

BURLESON CITY COUNCIL REGULAR MEETING
June 20, 2022
MINUTES

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 – 5:33 PM

Invocation – Council member Jimmy Stanford
Pledge of Allegiance to the US Flag
Texas Pledge

2. PUBLIC PRESENTATIONS**A. Proclamations**

- None

B. Presentations

- None.

C. Community Interest Items

- Recognized the 50th Anniversary of Fran's Flower shop
- Recognized the grand opening of the Memorial Gardens at Fire Station 16
- Recognized Juneteenth
- Recognized project Transform 1012 North Main Street in Fort Worth
- Community need to check and reach out to each other especially during the hot summer days.
- Listing of resources that can help those in need due to high fuel and food prices
- Library Read it program: Touch a Truck event on the 22nd, Donut Storytime last Saturday, Ice Cream Storytime on the 30th, please follow the Library Facebook page and website for all upcoming events.
- Recognize the new Burleson branch of Cowtown Warriors that provides service to our Veterans.

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 CHANGES TO POSTED AGENDA**A. Items to be continued or withdrawn**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B. Items to be withdrawn from Consent Agenda for separate discussion or items to be added to the Consent Agenda.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

- No speakers.

City Secretary Amanda Campos announced there was a need for Executive Session prior to the consent agenda.

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.

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**

- Review, deliberate, and discuss the annual performance evaluation, duties, benefits, compensation, and contract for the City Secretary.
- Review, deliberate, and discuss the annual performance evaluation, duties, benefits, compensation, and contract for the Municipal Court Judge.
- Review, deliberate, and discuss the annual performance evaluation, duties, benefits, compensation, and contract for the Associate Municipal Court Judges.

E. Review, deliberate, and discuss the annual performance evaluation, duties, benefits, compensation, and contract for the Municipal Court Judge.**F. Review, deliberate, and discuss the annual performance evaluation, duties, benefits, compensation, and contract for the Associate Municipal Court Judges.****G. 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**

- H. **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**
- I. **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 Rick Green and seconded by Victoria Johnson to convene into executive session. **Time: 5:44 p.m.**

Motion passed 7-0.

Motion was made by Dan McClendon and seconded by Jimmy Stanford to reconvene into open session. **Time: 6:28 p.m.**

Motion passed 6-1, with Tamara Payne away from the dais.

Council member Tamara Payne returned to the dais at 6:29 p.m.

5. CONSENT AGENDA

- A. **City council minutes from the June 2, 2022 special session council meeting, June 6, 2022 special work session council meeting, June 6, 2022 regular council meeting and June 14, 2022 special work session council meeting. (Staff Contact: Amanda Campos, City Secretary)**

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

Motion passed 7-0.

- B. **Ordinance appointing J. Greg Coontz the Presiding Municipal Court Judge of the Burleson Municipal Court of Record, City of Burleson for a term of two years, expiring on July 5, 2024 and approving the Professional Service Agreement. (First Reading) (Staff Contact: Amanda Campos, City Secretary)**

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

Motion passed 7-0.

- C. **Amendments to City Council Policy #17, Establishing City Council Rules of Procedure For City Council Meetings Establishing City Council Rules of Procedure For City Council Meetings. (Staff Contact: Amanda Campos, City Secretary)**

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

Motion passed 7-0.

- D. CSO#2083-06-2022, interlocal agreement with the cities of Decatur, Haltom City, Haslet, Keller, Richland Hills, Roanoke, Saginaw, Watauga, the Benbrook Library District and the Forest Hill Library District for the reciprocal lending of library materials. (Staff Contact: Sara Miller, Deputy Director - Library)**

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

Motion passed 7-0.

- E. CSO#2084-06-2022, purchase of replacement school zone flasher controllers using the BuyBoard Purchasing Cooperative with Paradigm Traffic Systems for an amount not to exceed \$90,915. (Staff Contact: Eric Oscarson, Director of Public Works)**

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

Motion passed 7-0.

- F. Final plat of Wilshire Substation, Lot 19 Block X; located at 2227 SW Wilshire Blvd (Case 22-046). (Staff Contact: Tony McIlwain, Development Services Director) (The Planning and Zoning Commission recommended approval by unanimous vote)**

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

Motion passed 7-0.

- G. Replat of Prairie Timber Estates, Lots 9R-1 and 9R-2, Block 8, addressed as 545 Bonnards Peak Rd, located directly southwest of the intersection of Bonnard's Peak Rd and Prairie Timber Rd. (Case 22-055) (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 7-0.

- H. CSO#2085-06-2022, minute order ratifying a resolution authorizing an amendment to the land sale contract with Pisces Highpoint Commerce Center LP as successor-in-interest to 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 for a contract extension. (Staff contact: Alex Philips, Economic Development Director)**

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

Motion passed 7-0.

- I. **CSO#2086-06-2022**, ordinance amending the City budget for fiscal year 2021-2022 by increasing appropriations in the Equipment Services Fund in the amount of \$200,000 due to increase in fuel cost, Hidden Creek Golf Fund in the amount of \$115,000 for operational and capital outlay cost, Information Technology Support Services Fund in the amount of \$478,666 for technology infrastructure upgrades, and finding that this ordinance may be considered and approved at only one meeting because time is of essence. (First and Final Reading) (*Staff Contact: Martin Avila, Director of Finance*)

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

Motion passed 7-0.

- J. **CSO#2087-06-2022**, amended employment agreement with Amanda Campos to serve as City Secretary. (*Staff Contact: Matt Ribitzki, Deputy City Attorney*).

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

Motion passed 7-0.

6. **DEVELOPMENT APPLICATIONS**

- A. **CSO#2088-06-2022**, 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 2.07 acres of land, addressed as 3808 S Burleson Blvd, known as Lot 11, Spring Valley an addition to Johnson County, Texas, from SP, Site Plan (D-094-08) to I, Industrial, making this ordinance cumulative of prior ordinances, providing a severability clause; providing a penalty clause, and providing for an effective date. Location: 3808 S Burleson Blvd, Lot 11, of Spring Valley (Case 22-039) (*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 22-039 to the city council.

Mayor Fletcher opened the public hearing. **Time: 6:32 p.m.**

No speakers.

Mayor Fletcher closed the public hearing. **Time: 6:33 p.m.**

Motion made by Ronnie Johnson and seconded by Rick Green to approve Case 22-039.

Motion passed 7-0.

- B. CSO#2089-06-2022, ordinance zoning change request from “A”, Agricultural, to “SFE” Single-family estate dwelling district (Case 22-048) and associated commercial site plan (Case 22-047) for an electrical substation. Location: 2227 SW Wilshire Blvd (Oncor) (Case 22-047 & 22-048). *(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 22-047 and 22-048 to the city council.

Mayor Fletcher opened the public hearing for Case 22-047 and 22-048. **Time: 6:37 p.m.**

No speakers.

Mayor Fletcher closed the public hearing for Case 22-047 and 22-048. **Time: 6:38 p.m.**

Motion made by Ronnie Johnson and seconded by Dan McClendon to approve Case 22-047 and 22-048.

Motion passed 7-0.

- C. CSO#2090-06-2022, 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 4.6 acres of land, addressed as 1560 Broad Valley Ct, known as Lot 15, Broad Valley Farm an addition to Johnson County, Texas, from SFR, Single-Family Rural 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. Location: 1560 Broad Valley Ct, Lot 15 (Case 22-052 *(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 22-052 to the city council.

Mayor Fletcher opened the public hearing. **Time: 6:43 p.m.**

John Hargrove, came forward with traffic concerns.

Mayor Fletcher closed the public hearing. **Time: 6:47 p.m.**

Motion made by Jimmy Stanford and seconded by Rick Green to approve Case 22-052.

Motion passed 7-0.

7. GENERAL

- A. Ordinance terminating the Tax Increment Reinvestment Zone Number 3, City of Burleson, Texas, dissolving the Board of Directors, and the tax increment fund for the Zone.(First Reading) (Staff Presenter: Tommy Ludwig, Deputy City Manager)**

Tommy Ludwig, Deputy City Manager, presented an ordinance terminating the Tax Increment Reinvestment Zone Number 3 to the city council.

Mayor Fletcher opened the public hearing. **Time: 7:02 p.m.**

No speakers.

Mayor Fletcher closed the public hearing. **Time: 7:03 p.m.**

Motion made by Tamara Payne and seconded by Dan McClendon to approve.

Motion passed 7-0.

- B. Ordinance amending the code of ordinances by repealing and replacing Article 8 (Park and Recreation Development) of Appendix A (Subdivision and Development) for the purpose of modifying the parkland dedication requirements with subdivision development, modifying the percentage amount of floodplain that may be part of the parkland dedication, modifying the method in calculating the fee in lieu of parkland dedication, modifying the types of credits that may be issued, and modifying the method in calculating the park infrastructure fee; providing a cumulative clause; providing severability clause; providing a penalty clause; providing for publication; and providing an effective date. (First Reading) (Staff Presenter: Jen Basham, Parks and Recreation Director)**

Tommy Ludwig, Deputy City Manager, presented an ordinance to the city council.

Mayor Fletcher opened the public hearing. **Time: 7:05 p.m.**

No speakers.

Mayor Fletcher closed the public hearing. **Time: 7:06 p.m.**

Motion made by Jimmy Stanford and seconded by Rick Green to approve.

Motion passed 7-0.

- C. CSO#2091-06-2022, resolution related to the issuance of combination tax and revenue certificates of obligation, approving and directing the publication of notice of intention to issue combination tax and revenue certificates of**

obligation, and setting the consideration of an ordinance authorizing the issuance of certificates of obligation at a future City Council meeting on August 15, 2022. *(Staff Presenter: Martin Avila, Director of Finance)*

Martin Avila, Director of Finance presented a resolution to council.

Motion made by Dan McClendon and seconded by Tamara Payne to approve.

Motion passed 7-0.

D. Resolution designating a representative to the Regional Transportation Council of the North Central Texas Council of Governments. *(Staff Presenter: Eric Oscarson, Public Works Director)*

Eric Oscarson, Public Works Director stated that due to the size and number of votes allotted to Johnson County the resolution before Council would not make a difference if approved or denied. The designee would automatically fill the seat.

No action required.

E. CSO#2092-06-2022, contract amendment to CSO#2058-05-22, Steele & Freeman, Inc., for the purchase and installation of bid pack 2 of 2, for the construction of a new Parks Maintenance building for a guaranteed maximum price (GMP) of \$2,884,835, for the total contract sum of \$4,039,132. (The total contract sum includes the cost of bid package 1 (\$1,154,297) and bid package 2 (\$2,884,835). *(Staff Presenter: David Lopez, Deputy Director of Parks)*

David Lopez, Deputy Director of Parks presented an amendment to a contract to council.

Council member Tamara Payne left the dais at 7:19 p.m. and returned at 7:21 p.m.

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

Motion passed 7-0.

F. CSO#2093-06-2022, minute order authorizing the purchase of two Palo Alto 5410 firewalls and Palo Alto Panorama management system from Solid Border through the Department of Information Resources DIR-CPO-4850 for the replacement of the City of Burleson's perimeter security infrastructure and authorize the City Manager to approve the reoccurring maintenance and support associated with the firewalls for five years in an amount not to exceed \$755,543. *(Staff Presenter: James Grommersch, Chief Technology Officer)*

James Grommersch, Chief Technology Officer presented items F and G minute orders to council.

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

Motion passed 7-0.

- G. CSO#2094-06-2022, minute order for the purchase of two Dell VxRail Servers and an uninterruptible power supply (UPS) from GTS through the Department of Information Resources DIR-TSO-4299 for the replacement of the City of Burleson's server and storage infrastructure in an amount not to exceed \$846,862.59 and discussion regarding an operational overview of the Information Technology Department. (Staff Presenter: James Grommersch, Chief Technology Officer)**

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

Motion passed 7-0.

8. REPORTS AND PRESENTATIONS

- A. Receive a report, hold a discussion, and give staff direction regarding an update on the Water & Sewer debt service, financial overview, summary of 5 year capital improvement plan, 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 presented an update on the Water and Sewer debit service, financial overview and a summary of the five (5) year capital improvements plan to city council.

- B. Receive a report, hold a discussion, and give staff direction on the financial overview of other proprietary and special revenue funds and receive any additional direction from City Council regarding the annual budget for fiscal year 2022-2023. (Staff Presenter: John Butkus, Assistant Finance Director)**

John Butkus, Assistant Finance Director presented the financial overview of other proprietary and special revenue funds to city council.

- C. Receive a report, hold a discussion, and give staff direction regarding the use of a third party consultant to conduct an analysis of the Burleson Police Department for future staffing and facility needs. (Staff Presenter: Tommy Ludwig, Deputy City Manager)**

Tommy Ludwig, Deputy City Manager presented a third party consultant on conducting an analysis of the Burleson Police Department an operational overview and proposed FY 2022-2023 budget for Public Safety Communications Department to city council.

9. CITY COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS OR REPORTS

- Designated time slots at the Splash pad for toddlers (5 years and under) and special needs children.

- Helping the community members in need during the hot summer days ahead and establishing emergency cooling stations for the public.
- Public resources for summer lunch programs (18 and under)

10. **RECESS INTO EXECUTIVE SESSION - (MOVED)**

Executive session took place prior to item 5 consent agenda above.

ADJOURNMENT

Motion made by Jimmy Stanford and Dan McClendon to adjourn.

Mayor Fletcher adjourned the meeting. **Time: 8:20 p.m.**

Monica Solko
Deputy City Secretary