



CITY COUNCIL REGULAR MEETING MINUTES
MARCH 22, 2022 @ 5:00 PM
CITY HALL COUNCIL CHAMBERS
10 NORTH ROBINSON STREET, CLEBURNE, TX 76031

I. ROLL CALL AND CALL TO ORDER BY MAYOR @ 5:00 PM

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| <p><u>City Council:</u></p> <ul style="list-style-type: none">✓ Scott Cain, Mayor✓ Derek Weathers, SMD 1✓ Chris Boedeker, Mayor Pro Tem/SMD 2✓ Mike Mann, SMD 3✓ John Warren, SMD 4 | <p><u>Administration:</u></p> <ul style="list-style-type: none">✓ Steve Polasek, City Manager✓ Ashley Dierker, City Attorney✓ Ivy Peterson, City Secretary |
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II. INVOCATION by Dr. Ron Shultz, Bethel Temple Assembly of God

III. PLEDGE OF ALLEGIANCE

IV. ~~CITY SECRETARY READS THE GUIDELINES TO SPEAK BEFORE COUNCIL~~
The Mayor waived the reading of the guidelines to speak until such a time is necessary.

V. CITIZENS COMMENTS

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

Mayor Cain read into the record comments submitted by Lora Conly via the online registration form requesting updates on a renovation of the Animal Shelter.

VI. COMMUNITY INTEREST MATTERS, ANNOUNCEMENTS & PRESENTATIONS

CMP1. Presentation – GFOA Certificate of Achievement for Excellence in Financial Reporting Award for Fiscal Year 2020 Annual Audit Report

Director of Finance, Rhonda Daugherty as well as additional finance staff presented Council with the GFOA Certificate award. Ms. Daugherty announced this is the 32nd year the City has received this award.

CONSENT AGENDA

All of the following items on the Consent Agenda are considered to be routine and self-explanatory by the Council and were enacted with one motion.

MN1. CONSIDER MINUTES FOR THE MARCH 8, 2022 REGULAR COUNCIL MEETING.

RS1. RS03-2022-33 CONSIDER A RESOLUTION CONSENTING TO THE EXTENSION OF THE DECLARATION OF LOCAL DISASTER UNTIL APRIL 12, 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 12, 2022, at 11:59 p.m. central daylight time.

OR1. OR03-2022-27 CONSIDER AN ORDINANCE APPOINTING JUDGES AND ALTERNATE JUDGES FOR THE PURPOSE OF CONDUCTING THE CITY OF CLEBURNE AND CLEBURNE INDEPENDENT SCHOOL DISTRICT MAY 7, 2022 JOINT GENERAL ELECTION.

Presented by: Ivy Peterson, City Secretary

Summary: The City Secretary’s Office, in accordance with the Joint Election Agreement, will provide for the administration of the City’s and Cleburne Independent School District’s General Election. Pursuant to the Texas Election Code (§32.008) and the Agreement, Council is to appoint the presiding and alternate election judges for each District (i.e. Precinct) in which an election is held. The role of the alternate is to serve as presiding judge if the appointed judge cannot serve, otherwise, the alternate serves as one of the clerks. The appointment term will be for the May 7, 2022 General Election.

Staff has sought candidates and recommends appointment of the following for their respective District/assignment:

DISTRICT NAME	LOCATION OF POLLING PLACE	JUDGES/ALTERNATES
“District 1/3”	Cooke Elementary School, Cafeteria 902 Phillips Street	Sherry Reeves Ronald Shultz, Alt
“District 2”	Gerard Elementary, Cafeteria 1212 South Hyde Park Boulevard	Kimberly Spalding Lori (Janelle) Parker, Alt
“District 4”	Booker T Washington Community & Recreation Center, Banquet Hall, 100 Mansfield Road	Richard Gaurkee Beatrice Lopez, Alt
“Early Voting Ballot Board”	Cleburne City Hall, Conference Room 10 North Robinson Street	Heather Aikman Julie Traut, Alt

RS2. RS03-2022-34 CONSIDER A RESOLUTION AUTHORIZING A CHAPTER 380 AGREEMENT WITH JML INVESTMENTS, LTD, UNDER THE TERMS OF THE FAÇADE IMPROVEMENT ECONOMIC DEVELOPMENT INCENTIVE PROGRAM, FOR PROPERTY LOCATED AT 1705 NORTH MAIN STREET.

Presented by: Grady Easdon, Economic Development Manager

Summary: Mr. James Lemons, representing JML Investments Ltd., has submitted an application under the City of Cleburne’s Façade Improvement program seeking reimbursement of expenditures for improvements to his property located at 1705 North Main Street. The scope of work for this project includes repainting the building exterior and repainting the iron perimeter fencing. Under the terms of the Façade Improvement Incentive Program, up to 50% of eligible project costs are reimbursable up to a maximum of \$5,000. Total cost of this project for improvements will be \$16,700.00, so the maximum reimbursement would be \$5,000.00. Should this request be approved, there will be \$23,503.00 in remaining funds for other projects under the program.

RS3. RS03-2022-35 CONSIDER A RESOLUTION AUTHORIZING A CHAPTER 380 AGREEMENT WITH JML INVESTMENTS, LTD, UNDER THE TERMS OF THE FAÇADE IMPROVEMENT ECONOMIC DEVELOPMENT INCENTIVE PROGRAM, FOR PROPERTY LOCATED AT 2201 NORTH MAIN STREET.

Presented by: Grady Easdon, Economic Development Manager

Summary: Mr. James Lemons, representing JML Investments Ltd., has submitted an application under the City of Cleburne’s Façade Improvement program seeking reimbursement of expenditures for improvements to his property located at 2201 North Main Street. The scope of work for this project includes repainting the building exterior and repainting the pole sign facing Main Street. Under the terms of the Façade Improvement Incentive Program, up to 50% of eligible project costs are reimbursable up to a maximum of \$5,000. Total cost of this project for improvements will be \$10,600.00, so the maximum reimbursement would be \$5,000.00. Should this request be approved, there will be \$18,503.00 in remaining funds for other projects under the program.

RS4. RS03-2022-36 CONSIDER A RESOLUTION AUTHORIZING A CHAPTER 380 AGREEMENT WITH JML INVESTMENTS, LTD, UNDER THE TERMS OF THE FAÇADE IMPROVEMENT ECONOMIC DEVELOPMENT INCENTIVE PROGRAM, FOR PROPERTY LOCATED AT 2203 NORTH MAIN STREET.

Presented by: Grady Easdon, Economic Development Manager

Summary: Mr. James Lemons, representing JML Investments Ltd., has submitted an application under the City of Cleburne’s Façade Improvement program seeking reimbursement of expenditures for improvements to his property located at 2203 North Main Street. The scope of work for this project includes repainting the building exterior and repainting the pole sign facing Main Street. Under the terms of the Façade Improvement Incentive Program, up to 50% of eligible project costs are reimbursable up to a maximum of \$5,000. Total cost of this project for improvements will be \$10,600.00, so the maximum reimbursement would be \$5,000.00. Should

this request be approved, there will be \$13,503.00 in remaining funds for other projects under the program.

RS5. RS03-2022-37 CONSIDER A RESOLUTION CONSENTING TO THE ASSIGNMENT OF A LAND LEASE AGREEMENT WITH PARTNERS AVIATION, INC FOR TRACT 501 AT THE CLEBURNE REGIONAL AIRPORT; DECLINING TO EXERCISE THE CITY'S FIRST OPTION TO PURCHASE BUILDINGS AND IMPROVEMENTS ATTENDANT TO THIS ASSIGNMENT.

Presented by: Sharlette Wright, Airport Manager

Summary: Mr. Holden has sold his aircraft and would like to sell his leasehold interest in Hangar 501 for \$250,000. The lease states "The City shall have the first option to purchase the buildings and improvements. Should the City refuse to buy the buildings and improvements on the leased premises (i.e. Tract 501), the Lessee may sell said building to another prospective purchaser." Staff recommends declining the right to purchase and consenting to the assignment. The leasehold assignment will be brought to Council for approval before the sale of the facility.

OC1. CONSIDER CONFIRMING THE APPOINTMENT OF NEAL SANDLIN TO THE CLEBURNE POLICE RESERVE FORCE IN ACCORDANCE WITH TEXAS LOCAL GOVERNMENT CODE § 341.012 AND CITY OF CLEBURNE, TEXAS CODE OF ORDINANCES § 33.03.

Presented by: Rob Severance, Police Chief

Summary: Chief Severance is requesting Council to confirm the appointment of Sergeant Neal Sandlin (upon his retirement) to the Cleburne Police Reserve Force, thereby permitting him to carry a weapon and act as a peace officer at all times, in accordance with Texas Local Government Code § 341.012 and City of Cleburne, Texas Code of Ordinances § 33.03. Sgt. Sandlin has announced his intent to retire from the Cleburne Police Department, effective March 25, 2022, with 22 years of service. Neal holds Texas Master Peace Officer and Instructor certifications.

OC2. CONSIDER AUTHORIZING EXPENDITURE OF FUNDS FOR THE BANQUET HALL AUDIOVISUAL RENOVATION AT BOOKER T. WASHINGTON COMMUNITY AND RECREATION CENTER BY DELCOM GROUP FOR AN AMOUNT NOT TO EXCEED \$29,590.35; AS RECOMMENDED BY CLEBURNE 4B ECONOMIC DEVELOPMENT CORPORATION.

Presented by: Aaron Dobson, Director of Community Services

Summary: The banquet hall room audiovisual project will include a motorized recessed ceiling screen, ceiling mounted projector, flush mounted speakers and subwoofers, wireless microphone system, and HDMI wall plate. Delcom Group was awarded this project utilizing TIPS contract, #200904 AV, for an amount not to exceed \$29,590.35. The 4B Economic Development Board of Directors considered and unanimously recommended this purchase at the March 17, 2022 meeting.

RS6. RS03-2022-38 CONSIDER AUTHORIZING CITY STAFF TO SET RATES OF PAY FOR SPLASH STATION LIFEGUARDS IN ACCORDANCE WITH REGIONAL MARKET RATES; AS RECOMMENDED BY CLEBURNE 4B ECONOMIC DEVELOPMENT CORPORATION.

Presented by: Aaron Dobson, Director of Community Services

Summary: To ensure Splash Station can hire the best regional staff, the facility must be competitive with its lifeguard rates. This action will allow staff to proactively adjust lifeguard pay rates to those in the regional market. The 4B Economic Development Board of Directors considered and unanimously recommended this process at the March 17, 2022 meeting.

MOTION: to approve as presented in its entirety

	Motion	Second	Aye	No	Abstain	Absent		Result
Weathers		X	X				X	Approved as presented
Boedeker	X		X					Approved as amended
Mann			X					Denied
Warren			X					Withdrawn
Cain			X					Postponed until:
X	Motion Carried		Motion Failed					Roll Call

ACTION AGENDA

RS7. RS03-2022-39 CONSIDER A RESOLUTION ACCEPTING THE ANNUAL AUDIT FOR FISCAL YEAR ENDED SEPTEMBER 30, 2021.

Presented by: Rhonda Daugherty, Director of Finance

Summary: Section 8.12 of the City of Cleburne Charter states that an independent firm of certified public accountants will perform the annual audit and present the results to the City Council. On Monday, March 14, 2022, the Audit Committee met with John Manning, the audit engagement partner with the City’s audit firm, Pattillo, Brown and Hill LLP, to review the results of the annual audit for Fiscal Year ended September 30, 2021 and the Statement on Auditing Standards 114 audit management letter. The City received an unmodified opinion (Independent Auditor’s Report), which is the most favorable audit opinion an entity can receive. John Manning of Pattillo, Brown and Hill LLP, will be present to give a brief presentation regarding the annual audit. The Annual Comprehensive Financial Report (ACFR) for Fiscal Year ended September 30, 2021 is an exhibit to the staff report. A public copy of the ACFR is available for review. The ACFR will also be available on the City’s website after acceptance by City Council.

John Manning of Pattillo, Brown and Hill, LLP presented the annual audit report to the City Council.

Mayor Cain explained the outside audit is for full transparency with all City funds that staff uses a lean conservative budget in order to protect taxpayer’s dollars.

MOTION: to accept the annual audit as presented

	Motion	Second	Aye	No	Abstain	Absent		Result
Weathers			X				X	Approved as presented
Boedeker			X					Approved as amended
Mann		X	X					Denied
Warren	X		X					Withdrawn
Cain			X					Postponed until:
X	<i>Motion Carried</i>		<i>Motion Failed</i>					<i>Roll Call</i>

OR2. OR03-2022-00 *PUBLIC HEARING* CONSIDER AN ORDINANCE REZONING ±1.82 ACRES FROM SF-4 (SINGLE-FAMILY DWELLING DISTRICT) AND MF (MULTIPLE-FAMILY HOUSING DISTRICT) TO C1 (LOCAL BUSINESS DISTRICT), LOCATED AT 201 AND 205 WEST HARRELL STREET, AS REQUESTED BY JOHNSON COUNTY, REPRESENTED BY JOHNSON COUNTY PUBLIC WORKS, CASE ZC22-001.

Presented by: David Jones, Director of Community Development

Summary: The applicant has requested to rezone approximately 1.82 acres from SF-4 (Single-Family District) and MF (Multiple-Family Housing District) to C1 (Local Business District) for the properties located at 201 and 205 West Harrell Street. The applicant has indicated their intent to rezone and replat the subject property for the construction of a maintenance shop for Johnson County Public Works.

The Planning and Zoning Commission considered this request at their March 14, 2022 meeting and recommended denial with a vote of 4-0. The recommendation of denial requires a supermajority vote for approval by City Council.

Mayor Pro Tem Boedeker stepped out of the chambers due to conflict of interest.

At the request of the applicant, this rezone was withdrawn from consideration. However, since this item was published and posted as a public hearing, Mayor Cain opened the public hearing. There were no speakers and the public hearing was closed and no action was taken by the Council.

Mayor Pro Tem Boedeker re-entered the chambers.

OR3. OR03-2022-28 *PUBLIC HEARING* CONSIDER AN ORDINANCE REZONING ±0.20 ACRES FROM C0 (NON-RETAIL DISTRICT) TO SF-4 (SINGLE-FAMILY DWELLING DISTRICT), LOCATED AT 314 NORTH ANGLIN STREET, AS REQUESTED BY STAR EXECUTIVES, REPRESENTED BY STEVE DONGO, CASE ZC22-006.

Presented by: David Jones, Director of Community Development

Summary: The applicant has requested to rezone approximately 0.20 acres from C0 (Non-Retail District) to SF-4 (Single-Family Dwelling District) for the property located at 314 North Anglin Street. The applicant has indicated their intent to convert the existing residential structure into a single-family home.

The Planning and Zoning Commission considered this request at their March 14, 2022 meeting and recommended approval with a vote of 4-0.

Mayor Cain opened the public hearing and members of the public who registered to speak were invited to come forward.

Proponent Steve Dongo was available in person and answered questions of the Council.

Dan Roberts spoke in opposition of the rezone as he would like to see the property zoned commercial for future business opportunities.

There were no further speakers and Mayor Cain closed the public hearing.

Mayor Pro Tem Boedeker asked staff for information on the current usage of homes in the area and staff confirmed they were being utilized as family dwellings and not commercial.

Mayor Cain asked the applicant if the property remained as non-retail (C0) would the financing be denied and he replied it would.

Staff explained the houses to the south will remain commercial and that it wouldn't stop the commercial business that are close to the home.

MOTION: to approve as presented

	Motion	Second	Aye	No	Abstain	Absent		Result
Weathers		X	X				X	Approved as presented
Boedeker			X					Approved as amended
Mann			X					Denied
Warren	X		X					Withdrawn
Cain			X					Postponed until:
X	Motion Carried		Motion Failed					Roll Call

OR4. OR03-2022-29 *PUBLIC HEARING* CONSIDER AN ORDINANCE AMENDING TITLE XV, "LAND USAGE," OF THE CODE OF ORDINANCES BY AMENDING CHAPTER 154, "SUBDIVISIONS," ADDING PROVISIONS TO CLARIFY THE APPLICABILITY OF PRELIMINARY PLATS, EXTENDING THE PERIOD OF VALIDITY FOR PRELIMINARY PLATS AND UPDATING THE EXTENSION OF APPROVAL FOR PRELIMINARY PLATS; CASE GC22-004.

Presented by: David Jones, Director of Community Development
 Summary: Staff is proposing amendments to Sections 154.020 "General Procedures," 154.021 "Pre-Application Conference," and 154.022 "Preliminary Plats – Procedures for Approval." The proposed amendments clarify the applicability of preliminary plats, extend the period of validity for preliminary plats from 12 months to 24 months and clarify the circumstances under which an extension of preliminary plat approval is necessary.

As development occurs throughout the City, the number of preliminary plats for larger residential subdivisions has increased. In order to allow adequate time, as provided by state law, for the review of civil plans and construction of public infrastructure for these projects, staff is proposing these amendments to clarify the applicability and validity of preliminary plats. The proposed amendments further clarify the preliminary plat approval process and specify the circumstances under which a preliminary plat is waived.

The current ordinance requires a preliminary plat for any subdivision or re-subdivision of property; the proposed changes allow for a waiver of the requirement to submit a preliminary plat if a property is to be developed in one phase, will not require extension of public utilities, and will not require construction within a floodplain. These changes will reduce developer cost for smaller and infill developments, and will reduce staff review time, while preserving the City’s ability to require a preliminary plat for developments where a preliminary review is necessary.

In addition to the applicability of a preliminary plat, the proposed amendment also changes the expiration period of approved preliminary plats to conform to state law and to provide developers with adequate time to complete and receive approval of civil construction plans, which is required prior to the acceptance of a final plat. The proposal would extend the current expiration period of a preliminary plat from 12 months to 24 months and clarify when an extension of preliminary plat approval is needed. The proposed amendments will allow a preliminary plat to remain valid throughout the 24-month period, provided that the developer demonstrates progress towards completion of the development as defined in the Texas Local Government Code within 24 months of approval.

If an extension is needed prior to the 24-month expiration, staff may grant an initial extension of the approval for up to 12 months, with any subsequent extension requiring approval by City Council.

Additional minor updates are proposed to the Preliminary Plat intent statement and the Preliminary Plat approval process. One change clarifies that if a preliminary plat is conditionally approved or denied by City Council, once the plat is resubmitted with the conditions addressed, it would only require approval from City Council and not need to be resubmitted to the Planning and Zoning Commission, consistent with state law. Other changes merely clarify the approval entity and do not make any material changes to the approval process.

Mayor Cain opened the public hearing. There were no speakers and the public hearing was closed.

MOTION: to approve as presented

	Motion	Second	Aye	No	Abstain	Absent	Result
Weathers			X				X Approved as presented
Boedeker	X		X				Approved as amended
Mann		X	X				Denied
Warren			X				Withdrawn
Cain			X				Postponed until:
X	Motion Carried		Motion Failed				Roll Call

Mayor Pro Tem Boedeker excused himself from the meeting.

RS8. RS03-2022-40 CONSIDER A RESOLUTION APPROVING THE PRELIMINARY PLAT OF RUSTIC ELM, FOR 37 SINGLE-FAMILY DETACHED RESIDENTIAL LOTS, 6 DUPLEX LOTS, 2 COMMERCIAL LOTS, AND 1 OPEN SPACE LOT, BEING ±17.346 ACRES ZONED SF-4 (SINGLE-FAMILY DWELLING DISTRICT), D (DUPLEX OR TWO-FAMILY DWELLING DISTRICT), C3 (COMMERCIAL DISTRICT) AND C2 (GENERAL BUSINESS DISTRICT), GENERALLY LOCATED ON THE NORTH SIDE OF WEST KILPATRICK AVENUE AND APPROXIMATELY 1,400 FEET WEST OF GRANBURY STREET, AS REQUESTED BY CH DEVELOPMENT, REPRESENTED BY JOHN HARDEE, CASE PC22-007.

Presented by: David Jones, Director of Community Development

Summary: The applicant is requesting approval of the preliminary plat for Rustic Elm, which consists of 37 single-family detached residential lots, six duplex lots, two commercial lots and one open space lot. The applicant is proposing to develop a residential subdivision, with both single-family homes and duplexes, with the frontage lot along West Kilpatrick Avenue reserved for future commercial development.

The preliminary plat meets all of the minimum requirements as outlined in Chapter 154 and Chapter 155 of the Code of Ordinances. The Planning and Zoning Commission considered this request at their March 14, 2022 meeting and recommended approval with a vote of 4-0.

Proponent Courtney Coates was available in person should the Council have any questions

MOTION: to approve as presented

	Motion	Second	Aye	No	Abstain	Absent		Result
Weathers	X		X				X	Approved as presented
Boedeker						X		Approved as amended
Mann			X					Denied
Warren		X	X					Withdrawn
Cain			X					Postponed until:
X	<i>Motion Carried</i>		<i>Motion Failed</i>					<i>Roll Call</i>

RS9. RS03-2022-41 CONSIDER A RESOLUTION APPROVING THE FINAL PLAT OF CHISHOLM HILLS ADDITION, FOR 99 SINGLE-FAMILY DETACHED RESIDENTIAL LOTS AND 3 OPEN SPACE LOTS, BEING ±22.812 ACRES ZONED PD (PLANNED DEVELOPMENT DISTRICT), GENERALLY LOCATED ON THE SOUTH SIDE OF WOODARD AVENUE AND APPROXIMATELY 485 FEET EAST OF DOTY ROAD, AS REQUESTED BY CLAIREMONT CHISHOLM HILLS, LLC, REPRESENTED BY MARK ALLEN, CASE PC22-009.

Presented by: David Jones, Director of Community Development

Summary: The applicant is requesting approval of the final plat for Chisholm Hills Addition, which consists of 99 single-family detached residential lots and three open space lots.

The final plat meets all of the minimum requirements as outlined in PD OR10-2020-61 and Chapter 154 of the Code of Ordinances. The Planning and Zoning Commission considered this request at their March 14, 2022 meeting and recommended approval with a vote of 4-0.

MOTION: to approve as presented

	Motion	Second	Aye	No	Abstain	Absent		Result
Weathers		X	X				X	Approved as presented
Boedeker						X		Approved as amended
Mann	X		X					Denied
Warren			X					Withdrawn
Cain			X					Postponed until:
X	<i>Motion Carried</i>		<i>Motion Failed</i>					<i>Roll Call</i>

RS10. RS03-2022-42 **CONSIDER A RESOLUTION APPROVING THE FINAL PLAT OF HILLTOP MEADOWS ADDITION FOR 6 RESIDENTIAL LOTS, BEING ±6.932 ACRES IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF CLEBURNE, GENERALLY LOCATED NEAR THE SOUTHWEST INTERSECTION OF COUNTY ROAD 314 AND COUNTY ROAD 427A, AS REQUESTED BY REVCON, LLC, REPRESENTED BY TRANS TEXAS SURVEYING, CASE PC22-012.**

Presented by: David Jones, Director of Community Development
 Summary: The applicant is requesting approval of the final plat for Hilltop Meadows Addition, which consists of six residential lots, generally located near the southwest intersection of County Road 314 and County Road 427A, within the City’s Extraterritorial Jurisdiction (ETJ).

The final plat meets all of the minimum requirements as outlined in Chapter 154 of the Code of Ordinances. The Planning and Zoning Commission considered this request at their March 14, 2022 meeting and recommended approval with a vote of 4-0.

MOTION: to approve as presented

	Motion	Second	Aye	No	Abstain	Absent		Result
Weathers			X				X	Approved as presented
Boedeker						X		Approved as amended
Mann		X	X					Denied
Warren	X		X					Withdrawn
Cain			X					Postponed until:
X	<i>Motion Carried</i>		<i>Motion Failed</i>					<i>Roll Call</i>

OR5 OR03-2022-30 ***PUBLIC HEARING*** **CONSIDER AN ORDINANCE AMENDING TITLE V: “PUBLIC WORKS”, CHAPTER 50: “GARBAGE AND TRASH,” SECTION 50.11: “HAULING GARBAGE TO LANDFILL OR TRANSFER STATION; FEE SCHEDULE: CITY CLEANUP WEEK.”**

Presented by: Jeremy Hutt, Director of Public Works

Summary: With the addition of the Citizen Drop-off Stations at the transfer station, the current rate structure is being amended to help streamline services provided at the facility. The proposed changes will allow for existing sanitation customers to deposit waste more than once per month at no additional charge. The rates that are assessed at the Transfer Station are not being changed with this proposal and may be adjusted in the future in conjunction with a comprehensive rate evaluation.

The proposed language will:

- Remove the limit on number of times per month
- Accommodates non-weighed dumps
- Add a provision for civic groups that brings waste to the transfer station as a result of roadside cleaning activities

Mayor Cain opened the public hearing. There were no speakers and the public hearing was closed.

Mayor Cain publically thanked Mayor Pro Tem Boedeker for his vision for this facility improvement providing solutions for growth.

MOTION: to approve as presented

	Motion	Second	Aye	No	Abstain	Absent		Result
Weathers	X		X				X	Approved as presented
Boedeker			X			X		Approved as amended
Mann		X						Denied
Warren			X					Withdrawn
Cain			X					Postponed until:
X	Motion Carried		Motion Failed					Roll Call

RS11. RS03-2022-43 CONSIDER A RESOLUTION APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF CLEBURNE AND TCCI WRIGHT LAND, LLC RELATED TO APPROXIMATELY 552 ACRES LOCATED IN THE CITY’S EXTRATERRITORIAL JURISDICTION AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT.

Presented by: Chris Fuller, Deputy City Manager

Summary: Wright Farms is a 552 acre proposed residential development located within the extraterritorial jurisdiction (ETJ) of the City of Cleburne. The 86th Texas Legislature created the Wright Farms Municipal Management District No. 1, codified under Chapter 3874 of the Texas Special District Local Laws Code. As a part of the legislation, the developer is required to enter into a development agreement before a confirmation election may be held or any improvements undertaken. Over the past year, the City and the developer have been working to finalize a draft development agreement to address such items as the concept plan, infrastructure, development standards, development processes, future annexation of the property, joinder agreement and strategic partnership agreement.

In general, the proposed development would contain 1,603 single-family residential lots ranging from a minimum of 4,800 to 7,000 square feet (562 lots - SF 4,800+ / 721 lots - SF

6,000+ / 320 lots - SF 7,000+). Also included are 35 acres designated for 575 multi-family residential units. The development would meet minimum, and in some cases exceed, current development standards, and require City inspections for buildings and infrastructure. Water for the development would be provided by the Johnson County Special Utility District and sewer service would be provided by the City of Cleburne.

Proponent Richard Alberque and Josh Bethke were available in person should the Council have any questions.

MOTION: to approve as presented

	Motion	Second	Aye	No	Abstain	Absent		Result
Weathers	X		X				X	Approved as presented
Boedeker						X		Approved as amended
Mann			X					Denied
Warren		X	X					Withdrawn
Cain			X					Postponed until:
X	Motion Carried		Motion Failed					Roll Call

RS12. RS03-2022-44 CONSIDER A RESOLUTION CONSENTING TO THE CREATION OF WRIGHT FARM MUNICIPAL MANAGEMENT DISTRICT OF JOHNSON COUNTY, WHICH LIES WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF CLEBURNE.

Presented by: Chris Fuller, Deputy City Manager

Summary: In 2019, the 86th Texas Legislature approved HB 4744 to create the Wright Farm Municipal Management District of Johnson County. The land to be included within the District is located wholly within the extraterritorial jurisdiction of the City of Cleburne, Texas. By this action, the City Council of the City of Cleburne grants its consent to the creation of Wright Farm Municipal Management District of Johnson County on that portion of the property described on the attached metes and bounds description located within the extraterritorial jurisdiction of the City.

Proponent Richard Alberque and Josh Bethke were available in person should the Council have any questions.

MOTION: to approve as presented

	Motion	Second	Aye	No	Abstain	Absent		Result
Weathers		X	X				X	Approved as presented
Boedeker						X		Approved as amended
Mann			X					Denied
Warren	X		X					Withdrawn
Cain			X					Postponed until:
X	Motion Carried		Motion Failed					Roll Call

RS13. RS03-2022-45 CONSIDER A RESOLUTION CONSENTING TO THE ANNEXATION OF CERTAIN LAND INTO WRIGHT FARM MUNICIPAL MANAGEMENT DISTRICT OF JOHNSON COUNTY.

Presented by: Chris Fuller, Deputy City Manager

Summary: On March 22, 2022, the City of Cleburne received the Petition for Consent to Annex Land into Wright Farm Municipal Utility District of Johnson County, executed by TCCI Wright Land, LLC, a Texas limited liability company. The Petition seeks to add that certain tract of land, the same being wholly located within the extraterritorial jurisdiction of the City. The Texas Local Government Code, Section 42.0425, provides that land within the extraterritorial jurisdiction of a city may not be added to the District, without the written consent of such city. The purpose of this item is for City Council to give its consent to the addition of the Land to the District. It should be noted that while the Petition originally sought a Municipal Utility District, TCCI Wright Land, LLC, has revised the request to a Municipal Management District.

Proponent Richard Alberque and Josh Bethke were available in person should the Council have any questions.

MOTION: to approve as presented

	Motion	Second	Aye	No	Abstain	Absent		Result
Weathers			X				X	Approved as presented
Boedeker								Approved as amended
Mann	X		X					Denied
Warren		X	X					Withdrawn
Cain			X					Postponed until:
X	Motion Carried		Motion Failed					Roll Call

DISCUSSION & UPDATES

OC3. DISCUSS THE NAMING OF CLEBURNE CONFERENCE CENTER THEATER

Presented by: Mayor Scott Cain

Richard “Dick” Helmcamp was a beloved band director at Cleburne High School. Mr. Helmcamp created “The Golden Pride” which went on to win the Governor’s Cup, as well as many additional awards. Mr. Helmcamp was also a member of The Greater Cleburne Carnage Players for many years.

Mayor Cain described his dedication and investment in the lives of thousands of students who now make up the citizenry of the community.

Mayor Cain offered his recommendation of naming the Performing Arts Theater in honor of Richard “Dick” Helmcamp.

Council directed staff to proceed with the renaming process.

Mayor Cain recessed the Regular Council Meeting at 6:16 PM to discuss items legally posted in Executive Session.

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

Mayor Cain reconvened into open session at 6:54 PM and no formal action was taken resulting from the item posted and legally discussed in Executive Session.

ADJOURNMENT

ADJOURNED AT: 6:54 PM

APPROVAL OF MINUTES

APPROVED BY MAJORITY VOTE OF COUNCIL ON: APRIL 12, 2022