



REGULAR CITY COUNCIL MEETING MINUTES
JUNE 22, 2010
7:00 PM
CITY HALL COUNCIL CHAMBERS
10 NORTH ROBINSON

I. ROLL CALL AND CALL TO ORDER BY MAYOR @ 7:01 PM

City Council:

- ✓ Justin Hewlett, 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
- ✓ Rob Allibon, 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
- X Greg Wilmore, Finance

Department Heads:

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

Media:

- ✓ Matt Smith, Times-Review
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II. INVOCATION by Max Robertson

III. PLEDGE OF ALLEGIANCE

IV. COMMUNITY INTEREST MATTERS

Presentation Special Employee Recognition – Shelly Doty
Proclamation Parks & Recreation Month, July 2010

V. CITY SECRETARY READ THE GUIDELINES TO SPEAK BEFORE COUNCIL

CONSENT ITEMS

C1. MINUTES

APPROVAL OF MINUTES FOR THE JUNE 8, 2010 REGULAR COUNCIL MEETING.

RS1. RS06-2010-37

A RESOLUTION AUTHORIZING ACCEPTANCE OF AN AWARD OF 5310 FEDERAL ELDERLY AND DISABLED FUNDS FROM TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT).

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

BRIEF: City/County Transportation has been awarded \$30,000 in Federal 5310 Elderly & Disabled funds to be used for preventative maintenance, communication expenses and rehab of the Intermodal Depot. A match of \$7,500 will be paid with the contributions we receive from the other cities in Johnson County.

RS2. RS06-2010-38

A RESOLUTION AUTHORIZING THE APPLICATION FOR FUNDING AND RESULTING FINANCIAL MATCH COMMITMENTS THROUGH THE TEXAS DEPARTMENT OF AGRICULTURE DOWNTOWN REVITALIZATION PROGRAM.

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

BRIEF: At the last council meeting a resolution designating "slum-blight conditions" in Market Square was presented and approved in support of a grant application to TDA Downtown Revitalization Program. This Resolution will authorize the funding and financial match and is an application requirement. Grant receipts will be \$149,800 and the City match will be \$29,960. An amount of \$14,980 of the match must be cash, and the rest may be funded through in-kind services. In-kind services may include engineering services, grant administration services (including budgeting, finance, accounts payable), etc. The cash match will be provided through funding for downtown sidewalks in the 2009-2010 Budget.

RS3. RS06-2010-39

A RESOLUTION AUTHORIZING APPLICATION FOR FUNDS FROM THE DEPARTMENT OF JUSTICE, OFFICE OF COMMUNITY ORIENTED POLICING (COPS) FY 2010 TECHNOLOGY PROGRAM GRANT.

Person presenting this item: Terry Powell, Police Chief

BRIEF: The Cleburne Police Department is eligible for \$150,000 from the Department of Justice, Office of Community Oriented Policing (COPS) FY 2010 Technology Program Grant. There is no required match amount. Funds will be used to purchase a high-speed wireless mesh network which will give officers faster, more complete data access in the field resulting in increased officer presence and availability in the community.

RS4. RS06-2010-40

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER ONE WITH JRJ PAVING, LP FOR REPLACING A 6" WATER LINE IN ELMO STREET AND EXTENSION OF THE CURB, GUTTER AND SIDEWALK TO CONNECT

BOONE STREET BRIDGE.

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

BRIEF: Staff is requesting approval of change order #1 for the replacement of an 8" water line in Elmo Street. During construction of the storm sewer line, the water line was exposed revealing the poor condition of the pipe. Also, extension of curb, gutter and sidewalks are recommended to complete the path from Boone Street Bridge to Elmo St. The total amount for the change order is \$105,376.76.

RS5. RS06-2010-41

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER NUMBER ONE WITH NORTHEASTERN PAVERS, INC. FOR ADDITIONAL DOUBLE CHIP SEAL ROAD SURFACING FOR THE GAS WELL TRANSPORTATION ROUTE REPAIR PROJECT.

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

BRIEF: Staff is requesting approval of change order #1 for additional double chip seal road surfacing for the gas well transportation route repair project. The additional surfacing was placed on E. Vaughn Street and Park Blvd. Gas well companies provided the funding for this project and there are additional funds left to cover the additional costs without having to invoice the gas well companies again. The amount of this change order is \$37,388.75.

OR1. OR06-2010-33

AN ORDINANCE AUTHORIZING CITY TAX ATTORNEYS PERDUE, BRANDON, FIELDER, COLLINS AND MOTT, LLC TO AWARD BID ON THE HIGHEST BID ON TRACT #18 FOR TAX RE-SALE PROPERTIES; AUTHORIZING THE MAYOR TO EXECUTE DEEDS WITHOUT WARRANTY; AUTHORIZING THE RELEASE OF ALL LIENS AND ENCUMBRANCES HELD BY THE CITY AGAINST ASSOCIATED PROPERTIES.

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

BRIEF: On May 3rd the City received sealed bids for the sale of twenty surplus properties. These properties had been previously struck off at various tax sales. The original bidder for Tract #18 thought that it was the adjoining lot. They have withdrawn their bid and the City has deposited their \$400.00 check. We are asking Council to approve the next highest bidder on the property. Their bid was \$101.00. They have been contacted and are willing to purchase the property. This bid will still have to be approved by the County and School District.

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
Hewlett			X				Postponed until:
X	<i>Motion Carried</i>		<i>Motion Failed</i>				<i>Roll Call</i>

RESOLUTIONS

RS6. RS06-2010-42

A RESOLUTION AUTHORIZING NAME CHANGE FROM CLEBURNE MUNICIPAL AIRPORT TO CLEBURNE REGIONAL AIRPORT.

Donna Jackson, Director of Development Services stated that the name change to Regional Airport enhances our image to a higher level of service allowing pilots, schedulers and dispatchers to have a greater level of confidence when planning flights for their owners and clients. This will not change the name of “Hazlewood Field” for local reference.

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
Hewlett			X				Postponed until:
X	<i>Motion Carried</i>		<i>Motion Failed</i>				<i>Roll Call</i>

ORDINANCES

OR2. OR06-2010-34

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A TAX ABATEMENT AGREEMENT WITH JOHNS MANVILLE CORPORATION FOR ABATEMENT OF AD VALOREM TAXES PURSUANT TO V.T.C.A., TAX CODE, CHAPTER 312.

Jerry Cash, Director of Economic Development stated that Johns Manville considered this investment and related projects at Cleburne or one of their existing plants in Kansas. The project will modernize and rebuild production lines No. 91, 93 and 1901 of the existing Cleburne manufacturing facility. These updates will help Johns Manville meet market growth while retaining 40 primary jobs with an annual payroll of \$2,700,000, and 70 secondary jobs with an estimated annual payroll of \$3,400,000 on lines 91 and 93. The estimated new investment for all three lines is \$13.5 million. The project should improve the local environment due to enhancements of the dust control system. Johns Manville has been in Cleburne since 1964 and has been a great asset to the community. The company offers an attractive salary and employee benefits package. Under current City Abatement Policy and Guidelines, these projects qualify for 50% abatement for five years.

Construction is expected to begin October of 2010 and be completed by the end of 2011.

MOTION: to approve with changes to Ordinance: retaining (not adding) 70 secondary jobs

	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
Hewlett			X					Postponed until:
X	Motion Carried		Motion Failed					Roll Call

OTHER COUNCIL MATTERS

OC1.

APPOINTMENTS TO THE PARKS AND RECREATION BOARD.

Max Robertson, Director of Parks and Recreation stated that Board member Casey Dugger resigned due to a change in residency. Ben Oefinger's second term expires June 27th and Jeff LeClair's first term expires on June 27th. Jeff LeClair is willing to serve a second term, but appointees are requested to replace Casey Dugger and Ben Oefinger. Parks and Recreation Board recommended John Parks. He has been contacted and is willing to serve.

MOTION: to appoint John Parks and reappoint Jeff LeClair

	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
Hewlett			X					Postponed until:
X	Motion Carried		Motion Failed					Roll Call

OC2.

APPOINTMENTS TO TIF #2 (DOWNTOWN) BOARD.

Donna Jackson, Director of Development Services stated that Mayor Ted Reynolds' mayoral term expired May 18 and the second term of Maxine Ammons expired on February 28, 2010. Replacements are needed for Mayor Reynolds and Maxine Ammons.

MOTION: to appoint Mayor Hewlett

	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
Hewlett			X				Postponed until:
X	<i>Motion Carried</i>		<i>Motion Failed</i>				<i>Roll Call</i>

CITIZENS COMMENTS

None

ADJOURNED AT: 7:19 p.m.

APPROVAL OF MINUTES

APPROVED BY MAJORITY VOTE OF COUNCIL ON: July 13, 2010