



**CITY COUNCIL REGULAR MEETING AGENDA**  
**APRIL 9, 2024, @ 5:00 PM**  
**CITY HALL COUNCIL CHAMBERS**  
**10 NORTH ROBINSON STREET, CLEBURNE, TX 76031**

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.

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**I. ROLL CALL AND CALL TO ORDER**

**City Council:**

**Scott Cain, Mayor**  
**Derek Weathers, SMD 1**  
**Blake Jones, SMD 2**  
**Mike Mann, Mayor Pro Tem/SMD 3**  
**John Warren, SMD 4**

**Administration:**

**Michael Marrero, City Manager**  
**Ashley Dierker, City Attorney**  
**Ivy Peterson, City Secretary**

**II. INVOCATION** by Pastor Mike Mizell, Bethel Temple Assembly of God

**III. PLEDGE OF ALLEGIANCE**

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

**V. CITIZENS COMMENTS**

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

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**COMMUNITY INTEREST MATTERS, ANNOUNCEMENTS & PRESENTATIONS**

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**CMP1. STARS AWARD – Justin Allbright, Fleet Maintenance - Fleet Manager**

**CMP2. PROCLAMATION: National Public Safety Telecommunicators Week, April 14 - 20, 2024**

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**CONSENT AGENDA**

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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

**MN1. CONSIDER MINUTES FOR THE MARCH 26, 2024, REGULAR COUNCIL MEETING, AND THE MARCH 28, 2024, SPECIAL JOINT COUNCIL MEETING.**

**RS1. CONSIDER A RESOLUTION AUTHORIZING THE ASSIGNMENT OF A LEASE AGREEMENT WITH INTERNATIONAL BIOMEDICAL, LTD FOR TRACT 901 AT THE CLEBURNE REGIONAL AIRPORT TO CPT PROPERTIES, LLC.**

Presented by: Garrett Watson, Airport Manager

Summary: Mr. John Segars of International Biomedical, Ltd would like to assign the remaining 14-years of his 20-year lease for Airport Tract #901 to CPT Properties, LLC. The Airport Advisory Board is scheduled to meet on Monday, April 8, 2024, to consider this request and provide a recommendation to the Council.

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### ACTION AGENDA

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**OR1. *\*PUBLIC HEARING\** CONSIDER AN ORDINANCE REZONING FROM SF-7 (SINGLE-FAMILY DWELLING DISTRICT) AND IH (INTERIM HOLDING DISTRICT) TO I (INDUSTRIAL DISTRICT) ON ±139.80 ACRES, GENERALLY LOCATED ON THE WEST SIDE OF CHISHOLM TRAIL PARKWAY, BETWEEN US HIGHWAY 67 AND WEST INDUSTRIAL BOULEVARD, CASE ZC24-016.**

Presented by: Danielle Castillo, Planning Manager

Summary: The applicant, Drenner Group, represented by Amanda Swor, has requested to rezone approximately 139.80 acres from SF-7 (Single-Family Dwelling District) and IH (Interim Holding District) to I (Industrial District) for the property generally located on the west side of Chisholm Trail Parkway, between US Highway 67 and West Industrial Boulevard. The applicant has stated in the Letter of Intent that the request to rezone to the I (Industrial District) is for the future construction of a warehouse/distribution use. The Planning and Zoning Commission will consider this request at its April 8, 2024, meeting.

**OR2. *\*PUBLIC HEARING\** CONSIDER AN ORDINANCE REZONING FROM IH (INTERIM HOLDING DISTRICT) TO PD (PLANNED DEVELOPMENT DISTRICT) FOR COMMERCIAL DEVELOPMENT, ON ±9.93 ACRES GENERALLY LOCATED NEAR THE SOUTHWEST INTERSECTION OF EAST KILPATRICK AVENUE AND HIX ROAD, CASE ZC24-004.**

Presented by: Danielle Castillo, Planning Manager

Summary: The applicant, Rabb's Construction, LLC, represented by Ward Rabb, is requesting to rezone approximately 9.93 acres from IH (Interim Holding District) to PD (Planned

Development District) for the construction of an Atwood's Ranch & Home retail facility. The main retail building is 62,865 square feet and the facility will also include an outdoor garden center, outdoor steel yard, and hay barn. The applicant is requesting a base zoning of RC (Regional Commercial District) with the following deviations:

- The allowance for Outside Display to be located along the E. Kilpatrick Avenue frontage in lieu of being located within 30 feet of the building;
- The use of Pre-Insulated Metal Wall Panel as the primary building material;
- A reduction of the minimum window coverage on the primary façades (20%) and secondary façades (10%); and
- A waiver from the nonresidential design elements on the eastern, western, and southern façades.

The applicant has provided a Letter of Intent, Planned Development Standards, Site Plan, Landscape Plan, and Building Elevations outlining and showing the site and building design of the proposed retail facility. The Planning and Zoning Commission considered this request at its March 25, 2024, meeting and voted 6-0 to recommend approval of the PD request as presented.

**OR3. \*PUBLIC HEARING\* CONSIDER AN ORDINANCE REZONING FROM SF-7 (SINGLE-FAMILY DWELLING DISTRICT) TO D (DUPLEX DWELLING DISTRICT) ON ±0.29 ACRES LOCATED AT 517 SOUTH ORAN AVENUE, CASE ZC23-048.**

Presented by: Danielle Castillo, Planning Manager

Summary: The applicant, Tobsin Properties LLC, represented by John Daramola, has requested to rezone approximately 0.29 acres from SF-7 (Single-Family Dwelling District) to D (Duplex Dwelling District) for the construction of one (1) duplex dwelling for the property located at 517 South Oran Avenue. The applicant has included Duplex Building Design Plans showing conceptually the proposed duplex building, which are for informational purposes only and are not considered to be included as part of this rezoning request. The Planning and Zoning Commission considered this request at its March 25, 2024, meeting and recommended denial by a vote of 4-2, which will require a super-majority vote of the council to approve.

**OR4. \*PUBLIC HEARING\* CONSIDER AN ORDINANCE GRANTING A SPECIFIC USE PERMIT (SUP) FOR A TOBACCO, VAPOR, E-CIGARETTE STORE ON ±0.90 ACRES, ZONED RC (REGIONAL COMMERCIAL DISTRICT) AND WITHIN THE HS (HENDERSON STREET OVERLAY), LOCATED AT 617 WEST HENDERSON STREET SUITE A, IN AN EXISTING COMMERCIAL STRIP CENTER, CASE ZC24-012.**

Presented by: Danielle Castillo, Planning Manager

Summary: The applicant, Zeshan Salimi, has submitted a request for a Specific Use Permit (SUP) for a Tobacco, Vapor, and e-Cigarette Store located at 617 W. Henderson St., Suite A, within an existing commercial strip center. The applicant has provided a Letter of Intent and Conceptual Floor Plan detailing the proposed business, Vape Central. The Planning and Zoning Commission considered this request at its March 25, 2024, meeting and voted 6-0 to recommend approval of the SUP request with the following conditions:

- i. The proposed hours of operation; and

- ii. The waiver from the 1,000-foot distance requirement from two (2) existing churches.

**OR5. \*PUBLIC HEARING\* CONSIDER AN ORDINANCE AMENDING TITLE V: PUBLIC WORKS, CHAPTER 51: WATER AND SEWERS, SECTION 51.003: WATER CONSERVATION AND DROUGHT CONTINGENCY, OF THE CODE OF ORDINANCES; BY ADOPTING THE 2024 DROUGHT CONTINGENCY AND EMERGENCY WATER MANAGEMENT PLAN AND THE 2024 WATER CONSERVATION PLAN.**

Presented by: Jeremy Hutt, Director of Public Works

Summary: Water Utilities in the State of Texas are required to have a Drought Contingency and Emergency Water Management Plan that establishes action plans that may be instituted during time of drought and a Water Conservation Plan that establishes goals for water conservation activities for the community. These plans are required by the State to be updated and resubmitted every five years. The City of Cleburne previously updated the Plans in 2019. The updated plans have been drafted and the 2024 Drought Contingency and Emergency Water Management Plan and the 2024 Water Conservation Plan are presented for City Council consideration and adoption.

**RS2. CONSIDER A RESOLUTION AUTHORIZING A PUBLIC DRAINAGE EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT FROM JMCP VENTURES LP ASSOCIATED WITH INDUSTRIAL BOULEVARD FROM SH 121 TO SH 171 PROJECT, FOR AN AMOUNT NOT TO EXCEED \$20,000.**

Presented by: Jeremy Hutt, Director of Public Works

Summary: On March 8, 2022, City Council approved an Advance Funding Agreement (AFA) with the Texas Department of Transportation (TXDOT) regarding funding for improvements to Industrial Boulevard between the Chisholm Trail Parkway and SH 171. The project was recently released to the City by TXDOT, allowing the project to move into the design phase.

The Project includes rebuilding and widening the existing narrow roadway to a 38' wide curb and gutter section, which will better accommodate the heavy industrial truck traffic that utilizes the roadway. Turn lanes at the intersections will also be included, where needed.

Drainage easements are needed for the installation and the perpetual maintenance of the new public infrastructure. The City and the property owner, JMCP Ventures, LP, have been working to reach an agreement on the acquisition of the needed easements including a public drainage easement and a temporary construction easement across the property. The temporary construction easement will be in effect for a period of 12 months from the execution of the easement agreement. Funding for this easement is available in the 2022 project design budget.

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## EXECUTIVE SESSION

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Pursuant to the Open Meetings Act, Chapter 551, and the Texas Disaster Act, Chapter 418 of the Texas Government Code, Executive Session may be held at any time during the meeting that a need arises for the City Council to seek advice from the City Attorney as to any posted subject matter of this City Council Meeting.

**Section 551.087. Deliberation Regarding Economic Development Negotiations** - This chapter does not require a governmental body to conduct an open meeting: (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).

**EX1.** Discuss Project Horizontal

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

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**ADJOURNMENT**

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**ADJOURNED AT:**

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**CERTIFICATION**

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THIS IS TO CERTIFY that the Notice of Meeting of the Cleburne City Council is a true and correct copy and that I posted said Notice on the City Hall bulletin board, a place convenient and readily accessible to the general public, as well as the City's official website at [www.cleburne.net](http://www.cleburne.net) and said Notice was posted on **Friday, April 5, 2024**, by **5:00 pm** in compliance with Chapter 551, Texas Government Code.

*Note: A quorum of any Cleburne board, commission, or committee may participate during this meeting.*



City of Cleburne

By: Ivy Peterson

Ivy Peterson, City Secretary



Reasonable accommodations to furnish auxiliary aids or services for persons with special needs will be provided when at least two working days' notice is given. Contact the City Secretary's office at (817) 645-0900.