



REGULAR CITY COUNCIL MEETING AGENDA
NOVEMBER 27, 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, SMD 1
- ✓ Gayle White, SMD 2
- ✓ Dale Sturgeon, Mayor Pro Tem
- ✓ John Warren, SMD 4

Administration:

- ✓ Steve Polasek, City Manager
- ✓ Fritz Quast, City Attorney

II. INVOCATION by Pastor Eddie Scheler, Ascension Lutheran Church

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.

CONSENT ITEMS

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.

M1. APPROVAL OF MINUTES FOR THE NOVEMBER 13, 2018 COUNCIL MEETING.

OC1. APPROVE ACCOUNTS PAYABLE FOR THE MONTH OF OCTOBER 2018.

Person presenting this item: Terry Leake, Director of Finance

OC2. APPROVE FINAL PLAT OF LOTS 1-33, BLOCK 1, CACTUS RIDGE (BEING 42.57 ACRES IN THE CITY'S ETJ, LOCATED WEST OF CR 1022, EAST OF

CHISHOLM TRAIL PARKWAY AND SOUTH OF CR 904); AS REQUESTED BY DALTAC VENTURES, LLC, REPRESENTED BY DON STANFIELD.

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

BRIEF: This is a request to create thirty-three residential lots in the ETJ. This plat meets all platting requirements set in the City's Ordinance. The Comprehensive Land Use Plan shows this area to be in the Traditional Neighborhoods District. The Planning and Zoning Commission considered this request at their November 12, 2018 meeting and recommended approval by a vote of 6-0.

OC3. APPROVE FINAL PLAT OF LOT 1, BLOCK 1, LOPEZ ACRES (BEING 7.464 ACRES IN THE CITY'S ETJ, LOCATED AT 1921 & 1933 CR 1224); AS REQUESTED BY THOMAS LOPEZ.

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

BRIEF: This is a request to create two residential lots in the ETJ. This plat meets all platting requirements set in the City's Ordinance. The Comprehensive Land Use Plan shows this area to be in the Farmland Community District. The Planning and Zoning Commission considered this request at their November 12, 2018 meeting and recommended approval by a vote of 6-0.

OC4. APPROVE FINAL PLAT OF LOT 1, BLOCK 1, PEDIGO ADDITION (BEING 4.486 ACRES, LOCATED AT 204 W KILPATRICK ST & 1706 RAYLENE DR); AS REQUESTED BY ROGER PEDIGO.

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

BRIEF: This is a request to create one commercial lot. This plat meets all platting requirements set in the City's Ordinance. The subject property is zoned C3/SUP (Commercial District with a Specific Use Permit for Mini warehouses) and the Comprehensive Land Use Plan shows this area to be in the Traditional Neighborhoods and Community Commercial Districts. The Planning and Zoning Commission considered this request at their November 12, 2018 meeting and recommended approval by a vote of 6-0.

OC5. APPROVE FINAL PLAT OF LOT 1, BLOCK 1, VEATCH ADDITION (BEING 1.123 ACRES, LOCATED AT 1302 W HENDERSON ST; AS REQUESTED BY HILDA VEATCH, REPRESENTED BY BOB KING.

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

BRIEF: This is a request to create one commercial lot. This plat meets all platting requirements set in the City's Ordinance. The subject property is zoned C3 (Commercial District) and the Comprehensive Land Use Plan shows this area to be in the Community Commercial District. The Planning and Zoning Commission considered this request at their November 12, 2018 meeting and recommended approval by a vote of 6-0.

BIDS & QUOTES

BQ1. AUTHORIZE PURCHASE OF TWO CHEVROLET TRUCKS FROM CALDWELL COUNTRY (BUYBOARD CONTRACT #521-16) FOR AN AMOUNT NOT

TO EXCEED \$56,658.00 FOR USE BY THE ANIMAL SERVICES AND BUILDING INSPECTION DIVISIONS.

Person presenting this item: Jeremy Hutt, Director of Public Works

BRIEF: This purchase is for the replacement of units 2104 and 4702. Unit 2104, asset# 0143006, is a 2009 Dodge 2500 crew cab truck with an animal transport kennel in the bed. This unit has approximately 135,000 miles on it and has reached the end of its useful life cycle. Staff is requesting to replace it with a Chevrolet C2500 crew cab truck. The existing kennel insert will not be replaced at this time. The existing kennel insert will be stored to verify that it is no longer needed prior to being auctioned later if deemed necessary. The cost for this unit with the appropriate accessories is \$31,015.00 and the service charge for use of BuyBoard is \$400 for a total unit cost of \$31,415. Unit 4702, asset# 0176004, is a 2008 Dodge Dakota extended cab. The unit has approximately 105,000 at this time and has reached the end of its useful life cycle. Its replacement is a 2019 Chevrolet C1500 regular cab truck. The cost for this unit with the appropriate accessories is \$24,843.00 and the service charge for use of BuyBoard is \$400 for a total unit cost of \$25,243. Caldwell Country Chevrolet has been awarded the BuyBoard contract for these vehicles. All competitive purchasing requirements have been met. The existing units will removed from the fleet and auctioned, or used to replace a lower priority unit within the fleet that is less desirable to maintain.

BQ2. AUTHORIZE PURCHASE OF TWO FORD F750 TRUCKS FROM CHASTANG FORD (HGAC CONTRACT #HT 06-18) FOR AN AMOUNT NOT TO EXCEED \$202,109 FOR USE IN THE FLEET AND STREET DIVISIONS.

Person presenting this item: Jeremy Hutt, Director of Public Works

BRIEF: This purchase is for the replacement of units 4943 and 4495. Unit 4943, asset# 0179038, is a 2001 Mack dump truck. The existing unit has reached the end of its useful life cycle and is no longer cost effective to keep in service. It is currently in need of extensive repairs. The replacement truck is a 2019 F750 6-yard gas powered dump truck that is smaller and much more cost effective to purchase and maintain when compared to a Class 8 truck. This smaller truck will also better serve the needs of the community resulting in a more appropriately sized vehicle. The 2019 F750 6-yard gas powered dump truck, with all accessories needed costs \$66,676. Unit 4495, asset# 0178017, is a 2004 F450 chassis with a crane mounted to its flat bed. The existing unit has reached the end of its useful life cycle and is no longer cost effective to keep in service. The replacement unit is a Ford F750 with a service body that is designed and certified as a crane body. The reason for the upgrade in chassis size is to be able to haul the necessary tools and equipment to operate as a proper field service truck and still have the capacity to haul the fuel trailer that we use to maintain the city's generators and remote fueling stations. The Ford F750 chassis costs \$52,943, the necessary upfitting costs of \$81,490 for a total vehicle unit cost of \$134,433. The total cost of these two vehicles with the associated accessories is \$201,109 plus the required HGAC Fee of \$1000, results in a total cost of \$202,109. The existing units will removed from the fleet and auctioned, or used to replace a lower priority unit within the fleet that is less desirable to maintain.

BQ3. AUTHORIZE PURCHASE OF A CRAIN CARRIER CHASSIS FROM BOND EQUIPMENT COMPANY (BUYBOARD CONTRACT #516-16) AND A LABRIE

AUTOMATED SANITATION BODY FROM J&R EQUIPMENT (BUYBOARD CONTRACT #521-16) FOR AN AMOUNT NOT TO EXCEED \$309,875 FOR USE BY THE SANITATION DIVISION.

Person presenting this item: Aaron Dobson, Director of Community Services

BRIEF: This purchase is for the replacement of unit #8195 a 2012 Crane Carrier / Heil automated truck. The current unit is a 2012 Crane Carrier / Heil automated truck that has reached the end of its useful life cycle and is scheduled for replacement this fiscal year. Bond Equipment has been awarded the Buy Board contract for the requested chassis and J&R Equipment has been awarded the Buy Board contract for the requested Labrie refuse body. The requested chassis has a cost of \$171,115, which includes the delivery, the Buy Board fees, and inspection of the chassis. The cost of the inspection is \$1,800, which allows for a representative from fleet and a representative from sanitation to visit the plant to perform the chassis inspection and sign off on its "as ordered" status prior to it being sent to the body builder. J&R Equipment has been awarded the Buy Board contract for the Labrie refuse body in the amount of \$138,760, which includes the Buyboard fee. By using the Buyboard purchasing program, all competitive purchasing requirements have been met. The existing units will be removed from the fleet and auctioned, or used to replace a lower priority unit within the fleet that is less desirable to maintain.

RESOLUTIONS

RS1. A RESOLUTION AUTHORIZING CONTRACT WITH USA SHADE AND FABRIC STRUCTURES (BUYBOARD CONTRACT #512-16) FOR THE PURCHASE AND INSTALLATION OF FOUR BLEACHER SHADE STRUCTURES FOR AN AMOUNT NOT TO EXCEED \$71,624.

Person presenting this item: Aaron Dobson, Director of Community Services

BRIEF: The purpose of this item is to provide spectator shade for baseball/softball fields 1 and 3 at the Sports Complex. Currently fields 2 and 4 have shade structures above the bleacher area for spectators to enjoy watching games. The proposed bleacher shade structures will be identical to the current shade structures to maintain a consistent aesthetic appeal for the facility. This purchase will allow for all four fields in this area to have spectator shade structures, it will assist Cleburne to attract tournaments, and potentially reduce the City of Cleburne risk level with fall balls that fall within the spectator/bleacher area. The City of Cleburne staff have found BuyBoard pricing for shade structures and the total purchase will be \$71,624. The 4B Economic Development Board of Directors considered and approved this purchase at their November 15, 2018 meeting.

RS2. A RESOLUTION AUTHORIZING CONTRACT WITH HAULEBROOKE, INC FOR DEMOLITION SERVICES OF CONDEMNED PROPERTIES FOR AN AMOUNT NOT TO EXCEED \$19,168.80.

Person presenting this item: Scott Lail, Fire Chief

BRIEF: Sealed bids were solicited for the demolition of up to ten (10) dilapidated properties that have been condemned by the City. Responsive bids were received from three (3) contractors. The lowest, most responsible bid was received from Haulbrooke, Inc. for a maximum amount of \$78,401.60 for the demolition of all 10 properties. In order to maximize the funds budgeted for

this project during fiscal year 2019, the Fire department has chosen the following four (4) properties to demolish, for a total amount of \$19,168.80.

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|----------------------------------|------------------------------------|
| 1. 1612 N Anglin St - \$5,770.80 | 3. 1602 River Bend Rd - \$5,032.00 |
| 2. 413 Elmo St - \$4,048.00 | 4. 1011 N Main St - \$4,318.00 |

The anticipated timeline is to complete demolition of all properties within 90 days of approval.

RS3. A RESOLUTION AUTHORIZING 380 AGREEMENT WITH GSF GOSSETT FARMS, LLC UNDER THE TERMS OF THE 1000-HOME RESIDENTIAL DEVELOPMENT PROGRAM FOR 60.423 ACRES GENERALLY LOCATED NORTH OF W HENDERSON ST, EAST OF US67 BYPASS AND ACROSS FROM MEADOWVIEW DR.

Person presenting this item: Grady Easdon, Economic Development Manager

BRIEF: GSF Gossett Farms, LLC, represented by Mr. Tommy Cansler of TCCI Land Development, Inc., had submitted an application to participate in the “1,000 Home” Economic Development Incentive Program in November of 2017 for a 246-lot single-family residential subdivision. Due to unforeseen circumstances that neither Mr. Cansler nor staff had anticipated, sale of the property was just completed earlier this month. While the “1,000 Home” program has been amended in an effort to start the process of bringing the program to a complete close by June 1, 2019, we had committed to Mr. Cansler several months ago that we would “grandfather” his application under the original program since he had applied in November 2017 while the old guidelines were still in place.

Since neither staff nor Mr. Cansler anticipated the unusual length of time it would take for purchase of the property to be finalized, staff has determined that a compromise between the old program and the amended program as it currently exists may be warranted.

The agreement, if approved, would provide an ad valorem tax rebate equal to 100% of the value of the City’s portion of Ad Valorem taxes paid above the established Base Value of homes completed by GSF Gossett Farms, LLC for each home built over a period of 3 years. In addition, all development and building fees will be waived as offered in the previous “1000-home” program. In return, GSF Gossett Farms, LLC will be required to meet certain benchmarks for number of new homes constructed during the 3-year period, in addition to meeting other specific criteria under the program. The tax abatement creates an incentive to construct the homes quickly, calling for the construction of 20 homes in year 1 of the agreement, a total of 75 by the end of year 2, and 246 homes by the end of year 3.

ORDINANCES

OR1. *CONTINUE PUBLIC HEARING* AN ORDINANCE REZONING 2010 & 2024 E HENDERSON ST (BEING 11.09 ACRES IN THE D. KING SURVEY) FROM C3 (COMMERCIAL DISTRICT) TO PD (PLANNED DEVELOPMENT DISTRICT); AS REQUESTED BY JCW MCGHEE, REPRESENTED BY WILLIAM BROWN.

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

BRIEF: The applicant is proposing a delivery area for customers to stay overnight and get acquainted with their newly purchased RV and minimize service related issues for the company. The proposed site plan shows fifty (50) gravel pad sites. The pad sites will have water and

electricity but no sewer connection. The Comprehensive Land Use Plan shows this area to be located within the Approach Corridor District. Retail/Commercial uses are considered appropriate in this district. The applicant has provided a conceptual site plan and the Planning and Zoning Commission recommended approval with a vote of 5 to 1 with some conditions detailed in the staff action report attached. City Council considered this item at the November 13, 2018 meeting and moved to continue the public hearing to November 27, 2018 to allow the applicant an opportunity to revise the site plan to address concerns related to screening and buffering, and preservation of trees on the property.

OR2. *PUBLIC HEARING* AN ORDINANCE REZONING 4.72 ACRES LOCATED AT 3145 N MAIN ST, FROM SF-4 (SINGLE-FAMILY DWELLING DISTRICT) TO M1 (LIGHT INDUSTRIAL DISTRICT); AS REQUESTED BY BRAD HUDSON, REPRESENTED BY LADONNA POTEET.

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

BRIEF: The applicant has requested to rezone a portion of 4.72 acres for an existing business on the subject property. The Comprehensive Land Use Plan designates the subject property as Industrial Targeted Development Area District. The proposed land use is an appropriate use in this District. The Planning and Zoning Commission considered this request at their November 12, 2018 meeting and recommended approval by a vote of 6-0.

OR3. *PUBLIC HEARING* AN ORDINANCE REZONING 1.489 ACRES LOCATED AT 108 MCANEAR ST FROM SF-4 (SINGLE-FAMILY DWELLING DISTRICT) TO C2 (GENERAL BUSINESS DISTRICT); AS REQUESTED BY GARY & TRACY ESTES.

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

BRIEF: The applicant has requested to rezone approximately 1.489 acres from SF-4 (Single-Family Dwelling District) to C2 (General Business District). The Comprehensive Land Use Plan designates the subject property as City Center North District with a small portion in the Community Commercial District. The proposed land use is listed in the specially permitted use in the City Center North District and an appropriate use in the Community Commercial District. The Planning and Zoning Commission considered this request at their November 12, 2018 meeting and recommended denial by a vote of 5-0 with Commissioner Phillips abstaining. Due to the denial by the Planning and Zoning Commission, a supermajority vote will be required by City Council for approval of the request.

OR4. *PUBLIC HEARING* AN ORDINANCE REZONING 9.254 ACRES LOCATED AT 1521 E HENDERSON ST FROM C3/SUP (COMMERCIAL DISTRICT WITH A SPECIFIC USE PERMIT FOR MANUFACTURE AND SALE OF PORTABLE BUILDINGS) TO C3/SUP (COMMERCIAL DISTRICT WITH A SPECIFIC USE PERMIT FOR HEAVY MACHINERY SALES & REPAIR); AS REQUESTED BY ULRICH PROPERTIES, LLC, REPRESENTED BY ROYCE HAMMER.

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

BRIEF: The applicant has requested to rezone approximately 9.254 acres for a new business on the subject property. The Comprehensive Land Use Plan designates the subject property as

Approach Corridor District. The proposed land use is specially permitted use in this District. The Planning and Zoning Commission considered this request at their November 12, 2018 meeting and recommended approval by a vote of 6-0.

OR5. *PUBLIC HEARING* AN ORDINANCE REZONING 0.6912 ACRES LOCATED AT 821 N NOLAN RIVER RD FROM M1 (LIGHT INDUSTRIAL DISTRICT) TO C3 (COMMERCIAL DISTRICT); AS REQUESTED BY RANDELL MOSS.

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

BRIEF: The applicant has requested to rezone approximately 0.6912 acres for an existing business on the subject property. The Comprehensive Land Use Plan designates the subject property as Transportation and Industry District. The proposed land use is not listed as an appropriate use or specially permitted use in this District. The Planning and Zoning Commission considered this request at their November 12, 2018 meeting and recommended approval by a vote of 6-0.

OR6. AN ORDINANCE ADOPTING THE 2015 INTERNATIONAL PROPERTY MAINTENANCE CODE AND AMENDING THE CODE OF ORDINANCES FOR THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE CITY.

Person presenting this item: Rob Severance, Chief of Police and Scott Lail, Fire Chief

BRIEF: The City of Cleburne wants to ensure residents live in safe conditions and protect Cleburne's opportunity for growth and prosperity. To achieve this, the City Council is considering adopting the International Property Maintenance Code (IPMC), in addition to other associated code changes, that will help ensure residential and commercial properties are upheld to modern standards.

Compared to many North Texas communities, the City of Cleburne does not currently have the same level of property maintenance codes in place. This has led to some residents living in hazardous conditions or maintaining properties in ways that negatively impact the health and safety of their neighbors and the values of nearby homes and businesses.

These changes introduce policies that numerous municipalities around the world have already adopted and that many residents expect including addressing such items as the parking of vehicles in residential neighborhoods, noxious and invasive plants, and more. Some local communities that have adopted the IPMC include Burleson, McKinney, Coppell, Waco, and Austin, to name a few.

The City Council is also considering changes that provide city officials with more ways to monitor and respond to violations. The City has created a process to help residents meet code as our goal is compliance, not enforcement. See attached action report for more details.

OTHER COUNCIL MATTERS

OC6. *PUBLIC HEARING* APPROVE REPLAT OF LOT 1, BLOCK 1, BRADFORD'S ADDITION (BEING 1.733 ACRES, LOCATED AT 507 N DOUGLAS AVE); AS REQUESTED BY JAMES & CHRISTY BRADFORD.

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

BRIEF: This is a request to combine six lots and create one residential lot. This plat meets all platting requirements set in the City's Ordinance. The subject property is zoned SF-4 (Single-Family Dwelling District) and the Comprehensive Land Use Plan shows this area to be in the City Center North District. The Planning and Zoning Commission considered this request at their November 12, 2018 meeting and recommended approval by a vote of 6-0.

OC7. *PUBLIC HEARING* APPROVE REPLAT OF LOT 20R, BLOCK E, OAK GROVE PLACE ADDITION (BEING 0.37 ACRES, LOCATED AT 1502 GLEASON AVE); AS REQUESTED BY RONNIE & SUSAN POLLOCK.

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

BRIEF: This is a request to create one residential lot. This plat meets all platting requirements set in the City's Ordinance. The subject property is zoned SF-4 (Single-Family Dwelling District) and the Comprehensive Land Use Plan shows this area to be in the Preservation District. The Planning and Zoning Commission considered this request at their November 12, 2018 meeting and recommended approval by a vote of 6-0.

OC8. *PUBLIC HEARING* APPROVE REPLAT OF LOT 1, BLOCK 1, VILLEGAS ADDITION III (BEING 0.262 ACRES, LOCATED AT 1005 WILLIAMS AVE); AS REQUESTED BY PAULO VILLEGAS, REPRESENTED BY TRANS TEXAS SURVEYING.

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

BRIEF: This is a request to create one residential lot. This plat meets all platting requirements set in the City's Ordinance. The subject property is zoned SF-4 (Single-Family Dwelling District) and the Comprehensive Land Use Plan shows this area to be in the City Center North District. The Planning and Zoning Commission considered this request at their November 12, 2018 meeting and recommended approval by a vote of 6-0.

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:



City Hall is wheelchair accessible. Access to the building and special parking are available at the southeast entrance facing Chambers Street. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as

interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's Office at 817/645-0908 or by FAX 817/556-8848 at least two (2) working days prior to the meeting so that appropriate arrangements can be made.