



REGULAR CITY COUNCIL MEETING AGENDA

JULY 9, 2019

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
- ✓ Chris Boedeker, SMD 2
- ✓ Mike Mann, SMD 3
- ✓ John Warren, Mayor Pro Tem/SMD 4

Administration:

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

II. INVOCATION by Rev. Josh Breslaw, College Heights Baptist Church

III. PLEDGE OF ALLEGIANCE

IV. COMMUNITY INTEREST MATTERS, ANNOUNCEMENTS & PRESENTATIONS

- ☆ Presentation – STARS Award for May 2019 – Autry Johnson
- ☆ Presentation – GFOA Budget Award – Troy Lestina
- ☆ Presentation – Update on HOPE program from Christmas in Action
- ☆ Presentation – Parks and Recreation Master Plan Update – Aaron Dobson
- ☆ Presentation – Traffic Incident Management Program – Rob Severance

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.

MINUTES

M1. Consider Approval Of Minutes For The June 25, 2019 Council Meeting.

RESOLUTIONS

RS1. Consider A Resolution Authorizing A Public Works Mutual Aid Agreement Allowing The City To Provide And Receive Mutual Aid With Other Cities In The North Central Texas Region As Needed In Times Of Emergencies.

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

BRIEF: Based on lessons learned from several past natural disasters and large scale incidents, public works support has been identified as a necessary resource which needed a more regional approach to

coordination. As a result, the North Central Texas Public Works Emergency Response Team (PWERT) was created to provide public works assistance when an emergency or disaster overwhelms local resources especially within the North Central Texas region. While it was formed by and for local governments and operates on a voluntary quid pro quo basis, the team is supported and facilitated by the NCTCOG Emergency Preparedness Department.

There are currently 61 member cities. While jurisdictions sign the mutual aid agreement to join the team, it is always up to that jurisdiction in any circumstance to either approve or deny a request for assistance. Signing the mutual aid agreement allows for this discretion by management, but it also offers the protection of payment terms and allowable Operational Period, which are required to protect the city if reimbursement is sought for a disaster in the future. The Agreement does not obligate the City of Cleburne to do anything, but puts in place the legal framework for Cleburne to provide assistance to other municipalities in the region in times of natural disasters or other kinds of emergencies. The agreement complies with Chapter 791, the Interlocal Cooperation Act, and the Texas Statewide Mutual Aid System of Chapter 418 of the Texas Local Government Code. While it is not possible to predict when or if Cleburne will be asked to provide aid to another city, or if Cleburne will ever request aid from another city, this agreement is beneficial to the interests of the city in times of emergency.

ORDINANCES

OR1. **CONTINUE PUBLIC HEARING Consider An Ordinance Rezoning 5.732 Acres, Located At 912 Fuller Avenue, From Sf-4 (Single Family Dwelling District) To D (Duplex District); As Requested By Nextera Homebuyers, Llc & Walsworth Property Solutions, Llc, Represented By Ccm Engineering.**

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

BRIEF: The applicant has requested to rezone approximately six (6) acres from SF-4 (Single Family Dwelling District) to D (Duplex District) with the intent to develop a sixteen (16) lot duplex subdivision. The applicant has provided a zoning exhibit which is conceptual in nature and not up for consideration as part of the zoning request. The Comprehensive Land Use Plan shows this property to be located in the Traditional Neighborhoods District. The proposed rezoning request is considered a specially permitted use in this district.

The Planning and Zoning Commission considered this request at their June 10, 2019 meeting. The original request submitted by the applicant was a straight zoning change from SF-4 to Duplex. At the June 10th meeting, the applicant distributed renderings of the proposed building elevations and floorplans for the proposed duplexes. The Planning and Zoning Commission moved to incorporate those elevations and the concept plan provided to staff, by recommending a change to a Planned Development with duplex uses with specific conditions. The recommendation for a Planned Development (PD) with Duplex Uses carried by a vote of 4-0, with the following conditions:

1. The elevations and site plan provided by the applicant shall be incorporated into the ordinance;
2. Playground equipment shall be included in the open space area;
3. One 3-inch caliper tree must be placed in every other front yard;
4. Brick entryway signage shall be included;
5. A perimeter screening wall shall be included along Fuller Avenue and along the southern property boundary.

This request was considered by Council on June 25, 2019 at which time the Council moved to postpone to the July 9th meeting allowing the applicant to present a revised plan.

OR2. *PUBLIC HEARING* **Consider An Ordinance Rezoning 0.29 Acres, Located At 516 Marengo Street, From Sf-4 (Single-Family Dwelling District) To Mf (Multiple-Family Housing District); As Requested By Richard And Nicole Williams.**

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

BRIEF: The applicant has requested this rezone with the intent to develop either a duplex or fourplex for rental on the subject property.

Existing Conditions: The subject property is currently zoned the SF-4 District and is surrounded on all sides with the same zoning designation. The surrounding land uses are primarily single-family residential homes. The property is currently platted as Lots 1 and 2, Block 851, of Original Cleburne. A replat may be required based on the proposed rezone request.

Comprehensive Plan: The Comprehensive Land Use Plan shows this property to be located in the City Center North District, whose development pattern is defined predominately as medium density single-family residential uses. The proposed rezone request to the MF District for a duplex or fourplex development is not considered an appropriate use or a specially permitted use within the City Center North District.

P&Z Action: The Planning and Zoning Commission considered this request at their June 24, 2019 meeting and recommended denial by a vote of 5-0.

OR3. Consider An Ordinance Amending Title Xi: Business Regulations Of The Code Of Ordinances By Amending Chapter 119: “Wreckers” To Establish Rules And Regulations For Duty Wreckers That Operate Within Cleburne City Limits.

Person presenting this item: Linn Goodman, Deputy Chief of Police

BRIEF: Amendments to the City of Cleburne Code of Ordinances, Title XI: “Business Regulations”, Chapter 119: “Wreckers” by adding definitions, deleting a definition and Section 119.15 regarding pull forms, adding Section 119.17 authorizing impoundment for failure to show financial responsibility, revising the minimum equipment and insurance requirements, adding application and permit fees and adding renewals/denials by the Chief of Police.

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.