



REGULAR CITY COUNCIL MEETING AGENDA
JANUARY 24, 2012
7:00 PM
CITY HALL COUNCIL CHAMBERS
10 NORTH ROBINSON

I. ROLL CALL AND CALL TO ORDER BY MAYOR @

City Council:

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

Administration:

- ✓ Rick Holden, City Manager
- ✓ David Esquivel, Assistant City Manager
- ✓ Shelly Doty, City Secretary
- ✓ Ivy Peterson, Deputy City Secretary
- ✓ Fritz Quast, City Attorney

Division Directors:

- ✓ Jody Butler, Public/Development Services
- ✓ Jerry Cash, Economic Development
- ✓ Kim Galvin, Finance
- ✓ Clint Ishmael, Fire Services
- ✓ Terry Powell, Police Services
- ✓ Debra Powledge, Human Resources

Department Heads:

- ✓ Ann Powell, Planning & Zoning

Media:

- ✓ Matt Smith, Times-Review

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. COMMUNITY INTEREST MATTERS ([Guidelines](#))

V. CITY SECRETARY READS THE [GUIDELINES](#) TO SPEAK BEFORE COUNCIL

MINUTES

M1. MINUTES

APPROVAL OF MINUTES FOR THE [JANUARY 10, 2012](#) REGULAR COUNCIL MEETING.

MOTION:

	Motion	Second	Aye	No	Abstain	Absent	Result
Kelly							Approved as presented

White							Approved as amended
Sturgeon							Denied
Warren							Withdrawn
Hewlett							Postponed until:
<i>Motion Carried</i>		<i>Motion Failed</i>				<i>Roll Call</i>	

PUBLIC HEARINGS

OPEN PUBLIC HEARING

**OC1. OR01-2012-
APPROVE FINAL PLAT SHOWING LOTS 5R-1 AND 5R-2, BLOCK 558 (LOCATED AT 335 NORTH DOUGLAS STREET); AS REQUESTED BY N.E.K., INC.; REPRESENTED BY BUFFALO CREEK SURVEYOR.**

Person presenting this item: Ann Powell, Planning and Zoning

BRIEF: The Planning & Zoning Commission (P&Z) considered this request at its meeting of January 9, 2012. 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. Waiver of curb and gutter was requested on the plat application. The property currently has both curbs and gutters. This plat meets the platting requirements for the City. By a vote of 6-0, P&Z recommended approval of the plat with denial of the request for waiver of curb and gutter.

ATTACHMENTS: [Backup](#)

CLOSE PUBLIC HEARING

MOTION:

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Warren							Withdrawn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

BIDS AND QUOTES

**BQ1.
AUTHORIZE PURCHASE OF GARBAGE TRUCKS AND CONTAINERS IN THE AMOUNT OF \$1,044,692.34 AND FINANCING IN THE AMOUNT OF \$544,692.34.**

Person presenting this item: Marci Freelan, Budget and Purchasing Manager

BRIEF: This purchase is through the Texas Buyboard. All items through this cooperative purchasing network have been competitively bid and meet all purchasing requirements established by statute. Quotes for financing rates were requested from financial institutions and will be available before the meeting.

ATTACHMENT: [Backup](#)

MOTION:

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

ORDINANCES

OR1. OR01-2012-
AN ORDINANCE AUTHORIZING THE RELEASE OF ACCUMULATED INTEREST FROM DEMOLITION AND MOWING LIENS FILED AGAINST 1211 EAST CHAMBERS STREET; AS REQUESTED BY RAUL AND MARTA CARDENAS.

Person presenting this item: Shelly Doty, City Secretary

BRIEF: Raul Cardenas and Marta Arredondo-Cardenas purchased the property located at 1211 E. Chambers St for \$11,500.00 on September 12, 2006 without searching the county records or the assistance of a title company. After the purchase and while attempting to receive a deed to the property, they discovered the two liens held against the property. They are asking for the council’s assistance by releasing the amount of interest that has accumulated since the liens were filed. The City of Cleburne filed a lien with the Johnson County Clerk's Office on April 8, 2005, for demolition of a structure; totaling \$4,293.38 (includes demolition, administrative costs and interest). Another lien was filed on March 9, 2007, for mowing done during the 2006 mowing season, totaling \$1,386.65 (includes mowing fees, administrative costs and interest). The breakdown is as follows:

Mowing, Administrative and Demolition Fees	\$3,060.00
Interest	\$2,620.03
TOTAL	\$5,680.03

This Ordinance was postponed from the meeting of January 10, 2012. Mr. Cardenas was contacted and asked to send in writing his plans for building on the property as well as the requested length of the installment plan for repayment of the liens and agreed to furnish the requested information. Mr.

Cardenas informed us that he had already sold the property to the owner of the adjacent land who does not plan to build on it but to enlarge his backyard. Mr. Cardenas further stated that the purpose of his request to the Council was to clear up the liens and give the new property owner a clear deed to the property unlike his own experience in purchasing the property.

ATTACHMENTS: [Ordinance](#) [Backup](#) [Picture](#)

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

OTHER COUNCIL MATTERS

OC2.

APPOINTMENT TO THE PARKS AND RECREATION ADVISORY BOARD.

Person presenting this item: Jody Butler, Public/Development Services Director

BRIEF: Mary Ann Wheatley has completed her 2nd term on the Parks & Recreation Board. Brian Goodman submitted an application and is interesting in serving and filling the vacated board seat.

ATTACHMENTS: [Backup](#)

MOTION:

	Motion	Second	Aye	No	Abstain	Absent		Result
Kelly								Approved as presented
White								Approved as amended
Sturgeon								Denied
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OC3.

APPOINTMENT TO PLANNING AND ZONING COMMISSION.

Person presenting this item: Ann Powell, Planning and Zoning Coordinator

BRIEF: Carolyn Bosworth has submitted her letter of resignation. There are a number of well qualified candidates on the Applications Available List. Adam Bond, D.D.S. has expressed an

interest in serving on the P&Z Commission.

ATTACHMENTS: [Backup](#)

MOTION:

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CITIZENS COMMENTS

GUIDELINES. Citizens Comments gives the public an opportunity to make comments or address concerns not posted on the agenda. The City Council may take no action during this portion of the agenda. The Council may only ask clarifying questions or direct staff to take appropriate action. Each person will be allowed five minutes to comment on any particular subject. No more than two persons will be allowed to comment on any particular subject, one in favor and one against. All persons desiring to make comments under this section must sign a card prior to the council meeting identifying themselves and the topic they desire to address.

ADJOURNED AT:



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.