

**BURLESON CITY COUNCIL REGULAR MEETING**  
**February 7, 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 – 5:36 PM**

Invocation – Bob Massey  
Pledge of Allegiance to the US Flag  
Texas Pledge

**2. PUBLIC PRESENTATIONS**

**A. Proclamations**

- None at this time.

**B. Presentations**

- None at this time.

**C. Community Interest Items**

- Thank you to all city staff who worked hard to ensure the safety of the citizens during the icy weather last week.
- Black History Month in February.

**3. CHANGES TO POSTED AGENDA**

**A. Items to be continued or withdrawn**

- Withdraw item 5B from the consent agenda.

**B. Items to be withdrawn from Consent Agenda for separate discussion or items to be added to the Consent Agenda.**

- Add items 7B-7E to the consent agenda.

City Secretary Amanda Campos announced that an online speaker card was received from Todd K. Hulse, requesting Council to vote against items 7D and 7E.

Motion made by Dan McClendon and Tamara Payne to approve moving items 7B, 7C, 7D, and 7E to the consent agenda.

Motion passed 7-0.

4. **CITIZEN APPEARANCES**

- There were no requests to speak from the public.

5. **CONSENT AGENDA**

A. **City council minutes from the January 18, 2022 regular meeting and the January 28, 2022 special meeting. (Staff Contact: Amanda Campos, City Secretary)**

Motion made by Jimmy Stanford and Dan McClendon to approve.

Motion passed 7-0.

B. ~~Consider approval of a minute order excusing council member Place 5 Dan McClendon's absence from the February 21, 2022 council meeting. (Staff Contact: Amanda Campos, City Secretary)~~ **WITHDRAWN.**

*Item 5B was withdrawn under item 3A above.*

C. **CSO#1963-02-2022, Minute order to purchase twenty-nine (29) handheld Kenwood radios from Stolz Telecom through a cooperative purchasing agreement with Buy Board in the amount not to exceed \$85,695. (Staff Contact: Melvin McGuire, Captain)**

Motion made by Jimmy Stanford and Dan McClendon to approve.

Motion passed 7-0.

D. **CSO#1964-02-2022, Resolution supporting an application for grant funding from the Office of the Governor for a full-time victims' assistance coordinator. (Staff Contact: Billy Cordell, Chief of Police)**

Motion made by Jimmy Stanford and Dan McClendon to approve.

Motion passed 7-0.

- E. **CSO#1965-02-2022, Resolution declaring Council's review and approval of the City Council Policy #30 (Investment Policy), as required annually by Public Funds Investment Act and the City's charter for the City of Burleson, Texas. (Staff Contact: Martin Avila, Finance Director) (Finance and Internal Service Committee approved Policy #30 on January 12, 2022)**

Motion made by Jimmy Stanford and Dan McClendon to approve.

Motion passed 7-0.

- F. **CSO#1966-02-2022, Resolution for the City of Burleson's Equal Employment Opportunity Plan (EEOP). (Staff Contact: Rick DeOrdio, Director of Human Resources)**

Motion made by Jimmy Stanford and Dan McClendon to approve.

Motion passed 7-0.

- G. **CSO#1967-02-2022, Contract with Brinkley Sargent Wiginton Architects, Inc. for the architectural programming, conceptual layout and phasing design of City Hall in the amount not to exceed \$78,083. (Staff Contact: Tommy Ludwig, Deputy City Manager)**

Motion made by Jimmy Stanford and Dan McClendon to approve.

Motion passed 7-0.

- H. **CSO#1968-02-2022, Nomination received by MedStar for the suburban city representative on the Board of Directors of the Metropolitan Area EMS Authority. (Staff Contact: K.T. Freeman, Fire Chief)**

Motion made by Jimmy Stanford and Dan McClendon to approve.

Motion passed 7-0.

- I. **CSO#1969-02-2022, Resolution authorizing a \$1,500 sponsorship of the Burleson Character Council Luncheon. (Staff Contact: Bryan Langley, City Manager)**

Motion made by Jimmy Stanford and Dan McClendon to approve.

Motion passed 7-0.

**7. GENERAL – MOVED TO CONSENT**

- B. **CSO#1972-02-2022, Minute order to formally reject bids for ITB 2022-003 for the construction of Fire Station 16 Memorial Garden. (Staff Presenter: Jen Basham, Director of Parks and Recreation).**

Motion made by Jimmy Stanford and Dan McClendon to approve.

Motion passed 7-0.

- C. CSO#1973-02-2022, Construction contract with 2L Construction L.L.C. for Prairie Timber Park sidewalk and drainage improvements in the amount not to exceed \$222,253.50. (Staff Presenter: Jen Basham, Director of Parks and Recreation)**

Motion made by Jimmy Stanford and Dan McClendon to approve.

Motion passed 7-0.

- D. CSO#1974-02-2022, Contract with Tyler Technologies for the implementation and support of an Enterprise Resource Planning Software system in the amount not to exceed \$2,587,762.10 (five-years). (Staff Presenter: Tommy Ludwig, Deputy City Manager)**

Motion made by Jimmy Stanford and Dan McClendon to approve.

Motion passed 7-0.

- E. CSO#1975-02-2022, Contract with Sciens Consulting for assistance and oversight during the implementation of the City's Enterprise Resource Software conversion to Tyler Munis in the amount not to exceed \$259,440. (Staff Presenter: Tommy Ludwig, Deputy City Manager)**

Motion made by Jimmy Stanford and Dan McClendon to approve.

Motion passed 7-0.

## **6. DEVELOPMENT APPLICATIONS**

*Staff requested item 6D be moved before item 6A.*

- ~~D. 2325 SW Wilshire Blvd (Bear Ridge) (Case 20-118): Hold a public hearing and consider approval of an 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 215.44 acres from A, Agricultural, C, Commercial, and SF7, Single Family 7, to PD, Planned Development District, to allow for commercial and residential development, making this ordinance cumulative of prior ordinances, providing a severability clause; providing a penalty clause, and providing for an effective date. (First and Final Reading) (Staff Presenter: Tony McIlwain, Director of Development Services) (The Planning and Zoning Commission recommended denial 4-1). WITHDRAWN~~**

Director of Development Services Tony McIlwain announced that the applicant has withdrawn their application for a zoning change and therefore no action is needed.

- A. Final plat of East Park Addition, Lots 1-8, Block 1, with an approximate address of 3433 East Renfro Street, within the Extraterritorial Jurisdiction of the City of Burleson. (Case 21-150) (Staff Presenter: Tony McIlwain, Director of Development Services).**

Director of Development Services Tony McIlwain presented the request for a final plat at 3433 East Renfro Street.

Motion made by Ronnie Johnson and Rick Green to approve.

Motion passed 7-0.

- B. Waiver to Section 4.5 “Streets” of the Design Standards Manual for the design criteria of private access easements within the East Park Subdivision at 3433 E Renfro Street east of the intersection of Ryan Ave and E. Renfro Street (Case 21-147). (Staff Presenter: Michelle McCullough, Public Works Assistant Director - Development) (The Planning and Zoning Commission recommended denial by a unanimous vote)**

Public Works Assistant Director Michelle McCullough presented a waiver request for 3433 E. Renfro Street.

**Mayor Fletcher opened the public hearing. Time 5:56 p.m.**

The following spoke against the item with concerns of unresolved drainage issues and damage caused by flooding from the development.

- Sheila Cunningham, 8409 Gold Creek Court
- Jason Stowe, 3704 Vista North Drive
- Jeff McGee, 8505 Gold Creek Court
  
- Hunter McLean, 4113 Inwood Road, an attorney representing the developer came forward to answer questions regarding the subdivision lawsuit and drainage concerns.
  
- Daniel Morgan with DSM Trinity Capital, LLC, and the developer of the property came forward to speak on the drainage issue concerns.
  
- Whitney Connor, 3700 Vista North Drive, emailed a letter with photos showing damage caused by the flood.
  
- Bill Janusch, 117 NE Clinton Street came forward to speak on the flood damage of the properties.

**Mayor Fletcher closed the public hearings. Time 6:30 p.m.**

Motion made by Tamara Payne and Dan McClendon to deny.

Motion passed 7-0.

- C. CSO#1970-02-2022, 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 .0045 acres, addressed as 352 SW Wilshire Blvd from C, Commercial to SP, Site Plan Zoning, to allow for a snow cone stand to remain on-site, making this ordinance cumulative of prior ordinances, providing a severability clause; providing a penalty clause, and providing for an effective date. (Tiki Treats) (Case 21-155): (First and Final Reading) (Staff Presenter: Tony McIlwain, Director of Development Services) (The Planning and Zoning Commission recommended approval unanimously)**

Director of Development Services Tony McIlwain presented an ordinance requesting a zoning change at the property 352 SW Wilshire Blvd.

**Mayor Fletcher opened the public hearing. Time 6:44 p.m.**

There were no requests to speak from the public.

**Mayor Fletcher closed the public hearings. Time 6:45 p.m.**

Motion made by Tamara Payne and Jimmy Stanford to approve.

Motion passed 7-0.

- ~~**D. 2325 SW Wilshire Blvd (Bear Ridge) (Case 20-118): Hold a public hearing and consider approval of an 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 215.44 acres from A, Agricultural, C, Commercial, and SF7, Single Family 7, to PD, Planned Development District, to allow for commercial and residential development, making this ordinance cumulative of prior ordinances, providing a severability clause; providing a penalty clause, and providing for an effective date. (First and Final Reading) (Staff Presenter: Tony McIlwain, Director of Development Services) (The Planning and Zoning Commission recommended denial 4-1). WITHDRAWN**~~

*Item 6D was moved before item 6A above.*

- E. Preliminary plat for Sherwood Forest Estates, Lots 1-24, Block 1, with a subdivision waiver to Article 5, Section 5.4 (b) – Street layout requirements to exceed the maximum allowable block length within the Extra Territorial Jurisdiction of the City of Burleson addressed as 3301 FM 731 (Case 21-115). (First and Final Reading) (Staff Presenter: Tony McIlwain, Director of Development Services) (The Planning and Zoning Commission recommended approval unanimously)**

Director of Development Services Tony McIlwain presented a preliminary plat with waiver for 3301 FM 731.

Motion made by Dan McClendon and Tamara Payne to approve with the following conditions 1). A detention easement is added to the currently proposed Lot 12; and 2). Curvilinear requirements of Article 5, Section 5.4(b)(3) – Street layout requirements, are met prior to proceeding to a Final Plat; or 3). A waiver to the curvilinear requirements of Article 5, Section 5.4(b)(3) – Street layout requirements, is approved by City Council prior to proceeding to Final Plat.

Motion passed 7-0.

**7. GENERAL**

- A. CSO#1971-02-2022, Contract with Studio Outside for the final design of Shannon Creek Park in the amount of \$488,985. (Staff Presenter: Jen Basham, Director of Parks and Recreation).**

Director of Parks and Recreation Jen Basham presented a contract for the final design of Shannon Creek Park.

Motion made by Victoria Johnson and Dan McClendon to approve.

Motion passed 6-0, with Tamara Payne voting against.

- B. CSO#1972-02-2022, Minute order to formally reject bids for ITB 2022-003 for the construction of Fire Station 16 Memorial Garden. (Staff Presenter: Jen Basham, Director of Parks and Recreation).**

*Item 7B was moved and voted with the consent agenda above.*

- C. CSO#1973-02-2022, Construction contract with 2L Construction L.L.C. for Prairie Timber Park sidewalk and drainage improvements in the amount not to exceed \$222,253.50. (Staff Presenter: Jen Basham, Director of Parks and Recreation)**

*Item 7C was moved and voted with the consent agenda above.*

- D. CSO#1974-02-2022, Contract with Tyler Technologies for the implementation and support of an Enterprise Resource Planning Software system in the amount not to exceed \$2,587,762.10 (five-years). (Staff Presenter: Tommy Ludwig, Deputy City Manager)**

*Item 7D was moved and voted with the consent agenda above.*

- E. CSO#1975-02-2022, Contract with Sciens Consulting for assistance and oversight during the implementation of the City's Enterprise Resource Software conversion to Tyler Munis in the amount not to exceed \$259,440. (Staff Presenter: Tommy Ludwig, Deputy City Manager)**

*Item 7E was moved and voted with the consent agenda above.*

**F. CSO#1976-02-2022, Ordinance calling a Special Bond election to be held on May 7, 2022. (First and Final Reading) (Staff Presenter: Amanda Campos, City Secretary)**

City Secretary Amanda Campos presented items 7F-7I together. An ordinance calling for a Special Bond election to be held on May 7, 2022.

Motion made by Dan McClendon and Jimmy Stanford to approve.

Motion passed 4-3, with Victoria Johnson, Rick Green and Ronnie Johnson voting against.

**G. CSO#1977-02-2022, Resolution declaring the intent and commitment to create a contract with the voters; stipulating the proceeds from the bonds shall be used for the projects identified in the ordinance calling the May 2022 bond election; directing the City Manager to implement the May 2022 bond program in accordance with the specific projects and programs set forth in this resolution and the propositions approved by the voters; and declaring an effective date. (Staff Presenter: Amanda Campos, City Secretary)**

City Secretary Amanda Campos presented a resolution declaring the intent and commitment to create a contract with voters; stipulating the proceeds from the bonds to be used for the projects identified in the ordinance calling the May 2022 bond election.

Motion made by Jimmy Stanford and Dan McClendon to approve.

Motion passed 4-3, with Victoria Johnson, Rick Green and Ronnie Johnson voting against

**H. CSO#1978-02-2022, Resolution for a Joint Election and contract with Burleson Independent School District for the May 7, 2022 Special Election. (Staff Presenter: Amanda Campos, City Secretary)**

City Secretary Amanda Campos presented a resolution for a joint election and contract with Burleson Independent School District for May 7, 2022 Special Election.

Motion made by Dan McClendon and Tamara Payne to approve.

Motion passed 7-0.

**I. CSO#1979-02-2022, Lease agreement with Johnson County for one AutoMark voting machine for the May 7, 2022 Special Election. (Staff Presenter: Amanda Campos, City Secretary)**



City Secretary Amanda Campos presented an agreement with Johnson County for one AutoMark voting machine for the May 7, 2022 Special Election.

Motion made by Dan McClendon and Jimmy Stanford to approve.

Motion passed 7-0.

- J. CSO#1980-02-2022, Resolution declaring intention to reimburse an amount not to exceed \$6,500,000 for capital project expenditures related to water and sewer improvements. This resolution will allow the ability to begin incurring capital expenditure cost on these projects with the intent of reimbursing the cost incurred with proceeds from bond debt to be issued at a future date, and placing time restrictions on the issuance of tax-exempt obligations. (Staff Presenter: Martin Avila, Director of Finance)**

Director of Finance Martin Avila presented a resolution declaring intention to reimburse an amount not to exceed \$6,500,000 for capital project expenditures related to water and sewer improvements.

Motion made by Dan McClendon and Jimmy Stanford to approve.

Motion passed 7-0.

**8. REPORTS AND PRESENTATIONS.**

- A. Receive a report, hold a discussion, and give staff direction regarding the equipment replacement funding program. (Staff Presenter: John Butkus, Assistant Finance Director)**

Assistant Finance Director John Butkus presented and discussed the equipment replacement funding program.

After a brief discussion and questions, Council consensus was to move forward.

- B. Receive a report, hold a discussion, and give staff direction regarding new skills features for the Chisenhall Fields hike and bike trails. (Staff Presenter: Jen Basham, Director Parks and Recreation)**

Director of Parks and Recreation Jen Basham presented and discussed new skills features for Chisenhall Fields hike and bike trails.

After a brief discussion and questions, Council consensus was to move forward.

- C. Receive a report, hold a discussion, and provide staff direction regarding memberships for seniors at the Burleson Recreation Center. (Staff Presenter: Jen Basham, Director of Parks and Recreation)**

Director of Parks and Recreation Jen Basham presented and discussed memberships for seniors at the Burleson Recreation Center.

After a brief discussion and questions, Council consensus was to keep costs as is but market the available tiers like scholarships.

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

- Add additional waste receptacles, replenish doggy bag dispensers and add signage to clean up after your pet at Bailey Lake Park.
- Litter contracts.

**10. RECESS INTO EXECUTIVE SESSION**

**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
- Code Violations, Flood Plain Issues, and other Legal Issues at 210 N Hurst Road in Burleson, Johnson County, Texas, and 18.4 acres of City-owned property near the intersection of Abner Lee Dr. and Wildcat Way S in Burleson, Johnson and Tarrant Counties, Texas
- Facilities Use Agreement with Burleson Youth Association

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

- Discuss and Receive Direction Regarding Real Property Located at 124 NW Magnolia (124 SW Haskew), Burleson, Johnson County, Texas
- Discuss and Receive Direction Regarding 5.79 Acres of Real Property Located in the Highpoint Business Park, Burleson, Johnson County, Texas, near the intersection of Cirrus and Vantage Drive
- Discuss and receive direction of 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 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**

**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 Dan McClendon and Tamara Payne to convene into executive session at 8:12 p.m.

Motion passed 7-0.

Motion was made by Jimmy Stanford and Rick Green to reconvene into open session at 9:40 p.m.

Motion passed 7-0

**ADJOURNMENT**

Motion made by Tamara Payne and Jimmy Stanford to adjourn.

Mayor Fletcher adjourned the meeting at 9:41 p.m.

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Monica Solko  
Deputy City Secretary