



REGULAR CITY COUNCIL MEETING MINUTES
JUNE 24, 2008
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
- ✓ Dr. Bob Kelly, SMD 1
- ✓ Robert Force, SMD 3
- ✓ John Warren, SMD 4

Administration:

- ✓ Chester Nolen, City Manager
- ✓ Adam Miles, Assistant City Manager
- ✓ Shelly Doty, City Secretary
- ✓ Ivy Peterson, Deputy City Secretary
- ✓ Wade Adkins, City Attorney

Division Directors:

- ✓ Jerry Cash, Economic Development
- ✓ Bonita Hall, Human Resources
- ✓ Rick Holden, Public Services
- ✓ 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
- ✓ David Esquivel, Engineering

Media:

- ✓ Matt Smith, Times-Review
 - X Cleburne Eagle
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II. INVOCATION by Pastor Seth Stacey, Heard St. Church of God

III. PLEDGE OF ALLEGIANCE

IV. CEREMONIAL MATTERS

Proclamation Flood Awareness Week, July 6-12, 2008

V. CITY SECRETARY READ THE GUIDELINES TO SPEAK BEFORE COUNCIL

CONSENT ITEMS

C1. MINUTES

APPROVAL OF MINUTES FOR THE JUNE 10, 2008 REGULAR COUNCIL MEETING.

RS1. RS06-2008-37

A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH CHILDRESS ENGINEERS FOR ELMO STREET PAVING AND DRAINAGE IMPROVEMENTS.

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

BRIEF: This contract will include design, construction management, survey, geotechnical services, lab testing, and resident project representative and is not to exceed \$294,000.

OR1. OR06-2008-39

AN ORDINANCE ACCEPTING RECOMMENDATIONS OF THE TRAFFIC SAFETY COORDINATOR TO ESTABLISH AND INSTALL NO PARKING ZONES NEAR CENTRAL FIRE STATION.

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

BRIEF: Fire Chief Ishmael has requested that a no parking zone be established and installed from the alley east of Central Fire Station on Wardville 200 feet west on the north side of West Wardville. Also establish and install a no parking zone on the east and west side of Mill Street from West Wardville south 60 feet. This will eliminate 4 parking spaces on Mill Street, but is needed for the parking of fire vehicles during training at Central Fire Station.

MOTION: to approve as presented

	Motion	Second	Aye	No	Abstain	Absent		Result
Kelly			X				X	Approved as presented
Boles	X		X					Approved as amended
Force		X	X					Denied
Warren			X					Withdrawn
Reynolds			X					Postponed until:
X	<i>Motion Carried</i>		<i>Motion Failed</i>					<i>Roll Call</i>

RESOLUTIONS

RS2. RS05-2008-38

A RESOLUTION REQUESTING FINANCIAL ASSISTANCE FROM THE TEXAS WATER DEVELOPMENT BOARD; AUTHORIZING THE FILING OF AN APPLICATION FOR ASSISTANCE AND MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH.

Russell Schreiber, Director of Public Works stated that the Texas Water Development Board (TWDB) has several very attractive financing options available for capital improvement projects. One of these options is the Water Infrastructure Fund (WIF). This fund can only be used for planning and design of future water projects and currently has interest rates at 2% below the market.

It also allows for deferred interest for up to 10 years. An application must be prepared and submitted to the TWDB along with this Resolution indicating the City wishes to pursue this attractive funding option. The resolution does not obligate the City to secure funding.

MOTION: to approve as presented

	Motion	Second	Aye	No	Abstain	Absent		Result
Kelly			X				X	Approved as presented
Boles			X					Approved as amended
Force		X	X					Denied
Warren	X		X					Withdrawn
Reynolds			X					Postponed until:
X	<i>Motion Carried</i>		<i>Motion Failed</i>					<i>Roll Call</i>

ORDINANCES

OR2. OR06-2008-40

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO RELEASE ENCUMBRANCES ASSOCIATED WITH MOWING LIENS AGAINST 316 N. WILHITE BEING LOT 1, BLOCK 374, ORIGINAL CLEBURNE, JOHNSON COUNTY, TEXAS, AS REQUESTED BY CLEBURNE COMMUNITY CHRISTIAN LODGE, REPRESENTED BY BRANDON LEHRMANN.

Shelly Doty, City Secretary stated that the property located at 316 N. Wilhite, previously owned by Milsap Appliance, was given to Cleburne Christian Lodge in 1998. From 1998-2003 the Cleburne Christian Lodge Board maintained the property and laid a foundation for a building however, during the fall of 2003, the organization fell apart and the property remained on the tax rolls as owned by Cleburne Christian Lodge, 316 N. Wilhite, with no forwarding address and no organization to hold liable. The City maintained the property from November 2003 through October 2006 filing maintenance liens against the property in the amount of \$970.00 for mowing, \$3,300.00 in administrative fees and \$1,173.51 in interest totaling \$5,443.50. In January 2008 a new Cleburne Community Christian Lodge Board was organized and began maintaining the property, as well as working toward actual construction of the Lodge with the 501 (3) C for the organization being re-established with the State of Texas. The new board is asking that the mowing liens filed against the property from 2003-2006 be dissolved.

Alden Nellis spoke in favor of this item

Brandon Lehrmann, proponent, spoke in favor of this item and explained what the building will be used for

MOTION: to freeze the interest until such a time as the building is complete and in operation for one year, and if the property is properly maintained, then it may be brought back to the City Council with a new request for waiver of liens

	Motion	Second	Aye	No	Abstain	Absent		Result
Kelly			X					Approved as presented
Boles			X				X	Approved as amended
Force	X		X					Denied
Warren		X	X					Withdrawn
Reynolds			X					Postponed until:
X	<i>Motion Carried</i>		<i>Motion Failed</i>					<i>Roll Call</i>

OR3. WITHDRAWN
AN ORDINANCE AMENDING TITLE XV: LAND USAGE, CHAPTER 155: ZONING, SECTION 155:37 PRIMARY DISTRICT REGULATIONS OF THE CODE OF ORDINANCES TO ADD SECTION (J) FORM BOARD REQUIREMENTS.

OR4. WITHDRAWN
AN ORDINANCE AMENDING CHAPTER 155, ZONING ORDINANCE, OF THE CODE OF ORDINANCES BY ADDING SUBSECTION (e) TO SECTION 155.17(D)(1) TO PROVIDE AUTHORITY FOR THE ZONING BOARD OF ADJUSTMENT TO WAIVE CERTAIN YARD AREA AND SETBACK REQUIREMENTS UNDER CERTAIN CIRCUMSTANCES.

OTHER COUNCIL MATTERS

OC1.
APPOINTMENTS TO THE PARKS AND RECREATION ADVISORY BOARD.

Max Robertson, Director of Parks & Recreation stated that Randy Stone has completed his second term on the board and is not eligible for reappointment. The Parks and Recreation Board met on June 2, 2008 and recommends Jeff Le Clair as a possible choice to replace Randy Stone. Also, the first terms of Casey Dugger and Ben Oefinger will expire on June 27, 2008. They are both willing to serve another term. Staff recommends their reappointment.

MOTION: to appoint Jeff Le Clair and reappoint Casey Dugger and Ben Oefinger

	Motion	Second	Aye	No	Abstain	Absent		Result
Kelly			X				X	Approved as presented
Boles		X	X					Approved as amended
Force			X					Denied
Warren	X		X					Withdrawn
Reynolds			X					Postponed until:
X	<i>Motion Carried</i>		<i>Motion Failed</i>					<i>Roll Call</i>

CITIZENS COMMENTS

Alden Nellis spoke on Alaska’s permanent fund. Mr. Nellis proposed that the City use 1/3 of its

proceeds from gas lease payments to set up a permanent fund for Cleburne and dividends be paid to qualified citizens at the end of each calendar year.

ADJOURNED AT: 7:31 p.m.

APPROVAL OF MINUTES

APPROVED BY MAJORITY VOTE OF COUNCIL ON: July 8, 2008

CITY OF CLEBURNE

Ted Reynolds, Mayor

ATTEST:

Shelly Doty, City Secretary