



## CITY COUNCIL REGULAR MEETING AGENDA

**MARCH 9, 2021 @ 5:00PM**

**CITY HALL COUNCIL CHAMBERS**

**10 NORTH ROBINSON STREET, CLEBURNE, TX 76031**

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City Council meetings are open to the public with social distancing and sanitation protocols in place. A member of the public wishing to participate in the meeting may do so via the options below or view the [live broadcast](#).

- *In person:* Complete a speaker/comment registration card and turn in to the City Secretary before the meeting begins.
- *Submit questions/comments online:* Complete a speaker/comment registration card found on the [City's online Agenda Center](#). Registration cards received by 4:00 p.m. the same day will be distributed to the Council for consideration.
- *Address the Council by phone:* Submit a registration card as directed above and by 4:45p.m. call [\(346\) 248-7799](tel:346-248-7799) or (800) 731-0285. **Enter Meeting ID 995-6991-0537 and then press #.**

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### I. ROLL CALL AND CALL TO ORDER BY MAYOR

**City Council:**

**Scott Cain, Mayor**

**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 Pastor Johnathan Halton, Cleburne Full Gospel Holy Temple

### III. PLEDGE OF ALLEGIANCE

### IV. CITY SECRETARY READS THE GUIDELINES TO SPEAK BEFORE COUNCIL

### V. COMMUNITY INTEREST MATTERS, ANNOUNCEMENTS & PRESENTATIONS

☆ CMP1 – COVID-19 Vaccination Hub Update – Scott Lail, Fire Chief

☆ CMP2 - Community Outreach Update – Rob Severance, Police Chief-

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**CONSENT AGENDA**

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**MN1. CONSIDER MINUTES FOR THE FEBRUARY 23, 2021 REGULAR COUNCIL MEETING.****RS1. CONSIDER A RESOLUTION CONSENTING TO THE EXTENSION OF THE DECLARATION OF LOCAL DISASTER UNTIL MARCH 23, 2021.**

Presented by: Steve Polasek, City Manager

Summary: On March 13, 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 Declaration to the next regular council meeting date of March 23, 2021 at 11:59 p.m. central standard time.

In response to Executive Order GA-34 issued by the Governor on March 2, 2021, the proposed resolution rescinds the Mayor's Order No. 12, carries forward the wording from the Mayor's Order No. 12 in Section Three (ability to close areas or facilities) and Section Four (isolating due to testing positive for COVID) and adds Section Five referencing complying with the Executive Orders of the Governor and recommendations of the Texas Department of State Health Services.

**OR1. CONSIDER AN ORDINANCE ACCEPTING CERTIFICATE OF UNOPPOSED CANDIDATES FOR THE OFFICES OF COUNCILMEMBER, SINGLE MEMBER DISTRICT TWO AND COUNCILMEMBER, SINGLE MEMBER DISTRICT THREE; DECLARING THE MAY 1, 2021 GENERAL ELECTION CANCELLED AND THE UNOPPOSED CANDIDATES ELECTED TO OFFICE;**

Presented by: Ivy Peterson, City Secretary

Summary: On February 9, 2021, the City Council ordered the May 1, 2021 General Election to elect Councilmembers for Single Member Districts Two and Three. The period has expired for filing applications for place on the ballot including write-ins and the candidates for both council seats are unopposed. The Texas Election Code, Section 2.053 provides that upon receipt of a Certification of Unopposed Candidates, a governing body is authorized to cancel the called election and declare each unopposed candidate elected to office.

Oaths of office may be administered and the certificates of election may be presented at the first regular meeting following May 1, 2021, the date which the election would have been held.

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**ACTION AGENDA**

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**RS2. CONSIDER A RESOLUTION CONSENTING TO A TEMPORARY WATER BILL RELIEF PROGRAM ADDRESSING EXCESS USE OF WATER RESULTING FROM WINTER STORM URI;**

Presented by: Rhonda Daugherty, Director of Finance

Summary: On February 14, 2021, winter storm Uri descended upon the state of Texas bringing with it snow, ice and freezing temperatures. As a result, numerous residents and businesses lost power for periods of time ranging from a few minutes to several days. As a result of the power loss and record low temperatures property owners turned their faucets on and ran their water in hopes of avoiding frozen and broken pipes. While this proved beneficial for some, others were not as fortunate as water leaks and full line breaks were widespread. As such, a significant amount of water was unintentionally disbursed.

While the City currently has an ordinance in place addressing water leakage, it is structured to address standard leak issues and not substantive, widespread leaks resulting from an emergency type situation such as a major winter storm. Thus, staff has drafted a temporary Water Bill Relief Program that would provide assistance to our residents and local businesses who have suffered substantial hardships and financial loss. The program is designed to provide ease in both administration and application and would include the following:

- Program shall apply to any water bill customer for billing that includes water usage between February 14, 2021 and March 23, 2021 only
- Water bill customers must request relief by contacting the Utility Billing department upon receipt of their bill
  - o No additional requirements or proof required
  - o Retroactive for customers who have already paid their bill
- The leak adjustment will be 40% of the increased billing due to the leak, but such payment for increased billing shall not exceed \$25.
- The adjustment will be calculated as follows: determine an average usage for that month using the three previous years. That usage which exceeds the average will be adjusted 40%, but such payment for increased billing shall not exceed \$25.
- This is a one-time adjustment opportunity that will expire with the program thirty days following March 23, 2021.

Customer participation in this program shall not apply against future water leak adjustment requests nor is it limited by prior water leak adjustments as stated in the City Code under Sec. 51.023 (F) Water Leakage.

**OR2. \*PUBLIC HEARING\* CONSIDER AN ORDINANCE REZONING ±0.11 ACRES FROM C0 (NON-RETAIL DISTRICT) TO SF-4 (SINGLE-FAMILY DWELLING DISTRICT), LOCATED AT 308 NORTH ROBINSON STREET, AS REQUESTED BY POLO INVESTMENT, LLC, REPRESENTED BY ERIC BOSHART, CASE ZC21-002**

Presented by: Shane Pace, Executive Director of Development Services

Summary: the applicant has requested to rezone approximately 0.11 acres from C0 (Non-Retail

District) to SF-4 (Single-Family District) for the property located at 308 North Robinson Street. The applicant has indicated their intent to rezone the subject property to a residential zoning district in order to renovate the existing structure for a single-family residence.

The Planning and Zoning Commission considered this request at their February 22, 2021 meeting and recommended approval by a vote of 7-0.

**OR3. CONSIDER AN AMENDMENT TO SECTION TWO OF ORDINANCE OR09-2020-49 OF THE FISCAL YEAR 2021 (#6) GENERAL FUND BUDGET IN THE AMOUNT OF \$44,714.25 TO INCLUDE THE APPROPRIATION FOR MCGREGOR PARK FENCE REPLACEMENT AND PARKS LAND PRIDE ALL-FLEX MOWER.**

Presented by: Rhonda Daugherty, Director of Finance

Summary: McGregor Park fence replacement will remove the deteriorated split rail fencing around McGregor Park. The fencing is at the point of complete replacement after multiple years of neglect. This park is on one of the main roads through Cleburne and does not present the City or the Park aesthetically. Additionally, the fence is a hazard for those that lean against it due to being unstable. Using an interlocal agreement (City of Hurst 18-013) Latham Fence, Inc. will replace the fence with new pine fence with 2 rails and 6" square treated posts for \$29,500. The new fencing product will be easier to maintain. The ten-year-old flex mower that is utilized at various parks is in need of replacement. The new flex mower will function in the same manner as the current mower to ensure our parks meets our community's needs. The current flex mower has seen extended time out of service as repairs are made to spindles, baring, drive shafts, and miscellaneous parts. Zimmerer Kubota (manufacturing designed dealer, Land Pride Division of Great Plains Manufacturing) was awarded this project utilizing a BuyBoard contract (#611-20) for an amount not to exceed \$15,214.25. These are unbudgeted endeavors and require a budget amendment. The proposed General Fund budget amendment is in the amount of \$44,714.25 and will revise the total adopted General Fund budget (Ordinance OR09-2020-49), and as approved with previous amendments, from \$41,474,733.30 to \$41,519,447.55.