



CITY COUNCIL REGULAR MEETING MINUTES
MAY 10, 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

City Council:

- ✓ Scott Cain, Mayor
- X 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 Gene Jones, The Refuge Church

III. PLEDGE OF ALLEGIANCE

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

V. CITIZENS COMMENTS

An opportunity was provided for the public to make comments or address concerns for any matter whether or not posted on the agenda. There were no speakers.

VI. COMMUNITY INTEREST MATTERS, ANNOUNCEMENTS & PRESENTATIONS

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 APRIL 12 AND APRIL 26, 2022 REGULAR COUNCIL MEETINGS.

RS1. RS05-2022-61 CONSIDER A RESOLUTION CONSENTING TO THE EXTENSION OF THE DECLARATION OF LOCAL DISASTER UNTIL MAY 24, 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 24, 2022 at 11:59 p.m. central daylight time.

RS2. RS05-2022-62 CONSIDER A RESOLUTION AUTHORIZING THE ASSIGNMENT OF A LAND LEASE AGREEMENT WITH A.S.A. AND ASSOCIATES, INC. FOR HANGAR 501 AT THE CLEBURNE REGIONAL AIRPORT.

Presented by: Sharlette Wright, Airport Manager

Summary: Cliff Holden, Partners Aviation, Inc. would like to sell his hangar located on tract 501 to Patrick Atkinson, A.S.A. and Associates, Inc. Council must approve the purchase and a lease assignment in order for the sale to finalize.

MOTION: to approve as presented in its entirety

| | Motion | Second | Aye | No | Abstain | Absent | | Result |
|----------|-----------------------|--------|----------------------|----|---------|--------|---|-----------------------|
| Weathers | | | | | | X | X | Approved as presented |
| Boedeker | | X | 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> |

ACTION AGENDA

RS3. RS05-2022-63 CONSIDER A RESOLUTION APPROVING A 30-DAY PLAT EXTENSION FOR THE PRELIMINARY PLAT OF OAK HILL ESTATES, FOR THE CONSTRUCTION OF SINGLE-FAMILY RESIDENTIAL LOTS, BEING ±26.065 ACRES, GENERALLY LOCATED AT THE SOUTHEAST INTERSECTION OF SOUTH BRAZOS AVENUE AND EDGEWOOD LANE, AS REQUESTED BY MIRGON ENTERPRISES, LLC, CASE PC22-016.

Presented by: David Jones, Director of Community Development

Summary: The applicant is requesting a 30-day extension of platting action for the proposed preliminary plat for Oak Hill Estates, for the construction of single-family residential lots on approximately 26 acres, generally located at the southeast intersection of South Brazos Avenue and Edgewood Lane.

Section 212.009 of the Local Government Code states that the applicant for plat approval may request a one-time extension of the 30-day period for approval. The extension may be for up to 30 additional days. Though Council has the authority to approve or deny the extension, this is considered a routine request to allow the applicant additional time to satisfy staff comments regarding compliance with Chapters 154 and 155 of the Code of Ordinances. Without the extension, the plat would not comply with these ordinances.

Should the request be approved, the period of final action will be extended an additional 30 days from the original 30-day period. The preliminary plat would then be placed on the May 23, 2022 Planning and Zoning Commission Meeting and the May 24, 2022 Council agenda for final action.

The Planning and Zoning Commission considered the request for extension at their April 25, 2022 meeting and recommended approval with a vote of 5-0.

Proponent Martha Miranda was available should the Council have questions.

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 | | Denied |
| Warren | | X | X | | | | | Withdrawn |
| Cain | | | X | | | | | Postponed until: |
| X | Motion Carried | | Motion Failed | | | | | Roll Call |

RS4. RS05-2022-64 CONSIDER A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROVIDE CITY EMPLOYEES A MID-YEAR COST OF LIVING ADJUSTMENT EFFECTIVE JUNE 12, 2022.

Presented by: Steve Polasek, City Manager

Summary: In spite of the COVID-19 pandemic, supply chain issues and a reduction of employees in the workforce, the national economy has grown significantly over the last year and a half. In the Dallas-Fort Worth region, this growth and other economic factors have resulted in a significant rise in the cost of living. The U.S. Bureau of Labor Statistics tracks and publishes the Consumer Price Index, All Urban Consumers (CPI-U) for the Dallas-Fort Worth-Arlington (DFW) region. The Consumer Price Index for All Urban Consumers (CPI-U) is a monthly measure of the average change over time in the prices paid by consumers for a market basket of consumer goods and services. The CPI-U is based on the spending patterns of urban consumers from various geographic regions. From May of 2020 through May of 2021, the DFW CPI-U grew by 6.31%. The most recent data from January of 2021 through January of 2022 shows a year-over-year increase of 7.83%. What was originally projected as an anomaly in May of 2021 has instead shown staying power with no immediate end in sight. As a result, a request is being made to consider a minor adjustment to the compensation plan to help offset to a small degree the increasing cost of fuel, groceries, transportation, housing, and other items.

Over the last several years, staff has used the May year-over-year CPI-U for DFW as the primary gauge when determining COLA's as part of the annual budget process. Other factors also come in to play such as potential increases in insurance premiums, economic trends, and most importantly the availability of funds. For the FY 2021-22 budget, employees received a 1.5% cost of living adjustment (COLA) along with an average merit increase of 2.5%. Below is chart showing the city approved COLA for each of the last ten years with the CPI-U for DFW listed directly below. On average, the City has provided a 1.0% COLA each year over the last ten

years. The CPI-U has increased 1.88% annually over that same period. When excluding FY 2021-22 from the equation, the numbers are .95% City and 1.40% CPI-U for DFW, respectively.

| | | | | | | | | | |
|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| 2012-2013 | 2013-2014 | 2014-2015 | 2015-2016 | 2016-2017 | 2017-2018 | 2018-2019 | 2019-2020 | 2020-2021 | 2021-2022 |
| 2.5% | 2.5% | 0% | 0% | 1% | 0% | 1% | 1.5% | 0.0% | 1.5% |
| 1.65% | 1.63% | 1.82% | -0.50% | 1.03% | 2.06% | 3.90% | 1.48% | -0.50% | 6.31% |

Given the substantial increase in the cost of living over the last two years, Council is being asked to consider a 2.5% COLA for employees, with the exception of department head level staff who would receive a 1.5% COLA. The city manager and deputy city manager positions would not receive a COLA as part of this request. If approved, the total cost is \$211,251 through the end of the current fiscal year when implemented with the proposed June 12, 2022 pay period. The COLA would be assigned to various funds; however, the General Fund (\$173,264) and the Water/Wastewater Fund (\$26,058) would support the majority of the cost. A separate item approving a budget amendment would also be required and presented for consideration separately.

Councilman Mann arrived this item’s presentation.

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 | | | | | Denied |
| Warren | X | | X | | | | | Withdrawn |
| Cain | | | X | | | | | Postponed until: |
| X | <i>Motion Carried</i> | | <i>Motion Failed</i> | | | | | <i>Roll Call</i> |

OR1. OR05-2022-42 CONSIDER AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR FISCAL YEAR OCTOBER 1, 2021 TO SEPTEMBER 30, 2022 (#7) BY APPROPRIATING FUNDS FOR EMPLOYEE MID-YEAR COST OF LIVING ADJUSTMENT AND UTILITY STAFFING RESTRUCTURE.

Presented by: Rhonda Daugherty, Director of Finance

Summary: This budget amendment, if approved, authorizes funding for two programs. The first is to provide a mid-year cost of living adjustment, the details of which are provided at this May 10, 2022 council meeting, agenda item RS4, presented by Steve Polasek, City Manager.

The second program is to provide funding for the Utility staffing restructure, presented by Jeremy Hutt, Public Works Director, at the April 26, 2022 Council meeting. Both programs are for the remainder of the current fiscal year. Full funding will be incorporated into the fiscal year 2023 proposed budget.

The amendment is an increase to the appropriations as follows:

| Fund | Mid-Year COLA | Utility Staffing Restructure | Total |
|--|-------------------|------------------------------|-------------------|
| 1 General Fund | \$ 172,368 | \$ - | \$ 172,368 |
| 6 H.U.D. Grant Fund | 984 | - | 984 |
| 8 City/County Transportation Fund | 7,524 | - | 7,524 |
| 9 4B Sales Tax Fund | 739 | - | 739 |
| 50 Truancy Prevention and Diversion Fund | 133 | - | 133 |
| 60 Water & Sewer Fund | 26,639 | 84,824 | 111,463 |
| 61 Municipal Airport Fund | 1,921 | - | 1,921 |
| 63 Drainage Utility Fund | 761 | - | 761 |
| 82 Museum Donations Fund | 182 | - | 182 |
| Total | \$ 211,251 | \$ 84,824 | \$ 295,893 |

The revised fund appropriations for each fund are as shown in the following table:

| Fund | Fund Expenditures (Through Amendment #6) | Amendment #7 | Amended Fund Expenditures |
|--|--|--------------|---------------------------|
| 1 General Fund | \$ 44,204,588 | \$ 172,368 | \$ 44,376,956 |
| 6 H.U.D. Grant Fund | 1,710,133 | 984 | 1,711,117 |
| 8 City/County Transportation Fund | 1,424,111 | 7,524 | 1,431,635 |
| 9 4B Sales Tax Fund | 4,024,457 | 739 | 4,025,196 |
| 50 Truancy Prevention and Diversion Fund | 26,572 | 133 | 26,705 |
| 60 Water & Sewer Fund | 27,845,573 | 111,463 | 27,957,036 |
| 61 Municipal Airport Fund | 959,838 | 1,921 | 961,759 |
| 63 Drainage Utility Fund | 1,709,829 | 761 | 1,710,590 |
| 82 Museum Donations Fund | 10,525 | 182 | 10,707 |

The proposed additions to appropriations will be funded from the respective fund balance reserves.

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 |

DISCUSSION & UPDATES

OC1. PRESENTATION AND DISCUSSION OF THE STREET NETWORK AND THE STAFF RECOMMENDATION FOR FISCAL YEAR 2022 STREET MAINTENANCE PROJECTS.

Presented by: Jeremy Hutt, Director of Public Works

Summary: Staff will present an overview of the Street Maintenance Program, with a focus on recent project completions and a proposed listing of streets to be included in the Fiscal Year 2022 cycle. These street segments, if approved, will become the maintenance projects to be performed during the 2022-paving season.

With the consensus of the City Council, staff will work to finalize the project listing and work to engage the services of a contractor to complete the paving projects this summer. A contract will be presented to the City Council at a later date.

The Street Maintenance Program provides an effective way to re-invest and maintain one of the largest assets of the City, the street network. The Street Maintenance Program should not be a “worst first” program, but a strategic program to cost effectively maintain the entire street network.

Approximately 26 miles of roadways have been resurfaced, and a total of \$10.4 million have been reinvested in our street network since 2019. Included in the Fiscal Year 2023 budget is \$2.5 million to be reinvested in our street network.

Street maintenance performed in-house covers base repairs, crack sealing, pothole repairs, and street sweeping and includes: 8,360 potholes fixed in FY 2021, 2,070 potholes fixed in FY 2022 (6 months), 6,158 tons of asphalt used in street repairs in FY 2022, 836 gallons of crack sealant applied in FY 2022.

EXECUTIVE SESSION

The Council did not go into closed session to discuss the item legally posted.

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)

ADJOURNMENT

ADJOURNED AT: 5:34 PM

APPROVAL OF MINUTES

APPROVED BY MAJORITY VOTE OF COUNCIL ON: MAY 24, 2022

CITY OF CLEBURNE

Scott Cain, Mayor

ATTEST

Ivy Peterson, City Secretary