



REGULAR CITY COUNCIL MEETING MINUTES
JANUARY 26, 2010
7:00 PM
CITY HALL COUNCIL CHAMBERS
10 NORTH ROBINSON

I. ROLL CALL AND CALL TO ORDER BY MAYOR @ 7:04 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 Max Robertson

III. PLEDGE OF ALLEGIANCE

IV. COMMUNITY INTEREST MATTERS

V. CITY SECRETARY READ THE GUIDELINES TO SPEAK BEFORE COUNCIL

CONSENT ITEMS

C1. MINUTES

APPROVAL OF MINUTES FOR THE JANUARY 12, 2010 REGULAR COUNCIL MEETING.

BQ1.

AUTHORIZE PURCHASE OF BANQUET TABLES AND CHAIRS FOR CLEBURNE

CONFERENCE CENTER FOR A TOTAL OF \$102,431.84.

Person presenting this item: Rick Holden, Assistant City Manager

BRIEF: Quotes were solicited from five companies for tables and four for chairs. Southern Aluminum submitted the lowest quote for tables and is a BuyBoard company. Mity-Lite submitted the lowest quote for chairs and is a TXMAS company.

RS1. RS01-2010-06

A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH FREESE & NICHOLS FOR REQUIRED ENVIRONMENTAL MONITORING AND INSTALLATION OF ADDITIONAL MONITORING WELLS AT THE LANDFILL.

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

BRIEF: The Texas Commission on Environmental Quality requires methane and groundwater monitoring. Installation of eight (8) new monitoring wells is also required by the permit and is included in this contract. Monitoring fees for 2010 are \$54,545.00 and installation of the monitoring wells is \$50,605. This contract includes monitoring for a one year term and installation of the monitoring wells for a fee not to exceed \$105,150.00. It includes a one year extension option for monitoring (including the new monitoring wells) for an amount not to exceed \$66,700.00.

RS2. RS01-2010-07

A RESOLUTION OF AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH CHILDRESS ENGINEERS FOR ENGINEERING SERVICES FOR MIDWAY STATION OUTFALL PROJECT.

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

BRIEF: This agreement will provide basic engineering design, surveying, right-of way services, geotechnical engineering, resident project representative, and electrical/SCADA design. Fees are not to exceed \$428,800.00.

RS3. RS01-2010-08

A RESOLUTION APPROVING QUARTERLY INVESTMENT REPORT FOR THE QUARTER ENDING DECEMBER 31, 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.

RS4. RS01-2010-09

A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A CONTRACT FOR JOINT ELECTION SERVICES WITH CLEBURNE INDEPENDENT SCHOOL DISTRICT FOR THE MAY 8, 2010 ELECTIONS.

Person presenting this item: Shelly Doty, City Secretary

BRIEF: The 2010 general elections ordered by the City and CISD are to be held on the same day in all or part of the same territory. Pursuant to the provisions of the Texas Election Code, the elections may be combined maintaining consistency and accessibility in voting practices, polling places, and election procedures to best assist the voters of Cleburne. Ballot styles, Early Voting and Election Day polling places will be combined. The two entities shall equally share expenses which include: polling location expenses, election officials, supplies, ballots and any other necessary expenses for the election, providing for cost savings for the City and CISD. As part of the agreement, the City of Cleburne City Secretary shall be responsible for conducting elections on behalf of both entities.

OR1. OR01-2010-05

AN ORDINANCE ORDERING AN ELECTION TO BE HELD ON MAY 8, 2010, AND A RUN-OFF ELECTION TO BE HELD, SHOULD SAME BE REQUIRED, ON JUNE 5, 2010, FOR THE PURPOSE OF ELECTING A MAYOR AT LARGE AND COUNCILMEMBERS FOR SINGLE MEMBER DISTRICTS ONE AND FOUR.

Person presenting this item: Shelly Doty, City Secretary

BRIEF: This Ordinance constitutes the Order and Calling of a General Election for the City of Cleburne, Texas, to be held on the second Saturday in May, which is May 8, 2010. This election will be held for the purpose of electing a Mayor at large and Councilmembers for Districts One and Four.

OR2. OR01-2010-06

AN ORDINANCE AMENDING THE BUDGET BY RE-ALLOCATING \$23,000 FROM FUND BALANCE TO 0163-8990 FOR THE LIBRARY AUTOMATION SYSTEM.

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

BRIEF: The library automation system was originally budgeted in 2008-2009 in the amount of \$65,000. During the budget sessions for 2009-2010 it was estimated that only \$30,000 of the original \$65,000 would need to be re-allocated in 2009-2010 to complete the project. During the 2008-2009 Budget only \$12,000 was expended for this project, resulting in the need to re-allocate the remaining \$23,000 to the 2009-2010 Budget.

MOTION: to approve in its entirety

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

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

RESOLUTIONS

RS5. RS01-2010-10

A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN INTERIM MANAGEMENT SERVICES AGREEMENT WITH THE CLEBURNE CHAMBER OF COMMERCE TO OPERATE AND MANAGE THE CLEBURNE CONFERENCE CENTER.

Rick Holden, Assistant City Manager stated that the Cleburne Chamber of Commerce has proposed to operate and manage the Cleburne Conference Center for an interim period from March-September 2010 to determine future feasibility for both the City and the Chamber. They will provide all staffing and will manage all day-to-day operations. The City will retain all rents and other revenues associated with the center. The City will provide utilities and capital costs for maintenance and building furnishings. The City will reimburse the Chamber for their estimated costs of operation.

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

RS6. RS01-2010-11

A RESOLUTION ADOPTING THE NEW CLEBURNE PARKS, RECREATION AND OPEN SPACE MASTER PLAN.

Max Robertson, Director of Parks and Recreation stated that the City of Cleburne has been utilizing the last Parks, Recreation and Open Space Master Plan adopted in 2002. Because of the many changes in our community and requirements related to the Texas Parks and Wildlife Department, Council approved and funded the development of a revised plan in 2008. The new plan was recently completed and reviewed by the Parks and Recreation Board; and is now recommended for adoption by the City Council. The Texas Parks and Wildlife Department has already reviewed and given their approval pending adoption by the City Council. Adoption of the plan will greatly improve our competitiveness for grants.

MOTION: to approve as presented

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

ORDINANCES

OR3. OR01-2010-07

AN ORDINANCE AMENDING THE GENERAL FUND BUDGET BY ALLOCATING THE REMAINING BALANCES OF PERSONNEL ACCOUNTS IN THE AMOUNT OF \$125,400 TO PROFESSIONAL SERVICES.

Kim Galvin, Budget & Purchasing Manager stated that to provide funding for the Chamber of Commerce to manage the Cleburne Conference Center from March 2010 through September 2010 funds must be reallocated. Funds will be transferred from the personnel accounts in the amount of \$125,400 to the professional services account. All account numbers are included in the back-up.

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				Denied
Warren	X		X				Withdrawn
Reynolds			X				Postponed until:
X	<i>Motion Carried</i>		<i>Motion Failed</i>				<i>Roll Call</i>

OTHER COUNCIL MATTERS

OC1.

ANNUAL REPORT TO CITY COUNCIL ON RACIAL PROFILING DATA FOR 2009.

Terry Powell, Police Chief stated that a report is submitted to the City Council, pursuant to Cleburne Police Department's General Order 200.053 directing such report shall be made annually to the governing body of the City of Cleburne.

OC2.

APPOINTMENT TO THE AIRPORT ADVISORY BOARD.

Donna Jackson-Zimmerman, Director of Development Services stated that the Airport Board has a

vacancy due to the resignation of Dan Hunt. Staff respectfully submits Dr. Arthur Raines to fill this vacancy.

MOTION: to appoint Dr. Arthur Raines

	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

OC3.

APPOINTMENT TO THE LIBRARY ADVISORY BOARD.

Greg Wilmore, Director of Finance stated that the first term of Janet Walker will expire on February 26th. She is unable to serve another term. Mege Smith's second term will expire on February 28th. Staff respectfully requests the appointment of Ms. Gail Hazlewood and Ms. Tammy Nichols to fill these vacancies.

MOTION: to appoint Gail Hazlewood and Tammy Nichols

	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

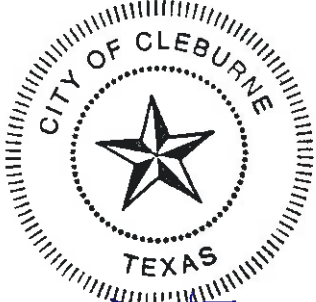
CITIZENS COMMENTS

Katie Jolley, representative of Daughters of the American Revolution, asked for use of a room at the Conference Center at a discounted rate.

ADJOURNED AT: 7:25 p.m.

APPROVAL OF MINUTES


APPROVED BY MAJORITY VOTE OF COUNCIL ON: February 9, 2010



ATTEST


Shelly Doty, City Secretary

CITY OF CLEBURNE



Ted Reynolds, Mayor