

City Council
City of Hillsboro, Texas
Minutes of Regular Meeting
December 4, 2018

Present:

Edith Turner Omberg, Mayor
Eric Fleming, Councilmember
Dana Robinson, Councilmember
Frances Zarate, Councilmember
Scott Johnson, Councilmember

Frank Johnson, City Manager
Tony Cain, Asst. City Manager
Jerry Barker, Comm. Dev. Director
Richard Reinhardt, Planning Technician
Melissa Boyle, Dir. of Finance/HR
Lauralee Vallon, City Attorney
Karen S. Warren, City Secretary

Mayor Pro Tem Andy Smith and Councilmember Skelton were absent.

Mayor Omberg called the meeting to order at 6:02 p.m.

The Invocation was given by Rev. Melissa Graham of Line Street Methodist Church, Hillsboro.

Councilmember Johnson led the Pledge of Allegiance.

Hear Statements from Persons Wishing to Address the Council.

No one addressed Council at this time.

Consent Agenda

Deliberate and Act on the Approval of the Minutes for the Regular Meeting on November 20, 2018.

Deliberate and Act on the Approval of Bills.

On motion by Councilmember Robinson and second by Councilmember Zarate the consent agenda was approved.

On roll call the following votes were cast:

Ayes: Fleming, Robinson, Zarate, Johnson

Nays: None Absent: Smith, Skelton

Regular Agenda

Deliberate and Act on a Resolution Approving a Public Finance Contract With Government Capital Corporation For the Purchase of Police Vehicles and; Authorizing the City Manager to Negotiate and Execute All Necessary Documents.

Finance Director Melissa Boyle said in order for the Police Department fleet to be safe and functional, the acquisition of new vehicles and related equipment should be added periodically. The Public Property Finance Contract provides for the purchase of three (3) Tahoe(s) which are typically five-year life vehicles instead of the sedan type vehicles which are normally three-year life vehicles. The finance contract provides for a five (5) year payback period with annual installments. Upon approval of the proposed resolution, the City Council would be authorizing the City to enter into a Public Property Finance Contract for an amount not to exceed \$150,000. It was noted that the City Attorney had reviewed the contract.

On motion by Councilmember Robinson and second by Councilmember Fleming the resolution was approved.

On roll call the following votes were cast:

Ayes: Fleming, Robinson, Zarate, Johnson

Nays: None Absent: Smith, Skelton

Resolution No. R2018-12-44

Deliberate and Act on a Resolution Approving a Public Finance Contract With Government Capital Corporation For the Purchase of a Parks Department Vehicle and; Authorizing the City Manager to Negotiate and Execute All Necessary Documents.

Ms. Boyle said the City's Parks Department currently operates with six total vehicles, two of which are in need of replacement. The City's Shop Department has advised the need to retire the 1995 Ford F150 (with miles in excess of 152,000) due to the amount of repairs needed to keep it in service. The Public Property Finance Contract provides for the purchase of one Chevrolet Silverado Truck. The finance contract provides for a five (5) year payback period with annual installments. Upon approval of the proposed resolution, the City Council would be authorizing the City to enter into a Public Property Finance Contract for an amount not to exceed \$30,000. It was noted that the City Attorney had reviewed the contract.

On motion by Councilmember Johnson and second by Councilmember Fleming the resolution was approved.

On roll call the following votes were cast:

Ayes: Fleming, Robinson, Zarate, Johnson

Nays: None Absent: Smith, Skelton

Resolution No. R2018-12-45

Hold a Public Hearing, First Reading of an Ordinance and Deliberate on a Proposed Ordinance Accepting the Recommendation of the Planning & Zoning Commission to Rezone Property Bounded by Corsicana Highway on the South, Coke Street on the East, Park Drive on the North and Boone Street on the West From Single Family Residential (SF-5) to Restricted Neighborhood Commercial (RNC).

Community Development Director Jerry Barker had informed Council that the City had requests for rezoning from Single Family Residential (SF-5) to Commercial (C) at 1309 and 1311 Corsicana Highway in 2009 and at 1320 Park Drive in 2017. These requests were denied since they failed to meet the recommendations of the City's Comprehensive Land Use Plan and Future Land Use Map.

[For informational purposes, the following information was provided for Council in their packets prior to the meeting. "This prompted workshops which were held on October 24, 2017 and March 27, 2018, along with Town Hall meetings which were held on May 22, 2018 and June 19, 2018. The Planning and Zoning Commission was in attendance at the Town Hall meetings, whereby interested citizens had an opportunity to be heard concerning review and discussion of the existing Comprehensive Land Use Plan and Thoroughfare Plan, the Zoning Ordinance, and the Zoning Map for the City with discussions of amending those plans in order to accommodate a new transitional zone that would allow less intense commercial uses while remaining compatible with neighboring residential districts and uses.

The Restricted Neighborhood Commercial (RNC) Zoning District was proposed. The Council tabled this action at the July 17, 2018 meeting and requested a workshop. On July 31, 2018, a workshop was conducted. Following the workshop, Council acknowledged support of the RNC Zoning District and asked for it to be placed on the September 4, 2018 agenda. Then on

September 18, 2018 the Restricted Neighborhood Commercial (RNC) Zoning District was created by Ordinance No. O2018-09-07.

The next step in the process was to amend and update the Comprehensive Land Use Plan and Thoroughfare Plan in order to incorporate the newly created transitional zoning district into the future land use plan for the City. On November 6, 2018 the Comprehensive Land Use Plan and Thoroughfare Plan was updated by Ordinance No. 2018-11-09.”]

According to Mr. Barker, the final step was to apply the newly created transitional zoning district to an appropriate location. With the update of the Comprehensive Land Use Plan, the property bounded by Corsicana Highway on the South, Coke Street on the East, Park Drive on the North and South Boone Street on the West was now being recommended for transitional uses.

Mr. Barker said this matter was presented to the Planning and Zoning Commission at their regular meeting which was held on November 26, 2018. The Commission forwarded their recommendation to the City Council to approve rezoning the properties bounded by Corsicana Highway on the South, Coke Street on the East, Park Drive on the North and South Boone Street on the West from Single Family Residential (SF-5) to Restricted Neighborhood Commercial (RNC).

With no further questions or comments from the Councilmembers, the Mayor opened the Public Hearing at 6:09 p.m. and no one spoke for or against the proposed ordinance. The Public Hearing was closed at 6:10 p.m. and the Mayor declared the first reading of the ordinance completed. The final reading on the ordinance will be held at the December 18, 2018 Council meeting.

Proposed Ordinance No. O2018-12-10

Hold a Public Hearing, First Reading and Deliberate on a Proposed Ordinance Changing the Date of the Regular Meeting of the Hillsboro City Council Scheduled for Tuesday January 1, 2019 (Holiday) to Tuesday, January 8, 2019 and the Regular Meeting Scheduled for January 15, 2019 Will Not Change.

City Secretary Karen Warren said according to the City Charter Section 3.09 – Meetings of the Council: “The Council shall hold at least two regular meetings each month and as many additional meetings as it deems necessary to transact the business of the City and its citizens. The Council shall fix, by ordinance, the days and time of the regular meetings.”

Due to the holiday schedule, city offices will be closed on Tuesday, January 1, 2019. The proposed ordinance would change the date of the Regular City Council Meeting scheduled for Tuesday, January 1, 2019 to Tuesday, January 8, 2019. The Regular City Council Meeting scheduled for Tuesday, January 15, 2019 would not change. The second reading of the ordinance will be on December 18th. (The February schedule would not be altered.)

With no further questions or comments from the Councilmembers, the Mayor opened the Public Hearing at 6:11 p.m. and no one spoke for or against the proposed ordinance. The Public Hearing was closed at 6:12 p.m. and the Mayor declared the first reading of the ordinance completed. The final reading on the ordinance will be held at the December 18, 2018 Council meeting.

Proposed Ordinance No. O2018-12-11

Hear and Deliberate on a Presentation From Rhett Reddell Regarding Decorative Lighting in the Alley.

Rhett Reddell said he spoke to Council in October about his attempt to get permission to string decorative lights in the alley between his building and Andy Green’s building but, his request was denied by the City Manager. For this meeting, Mr. Reddell read aloud what he had stated in the form turned in to the City Secretary prior to the meeting called “Request to Place Item on the City Council Agenda.” In the section called “Description of Item” he wrote - “Rhett Reddell of R&R Health and Fitness Center in conjunction with Andy Green of the Eagle Event Center is

requesting to be allowed to string decorative lighting across the alley connecting the two buildings. The lighting is predominantly and foremost for the safety of the public during city sponsored events like the Cotton Pickin Fair, Halloween in Hillsboro, The Christmas Parade, Movie nights etc. Secondly the lights will be used for decorative and aesthetics purposes for Alley beautification during all downtown public/private events. The decorative lighting will be hung securely and at a height as not to impede or hinder utility of any kind. The string lights will be UL approved fused LED lights connected to a Ground Fault Circuit Interrupter "GFCI" for maximum safety potential. Liability and maintenance of the lighting will fall and be accepted solely & primarily on said petitioners and building owners requiring no liability by the City of Hillsboro."

Mr. Reddell gave copies of his presentation titled "Alley String Lighting" to Council which included – the above request mentioned above, copies of emails regarding his correspondence with the City Manager, a list of contacts from the City and Oncor that he had spoken with, samples of lighting from other cities, a list of local events that would benefit and several renditions of potential designs of the lighting.

In an email mentioned above, the City Manager wrote among other statements: "Section 311.001 of the Transportation Code of the State of Texas gives cities the authority to control, regulate, or remove an encroachment or obstruction on a public street or alley. Section 2.01 of the City Charter establishes that the City has the authority to regulate and control the use of the streets and other public places, which would include alleys. Section 4.01 of the City Charter establishes that the City Manager has the duty and responsibility to see that all City Charter provisions and ordinances are effectively enforced. Ordinance No. O2004-04-04 governs the use of public rights-of-way, protects safety, conserves the capacity of the rights-of-way, and protects safety and security of the rights-of-way. My determination is based on the authority that is established by each of these sections of the City Charter and the ordinance adopted by the City. It is my determination that the use of public rights-of-way is for the movement of people and goods and to provide utility services to the community. In order to protect the safety and security of the rights-of-way for these purposes and to protect the safety of those employees of the utility companies that must from time to time be in the public rights-of-way to maintain those utilities, it is my determination that it is not in the best interest of the public health and safety to allow lights to be strung across public rights-of-way."

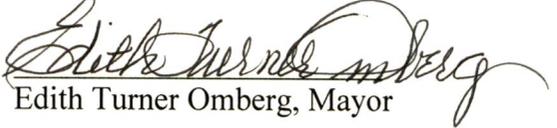
After several questions and statements from Council, it was determined that there should be another meeting scheduled between the City Manager and Mr. Reddell.

Hear and Deliberate on City Manager's Report on:

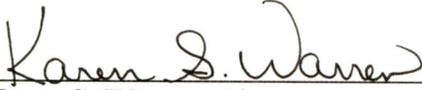
- a) **Street Improvements** – The contractor that will be doing the work on Old Brandon Road is in the process of making arrangements to purchase the materials for this project and have it delivered to the site. Plans are for them to use two trucks in order to complete the project faster. It was estimated that the project should start in the next couple of weeks and it should take around one week to complete the work.
- b) **Main Street** – It was reported that there was a good turnout for the Christmas events this year and work has already begun on the Fire and Ice event in February.
- c) **Community Appearance** – There has been progress made at some of the sites loading the debris piles from demolished properties into roll-off containers for disposal.

- d) **Local History and Genealogy Library and Building for Antique Fire Engines** – The City Attorney and City Manager are working with the architect to address issues about items in the proposed agreement for design of the genealogy library. The goal is to have this matter before Council at the next meeting.

There being no further business, the meeting was adjourned at approximately 6:51 p.m.


Edith Turner Omberg, Mayor

ATTEST:



Karen S. Warren, City Secretary

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