

**BURLESON CITY COUNCIL REGULAR MEETING
May 2, 2022
MINUTES**

ROLL CALL

Council present:
Victoria Johnson

Jimmy Stanford
Chris Fletcher

Dan McClendon
Ronnie Johnson

Council Absent:

Rick Green

Tamara Payne

Staff present

Bryan Langley, 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 – Jane Burton, Next Step Women’s Center.
Pledge of Allegiance to the US Flag
Texas Pledge

2. PUBLIC PRESENTATIONS

A. Proclamations

- Public Service Recognition Week, May 1-7, 2022 (Recipient: Rick DeOrdio, Human Resources Director; Employee Benefits Committee)

B. Presentations

- Presentation of the State of the City Video.(Staff Presenter: Amanda Campos, City Secretary)

C. Community Interest Items

- Thank you to the volunteers and Norwood Elementary students for helping plant trees for Arbor day at Clark Park
- Join us on Saturday, May 14 for the city’s Trash Bash event
- Acknowledge Small Business Week

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A. Items to be continued or withdrawn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B. Items to be withdrawn from Consent Agenda for separate discussion or items to be added to the Consent Agenda.

- Add item 7A

Motion made by Jimmy Stanford and seconded by Dan McClendon to add item 7A to the consent agenda.

Motion passes 5-0-2, with Rick Green and Tamara Payne absent.

4. **CITIZEN APPEARANCES**

- None.

5. **CONSENT AGENDA**

A. Minutes from the April 18, 2022 regular meeting and April 21, 2022 special meeting. (Staff Contact: Amanda Campos, City Secretary).

Motion made by Dan McClendon and seconded by Ronnie Johnson to approve.

Motion passed 5-0-2, with Rick Green and Tamara Payne absent.

B. Replat of Tantarra Estates, Lots 21R1 and 21R2, Block 1, addressed as 9821 Tantarra Drive, located on the southeast side of Tantarra Drive. (Case 21-161) (Staff Contact: Tony McIlwain, Director of Development Services) (The Planning and Zoning Commission recommended approval by unanimous vote)).

Motion made by Dan McClendon and seconded by Ronnie Johnson to approve.

Motion passed 5-0-2, with Rick Green and Tamara Payne absent.

C. CSO#2055-05-2022, ordinance amending Chapter 78, sections 78-41 “definitions” by adding and amending definitions, 78-42 “stopping, standing, or parking prohibited in certain places” by modifying the maximum parking time of certain vehicles in residential and non-residential districts, 78-46 “storing motor vehicles on public streets prohibited” by modifying the prohibition of storing vehicles on public streets, 78-47 “unauthorized parking on certain public property prohibited” by making grammatical edits, and 78-51 “citation; towing; evidence” by clarifying the removal of a vehicle. (Final Reading) (Staff Contact: Billy Cordell, Chief of Police)

Motion made by Dan McClendon and seconded by Ronnie Johnson to approve.

Motion passed 5-0-2, with Rick Green and Tamara Payne absent.

7. **GENERAL (MOVED)**

A. An 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. (First Reading) (Staff Presenter: Amanda Campos, City Secretary) MOVED TO CONSENT

Motion made by Dan McClendon and seconded by Ronnie Johnson to approve.

Motion passed 5-0-2, with Rick Green and Tamara Payne absent.

6. **DEVELOPMENT APPLICATIONS**

- A. Commercial site plan amendment with a waiver to section 132-115; Accessory building and structure yard regulations; pertaining to a covered parking and loading area in the front yard of a commercial site, Target located at 200 NW John Jones DR (Case 22-031): Hold a public hearing and consider approval of a (*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 22-031 to the city council.

Mayor Fletcher opened the public hearing. **Time: 5:59 p.m.**

Bonnie Newton, 205 Cedar Lane, came forward to ask about lighting for safety on the structure.

Mayor Fletcher closed the public hearing. **Time: 6:00 p.m.**

Motion made by Dan McClendon and seconded by Ronnie Johnson to approve with canopy to cover only the parking stalls.

Motion passed 5-0-2, with Rick Green and Tamara Payne absent.

- B. CSO#2056-05-2022, ordinance for voluntary annexation of approximately 44.36 acres tract of land out of the Ira Clemons survey described in the deed recorded in document No. 2016-8589, Johnson County, Texas (D.R.J.C.T), located in the exclusive Extraterritorial Jurisdiction (ETJ) of the City of Burleson, related to a previously approved development agreement, providing that the inhabitants thereof shall have all the privileges of all the citizens of Burleson, Texas; providing that this ordinance shall amend every prior ordinance in conflict herewith; providing that this ordinance shall be cumulative of all prior ordinances not in direct conflict; providing for severability and naming and effective date, located at 2301 S Burleson Blvd, North Texas Jellystone Park, Voluntary Annexation (Case 22-008) (First and Final Reading) (*Staff Presenter: Tony McIlwain, Development Services Director*)**

Tony McIlwain, Director of Development Services presented Case 22-008 to the city council.

Mayor Fletcher opened the public hearing for Case 22-008. **Time: 6:06 p.m.**

Ricky Marshall, 220 Live Oak Lane, came forward with concerns of being annexed by the city.

Bonnie Newton, 205 Cedar Lane, came forward with concerns regarding regulations on lighting, noise and the small entrance or exit off of FM 602.

Staff and attorney answered questions.

Flex Wang, the applicant, 2604 Aberdeen Drive, Arlington, came forward to address questions by Council.

Mayor Fletcher closed the public hearing for Case 22-008. **Time: 6:19 p.m.**

Motion made by Jimmy Stanford and seconded by Ronnie Johnson to approve Case 22-008.

Motion passed 5-0-2, with Rick Green and Tamara Payne absent.

- C. CSO#2057-05-2022, 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 44.36 acres from defaulted "A", Agriculture to "PD", Planned Development District, making this ordinance cumulative of prior ordinances, providing a severability clause; providing a penalty clause, and providing for an effective, date located at 2301 S. Burleson Boulevard, North Texas Jellystone Park (Case 22-024) (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 22-024 to the city council.

Mayor Fletcher opened the public hearing for Case 22-024. **Time: 6:26 p.m.**

Bonnie Newton, 205 Cedar Lane, came forward with concerns of privacy if a zip line were built that would run across the neighborhood backyards.

The following came forward requesting a fence be constructed between the park and the neighborhood:

- Cecilia Marshal, 220 Live Oak Lane
- Bonnie Newton, 205 Cedar Lane
- Ricky Marshal, 220 Live Oak Lane

Staff and the attorney answered questions.

Flex Wang, the applicant, 2604 Aberdeen Drive, Arlington, came forward to address the questions on fencing and stated that the owner preferred a more natural landscape rather than a fence.

Mayor Fletcher closed the public hearing for Case 22-024. **Time 6:58 p.m.**

Motion made by Jimmy Stanford and seconded by Victoria Johnson to approve Case 22-024 with a 6 ft. fence along the seven (7) lots on Live Oak Lane that constitutes the boundary of the Jellystone Park.

Motion passed 5-0-2, with Rick Green and Tamara Payne absent.

7. **GENERAL**

- A. ~~Consider approval of an 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. (First Reading) (Staff Presenter: Amanda Campos, City Secretary)~~ **MOVED**

Item 7A was added to the consent agenda above.

- B. **CSO#2058-05-2022, contract with Steele & Freeman, Inc. for the purchase and installation of Bid Pack 1 of 2 (structural and architectural items), for the construction of a new Parks Maintenance building for guaranteed maximum price (GMP) of \$1,154,297. (Staff Presenter: Jen Basham, Director of Parks and Recreation)**

Jen Basham, Director of Parks and Recreation, presented a contract with Steele & Freeman, Inc. to the City Council.

Motion made by Victoria Johnson and seconded by Jimmy Stanford to approve upon final approval from the City Attorney.

Motion passed 5-0-2, with Rick Green and Tamara Payne absent.

8. **REPORTS AND PRESENTATIONS**

- A. **Receive a report, hold a discussion, and provide staff direction regarding proposed modifications to the park land dedication fee structure and ordinance. (Staff Presenter: Jen Basham, Parks and Recreation Director)**

Item was not needed as it was discussed during work session.

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

- None at this time.

9. **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
 - 124 NW Magnolia St (also known as 124 SW Haskew St), 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** 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
- E. 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
- F. Pursuant to Sec. 418.183(f), deliberation of information related to managing emergencies and**

Motion was made by Dan McClendon and seconded by Jimmy Stanford to convene into executive session at 7:14 p.m.

Motion passed 5-0-2, with Rick Green and Tamara Payne absent.

Motion was made by Dan McClendon and seconded by Jimmy Stanford to reconvene into open session at 7:53 p.m.

Motion passed 5-0-2, with Rick Green and Tamara Payne absent.

ADJOURNMENT

Motion made by Dan McClendon and Jimmy Stanford to adjourn.

Mayor Fletcher adjourned the meeting at 7:54 p.m.

Monica Solko
Deputy City Secretary