENT OF TRANSPORTATION FOR RIGHT-OF-WAY ACQUISITION AND ADJUSTMENT OF UTILITIES FOR HWY 121 PROJECT; PROVIDING AN EFFECTIVE DATE.

Russell Schreiber, Director of Public Works stated that the State requires the City to contribute 10% of projected project costs to acquire right-of-way and relocate utilities within the city limits for the Hwy 121 project. The City's estimated share is \$201,630.00 consisting of \$110,130 right-of-way acquisition and \$91,500 for utility relocation. When we submit the funds for escrow, TxDOT will issue a check to the City for purchase of city property and right-of-way for approximately \$652,540.00. TxDOT will not issue funds to the City until we have made the escrow deposit.

MOTION: To approve as presented

	Motion	Second	Aye	No	Abstain	Absent	Result
Russell			X				X Approved as presented
Boles			X				Approved as amended
Force	X		X				Denied

Warren		X	X				Withdrawn
Reynolds			X				Tabled
							Postponed until:
X	Motion Carried		Motion Failed				Roll Call

ORDINANCES

OPENED PUBLIC HEARING

OR3. OR05-2007-27

AN ORDINANCE ANNEXING 78.216 ACRES OF THE THOMAS EDWARDS SURVEY, ABSTRACT NO. 244 AS DESCRIBED IN THE GENERAL WARRANTY DEEDS RECORDED IN VOLUME 3721, PAGE 667 AND VOLUME 3721, PAGE 673 OFFICIAL PUBLIC RECORDS, JOHNSON COUNTY, TEXAS, LOCATED EAST OF THE INTERSECTION OF COUNTY ROAD 1112 AND STATE HIGHWAY 174 SOUTH TO THE RAILROAD TRACKS, BEING CONTIGUOUS TO AND WITHIN THE EXTRA-TERRITORIAL JURISDICTION OF THE CITY OF CLEBURNE, TEXAS, AND EXTENDING THE BOUNDARIES OF SAID CITY SO AS TO INCLUDE SAID PROPERTY WITHIN THE CITY LIMITS, AND GRANTING TO SAID TERRITORY AND TO ALL FUTURE INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF THE SAID CITY, AS REQUESTED BY VOLUNTARY PETITION OF CLEBURNE REAL ESTATE HOLDING, L.P., THE PROPERTY OWNER AND AMENDING TITLE XV: LAND USAGE, CHAPTER 155 – ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF CLEBURNE BY THE ZONING OF THE NEWLY ANNEXED PROPERTY AS A (AGRICULTURAL DISTRICT) IN COMPLIANCE WITH §155.07 OF THE CODE OF ORDINANCES OF THE CITY OF CLEBURNE; PROVIDING FOR PENALTY NOT TO EXCEED \$2,000.00 FOR EACH OFFENSE; PROVIDING FOR PUBLICATION; PROVIDING AN EFFECTIVE DATE.

Ann Powell, Planning and Zoning Coordinator stated that this item has been prepared to consider Voluntary Annexation of a 78.216 acre tract of land in accordance with Section 43.028 et. seq. of the Local Government Code. This land meets the requirements for consideration under this section of the State Law. This property adjoins the property annexed under OR12-1996-103. This annexation is for an industrial park located east of the intersection of CR 1112 and State Highway 174 to the railroad tracks. On the effective date of the ordinance, the area becomes a part of the municipality. Cleburne Real Estate Holdings, LP owns this property and proposes to develop an industrial park.

Councilmember Force clarified that Petitioner would be responsible for providing sewer service to the property.

Speakers: none

CLOSED PUBLIC HEARING

MOTION: To approve as presented.

	Motion	Second	Aye	No	Abstain	Absent	Result
Russell			X				X Approved as presented
Boles	X		X				Approved as amended
Force		X	X				Denied
Warren			X				Withdrawn
Reynolds			X				Tabled
							Postponed until:
X	Motion Carried		Motion Failed				Roll Call

CITIZENS COMMENTS

Bill Miller spoke on enforcement of parking ordinances and on having a late-shopping-hours evening one day a week.

ADJOURNED AT: 7:22 p.m.

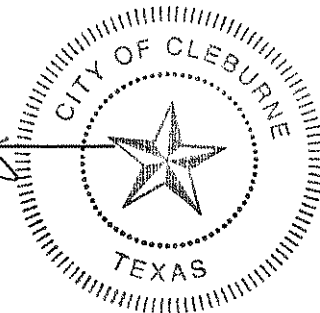
APPROVAL OF MINUTES


APPROVED BY MAJORITY VOTE OF COUNCIL ON: May 22, 2007

ATTEST:

CITY OF CLEBURNE


Shelly Doty, City Secretary




Ted Reynolds, Mayor