



REGULAR CITY COUNCIL MEETING MINUTES
NOVEMBER 10, 2009
7:00 PM
CITY HALL COUNCIL CHAMBERS
10 NORTH ROBINSON

I. ROLL CALL AND CALL TO ORDER BY MAYOR @ 7:08 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 Reverend John Warren

III. PLEDGE OF ALLEGIANCE

IV. CEREMONIAL MATTERS

Proclamation Veteran's Recognition Week, November 8-14, 2009

V. CITY SECRETARY READ THE GUIDELINES TO SPEAK BEFORE COUNCIL

CONSENT ITEMS

C1. MINUTES

APPROVAL OF MINUTES FOR THE OCTOBER 27, 2009 REGULAR COUNCIL MEETING.

BQ1.

AUTHORIZE PURCHASE OF TRAIL KING TRAILER FROM RUSH EQUIPMENT CENTER FOR THE STREET DEPARTMENT IN THE AMOUNT OF \$51,997.70.

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

BRIEF: Rush Equipment Center was awarded the Houston-Galveston Area Council (H-GAC) bid for these trailers. The H-GAC bid meets all state competitive bidding requirements. This trailer will replace an existing low boy trailer.

RS1. RS10-2009-77

A RESOLUTION APPROVING QUARTERLY INVESTMENT REPORT FOR THE QUARTER ENDING SEPTEMBER 30, 2009.

Person presenting this item: Greg Wilmore, Director of Finance

BRIEF: Chapter 2256.023 of the Texas Government Code states that a written quarterly investment report must be prepared by the investment officer and submitted to the governing body. The report should cover investment transactions for all funds covered by the Act for the preceding period.

RS2. RS10-2009-78

A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AMENDMENT TO THE TRANSFER STATION OPERATING AGREEMENT WITH WASTE MANAGEMENT OF TEXAS, INC. TO AMEND SECTION 2.15 ALLOWING MUNICIPAL SOLID WASTE TO BE DISPOSED AT ANY DISPOSAL FACILITY THAT IS DULY AUTHORIZED BY THE STATE OF TEXAS.

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

BRIEF: Waste Management of Texas, Inc. is requesting an amendment to the Transfer Station Operating Agreement that was signed on July 22, 2003 that would allow disposal of the City's solid waste at any landfill that is authorized by the State of Texas.

RS3. RS10-2009-79

A RESOLUTION AUTHORIZING THE DONATION OF A VEHICLE TO EAST CLEBURNE COMMUNITY CENTER, INC.

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

BRIEF: The 2005 E450 Super Duty Ford van was purchased with grant money received from TxDOT, and the current appraisal price of the vehicle is \$6,500. Since the vehicle appraisal is greater than \$5,000, the City of Cleburne would be required to pay TxDOT 80% of the sale price. If the City donates the vehicle to another non-profit group in the area the City would not be required to pay TxDOT.

OC1.

APPROVE ACCOUNTS PAYABLE FOR THE MONTH OF OCTOBER 2009.

Person presenting this item: Greg Wilmore, Director of Finance

OC2.

AUTHORIZATION TO CANCEL SECOND REGULAR COUNCIL MEETING IN DECEMBER 2009 (DECEMBER 22ND).

Person presenting this item: Shelly Doty, City Secretary

MOTION: to approve in its entirety

	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	Motion Carried		Motion Failed				Roll Call

RESOLUTIONS

RS4.

RS10-2009-80

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE AWARD OF 5311 RURAL PUBLIC TRANSPORTATION GRANT FUNDS.

Donna Jackson, Director of Development Services stated that City/County Transportation has been awarded an additional \$91,709 in Federal 5311 rural discretionary funds to be used on the proposed Park & Ride Lot and the existing Intermodal Depot, to construct sidewalks. A 100% match of \$91,709 is required for this option. Another option for this grant is to use the award of \$91,709 for administration and operating costs with a match of only \$62,342. This money would have to be spent by 2011

MOTION: to approve for with a 100% match of \$91,706

	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	Motion Carried		Motion Failed				Roll Call

RS5. RS10-2009-81

A RESOLUTION AUTHORIZING THE APPLICATION TO THE STATE OF TEXAS FOR A STATEWIDE TRANSPORTATION ENHANCEMENT PROGRAM GRANT TO FUND ADDITIONS AND IMPROVEMENTS TO THE CLEBURNE LAYLAND MUSEUM COMPLEX.

Greg Wilmore, Director of Finance stated that in 2006, the City applied for two Statewide Transportation Enhancement Program (STEP) grants. The City was successful on the \$200,000 sidewalks grant along McAnear Creek, but was not successful on the \$1M Cleburne Chamber of Commerce Visitor’s Center project. The North Central Texas Council of Governments (NCTCOG) is again asking for projects that are shovel-ready to be funded in the STEP program. Staff has come up with a project that includes improvements to the Cleburne Layland Museum Complex. This project would include the following items: complete restoration of the exterior and interior of the original Carnegie building, a new elevator addition for access to the second story, purchase of property for additional parking, a sidewalk to the intermodal depot, and complete landscaping of the total Complex with pedestrian enhancements. This would be an 80% grant with a 20% match which is the same as the previous projects. In the backup you have a breakdown of the items involved as well as estimated cost. Funding will come from funds available in the Energy Fund 21. This will require a budget amendment if approved. This application has to be submitted by November 12th at 5pm to be considered.

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	<i>Motion Carried</i>		<i>Motion Failed</i>				<i>Roll Call</i>

RS6. RS10-2009-82

A RESOLUTION AFFIRMING THE CASTING OF VOTES IN THE 2010-2011 ELECTION OF THE BOARD OF DIRECTORS FOR THE CENTRAL APPRAISAL DISTRICT OF JOHNSON COUNTY, TEXAS.

Greg Wilmore, Director of Finance stated that every two years the City of Cleburne votes for an individual to serve on the Board of Directors for the Central Appraisal District. That board runs the Central Appraisal District as opposed to the Central Appraisal Review Board that acts on property protests. The last election was in November 2007. At that time, we nominated, voted and elected Sid Pruitt as our representative to the board. On October 13, 2009 the City of Cleburne nominated Sid Pruitt to be our nominee to the Board for the 2010-2011 term. The current Board members are as follows: Byron Black, Sid Pruitt, Don Beeson, Mike Brand, and R.D. Scott with Scott Porter-Tax Assessor/Collector as an Advisory member. It takes 834 votes to guarantee the election of a

representative to the Board with the City of Cleburne having 289 votes. This year is a little different as we only have five people nominated for the Board. With only five members on the Board, all that is needed is for each nominee to get a vote and the five will be elected. Staff suggests that we vote to give Sid Pruitt all 289 votes that the City of Cleburne has.

MOTION: to approve as presented

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

RS7. RS10-2009-83

A RESOLUTION AUTHORIZING THE MAYOR TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH THE JOHNSON COUNTY EMERGENCY SERVICES DISTRICT #1 (ESD) TO EXTEND THE CURRENT TERM LEASE AGREEMENT FOR THE PROPERTY LOCATED AT 2451 SERVICE DRIVE USED AS THE TRAINING FACILITY FOR JOHNSON COUNTY AND CLEBURNE FIRE DEPARTMENTS.

Clint Ishmael, Fire Chief stated that Johnson County Emergency Service District #1 is requesting approval for an extension of the current lease agreement for use of the Fire Training Facility. The current lease will expire in 2015. The ESD is creating a long range plan for the District and the Fire Training Center that would include facility upgrades and would like to secure the use of the property for a longer period of time.

MOTION: to approve with a maximum of 25 years from the original contract expiration pending approval of Johnson County.

	Motion	Second	Aye	No	Abstain	Absent	Result
Kelly			X				X Approved as presented
White	X		X				Approved as amended
Sturgeon			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

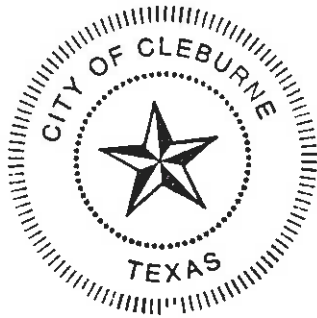
Charles Bush spoke on the need to relocate the Police Department to a more accessible location, would like to see the Council form a committee to find a suitable location in 2010. He also spoke on the need for an expanded Animal Shelter in 2010.

ADJOURNED AT: 7:34 p.m.

APPROVAL OF MINUTES

APPROVED BY MAJORITY VOTE OF COUNCIL ON: November 24, 2009

CITY OF CLEBURNE



ATTEST:

Ted Reynolds, Mayor

Shelly Doty, City Secretary