

**BURLESON CITY COUNCIL REGULAR MEETING**  
**April 18, 2022**  
**MINUTES**

**ROLL CALL**

Council present:

Victoria Johnson  
Rick Green  
Jimmy Stanford  
Chris Fletcher  
Tamara Payne  
Dan McClendon  
Ronnie Johnson

Council Absent:

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 – 5:30 PM**

Invocation – Ronnie Johnson, Council member.  
Pledge of Allegiance to the US Flag  
Texas Pledge

**2. PUBLIC PRESENTATIONS**

**A. Proclamations**

- Proclamation recognizing April 17-23, 2022 as National Volunteer Week in the City of Burleson. (Recipient: Kerry Montgomery, Volunteer Coordinator)
- Proclamation recognizing April 29, 2022 as National Arbor Day in the City of Burleson. (Recipient: Jen Basham, Parks and Recreation Director)
- Proclamation recognizing April 30, 2022 as National Therapy Animal Day in the City of Burleson. (Recipient: Donna Gumfory)

**B. Presentations**

- Presentation of Outstanding Citizen Awards to Juliet Cobb and Everett Bates on behalf of the Burleson City Council. (Presenter: Councilmember V. Johnson, Pl. 1)
- Recognition of the Employee of the Quarter for the 1st quarter of 2022. (Staff Presenter: Rick DeOrdio, Director of Human Resources)

**C. Community Interest Items**

- Congratulations to Alex Philips for winning Citizen of the Year at the Burleson Area Chamber of Commerce Gala.

- Thank you to everyone on the success of the ribbon cutting for the art display at Bailey Lake
- Thank you to all the area churches for their Easter events
- Happy Birthday Betty Bailey
- Lisa Duello reminded everyone to join the city Saturday for the recycle event.
- Reminder of Drug Takeback event on April 30<sup>th</sup>

3. **CHANGES TO POSTED AGENDA**

A. **Items to be continued or withdrawn**

- Withdraw 6D

B. **Items to be withdrawn from Consent Agenda for separate discussion or items to be added to the Consent Agenda.**

- None.

4. **CITIZEN APPEARANCES**

- Susan Cato, 820 Cedar Ridge Lane, came forward with concerns regarding the behavior of some elected city officials.

5. **CONSENT AGENDA**

A. **Minutes from the April 4, 2022 regular meeting. (Staff Contact: Amanda Campos, City Secretary).**

Motion made by Jimmy Stanford and Victoria Johnson to approve.

Motion passed 7-0.

B. **CSO#2045-04-2022 amended employment agreement with Bryan Langley to serve as City Manager. (Staff Contact: Matt Ribitzki, Deputy City Attorney/Compliance Manager).**

Motion made by Jimmy Stanford and Victoria Johnson to approve.

Motion passed 7-0.

C. **CSO#2046-04-2022 resolution authorizing the City Manager to execute a memorandum of understanding with Hemphill, LLC, concerning the height of a telecommunications tower facility generally located at 620 SW Wilshire Blvd. (Staff Contact: Matt Ribitzki, Deputy City Manager/Compliance Manager)**

Motion made by Jimmy Stanford and Victoria Johnson to approve.

Motion passed 7-0.

D. **CSO#2047-04-2022 minute order ratifying the land sale contract actions taken by the Burleson 4A Economic Development Corporation on April 18, 2022, related to a real estate agreement with IV3 Logistics Acquisition, LLC, to sell**

5.79 acres of land situated in Lot 1R1, Block 7 Highpoint Business Park of Burleson, an addition in the City of Burleson, Johnson County, Texas near the intersection of Vantage Drive and Cirrus Drive. (Staff Contact: Alex Philips, Economic Development Director)

Motion made by Jimmy Stanford and Victoria Johnson to approve.

Motion passed 7-0.

*City Secretary Amanda Campos stated that items 6A through 6C would be moved and considered after Section 7 General as the items were noticed in the newspaper for 6:30 p.m. start time.*

**6. DEVELOPMENT APPLICATIONS (MOVED)**

- A. ~~2230 S Burleson Blvd (Case 22-017): Public hearing and approval of CSO#2048-04-2022, an ordinance amending the official zoning map and changing the zoning on approximately 0.96 acres from "A" Agricultural, to "SF16" Single-family dwelling district 16, to allow for the development of one single-family residence, (First and Final Reading) (Staff Presenter: Tony Mellwain, Director of Development Services). MOVED~~**

*Item was discussed and voted on after Section 7 General items below.*

- B. ~~2325 SW Wilshire Blvd (Bear Ridge) (Case 22-028): Public hearing and approval of CSO#2049-04-2022, a zoning ordinance change request from "A" Agricultural, to "SFA" Single-family attached, to allow for residential development on 14.75 acres. (First and Final Reading) (Staff Presenter: Tony Mellwain, Director of Development Services) MOVED~~**

*Item was discussed and voted on after Section 7 General items below.*

- C. ~~2325 SW Wilshire Blvd (Bear Ridge) (Case 22-027): Public hearing and approval of CSO#2050-04-2022, an ordinance requesting zoning change from "A" Agricultural, to "SF7" Single-family dwelling district 7, to allow for residential development on 158.407 acres. (First and Final Reading) (Staff Presenter: Tony Mellwain, Director of Development Services) MOVED~~**

*Item was discussed and voted on after Section 7 General items below.*

- D. Ordinance Amendments to Code of Ordinances Appendix A - Subdivision and Development (Case 21-099): an ordinance amending the Burleson Code of Ordinances - 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) (Case 21-099) (Staff Presenter: Tony McIlwain, Director of Development Services).  
**WITHDRAWN**

*Item was withdrawn under Section 3 Changes to Posted Agenda.*

7. **GENERAL**

- A. **Public hearing and consider approval of an ordinance terminating the Tax Increment Finance Reinvestment Zone Number 3, City of Burleson, Texas, dissolving the board of directors and tax increment fund for the Zone. (First Reading) (Staff Presenter: Tommy Ludwig, Deputy City Manager)**

Tommy Ludwig, Deputy City Manager, presented the ordinance terminating Tax Increment Finance Reinvestment Zone #3.

Mayor Fletcher opened the public hearing. **Time: 6:01 p.m.**

No speakers.

Mayor Fletcher closed the public hearing. **Time: 6:02 p.m.**

Mayor Fletcher reopened the public hearing: **Time: 6:12 p.m.**

Mayor Fletcher continue the public hearing to the second regular meeting in June.

Motion made by Victoria Johnson and Ronnie Johnson to table.

Motion passed 6-1, Tamara Payne voting against.

- B. **CSO#2051-04-2022, ordinance changing the designation of McNairn Road between SW Sunnybrook Drive to Willow Circle N from an alley to a public street and setting the speed limit of the public street at 30 miles per hour. (First and Final Reading) (Staff Presenter: Eric Oscarson, Director of Public Works)**

Eric Oscarson, Director of Public Works, presented an ordinance designating McNairn Rd an alley to a public street.

Pam Carlisle, 221 NW Wintercrest Road, concerns with speed, noise, litter, and racing with the change of McNairn.

Motion made by Dan McClendon and Jimmy Stanford to approve.

Motion passed 7-0.

- C. **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. (First Reading) (*Staff Presenter: Billy Cordell, Chief of Police*)

Billy Cordell, Chief of Police, presented ordinance amendments to Chapter 78.

Motion made by Rick Green and Ronnie Johnson to approve.

Motion passed 6-1, Dan McClendon voting against.

- D. CSO#2052-04-2022, resolution authorizing a real estate contract with Paul and Darlene Karmy to sell fee simple title to a tract of land in Johnson County, Texas, commonly known as 430 North Burleson Boulevard, for a sales price of \$900,000 and other consideration as prescribed in the contract; authorizing the City Manager to execute all documents necessary to close on the contract; authorizing the expenditure of funds;. (*Staff Presenter: Alex Philips, Economic Development Director*)**

Alex Philips, Economic Development Director, presented a real estate contract for 430 North Burleson Blvd.

Motion made by Dan McClendon and Victoria Johnson to approve.

Motion passed 7-0.

**6. DEVELOPMENT APPLICATIONS (MOVED)**

- A. CSO#2048-04-2022, an ordinance amending the official zoning map and changing the zoning on approximately 0.96 acres from “A” Agricultural, to “SF16” Single-family dwelling district-16, to allow for the development of one single-family residence, located at 2230 S Burleson Blvd (Case 22-017). (First and Final Reading) (*Staff Presenter: Tony McIlwain, Director of Development Services*).**

Tony McIlwain, Director of Development Services, presented Case 22-017 to the city council.

Mayor Fletcher opened the public hearing. **Time:6:34 p.m.**

No speakers.

Mayor Fletcher closed the public hearing. **Time: 6:35 p.m.**

Motion made by Tamara Payne and Dan McClendon to approve.

Motion passed 7-0.

- B. CSO#2049-04-2022, a zoning ordinance change request from "A" Agricultural, to "SFA" Single- family attached, to allow for residential development on 14.75 acres located at 2325 SW Wilshire Blvd (Bear Ridge) (Case 22-028) (First and Final Reading) (Staff Presenter: Tony McIlwain, Director of Development Services)**

Tony McIlwain, Director of Development Services presented Case 22-028 and Case 22-027 to the city council.

Mayor Fletcher opened the public hearing for case 22-028 and case 22-027.  
**Time:6:46 p.m.**

Walter Matyastik, 1520 Thomas Place, the developer came forward to discuss the development of the property.

Matt Powell, 1108 South Dobson Street, the applicant came forward to address the design including traffic study and drainage analysis.

Sheila Wakeman, 2811 Lakeside Drive, came forward with concerns of traffic impact and infrastructure needs in the area.

Larry Roberts, 1816 FM 731, came forward with concerns of traffic congestion and water runoff.

Adam Roberts 1813 FM 731, did not wish to speak but was in opposition of the development.

Steve Pascarelli, 2005 FM 731, came forward with concerns of traffic congestion and water runoff from Village Creek.

Cindy Pascarelli, 2005 FM 731, came forward with concerns of water runoff from Village Creek.

Gene Estes, 8101 County Road 802, came forward with concerns of high water and erosion from the water runoff from Village Creek.

Michael Hernandez, 8029 County Road 802, came forward with concerns of build out without the proper infrastructure and flooding concerns.

Phillip Waddell, 8021-8001-7953-7901 County Road 802, online speaker card oppose the project due to traffic and flooding.

Benjamin Kilpatrick, 317 Tinker Trail, online speaker card to encourage development for the growing city and the need for housing.

*Council member Tamara Payne left the dais at 7:18 p.m. and returned at 7:20 p.m.*

Bill Janusch, 117 NE Clinton Street, came forward with concerns of flooding.

Richard Holibe a landowner near the development had no issues with the request.

Mayor Fletcher closed the public hearing for case 22-028 and case 22-027. **Time: 7:21 p.m.**

Matt Powell, 1108 South Dobson Street, the applicant came forward to asked that the drainage analysis submitted be discussed for the public to hear. The applicant was proactive in getting a drainage anyalsis and traffic study.

Walter Matyastik, 1520 Thomas Place, the developer came forward to explain that some of the land will be dedicated and not developed.

Tony McIlwain, Director of Development Services stated that the drainage analysis and traffic study submitted to the city are currently under review.

#### **EXECUTIVE SESSION**

#### **PENDING OR CONTEMPLATED LITIGATION OR TO SEEK THE ADVICE OF THE CITY ATTORNEY PURSUANT TO SECTION 551.071**

City Secretary Amanda Campos announced that Council would convene into Executive Session pursuant to Section 551.071

Motion was made by Victoria Johnson and Rick Green to convene into executive session at 7:35 p.m.

Motion passed 7-0.

Motion was made by Ronnie Johnson and Victoria Johnson to reconvene into open session at 7:52 p.m.

Motion passed 6-1, Jimmy Stanford voting against.

Motion made by Dan McClendon and Rick Green to approve Case 22-028.

Motion passed 5-2, with Jimmy Stanford and Tamara Payne voting against.

- C. CSO#2050-04-2022, an ordinance requesting zoning change from "A" Agricultural, to "SF7" Single- family dwelling district-7, to allow for residential development on 158.407 acres located at 2325 SW Wilshire Blvd (Bear Ridge) (Case 22-027). (First and Final Reading) (Staff Presenter: Tony McIlwain, Director of Development Services)**

Tony McIlwain, Director of Development Services presented Case 22-028 and Case 22-027 to the city council.

Mayor Fletcher opened the public hearing for case 22-028 and case 22-027. **Time: 6:46 p.m.**

Speakers listed above with item 6B (case 22-028).

Mayor Fletcher closed the public hearing for case 22-028 and case 22-027. **Time: 7:21 p.m.**

Motion made by Dan McClendon and Rick Green to approve Case 22-027.

Motion passed 5-2, with Jimmy Stanford and Tamara Payne voting against.

**8. REPORTS AND PRESENTATIONS**

- A. Receive a report, hold a discussion, and provide staff direction regarding results from the 2022 citywide citizen satisfaction survey. (Staff Presenter: Jesse Elizondo, Director of Customer Service)**

*Mayor Pro Tem Dan McClendon left the dais at 7:55 p.m. and returned at 7:56 p.m.*

Director of Customer Service Jesse Elizondo reported on results from the 2022 citywide citizen satisfaction survey. He introduced Ryan Murray, with ETC Institute, who presented the survey analysis.

- B. Receive a report, hold a discussion, and provide a recommendation regarding the proposed FY 2023–FY 2027 Golf, Parks, and Recreation Capital Improvements Program (Staff Presenter: Jen Basham, Parks and Recreation Director)**

Parks and Recreation Director Jen Basham reported on the proposed FY 2023-FY 2027 Golf, Parks and Recreation capital improvements program.

- C. Receive a report, hold a discussion, and provide staff direction regarding an update on the financial overview of the 4A Economic Development Corporation Fund, 4B Community Services Corporation Fund, Parks Performance Fund and Golf Fund, and receive any additional direction from City Council regarding the fiscal year 2022-2023 annual budget. (Staff Presenter: Martin Avila, Finance Director)**

Finance Director Martin Avila updated on the financial overview of the 4A Economic Development Corporation fund, 4B Community Services Corporation fund, Parks Performance fund and Gold fund for FY 2022-2023 annual budget.

**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
- 124 NW Magnolia (also known as 124 SW Haskew) in Burleson, Johnson County, Texas

**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.

**C. 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**

- Project Warehouse
- Hyder Ranch

Motion was made by Victoria Johnson and Ronnie Johnson to convene into executive session at 9:03 p.m.

Motion passed 7-0.

Motion was made by Dan McClendon and Ronnie Johnson to reconvene into open session at 9:31 p.m.

Motion passed 7-0.

**ADJOURNMENT**

Motion made by Tamara Payne and Jimmy Stanford to adjourn.

Mayor Fletcher adjourned the meeting at 9:31 p.m.

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Monica Solko  
Deputy City Secretary