



SPECIAL CITY COUNCIL MEETING AGENDA
FEBRUARY 20, 2018
5:00 PM
CITY HALL COUNCIL CHAMBERS
10 NORTH ROBINSON STREET

I. ROLL CALL AND CALL TO ORDER BY MAYOR

City Council:

- ✓ Scott Cain, Mayor
- ✓ Dr. Bob Kelly, Mayor Pro Tem
- ✓ Gayle White, SMD 2
- ✓ Dale Sturgeon, SMD 3
- ✓ John Warren, SMD 4

Administration:

- ✓ Steve Polasek, City Manager
- ✓ Shelly Doty, City Secretary
- ✓ Fritz Quast, City Attorney

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. COMMUNITY INTEREST MATTERS, ANNOUNCEMENTS & PRESENTATIONS

V. CITY SECRETARY READS THE GUIDELINES TO SPEAK BEFORE COUNCIL

VI. CITIZENS COMMENTS

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

ORDINANCES

OR1. *PUBLIC HEARING* SECOND READING AN ORDINANCE PROVIDING FOR THE VOLUNTARY ANNEXATION OF APPROXIMATELY 46 ACRES (LOCATED AT 3971 AND 3969 WEATHERFORD HWY) AND EXTENDING THE BOUNDARY LIMITS OF THE CITY TO INCLUDE THE DESCRIBED PROPERTY IN THE CITY LIMITS.

Person presenting this item: Shane Pace, Director of Community Development

BRIEF: The owners of the subject property entered into a Development Agreement with the City

of Cleburne on November 12, 2012. Section Two: (3) of the development agreement states: “if at any time the Owners file any type of subdivision plat, permit application, or related development document for the area with a governmental entity that has jurisdiction over the Property, regardless of how the Property is appraised for ad valorem tax purposes, that in addition to the City's other remedies, such action will constitute a petition for voluntary annexation by the Owners, and the property will be immediately subject to annexation at the discretion of the City Council. Owners hereby agree that such annexation shall be voluntary”.

On November 21, 2017 City staff received a rezoning application, requesting “Industrial” zoning, or the M1 Light Industrial District, for 41.069 acres of the subject property. Submittal of this application triggered the voluntary annexation proceedings described in Section Two: (3) as described above.

Following submittal of the rezoning request, the property owners also filed a petition for voluntary annexation with the City, requesting that the property be annexed and become part of the City pursuant to Section 43.028 of the Texas Local Government Code.

Per the terms of the development agreement, the submittal of the rezoning request constitutes annexation of the entire original 46 acre tract of land as described in the development agreement. However, approximately five (5) acres of the original subject property have been sold for residential use since the development agreement was enacted. City staff followed the legal notification requirements by notifying the additional property owners by mail on January 11, 2018. To date, staff has not received any correspondence from the additional property owners.

The City Council is required to hold two public hearings before it may initiate annexation proceedings for the Property. The two public hearings will be held on February 13, 2018 and February 20, 2018. The adoption of the annexation ordinance will take place at the March 13, 2018 meeting.

The zoning request for M1 Light Industrial will be placed on the same agenda as the annexation ordinance on March 13, 2018. The approval or denial of the requested zoning is at the discretion of the City Council.

EXECUTIVE SESSION

Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sec. 551.071, Sec. 551.072, Sec. 551.073, Sec. 551.074, Sec. 551.076, Sec. 551.087 and Sec. 418.0183(f) of the Texas Government Code (Texas Disaster Act). Refer to posted list attached hereto and incorporated herein. **Executive Session may be held, under these exceptions, at any time during the meeting that a need arises for the City Council to seek advice from the City Attorney as to the posted subject matter of this City Council Meeting.**

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

ADJOURNMENT

ADJOURNED AT: