



**REGULAR CITY COUNCIL MEETING AGENDA**  
**MAY 22, 2012**  
**7:00 PM**  
**CITY HALL COUNCIL CHAMBERS**  
**10 NORTH ROBINSON**

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**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
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**II. INVOCATION by Dr John Hall, Field Street Baptist Church**

**III. PLEDGE OF ALLEGIANCE**

**IV. COMMUNITY INTEREST MATTERS (Guidelines)**

Proclamation [Poppy Days and Memorial Day](#), May 28-31, 2012

**V. CITY SECRETARY READS THE GUIDELINES TO SPEAK BEFORE COUNCIL**

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**CONSENT ITEMS**

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All of the following items on the Consent Agenda are considered to be routine and self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member or citizen so requests. For a citizen to request removal of an item, a speaker card must be filled out and submitted to the City Secretary prior to the beginning of the meeting.

**M1. APPROVAL OF MINUTES FOR THE MAY 8, 2012 REGULAR COUNCIL MEETING.**

**RS1. A RESOLUTION AUTHORIZING AN AGREEMENT WITH FREESE & NICHOLS FOR REQUIRED ENVIRONMENTAL MONITORING AT CITY OF CLEBURNE LANDFILL.**

Person presenting this item: David Esquivel, Assistant City Manager

**BRIEF:** Texas Commission on Environmental Quality requires methane and groundwater monitoring as part of the City's landfill permit. This agreement will provide for sampling and reporting of the 18 groundwater wells and 19 methane monitoring wells and all reporting requirements. Fee is not to exceed \$57,000 for a one year term ending January 2013. Contract includes a one year option for a fee not to exceed \$57,000 for extending the contract to January 2014 if exercised by the City.

**RS2. A RESOLUTION SUPPORTING DESIGNATION OF ROGER HARMON AS REPRESENTATIVE TO THE REGIONAL TRANSPORTATION COUNCIL OF THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS.**

Person presenting this item: Rick Holden, City Manager

**BRIEF:** The North Central Texas Council of Governments has requested that Johnson and Hood Counties and the Cities of Burleson, Cleburne, Keene and Granbury collectively designate a representative for the Regional Transportation Council (RTC). The person representing a group of several cities shall be selected by the county judges using a weighted vote of the maximum population or employment of the counties represented. Currently, County Judge Roger Harmon is the primary representative and the alternate is Leonard Heathington, Commissioner of Hood County. Upon approval, staff will forward this resolution to the RTC. This is a two-year term which begins June 1, 2012.

**RS3. A RESOLUTION AUTHORIZING PAYROLL PROCESS CHANGES BY MOVING THE PAY CYCLE TO NON-CURRENT AND CONVERTING TO A 26 PAY CYCLE SYSTEM.**

Person presenting this item: Kim Galvin, Director of Finance

**BRIEF:** This would provide for the payment of base, overtime and leave time in the same pay cycle as well as ensure all pay is for hours already worked. Additionally, this would convert all pay cycles to 80 hours and a 2 week pay cycle providing a 26 pay schedule during a 12 month period.

**OR1. AN ORDINANCE AMENDING CHAPTER 156: SIGN REGULATIONS OF THE CODE OF ORDINANCES BY ADDING PROVISION FOR KIOSK SIGNS.**

Person presenting this item: David Esquivel, Assistant City Manager

**BRIEF:** The City desires to initiate a Kiosk Sign Program to give direction to prospective patrons of local businesses, prospective purchasers of houses, and users of school, municipal and community facilities within the City.

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**PUBLIC HEARINGS**

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**OR2. AN ORDINANCE APPROVING A SPECIAL EXCEPTION USE PERMIT - PARKING SPACE REQUIREMENT FOR PROPERTY LOCATED AT 305 E SECOND; AS REQUESTED BY MICHAEL J. ROGERS PC.**

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

**BRIEF:** The request is for issuance of a Special Exception Use Permit for Parking Space Requirements on the property located at 305 East Second Street to be known as "Gone with the Wind" Remembered Museum and Gift Shop. According to §155.54(C)(22) of the Code of Ordinances, a museum requires ten (10) parking spaces plus one (1) per 300 square feet of floor area. This building has 3,090 square feet of floor area, requiring 21 parking spaces but can provide only 15. There is a shortage of 6 parking spaces. It is currently zoned C2/SUP (General Business District with a Specific Use Permit for a Mini-warehouse). Once it is used for a Museum it will no longer have the Specific Use Permit but it will retain its underlying zoning classification. Under this Ordinance, Council can consider issuing a Special Exception Permit for parking space requirements reducing the required parking spaces from 21 to 15.

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**OTHER COUNCIL MATTERS**

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**OC1. APPOINTMENT TO THE ZONING BOARD OF ADJUSTMENT.**

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

**BRIEF:** The second term of Vance Castles expired May 13, 2012, and a new member needs to be appointed. Staff has received an application from Patt Mayfield and recommends his appointment.

**OC2. CONDUCT INSTALLATION CEREMONY FOR OFFICERS ELECTED IN THE MAY 12, 2012 GENERAL CITY OF CLEBURNE ELECTION.**

Person presenting this item: Shelly Doty, City Secretary

**BRIEF:** The City Council ordered a General Election to be held May 12<sup>th</sup> and subsequently canceled it on March 13<sup>th</sup> due to unopposed candidates. Ordinance #OR03-2012-09 declared the Mayor and Councilmembers representing Single Member Districts One and Four elected to office and at today's meeting, Certificates of Election are hereby issued to: Scott Cain, Mayor; Dr Robert O Kelly, Councilman SMD 1 and John Warren, Councilman SMD 4.

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**EXECUTIVE SESSION**

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- A. Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sec. 551.071, Sec. 551.072, Sec. 551.073, Sec. 551.074, Sec. 551.076, Sec. 551.087 and Sec. 418.0183(f) of the Texas Government Code (Texas Disaster Act). Refer to posted list attached hereto and

incorporated herein. **Executive Session may be held, under these exceptions, at any time during the meeting that a need arises for the City Council to seek advice from the City Attorney as to the posted subject matter of this City Council Meeting.**

- B. Reconvene into open session for possible action resulting from any items posted and legally discussed in Executive Session.

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### **CITIZENS COMMENTS**

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**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.