



REGULAR CITY COUNCIL MEETING MINUTES

October 27, 2009

7:00 PM

CITY HALL COUNCIL CHAMBERS

10 NORTH ROBINSON

I. ROLL CALL AND CALL TO ORDER BY MAYOR @ 7:00 PM

City Council:

- ✓ Ted Reynolds, Mayor
- ✓ John Warren, Mayor Pro Tem
- ✓ Dr. Bob Kelly, SMD 1
- ✓ Gayle White, SMD 2
- ✓ Dale Sturgeon, SMD 3

Administration:

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

Division Directors:

- ✓ Jerry Cash, Economic Development
- ✓ David Esquivel, Public Works
- ✓ Clint Ishmael, Fire Services
- ✓ Donna Jackson, Development Services
- ✓ Terry Powell, Police Services
- ✓ Debra Powledge, Human Resources
- ✓ Max Robertson, Parks & Recreation
- ✓ Greg Wilmore, Finance

Department Heads:

- ✓ Kim Galvin, Budget & Purchasing
- ✓ Ann Powell, Planning & Zoning

Media:

- ✓ Matt Smith, Times-Review

II. INVOCATION by Rev. Joe Ardy, Ascension Lutheran

III. PLEDGE OF ALLEGIANCE

IV. CEREMONIAL MATTERS

Employee Recognition: Marva Pace, Information Services Department

V. CITY SECRETARY READ THE GUIDELINES TO SPEAK BEFORE COUNCIL

CONSENT ITEMS

C1. MINUTES

APPROVAL OF MINUTES FOR THE **OCTOBER 13, 2009** REGULAR COUNCIL MEETING.

BQ1.

APPROVE EMERGENCY REPLACEMENT OF MOTOR AND PUMP, INCLUDING LABOR FOR WELL #11.

Person presenting this item: David Esquivel, Director of Public Works

BRIEF: The pump and motor at Well #11 has failed and is beyond repair. It is necessary to replace the equipment to get the well back on line to serve the City's water system. Quotes for the projected repairs were quoted with Millican Well Service having the low quote. After the pump and motor were inspected it was determined that they were not repairable. Millican Well Service is on site awaiting approval of the emergency repair with a cost not to exceed \$46,421.00.

BQ2.

AWARD BID FOR THE ROSE STREET ELEVATED TANK TO PHOENIX FABRICATORS IN THE AMOUNT OF \$1,479,300.

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

BRIEF: Bids were received from three (3) manufacturers. Phoenix Fabricators submitted the lowest most responsible bid. They have worked with the City on previous projects satisfactorily.

RS1. RS10-2009-74

A RESOLUTION AUTHORIZING ACCEPTANCE OF REVISIONS TO THE HOUSING AND URBAN DEVELOPMENT (HUD) ADMINISTRATIVE PLAN.

Person presenting this item: Donna Jackson, Director of Development Services

BRIEF: Housing agencies are required by Federal regulation to adopt an Administrative Plan. The Administrative Plan outlines the local policies and procedures for the housing agency and the City Council serves as the Board of Commissioners for Cleburne Housing Agency. The Administrative Plan was last updated January, 2006. Due to frequent changes in HUD regulations, a complete update has been performed. Federal regulations require the revised Administrative Plan be posted for a thirty (30) day comment period to participants. The comment period was completed as of October 12, 2009. Cleburne Housing is requesting the City Council to adopt the new Administrative Plan.

RS2. RS10-2009-75

A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT ACCEPTING AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) OF 2009 BLOCK GRANT FUNDS FOR ENERGY EFFICIENCY IN THE AMOUNT OF \$75,000.

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

BRIEF: Block grants have been awarded to Texas cities for energy efficiency and conservation.

These funds will be utilized to fund a portion of the energy efficiency and conservation contract currently with Siemens Building Technologies.

RS3. RS10-2009-76

A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN APPLICATION TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY FOR AMENDMENT OF WATER RIGHT PERMIT NO. 4258.

Person presenting this item: David Esquivel, Director of Public Works

BRIEF: The City is currently authorized to divert 720 acre feet annually for municipal purposes. This amendment would allow for more flexibility in allocating water resources and provide for more efficient use of the water by authorizing municipal, industrial, and agricultural use of the water authorized under the permit and expand point of diversion to include the entire boundary of the lake.

OC1.

CONSIDER THE FINAL PLAT OF LOT 1, BLOCK 2, INTERMODAL ADDITION TO THE CITY OF CLEBURNE, JOHNSON COUNTY, TEXAS, LOCATED BETWEEN WARDVILLE STREET AND EAST HENDERSON STREET AND BETWEEN BORDER STREET AND THE RAILROAD RIGHT-OF-WAY, REQUESTED BY THE CITY OF CLEBURNE REPRESENTED BY DUMAS LAND SURVEYING, INC.

Person presenting this item: Ann Powell, Planning and Zoning

BRIEF: The Planning & Zoning Commission (P&Z) considered this request at its meeting of September 28, 2009. Notice was given as required by State law. The comprehensive Land Use Plan shows this area to be Mixed Use-Transitional Use, Commercial and Industrial. We have received no inquiries or objections. The plat meets the platting requirements for the City. P&Z recommended approval by a vote of 6-0.

OC2.

CONFIRM CITY MANAGER'S APPOINTMENT OF DEBRA POWLEDGE AS HUMAN RESOURCES DIRECTOR.

Person presenting this item: Chester Nolen, City Manager

MOTION: to approve in its entirety

	Motion	Second	Aye	No	Abstain	Absent	Result
Kelly	X		X				X Approved as presented
White		X	X				Approved as amended
Sturgeon			X				Denied
Warren			X				Withdrawn
Reynolds			X				Postponed until:
X	Motion Carried		Motion Failed				Roll Call

ORDINANCES

***OPENED PUBLIC HEARING**

OR1. OR10-2009-67

AN ORDINANCE AMENDING THE BUDGET FOR THE CITY OF CLEBURNE FOR THE FISCAL YEAR OCTOBER 1, 2009 TO SEPTEMBER 30, 2010 WITH THESE CHANGES HAVING A ZERO NET EFFECT ON THE GENERAL FUND BALANCES.

Kim Galvin, Budget and Purchasing Manager stated that these items represent projects that began in 2008-2009 and will not be completed until 2009-2010, grant fund adjustments and changes in the account numbers used to budget the Laser Fiche project.

Speakers: None

***CLOSED PUBLIC HEARING**

MOTION: to approve as presented

	Motion	Second	Aye	No	Abstain	Absent	Result
Kelly		X	X				X Approved as presented
White	X		X				Approved as amended
Sturgeon			X				Denied
Warren			X				Withdrawn
Reynolds			X				Postponed until:
X	Motion Carried		Motion Failed				Roll Call

***OPENED PUBLIC HEARING**

OR2. OR10-2009-68

AN ORDINANCE AMENDING TITLE XV, CHAPTER 155 - ZONING, OF THE CODE OF ORDINANCES BY REZONING 302 FEATHERSTON, FROM MF (MULTIPLE-FAMILY DWELLING DISTRICT) TO MF/H (MULTIPLE-FAMILY DWELLING DISTRICT WITH HISTORIC DISTRICT OVERLAY), AS REQUESTED BY WILMA KIRKHAM REED.

Ann Powell, Planning and Zoning stated that the Planning & Zoning Commission (P&Z) considered this request at its meeting of September 28, 2009. Notice was given as required by State law and the property owners within 200 feet were notified. The Comprehensive Land Use Plan shows this area to be low density residential and public. We have received no inquiries or objections. P&Z recommended approval by a vote of 6-0.

Speakers: None

***CLOSED PUBLIC HEARING**

MOTION: to approve as presented

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

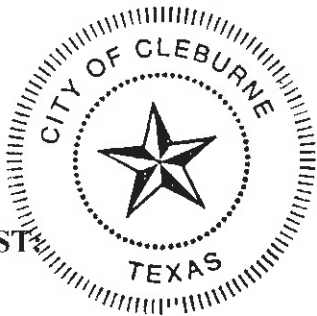
CITIZENS COMMENTS

None

ADJOURNED AT: 7:13 p.m.

APPROVAL OF MINUTES

APPROVED BY MAJORITY VOTE OF COUNCIL ON: November 10, 2009



ATTEST

CITY OF CLEBURNE

[Signature]
 Ted Reynolds, Mayor

[Signature]
 Shelly Doty, City Secretary