



CITY COUNCIL REGULAR MEETING AGENDA
APRIL 12, 2022 @ 5:00PM
CITY HALL COUNCIL CHAMBERS
10 NORTH ROBINSON STREET, CLEBURNE, TX 76031

A member of the public wishing to participate in the meeting may do so via the options below or view the [live broadcast](#).

- *In person*: Complete a speaker/comment registration card and turn in to the City Secretary before the meeting begins.
 - *Submit questions/comments online*: Complete a speaker/comment registration card found on the [City's online Agenda Center](#). Registration cards received by 4:00 p.m. the same day will be distributed to the Council for consideration.
 - *Address the Council by phone*: Submit a registration card as directed above and by 4:45p.m. call [\(346\) 248-7799](tel:3462487799) or (888) 788-0099. **Enter Meeting ID 995-6991-0537 and then press #.**
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I. ROLL CALL AND CALL TO ORDER BY MAYOR

City Council:

Scott Cain, Mayor
Derek Weathers, SMD 1
Chris Boedeker, Mayor Pro Tem/SMD 2
Mike Mann, SMD 3
John Warren, SMD 4

Administration:

Steve Polasek, City Manager
Ashley Dierker, City Attorney
Ivy Peterson, City Secretary

II. INVOCATION by Reverend Matt Barker, Cornerstone Pentecostal Church of God

III. PLEDGE OF ALLEGIANCE

IV. CITY SECRETARY READS THE GUIDELINES TO SPEAK BEFORE COUNCIL

V. CITIZENS COMMENTS

An opportunity for the public to make comments or address concerns for any matter whether or not posted on the agenda.

VI. COMMUNITY INTEREST MATTERS, ANNOUNCEMENTS & PRESENTATIONS

CMP1. Proclamation – National Public Safety Telecommunicator Week, April 10-16, 2022

CONSENT AGENDA

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.

MN1. CONSIDER MINUTES FOR THE MARCH 22, 2022 REGULAR COUNCIL MEETING.

RS1. CONSIDER A RESOLUTION CONSENTING TO THE EXTENSION OF THE DECLARATION OF LOCAL DISASTER UNTIL APRIL 26, 2022.

Presented by: Steve Polasek, City Manager

Summary: On March 23, 2020, the Mayor executed a Declaration of Local Disaster (“Declaration”) for the City of Cleburne pursuant to Section 418.108(a) of the Texas Government Code, which was for a period of seven days. In accordance with 418.108(b) of the Texas Government Code and following Governor Greg Abbott’s executive orders, the City Council has approved extensions to said Declaration, and continues to take actions to promote health and safety, and suppress the spread of COVID-19 in the community. This resolution for your consideration is to extend the existing Declaration to the next regular council meeting date of April 26, 2022 at 11:59 p.m. central daylight time.

RS2. CONSIDER A RESOLUTION AUTHORIZING THE EXTENSION OF THE INTERLOCAL AGREEMENT WITH JOHNSON COUNTY EMERGENCY SERVICES DISTRICT #1 FOR FIRE DISPATCH SERVICES.

Presented by: Scott Lail, Fire Chief

Summary: On March 10, 2020, City Council authorized the renewal of the Interlocal Agreement with Johnson County Emergency Services District #1 for fire dispatch services. The Agreement was for a two-year period, April 1, 2020 through March 31, 2022, and provides for an extension option of an additional two years, expiring March 31, 2024. The services are to provide fire dispatch services and continuing maintenance and upgrades to Fire/EMS dispatching software and equipment for an annual fee of \$10,000. All additional compensation is in the form of exchange of services by responses to emergencies using mutual or automatic aid of Cleburne resources to areas outside the city limits of Cleburne, and Johnson County ESD #1 resources into the city limits of Cleburne as agreed upon by Cleburne and Johnson County ESD #1.

RS3. CONSIDER A RESOLUTION APPROVING THE APPOINTMENT OF MICHELLE BEESON, M.D. FOR PROFESSIONAL SERVICES AS THE HEALTH AUTHORITY FOR THE CITY OF CLEBURNE.

Presented by: Scott Lail, Fire Chief

Summary: Due to the Disaster Declaration, the pandemic associated with the Coronavirus and CoVID-19, and the need for ongoing preparedness, Dr. Michelle Beeson is being recommended for reappointed as the City’s Municipal Health Authority for a period of two years. This

appointment allows the City of Cleburne to continue to CoVID test employees as needed. In the event that another CoVID strain or other health emergency should arise, it enables City Staff to receive expert medical advice quickly. Dr. Beeson has served the City as Cleburne Fire Department's Medical Director since 1999, and said services fall under the currently Medical Director contract.

RS4. CONSIDER A RESOLUTION AUTHORIZING A CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT WITH GARY FOX HOMES TO REIMBURSE AN AMOUNT EQUAL TO ASSESSED AND COLLECTED IMPACT FEES, UP TO A MAXIMUM OF \$4,000 UNDER THE INFILL LOT IMPACT FEE REBATE INCENTIVE PROGRAM FOR CONSTRUCTION OF A NEW HOME LOCATED AT 1138A ALVARADO STREET.

Presented by: Grady Easdon, Economic Development Manager

Summary: Mr. Fox has submitted an application for reimbursement of impact fees under the Infill Lot Impact Fee Rebate Incentive Program that was first adopted by City Council at the January 28, 2020 meeting. The Program was renewed as part of the Fiscal Year 2022 budget that was adopted at the September 14, 2021 City Council meeting. Their approximate investment will be \$145,000 for a 1,292 square foot home at 1138A Alvarado Street. This is one of the many "infill lots" in Cleburne that have been acquired by builders or developers for the purpose of constructing a new home for resale. As part of the Program, the builder must meet certain design and development standards and other criteria in order to qualify for reimbursement of these fees. Based upon the application documents and building plans submitted, the project meets the required criteria for Council consideration. Should this request be approved, there will be \$28,000 remaining for future projects under this Program.

RS5. CONSIDER A RESOLUTION AUTHORIZING THE RENEWAL OF THE SERVICE AGREEMENT WITH HUB INTERNATIONAL, LTD FOR HEALTH AND WELFARE BENEFITS CONSULTING SERVICES.

Presented by: Debra Powledge, Director of Human Resources

Summary: As health care costs continue to rise, and legislative and economic changes alter the benefit landscape, the City of Cleburne continues to seek innovative and cost-efficient employee benefits solutions. The City must continue to work aggressively in controlling cost management, including strong vendor management and sound plan design.

The City of Cleburne executed a contract in 2019 for a three-year agreement beginning June 1, 2019 through March 31, 2022. The terms included an option to renew for two additional one-year terms. HUB will be compensated by receiving 1% commission from the health insurance carrier for services rendered. HUB will not charge for expenses and will not accept any contingent compensation from contracted providers.

HUB International will provide consulting relating to all of the City's health plans and wellness initiatives to improve outcomes of health and welfare benefits. This includes optimizing the City's health and welfare benefit plan designs as compared to market and making recommendations to address the City's specific benefits and financial requirements. This employee benefits consulting services will consist of compliance auditing and implementation,

actuarial analytics and consulting, strategic consulting and implementation, and account management to include monthly and quarterly reporting, review, and analysis.

OC1. CONSIDER ACCOUNTS PAYABLE FOR THE MONTH OF FEBRUARY 2022.

Presented by: Rhonda Daugherty, Director of Finance

ACTION AGENDA

OR1. **PUBLIC HEARING CONSIDER AN ORDINANCE REZONING ±0.15 ACRES FROM M1 (LIGHT INDUSTRIAL DISTRICT) TO SF-4 (SINGLE-FAMILY DWELLING DISTRICT), LOCATED AT 609 COLORADO STREET, AS REQUESTED BY MISAEL RODRIGUEZ, CASE ZC22-007.**

Presented by: David Jones, Community Development Director

Summary: The applicant has requested to rezone approximately 0.15 acres from M1 (Light Industrial District) to SF-4 (Single-Family District) for the property located at 609 Colorado Street. The applicant has indicated their intent to rezone the subject property for the construction of a single-family residence. The Planning and Zoning Commission considered this request at their March 28, 2022 meeting and recommended approval with a vote of 5-0.

OR2. **PUBLIC HEARING CONSIDER AN ORDINANCE REZONING ±0.23 ACRES FROM M1 (LIGHT INDUSTRIAL DISTRICT) TO SF-4 (SINGLE-FAMILY DWELLING DISTRICT), LOCATED AT 941 NORTH BORDER STREET, AS REQUESTED BY ALEMTHAN PROPERTIES, LLC, REPRESENTED BY MICHAEL KILE, CASE ZC22-009.**

Presented by: David Jones, Community Development Director

Summary: The applicant has requested to rezone approximately 0.23 acres from M1 (Light Industrial District) to SF-4 (Single-Family District) for the property located at 941 North Border Street. The applicant has indicated their intent to rezone the subject property for the construction of a single-family residence. The Planning and Zoning Commission considered this request at their March 28, 2022 meeting and recommended approval with a vote of 5-0.

OR3. **CONTINUE PUBLIC HEARING CONSIDER AN ORDINANCE AMENDING CHAPTER THREE: “PLAN COMPONENTS” OF THE CITY OF CLEBURNE’S 2014 COMPREHENSIVE PLAN, PLAN CLEBURNE; THE CLEBURNE COMPREHENSIVE PLAN, A VISION FOR THE FUTURE, A ROADMAP FOR GROWTH, BY REPEALING AND REPLACING THE “FUTURE LAND USE PLAN” SECTION IN ITS ENTIRETY.**

Presented by: David Jones, Community Development Director

Summary: Staff is proposing amendments to chapter three titled “Plan Components” of the City of Cleburne’s 2014 Comprehensive Plan to update the City’s Future Land Use Plan (FLUP) Map and associated text describing the land use categories. These amendments coincide with the Zoning Ordinance and Zoning Map update. The purpose of this update is to refine the FLUP map

and text to provide guidance and reflect current conditions to make better-informed decisions when updating the Zoning Map.

The Future Land Use Plan (FLUP) is a high-level, 30,000-foot view of the City and serves as a comprehensive blueprint of Cleburne's vision for its future development pattern. The FLUP has two components: A Map and Land Use Categories.

The FLUP Map designates various districts within the City for particular land uses, such as residential, commercial or industrial. It is essential to note that the FLUP Map is not a Zoning Map, which legally regulates specific development requirements on individual pieces of land. Rather, the FLUP Map is a tool that is utilized when determining if a rezoning request is compatible with the district and neighborhood in which it is located.

The FLUP Categories designate the types of development and uses that are considered compatible within each district as depicted on the FLUP Map and the context to which the uses are best suited. The FLUP Map and Land Use Categories work in harmony to provide the City with policy guidance to make future development decisions that responsibly allocate resources and maintain the character of Cleburne.

Council previously voted to continue the public hearing for this item on November 9, 2021, February 8, 2022, and March 8, 2022. The Planning and Zoning Commission voted at their October 25, 2021 meeting to recommend approval by a vote of 6-0.

OR4. **CONTINUE PUBLIC HEARING CONSIDER AN ORDINANCE AMENDING TITLE XV: LAND USAGE, OF THE CODE OF ORDINANCES OF THE CITY OF CLEBURNE, BY AMENDING CHAPTER 155: ZONING, AND BY REVISING THE ZONING DISTRICT MAP OF THE CITY OF CLEBURNE.**

Presented by: David Jones, Community Development Director

Summary: Staff is proposing amendments to Chapter 155 titled "Zoning" of the City of Cleburne's Code of Ordinances, including the Zoning District Map, to comprehensively revise the city-wide development regulations that shape the future growth of the City.

The Zoning Ordinance is the section in the Code of Ordinances that regulates the development and use of property within the City. Zoning is use-based and determines appropriate uses for a property such as a residential subdivision or a commercial business. Zoning is also regulatory and determines site design standards including parking, landscaping and building placement on the property.

The City last updated the Zoning Ordinance in its entirety over twenty-five years ago in 1996. Since that time, Cleburne has experienced significant growth, evolving into the city it is today. The current Zoning Ordinance is outdated and inconsistent with the vision and goals set forth in the City's Comprehensive Plan.

The City, through a strategic and community-based process, has spent the past two years revising its Zoning Ordinance and Zoning Map to reflect both current and projected market and neighborhood conditions, as well as incorporate best practices for development regulations. These regulations serve as a tool to maintain and enhance the character of the community; promote and protect the public health, safety, and welfare of Cleburne; conserve property values; promote orderly growth; and encourage appropriate investment of land and structures throughout the City.

Council previously voted to continue the public hearing for this item on November 9, 2021, February 8, 2022, and March 8, 2022. The Planning and Zoning Commission voted at their October 25, 2021 meeting to recommend approval by a vote of 6-0.

RS6. *PUBLIC HEARING* CONSIDER A RESOLUTION RENAMING THE COMMUNITY PERFORMING ARTS CENTER (CPAC) LOCATED IN THE CLEBURNE CONFERENCE CENTER, A CITY OWNED FACILITY LOCATED AT 1501 WEST HENDERSON STREET, IN HONOR OF RICHARD “DICK” HELMCAMP.

Presented by: Ivy Peterson, City Secretary

Summary: Richard “Dick” Helmcamp, was a community icon for his contribution in the arts as band director at Cleburne High School. As Director, he transformed the program with the creation of the Golden Pride of Cleburne High Band that became an award winning high school band. After his retirement, he continued to contribute to the community by his participation with the Carnegie Players theater group. Mr. Helmcamp passed away this year, but his contribution and legacy will live on through many generations.

In accordance with the City’s policy for renaming facilities, a public hearing notice was published in the local newspaper on March 26, 2022.

OR5. CONSIDER AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR FISCAL YEAR OCTOBER 1, 2021 TO SEPTEMBER 30, 2022 (#5) BY APPROPRIATING \$76,835 FROM FUND BALANCE RESERVES IN THE GENERAL FUND FOR COSTS ASSOCIATED WITH THE PURCHASE OF CONSULTING SERVICES FOR ENTERPRISE RESOURCE PLANNING SOFTWARE SELECTION.

Presented by: Rhonda Daugherty, Director of Finance

Summary: In anticipation of the upcoming Enterprise Resource Planning (ERP) system selection and replacement, the city intends to utilize consulting services with a needs assessment, Request for Proposal (RFP) preparation, vendor selection, and contract negotiation for an ERP System. This would result in an increase to the appropriations in an amount of \$76,835.

The proposed additions to the General Fund appropriations will be funded from fund balance reserves, increasing total adopted expenditures from \$44,084,203 to \$44,161,038.

RS7. CONSIDER A RESOLUTION AUTHORIZING AN AGREEMENT FOR CONSULTING SERVICES FROM SCIENS, LLC FOR ENTERPRISE RESOURCE PLANNING (ERP) SOFTWARE SELECTION IN AN AMOUNT NOT TO EXCEED \$76,835.

Presented by: David Raybuck, Director of Information Technology

Summary: The City uses Incode software for an Enterprise Resource Planning (ERP) system used for accounting, financial reporting, payroll, cash collections, personnel tracking, utility billing, municipal court management, and several other critical functions. Incode was implemented in 1999, and it no longer meets the City’s growing needs. ERP replacement projects are large, complex, and too risky to take on without the assistance of an experienced

firm that specializes in this area. After evaluating multiple firms, staff recommends Sciens, LLC to assist with needs assessment, Request for Proposal (RFP) preparation, vendor selection, and contract negotiation for an ERP System at a cost not to exceed \$76,835, which includes a 10% contingency of \$6,985. The procurement of these services will utilize TIPS contract 200105 to meet competitive purchasing requirements.

RS8. CONSIDER A RESOLUTION AUTHORIZING A FOUR-YEAR LEASE PURCHASE AGREEMENT WITH GOVERNMENT CAPITAL CORPORATION TO PROVIDE GOLF CARTS UTILIZING CLUB CAR FOR THE CLEBURNE GOLF LINKS IN AN AMOUNT OF \$632,100.

Presented by: Aaron Dobson, Director of Parks & Recreation

Summary: Government Capital Corporation will provide 78 Club Car golf carts, one beverage service cart, and one carry-all range picker vehicle. This lease-purchase agreement has been competitively bid per Omnia Partners #EV2671-01 to ensure competitive purchasing requirements have been met.

Utilizing a lease-purchase agreement, in which the City receives title during the lease term, will eliminate the cost associated with property taxes. Structuring the final payment to include both the portion for the last year's equipment usage, as well as the residual value, preserves the integrity of the tax-exempt status of the interest income.

Upon the last payment, the City, with a repurchase agreement directly with the vendor Metro Golf, an authorized dealer for Club Car, will have two options. The City may keep the equipment by making the final payment in total, or the City may return the equipment to the vendor under the terms of the repurchase agreement with Metro Golf (\$280,000). This would be accomplished by the City exercising their option for the repurchase of the equipment in the stated price in the agreement. Under this option, the City would still be responsible for the full payment amount. However, if the City decides not to keep the equipment, the net cost to the City would be the difference between the final payment amount less the proceeds under the repurchase agreement. The current interest rates, financed amount, monthly payment, and residual payment are subject to market changes. Carts are estimated to be delivered within 12 to 18 months.

RS9. CONSIDER A RESOLUTION AUTHORIZING AN EXTENSION OF THE AGREEMENT WITH EZ-GO TO PROVIDE GOLF CARTS FOR THE CLEBURNE GOLF LINKS FOR AN AMOUNT NOT TO EXCEED \$86,754.60.

Presented by: Aaron Dobson, Director of Parks & Recreation

Summary: Due to manufacturing and shipping delays, new carts are unavailable for immediate delivery, and the estimated receiving date is April 2023. The current lease with EZ-Go is set to expire in June of 2022. An extension of the contract is required to maintain a quality of service for our Golf Links guests. Monthly payments for carts is \$7,755.46 for ten months resulting in \$77,554.60. Additionally, the vendor passes on property taxes estimated to be \$9,000. The existing lease agreement was competitively bid utilizing BuyBoard contract #447-14.

EXECUTIVE SESSION

Pursuant to the Open Meetings Act, Chapter 551, and the Texas Disaster Act, Chapter 418 of the Texas Government Code, Executive Session may be held at any time during the meeting that a need arises for the City Council to seek advice from the City Attorney as to any posted subject matter of this City Council Meeting.

§ 551.072. Deliberation regarding real property A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

EXE1. Discuss City-owned real property located at 1800 Sparks Drive

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

CERTIFICATION

THIS IS TO CERTIFY that the Notice of Meeting of the Cleburne City Council is a true and correct copy of said Notice and that I posted said Notice on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, as well as the City’s official website at www.cleburne.net and said Notice was posted on **Friday, April 8, 2022**, by **5:00 pm** in compliance with Chapter 551, Texas Government Code.

Note: A quorum of any Cleburne board, commission, or committee may participate during this meeting.



City of Cleburne

By: Ivy Peterson
Ivy Peterson, City Secretary



Reasonable accommodations to furnish auxiliary aids or services for persons with special needs will be provided when at least two working days’ notice is given. Contact the City Secretary’s office at (817) 645-0908 or by fax (817) 556-8848.