



**CITY COUNCIL REGULAR MEETING AGENDA**  
**APRIL 26, 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 #.

---

**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 David DenHartog, Cleburne Bible Church

**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.** Presentation – Quarterly Economic Development Update, Grady Easdon, Economic Development Manager

---

## 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.

**RS1. CONSIDER A RESOLUTION CONSENTING TO THE EXTENSION OF THE DECLARATION OF LOCAL DISASTER UNTIL MAY 10, 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 May 10, 2022 at 11:59 p.m. central daylight time.

**RS2. CONSIDER A RESOLUTION AUTHORIZING THE RENEWAL OF A PROFESSIONAL SERVICES AGREEMENT WITH SAFE BUILT TEXAS LLC, FOR THIRD PARTY BUILDING INSPECTIONS AND PLAN REVIEW FOR AN AMOUNT NOT TO EXCEED \$101,000.**

Presented by: David Jones, Community Development Director

Summary: A professional services agreement was entered into on March 31, 2020 between the City of Cleburne, and Safebuilt Texas LLC., to provide assistance to the Building Inspections Division with plan review and building inspections. The Agreement was initiated to provide assistance to staff due to increased development activity within the City and to address staffing workload challenges as the division attempts to fill vacant positions. The agreement was renewed for an addition 12 months in the amount of \$101,000 on April 13, 2021 and was effective May 26, 2021.

Staff is requesting to renew the Agreement for an additional twelve 12 months to May 25, 2023 for services to be provided on an as-needed basis. Renewal of this Agreement will provide the ability to maintain the same level of customer service the development community is accustomed to in Cleburne. The requested amount accounts for the anticipated demand as well as upcoming large-scale projects where the service will be utilized. This expenditure will be revenue neutral, as the permit fees associated with the inspections will offset the costs of this service.

**OR1. CONSIDER AN ORDINANCE AMENDING TITLE IX: GENERAL REGULATIONS OF THE CODE OF ORDINANCES BY AMENDING CHAPTER 97: LIBRARY, SECTION 97.01 FINES AND CHARGES FOR NONRESIDENT AND MISCELLANEOUS FEES.**

Presented by: Tina Dunham, Director of Library Services

Summary: The current fee for a non-resident library card is \$20 per person/family. The proposed increase will raise them to \$25 per person/family. The increase is necessary to offset costs in materials and services provided to nonresidents. The fees for photocopies will increase from .10 cents for black and white copies, .25 cents for color copies; to .15 cents for black and white, and .50 cents for color. These increases are necessary to cover associated costs such as toner, maintenance, and electricity. Staff made the recommendation after review of other copy service vendors within the city. This has been reviewed and recommended by the Library Advisory Board at their meeting on January 10, 2022.

**OC1. CONSIDER AUTHORIZING EXPENDITURE OF FUNDS FOR THE GENERATOR TRANSFER SWITCH AND CONNECTION BOX AT SPLASH STATION BY C&P ELECTRICAL SYSTEMS LLC, FOR AN AMOUNT NOT TO EXCEED \$35,500, AS RECOMMENDED BY THE 4B ECONOMIC DEVELOPMENT CORPORATION.**

Presented by: Aaron Dobson, Director of Parks & Recreation

Summary: This item is to oversee the connectivity for the backup generator system at Splash Station. This project was competitively bid, five bids were submitted, one bid did not attend the pre-bid meeting facility walk-through. The lowest eligible bid submitted was from C&P Electrical Systems, LLC, and they have been awarded this project for an amount not to exceed \$35,500. The 4B Economic Development Board of Directors considered and unanimously recommended this purchase at their April 20, 2022 meeting.

**OC2. CONSIDER ACCOUNTS PAYABLE AND BUDGET TRANSFERS FOR THE MONTH OF MARCH 2022.**

Presented by: Rhonda Daugherty, Director of Finance

---

**ACTION AGENDA**

---

**OR2. *\*PUBLIC HEARING\** CONSIDER AN ORDINANCE REZONING ±0.212 ACRES FOR A PORTION OF PD (PLANNED DEVELOPMENT DISTRICT) ORDINANCE OR10-2018-83 TO C3 (COMMERCIAL DISTRICT), GENERALLY LOCATED APPROXIMATELY 350 FEET WEST OF NORTH NOLAN RIVER ROAD AND ON THE SOUTH SIDE OF WEST KILPATRICK AVENUE, AS REQUESTED BY SVENDSEN PROPERTIES, LLC, CASE ZC22-005a.**

Presented by: David Jones, Community Development Director

Summary: The applicant has submitted two requests for the properties generally located approximately 350 feet west of N. Nolan River Road and on the south side of W. Kilpatrick Avenue (items OR2 and OR3 on this agenda). The applicant has indicated their intent to modify the existing lot lines for these properties in order to accommodate additional self-storage units. The applicant has an accompanying replat that will be considered on this same agenda. *NOTE: This application was requested prior to the update of the Zoning Ordinance. References to C3*

*district reflect the original request as publicly noticed but the property would be rezoned to RC, Regional Commercial District should the request be approved.*

The first request is to rezone approximately 0.212 acres from PD (Planned Development District) to C3 (Commercial District). The applicant requests to rezone the portion of land between the existing fence line of the duplexes and the current lot line of the commercial lots in order to provide additional acreage for the commercial lots. The applicant has submitted a replat in order to modify the rear lot line of the duplexes so that it follows the existing fence line. Should the zoning request be approved, the replat would conform with the new zoning and could also be approved.

The Planning and Zoning Commission considered this request at their April 11, 2022 meeting and recommended approval as presented by a vote of 6-0-1, with Commissioner Svendsen recusing himself from the motion.

**OR3. \*PUBLIC HEARING\* CONSIDER AN ORDINANCE AMENDING THE SPECIFIC USE PERMIT ORDINANCE OR09-2020-48 TO AUTHORIZE CONSTRUCTION OF TWO ADDITIONAL MINI WAREHOUSE BUILDINGS ON ±0.939 ACRES ZONED C3 (COMMERCIAL DISTRICT), INCLUDING ±0.212 ACRES PROPOSED AS C3 (COMMERCIAL DISTRICT), GENERALLY LOCATED APPROXIMATELY 280-350 FEET WEST OF NORTH NOLAN RIVER ROAD AND ON THE SOUTH SIDE OF WEST KILPATRICK AVENUE, AS REQUESTED BY SVENDSEN PROPERTIES, LLC, CASE ZC22-005b.**

Presented by: David Jones, Community Development Director

Summary: The second request is to amend the existing Specific Use Permit (SUP) Ordinance No. 09-2020-48 for Creekside Storage. The SUP was originally approved in September 2020 for one self-storage building containing 26 storage units; that building is currently under construction. The applicant intends to construct two additional self-storage buildings containing 31 new storage units on the same property. The applicant has provided a letter of intent, an updated site plan showing the location of the proposed buildings, floor plans, and photo examples of the proposed building materials, fencing, lighting, and the existing tree buffer in support of the SUP amendment request.

The Planning and Zoning Commission considered this request at their April 11, 2022 meeting and recommended approval with the condition outlined below by a vote of 6-0-1, with Commissioner Svendsen recusing himself from the motion:

- That both north elevations of Building B, facing W. Kilpatrick Avenue, be constructed with 100% brick material to match the existing building.

**OR4. CONSIDER AN ORDINANCE AMENDING TITLE IX: “GENERAL REGULATIONS,” OF THE CODE OF ORDINANCES BY AMENDING CHAPTER 94: “REGULATIONS OF FOOD ESTABLISHMENTS, RETAIL FOOD STORES, MOBILE FOOD UNITS AND ROADSIDE FOOD VENDORS,” SECTION 94.10: “GREASE TRAPS,” BY ADOPTING A STANDARD SIZING CHART FOR GREASE TRAPS, CREATING AN ADMINISTRATIVE ALTERNATIVE FOR PROPERTIES LOCATED IN THE DOWNTOWN DISTRICT, AND SPECIFYING STANDARDS OF CLEANLINESS AND MAINTENANCE OF INDOOR GREASE TRAPS.**

Presented by: David Jones, Community Development Director

Summary: Staff is proposing comprehensive amendments to Section 94.10 in order to adopt an official sizing chart for grease traps, assign responsibility for permitting and enforcement, specify additional performance standards and enforcement mechanisms, and create an exception for properties downtown where space for larger underground tanks is limited.

Food establishments are required to provide a grease trap to protect the intrusion of fats, oils, and greases into the City's sanitary sewer system. To provide for sanitary conditions in food preparation areas, these tanks are typically required to be located underground outside the building. Sizing of the trap is determined by the number and size of fixtures that provide water flow into the trap, but the typical size ranges from 500 to 1,500 gallons.

Both the current and proposed ordinance require grease traps to be installed outside the building to decrease the likelihood of contamination and pests in areas where food is handled. However, restaurants and businesses within the downtown area frequently lack adequate space to install large underground tanks within the boundaries of their property. Excavation activities can also produce an adverse impact on historic buildings. Alternative technology allows for indoor grease traps that have a smaller footprint, though they may need to be cleaned more frequently.

The proposed ordinance amendment allows the Building Official to issue a permit in downtown for an alternative type and size of trap that is lower than the proposed sizing chart, including a trap installed inside a building, if the device is certified by a licensed engineer.

To ensure any trap that is permitted functions adequately, the proposed amendment allows the City Health Inspector to require more frequent waste removal intervals and to require more intensive cleaning in and around the trap if it is determined increased intervals or cleanings are necessary to maintain the safety of sanitary sewer system and to maintain sanitary conditions inside or outside the building. If a business or operator fails to comply, the City can reserve other remedies to protect its system such as discontinuance of water service or requiring an Industrial Discharge Permit.

**OR5. \*PUBLIC HEARING\* CONSIDER AN ORDINANCE AMENDING TITLE XV: LAND USAGE, CHAPTER 154: SUBDIVISIONS, SECTION 154.004 DEFINITIONS, SECTION 154.041: STREET STANDARDS AND SECTION 154.080: STREET AND RIGHT-OF-WAY DESIGN CRITERIA REQUIREMENTS.**

Presented by: Jeremy Hutt, Public Works Director

Summary: On February 22, 2022, Council adopted the updated Master Thoroughfare Plan (MTP). The proposed Ordinance changes are required to update the current Ordinance into compliance with the new MTP standards. This includes definitions, street standards, and right-of-way and design criteria that are specified in the attached documentation with this agenda item.

**OR6. CONSIDER AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR FISCAL YEAR OCTOBER 1, 2021 TO SEPTEMBER 30, 2022 (#6) BY APPROPRIATING \$43,550 FROM FUND BALANCE RESERVES IN THE GENERAL FUND FOR COSTS ASSOCIATED WITH FACILITATING CHANGES NEEDED FOR GOLF LINKS.**

Presented by: Rhonda Daugherty, Director of Finance

Summary: This budget amendment is being requested to fund three renovation projects at the Golf Links Clubhouse. Authers Building Group (TIPS #210205) will scrape and stain all exterior wood, including structural beams. LiftCrete Solutions (TIPS #211001-3132) will lift and stabilize the trip hazard along the sidewalk area adjoining three sides of the Clubhouse and seal self-leveling caulking. DHC (TIPS 200201) will remove and install new hinges on 14 doors, along with weather stripping six double doors, and adjust 14 door leaves to allow for proper closure. This will allow for utilization of the doors at the Golf Links. All this results in an increase to the appropriations in an amount of \$43,550. The proposed additions to the General Fund appropriations will be funded from fund balance reserves, increasing total adopted expenditures from \$44,161,038 to \$44,204,588.

**RS3. CONSIDER A RESOLUTION APPROVING THE FINAL PLAT OF SILO MILLS PHASE 1A, FOR 114 SINGLE-FAMILY RESIDENTIAL LOTS AND SEVEN OPEN SPACE LOTS, BEING ±59.215 ACRES, GENERALLY LOCATED ON THE EAST SIDE OF COUNTY ROAD 1010 AND NORTH OF COUNTY ROAD 905, AS REQUESTED BY SILO MILLS INVESTMENTS, LLC, REPRESENTED BY PELOTON LAND SOLUTIONS, CASE PC22-013.**

Presented by: David Jones, Community Development Director

Summary: The applicant is requesting approval of the final plat Silo Mills Phase 1A, which consists of 114 single-family residential lots and seven open space lots that includes an amenity center. The Silo Mills residential subdivision is within the City's Extraterritorial Jurisdiction (ETJ), generally located on the east side of County Road 1010 and north of County Road 905.

The final plat for Phase 1A meets all of the minimum requirements as outlined in Chapter 154 of the Code of Ordinances and the approved Development Agreement for Silo Mills. The Planning and Zoning Commission considered this request at their April 11, 2022 meeting and recommended approval with a vote of 7-0.

**RS4. CONSIDER A RESOLUTION APPROVING THE FINAL PLAT OF SILO MILLS PHASE 1B, FOR 148 SINGLE-FAMILY RESIDENTIAL LOTS AND TWO OPEN SPACE LOTS, BEING ±32.476 ACRES, GENERALLY LOCATED ON THE EAST SIDE OF COUNTY ROAD 1010 AND NORTH OF COUNTY ROAD 905, AS REQUESTED BY SILO MILLS INVESTMENTS, LLC, REPRESENTED BY PELOTON LAND SOLUTIONS, CASE PC22-014.**

Presented by: David Jones, Community Development Director

Summary: The applicant is requesting approval of the final plat Silo Mills Phase 1B, which consists of 148 single-family residential lots and two open space lots. The Silo Mills residential subdivision is within the City's Extraterritorial Jurisdiction (ETJ), generally located on the east side of County Road 1010 and north of County Road 905.

The final plat for Phase 1B meets all of the minimum requirements as outlined in Chapter 154 of the Code of Ordinances and the approved Development Agreement for Silo Mills. The Planning and Zoning Commission considered this request at their April 11, 2022 meeting and recommended approval with a vote of 7-0.

**RS5. CONSIDER A RESOLUTION APPROVING THE REPLAT OF TOWNE NORTH ESTATES, FOR THREE DUPLEX LOTS AND TWO COMMERCIAL LOTS, BEING ±3.547 ACRES, GENERALLY LOCATED APPROXIMATELY 350 FEET WEST OF NORTH NOLAN RIVER ROAD AND ON THE SOUTH SIDE OF WEST KILPATRICK AVENUE, AS REQUESTED BY SVENDSEN PROPERTIES, LLC, AND HANSEN DEVELOPMENT HOLDINGS, REPRESENTED BY TRANS TEXAS SURVEYING, CASE PC22-019.**

Presented by: David Jones, Community Development Director

Summary: The applicant is requesting approval of the replat for Towne North Estates, which consists of three duplex lots and two commercial lots, generally located west of North Nolan River Road and on the south side of west Kilpatrick Avenue. The purpose of this replat is to modify the existing lot lines to accommodate additional acreage for the proposed commercial lots. The applicant has an accompanying rezoning and Specific Use Permit (SUP) request (item OR2) on this agenda. If that request is approved, the proposed plat will conform with the modified zoning and Chapter 154 of the Subdivision Ordinance.

The Planning and Zoning Commission considered this request at their April 11, 2022 meeting and recommended approval with a vote of 6-0-1, with Commissioner Svendsen recusing himself from the motion.

**RS6. CONSIDER A RESOLUTION AUTHORIZING AN INCREASE IN EXPENDITURES OF \$17,550 FOR FY 2022 FROM THE MAINTENANCE AND REPAIR RESERVE FUND AS PART OF THE STADIUM LEASE AGREEMENT BETWEEN CLEBURNE BASEBALL, LLC, AND THE CITY OF CLEBURNE.**

Presented by: Steve Polasek, City Manager

Summary: As part of the City's stadium lease agreement with Cleburne Baseball, LLC (Tenant) there exists a Maintenance and Repair Reserve Fund (Maintenance Fund). The Maintenance Fund was established to allow for repair, replacement and maintenance of such items as HVAC units, elevator, flooring/carpeting, electronics or other improvements that will enhance the use or safety of the stadium. The Maintenance Fund is financed through annual contributions of \$25,000 each from the Tenant and the City. In addition, the annual rent payments are also deposited in to the Maintenance Fund. The fund balance as of March 31, 2022 is \$155,049.

The Stadium Lease Agreement (Agreement) automatically allows for the Tenant to deduct up to \$25,000 annually from the fund for such items as listed above. At the February 8, 2022 meeting, City Council authorized the Tenant to exceed this amount by \$65,000 primarily for the repair, replacement and addition of padding along a portion of the field walls and railings. This action increased the FY 2022 approved expenditures to \$90,000. Unfortunately, it is anticipated that the remaining balance (\$25,000) typically utilized for general maintenance repair and replacement items will not be enough to cover all of the items identified. As such, this request is for approval to expend up to an additional \$17,550 for FY 2022. No additional requests are anticipated this fiscal year as a \$7,500 contingency has been included in the expenditure estimates listed below.

MAINTENANCE FEE FUND ITEMS

Stadium Padding	(\$ 54,272.00)
Maintenance items YTD	(\$ 8,791.04)
A/V electronics equipment	(\$ 28,800.00)
HVAC Blower Motor	(\$ 8,187.29)
Contingency on HVAC & Electric	<u>(\$ 7,500.00)</u>
TOTAL	(\$107,550.33)
FUND BALANCE	\$155,049.00
Approved Amount	(\$ 90,000.00)
New Amount Requested	<u>(\$ 17,550.33)</u>
NEW FUND BALANCE	\$ 47,498.67

If approved, the Maintenance Fund Balance for FY 2022 would decrease from \$65,049 to approximately \$47,499. In FY 2023, the Maintenance Fund will receive additional deposits of \$25,000 each from the Tenant and the City (4A Sales Tax), as well as a \$75,000 Tenant rent payment. This will result in a projected FY 2023 Maintenance Fund balance of \$172,498.

---

**DISCUSSION & UPDATES**

---

**OC3. DISCUSS PUBLIC OUTREACH EFFORTS FOR THE FEMA ISSUED PRELIMINARY FLOOD INSURANCE RATE MAPS.**

Presented by: Jeremy Hutt, Director of Public Works

Summary: Update and overview of the National Flood Insurance Program, FEMA FIRM maps, associated updates, and public outreach efforts.

**OC4. DISCUSS PROPOSED CHANGES TO THE UTILITY STAFFING STRUCTURE.**

Presented by: Jeremy Hutt, Director of Public Works

Summary: The Utility system is an essential role of the City and delivery of high quality water and conveyance of sewage are of the utmost importance. The proposed changes in the Utility staffing structure was developed to address multiple factors, including:

- Recruitment - Promote interest in working for the City of Cleburne Utility; and
- Recognition - Reward existing employees that have previously earned utility licensing; and
- Retention - Incentive current and new employees to develop new skills and achieve new licensing levels.

This proposal will impact staff within the following utility divisions; Water Treatment, Wastewater Treatment, Distribution Services, Wastewater Collections, Meter Services.

**OC5. DISCUSS MID-YEAR REVIEW OF EMPLOYEE BENEFITS.**

Presented by: Debra Powledge, Director of Human Resources



Summary: This is the mid-year review of employee benefits as it stands currently, and discussion of upcoming request for proposals and strategic recommendations as it comes time for renewals. Heath Haigood, Account Executive with HUB International will be presenting.

---

**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.

**Section 551.071. Consultation with Attorney** The City Council will convene into executive session to receive legal advice from the City Attorney on the following matters in which the duty of the City Attorney to the City's governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code:

**EXE1.** Actions taken and to be taken related to securing the building located at 14 East Chambers Street (further described as the Southwest Corner of Caddo Street and Chambers Street)

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](http://www.cleburne.net) and said Notice was posted on **Friday, April 22, 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.