

BURLESON CITY COUNCIL REGULAR MEETING
May 16, 2022
MINUTES

ROLL CALL

Council present:
Victoria Johnson

Council Absent:

Rick Green

Jimmy Stanford
Chris Fletcher
Tamara Payne
Dan McClendon
Ronnie Johnson

Staff present
Bryan Langley, City Manager
Tommy Ludwig, Deputy City Manager
Amanda Campos, City Secretary
Monica Solko, Deputy City Secretary
Allen Taylor, City Attorney
Matt Ribitzki, Deputy City Attorney

1. CALL TO ORDER – 5:31 PM

Invocation – Kim Kimble, founder of Hope Encounter Ministries of North Texas.
Pledge of Allegiance to the US Flag
Texas Pledge

2. PUBLIC PRESENTATIONS

A. Proclamations

- Proclamation recognizing May, 2022 as Neurofibromatosis Awareness Month in the City of Burleson. *(Recipients: Macy Ball and Denver Wakin)*
- Proclamation recognizing May 15-22, 2022 as Emergency Medical Services Week in the City of Burleson. *(Recipient: KT Freeman, Fire Chief)*
- Proclamation recognizing May 15-22, 2022 as National Public Works Week in the City of Burleson. *(Recipient: Eric Oscarson, Director of Public Works)*

B. Presentations

- Presentation of Public Works Week. *(Staff Presenter: Eric Oscarson, Director of Public Works)*

C. Community Interest Items

- Recognize Mother's Day.
- Council member Payne acknowledged City Secretary's Office, City Managers, Mayor, City Council, and staff for reaching out after the passing of her mother-in-law.

- Early voting for the Primary run-off starts May 16th and Election Day on May 24th.
- Recognized Police Memorial Week.
- Thank you to all the voters who came out during the Burleson special bond election.
- Super Safety Saturday is this Saturday, May 21st.
- City on the Hill festival at Burleson High School Stadium on Saturday, May 21st.

3. **CHANGES TO POSTED AGENDA**

A. **Items to be continued or withdrawn**

- None.

B. **Items to be withdrawn from Consent Agenda for separate discussion or items to be added to the Consent Agenda.**

- None.

4. **CITIZEN APPEARANCES**

- Debbie McDonald, 1141 Morgan Drive, online speaker card had concerns with city debit, valet services in Old Town, council pay, apartments and council term limits.

5. **CONSENT AGENDA**

A. **Minutes from the May 2, 2022 special work session meeting and regular meeting. (Staff Contact: Amanda Campos, City Secretary).**

Motion made by Tamara Payne and seconded by Victoria Johnson to approve.

Motion passed 6-0-1, with Rick Green absent.

B. **CSO#2064-05-2022, minute order appointing voting membership of the Mayor's Youth Council to serve terms commencing June 1, 2022. (Staff Contact: Amanda Campos, City Secretary).**

Motion made by Tamara Payne and seconded by Victoria Johnson to approve.

Motion passed 6-0-1, with Rick Green absent.

C. **Replat of Whispering Meadows, Lot 25R, addressed as 8304 Whispering Meadows Road, located directly southeast of Whispering Meadows Road. (Case 22-025) (Staff Contact: Tony McIlwain, Director of Development Services) (The Planning and Zoning Commission recommended approval by unanimous vote)**

Motion made by Tamara Payne and seconded by Victoria Johnson to approve.

Motion passed 6-0-1, with Rick Green absent.

- D. CSO#2065-05-2022, minute order appointing Dr. John K. Griswell, M.D., to a two-year term beginning April 4, 2022, as health authority designee to serve in the absence or incapacity of Dr. Steve Martin and administer state and local laws relating to public health in the City in accordance with Chapter 121 of the Texas Health Code. (Staff Contact: K.T. Freeman, Fire Chief)**

Motion made by Tamara Payne and seconded by Victoria Johnson to approve.

Motion passed 6-0-1, with Rick Green absent.

- E. CSO#2066-05-2022, ordinance appointing Terri Wilson, as Associate Municipal Court Judge for the Burleson Municipal Court of Record for a term of two years, expiring on February 4, 2024. (Final Reading) (Staff Contact: Amanda Campos, City Secretary)**

Motion made by Tamara Payne and seconded by Victoria Johnson to approve.

Motion passed 6-0-1, with Rick Green absent.

- F. CSO#2067-05-2022, minute order to formally reject bids for ITB 2022 - 008 for a Pipe & Appurtenance contract. (Staff Contact: Eric Oscarson, Public Works Director)**

Motion made by Tamara Payne and seconded by Victoria Johnson to approve.

Motion passed 6-0-1, with Rick Green absent.

- G. CSO#2068-05-2022, resolution increasing the reimbursement amount to R.A. Development, Ltd., for sewer construction costs pursuant to an existing Chapter 380 and Economic Development and Performance Agreement in an amount not to exceed \$200,000. (Staff Contact: Eric Oscarson, Public Works Director)**

Motion made by Tamara Payne and seconded by Victoria Johnson to approve.

Motion passed 6-0-1, with Rick Green absent.

6. DEVELOPMENT APPLICATIONS

- A. CSO#2069-05-2022, ordinance amending ordinance B-582, the zoning ordinance of the City of Burleson, Texas, by amending the official zoning map and changing the zoning on approximately 2.9 acres of land, addressed as 8304 Whispering Meadows Rd, known as lot Lot 25R, being a portion of Lot 25, Whispering Meadows an addition to Johnson County, Texas, from A, Agricultural to SFE, Single-family Estate, making this ordinance cumulative of prior ordinances, providing a severability clause; providing a penalty clause, and providing for an effective date. 8304 Whispering Meadows Rd, Lot 25R, of Whispering Meadows (Case 22-035). (First and Final Reading) (Staff Presenter:**

Tony McIlwain, Director of Development Services) (The Planning and Zoning Commission recommended approval unanimously.)

Tony McIlwain, Director of Development Services, presented Case 22-035 to the city council.

Mayor Fletcher opened the public hearing. **Time: 5:53 p.m.**

No speakers.

Mayor Fletcher closed the public hearing. **Time: 5:53 p.m.**

Motion made by Jimmy Stanford and seconded by Dan McClendon to approve.

Motion passed 6-0-1, with Rick Green absent.

- C. AACA Parts and Supplies located at 118 NW Hillery St (Case 21-141): Consider a Commercial Site Plan with associated waivers to the Old Town Design Standards, Masonry Construction Standards and the Design Standards Manual for an HVAC business expansion. (Staff Presenter: Tony McIlwain, Director of Development Services) (Planning and Zoning Commission recommended approval by a unanimous vote)**

Tony McIlwain, Director of Development Services, presented Case 21-141 to the city council.

Motion made by Tamara Payne and seconded by Victoria Johnson to continue Case 21-141 until June 6, 2022.

Motion passed 6-0-1, with Rick Green absent.

- B. Ordinance Amendments to Code of Ordinances Appendix A - Subdivision and Development (Case 21-099): Consider approval of an ordinance amending the Burleson Code of Ordinances as found in Appendix A (Subdivision and Development), Article 1 (General Provisions), Article 2 (Platting Policies), Article 3 (Plat Requirements), Article 4 (Community Facilities Policy, and Article 9 (Appendices - Community Facilities Contract) for the purpose of modifying platting approval authority, modifying the final plat and replat policies, designating the planning and zoning commission as the approval body for final plats and replats within the city limits, and amending the form community services contract. (First Reading) (Staff Presenter: Tony McIlwain, Director of Development Services)**

Tony McIlwain, Director of Development Services, presented Case 21-099 to the city council.

Motion made by Ronnie Johnson and seconded by Tamara Payne to approve Case 21-099.

Motion passed 6-0-1, with Rick Green absent.

7. **GENERAL**

- A. CSO#2070-05-2022, cost sharing agreement with Jackson Shaw for pre-development services at 555 and 295 Hidden Creek Boulevard not to exceed \$179,312.50 and authorizing the City Manager to execute documents associated with the pre-development services. (Staff Presenter: Alex Philips, Economic Development Director)**

Alex Philips, Economic Development Director, presented an agreement to the City Council.

Motion made by Tamara Payne and seconded by Victoria Johnson to approve.

Motion passed 6-0-1, with Rick Green absent.

- B. CSO#2071-05-2022, interlocal agreement with the City of Cleburne for regional transportation services known as CleTran in the amount not to exceed \$216,125 for five years. (Staff Presenter: Eric Oscarson, Public Works Director)**

Eric Oscarson, Public Works Director, presented an interlocal agreement to the City Council.

Motion made by Victoria Johnson and seconded by Jimmy Stanford to approve.

Motion passed 6-0-1, with Rick Green absent.

- C. CSO#2072-05-2022, resolution to request that the Regional Transportation Council place the City of Burleson in a City-only Membership Cluster. (Staff Presenter: Tommy Ludwig, Deputy City Manager)**

Tommy Ludwig, Deputy City Manager, presented a resolution to the City Council.

Motion made by Jimmy Stanford and seconded by Victoria Johnson to approve.

Motion passed 6-0-1, with Rick Green absent.

- D. CSO#2073-05-2022, resolution authorizing the Texas Coalition for Affordable Power to negotiate an electric supply agreement effective January 1, 2023, on the City's behalf and authorize the City Manager to execute the subsequent contract. (Staff Presenter: Justin Scharnhorst, Purchasing Manager)**

Matt Ribitzki, Deputy City Attorney, presented a resolution and agreement to the City Council.

Council member Victoria Johnson left the dais at 7:20 p.m. and returned at 8:54 p.m.

Margaret Summery, TCAP president came forward to answer Council questions.

Motion made by Dan McClendon and seconded by Tamara Payne to approve the resolution with TCAP advice before executing the agreement.

Motion passed 5-0-1, with Rick Green absent.

E. CSO#2074-05-2022, ordinance canvassing the May 7, 2022 Special Bond Election. (First and Final Reading) (Staff Presenter: Amanda Campos, City Secretary)

Amanda Campos, City Secretary presented an ordinance canvassing the May 7, 2022 Special Bond Election to City Council.

Motion made by Jimmy Stanford and seconded by Tamara Payne to approve.

Motion passed 5-0-1, with Rick Green absent.

RECESS AND BACK TO ORDER

Mayor Fletcher recessed for a short break at 7:42 p.m. and called the meeting back to order at 8:54 p.m. with all members present.

8. REPORTS AND PRESENTATIONS

A. Receive a report, hold a discussion, and give staff direction regarding the Water and Wastewater Masterplan. (Staff Presenter: Eric Oscarson, Public Works Director)

Eric Oscarson, Public Works Director, gave an overview of the Water and Wastewater Masterplan. Michelle McCullough, Assistant Public Works Director, reported on the details of the Water and Wastewater Masterplan including methodology, growth analysis, capital improvements, and impact fees.

B. Receive a report, hold a discussion, and give staff direction regarding outdoor kiosk signage. (Staff Presenter: DeAnna Phillips, Community Services Director)

DeAnna Phillips, Community Services Director, reported on the outdoor kiosk signage.

C. Receive a report, hold a discussion, and give staff direction regarding an update on the financial overview of the General Debt Service Fund, and receive any additional direction from City Council regarding the annual budget for fiscal year 2022-2023. (Staff Presenter: Martin Avila, Finance Director)

Martin Avila, Finance Director, gave a financial overview of the General Debit Service Fund and reported on the FY 2022-2023 annual budget.

- D. Receive a report, hold a discussion, and give staff direction regarding an operational overview and proposed FY22-23 budget for the Burleson Fire Department. (*Staff Presenter, K.T. Freeman, Fire Chief*)

K.T. Freeman, Fire Chief, gave an operational overview on the proposed FY 2022-2023 Fire Department budget.

9. **CITY COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS OR REPORTS**

- Outdated wayfinding signs update

10. **RECESS INTO EXECUTIVE SESSION**

Pursuant to Section 551.071, Texas Government Code, the Council reserves the right to convene in Executive Session(s), from time to time as deemed necessary during this meeting for any posted agenda item, to receive advice from its attorney as permitted by law.

A. Pending or Contemplated Litigation or to Seek the Advice of the City Attorney Pursuant to Section 551.071

- Land use, design standards, and density in the City's transit-oriented development district

B. Discussion Regarding Possible Purchase, Exchange, Lease, or Value of Real Property Pursuant to Section 551.072

- Discuss and receive direction on certain parcels of real property for municipal purposes where deliberation in open session would have a detrimental effect on the position of negotiations with third parties
- 921 S Burleson Blvd in Burleson, Johnson County, Texas

C. Deliberation regarding a negotiated contract for a prospective gift or donation to the state or the governmental body Pursuant to Section 551.073

D. Personnel Matters Pursuant to Section 551.074

E. Deliberation regarding (1) the deployment, or specific occasions for implementation of security personnel or devices; or (2) a security audit Pursuant to Sec. 551.076

F. Deliberation Regarding Commercial or Financial Information Received from or the Offer of a Financial or Other Incentive made to a Business Prospect Seeking to Locate, Stay or Expand in or Near the Territory of the City and with which the City is conducting Economic Development Negotiations Pursuant to Section 551.087

- Hyder Ranch
- Project Beacon

G. Pursuant to Sec. 418.183(f), deliberation of information related to managing emergencies and disasters including those caused by terroristic acts (must be tape recorded)

Motion was made by Jimmy Stanford and seconded by Tamara Payne to convene into executive session at 9:35 p.m.

Motion passed 6-0-1, with Rick Green absent.

Motion was made by Victoria Johnson and seconded by Tamara Payne to reconvene into open session at 10:00 p.m.

Motion passed 6-0-1, with Rick Green absent.

ADJOURNMENT

Motion made by Jimmy Stanford and Dan McClendon to adjourn.

Mayor Fletcher adjourned the meeting at 10:01 p.m.

Monica Solko
Deputy City Secretary