

BURLESON CITY COUNCIL REGULAR MEETING
August 15, 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

1. CALL TO ORDER – 5:31 PM

Invocation - - Rusty Gilliam, Pastor at Cross Timbers Baptist Church

Pledge of Allegiance to the US Flag

Texas Pledge:

Honor the Texas Flag, I pledge allegiance to thee, Texas, one state under God; one and indivisible

2. PUBLIC PRESENTATIONS**A. Proclamations**

- None.

B. Presentations

- Presentation of Leading the Way City Award 2022 for outstanding achievement and performance to the City of Burleson (*Staff Presenter: Jesse Elizondo, Director of Customer Service*)

C. Community Interest Items

- Back to School Bash was a success and reminder school starts on Wednesday.
- Thank you staff for updating the council chamber's clock.
- BISD election for Trustees - early voting going on now, Election day is August 20.
- Thank you to Parks for the Shannon Creek presentation.
- The citizen's input survey for Shannon Creek Park closes August 16.
- BISD election - voting is being held at the school administration building on Wilshire.
- Congratulations to the Library on their grant, giving citizens more books to check out with partnering libraries.

- Be Healthy Run is September 17, register before August 21 for a discounted rate.
- The Brick is hosting a Hollywood Date Night dance Saturday, for ages 14 years and up with special needs and disabilities, free event but requires registration.
- August is clear the shelters, adoption fees waived August 23-27.

3. **CHANGES TO POSTED AGENDA**

A. Items to be continued or withdrawn

- 6B withdrawn, noticed for September 6, 2022.

B. Items to be withdrawn from Consent Agenda for separate discussion or items to be added to the Consent Agenda.

- None.

4. **CITIZEN APPEARANCES**

- Alicia Montes came forward with concerns of police personnel.

5. **CONSENT AGENDA**

A. Minutes from the August 1, 2022 special and regular council meetings and August 4, 2022 special council meeting. (Staff Contact: Amanda Campos, City Secretary)

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

Motion passed 7-0.

B. CSO#3037-08-2022, resolution authorizing the City Manager to execute all necessary documents and make necessary expenditures to enter into and close on a real estate contract with Dusty and Amy Rumfield, as seller, to purchase fee simple title to approximately 13,844 square feet of land out of the H.G. Catlett Survey Abstract No. 185 in Johnson County, Texas. (Staff Contact: Michelle McCullough, Assistant Director of Public Works)

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

Motion passed 7-0.

C. Ordinance adopting the 2022-23 annual service and assessment plan update for the Parks at Panchasarp Farms Public Improvement District No. JC-1 and directing the City Secretary to file this ordinance with the County Clerk. (First Reading) (Staff Contact: Matt Ribitzki, Deputy City Attorney/Compliance Manager)

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

Motion passed 7-0.

- D. CSO#3038-08-2022, minute order ratifying the Burleson 4A Economic Development Corporation resolution adopting the corporation's FY2022-2023 annual budget. (Staff Contact: Martin Avila, Finance Director)**

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

Motion passed 7-0.

- E. CSO#3039-08-2022, minute order ratifying the Burleson Community Services Development Corporation resolution adopting the corporation's FY2022-2023 annual budget. (Staff Contact: Martin Avila, Finance Director)**

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

Motion passed 7-0.

- F. CSO#3040-08-2022, minute order ratifying the Tax Increment Finance Reinvestment Zone #2 (TIF #2) Board resolution adopting the board's FY2022-2023 annual budget. (Staff Contact: Martin Avila, Finance Director)**

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

Motion passed 7-0.

- G. CSO#3041-08-2022, amendment number 2 to CSO#1625-12-2020, a Professional Services Agreement with Dunaway Associates, Inc. for the design of a new parking lot and connectivity plan on Ellison Street in the amount not to exceed \$114,240 (Staff Contact: Tiana Jackson, Civil Engineer)**

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

Motion passed 7-0.

- H. CSO#3042-08-2022, construction contract with GROD Construction for the construction of The Turkey Peak Entry Road and Drainage Flume, project WA2201, in an amount not to exceed \$349,548. (Staff Contact: Tiana Jackson, Engineering Manager - Capital)**

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

Motion passed 7-0.

- I. CSO#3043-08-2022, conflict of interest waiver agreement with Taylor Olson Adkins Sralla Elam (TOASE) law firm associated with an extraterritorial jurisdiction (ETJ) boundary adjustment between the cities of Burleson, Crowley, and Fort Worth. (Staff Contact: Tommy Ludwig, Deputy City Manager)**

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

Motion passed 7-0.

- J. **CSO#3044-08-2022, resolution authorizing a settlement and stipulation of the City of Burleson, Texas's proof of claim in the Chesapeake Energy Corporation, et al., bankruptcy matter (United States Bankruptcy Court for the Southern District of Texas, Houston Division, Case No. 20-33233); providing a repealing clause and an effective date. (Staff Contact: Matt Ribitzki, Deputy City Attorney/Compliance Manager)**

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

Motion passed 7-0.

6. **DEVELOPMENT APPLICATIONS**

- A. **Waiver to Section 5.5.E "Parking Lot/Site Layout Design Criteria" of the Design Standards Manual as amended by Resolution R-1175-10 for the parking lot design within 3808 S. Burleson Blvd. (Case 22-104). (Staff Presenter: Michelle McCullough, Assistant Public Works Director) (Planning and Zoning Commission recommended approval by unanimous vote).**

Michelle McCullough, Public Works Assistant Director, presented Case 22-096 to the city council.

Mayor Fletcher opened the public hearing. **Time: 5:51 p.m.**

No speakers.

Mayor Fletcher closed the public hearing. **Time: 5:52 p.m.**

Motion made by Dan McClendon and seconded by Rick Green to approve Case 22-096 with the staff recommendations: 1) a geotechnical engineering report be submitted to the city detailing the pavement section existing for parking lot and specifying that the section exceeds the structural capabilities of 7": of flexbase on 95% compacted subgrade prior to any Certificate of Occupancy and; 2) the parking lot shall only be utilized for employee parking and vehicle/truck storage and not accessible to the general public.

Motion passed 7-0.

- B. ~~**Waiver to Section 5.1.a "Street and right-of-way basic policies" of the Design Standards Manual for the design criteria for streets within the Good Farms Subdivision located at 2301 CR 805E. (Case 22-096). (Staff Presenter: Michelle McCullough, Public Works Assistant Director) (Planning and Zoning Commission recommended denial by a vote of 3-1.) - WITHDRAWN**~~

Item was withdrawn under Section 3A above.

7. GENERAL

- A. CSO#3035-08-2022, ordinance for the sale and issuance of the City of Burleson, Texas Combination Tax and Revenue Certificates of Obligation Bonds, Series 2022 not to exceed \$13,500,000, and issuance cost. (First and Final Reading) (Staff Presenter: Martin Avila, Finance Director)**

Martin Avila, Finance Director, presented an ordinance to the city council.

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

Motion passed 7-0.

- B. CSO#3036-08-2022, ordinance for the sale and issuance of the City of Burleson, Texas General Obligation Bonds, Series 2022 not to exceed \$1,450,000, and issuance cost. (First and Final Reading) (Staff Presenter: Martin Avila, Finance Director)**

Martin Avila, Finance Director, presented an ordinance to the city council.

Motion made by Victoria Johnson and seconded by Rick Green to approve.

Motion passed 7-0.

8. REPORTS AND PRESENTATIONS

- A. Receive a report, hold a discussion and give staff direction regarding digital billboard signs. (Staff Presenter: Tony D. McIlwain, Development Services Director)**

Tony McIlwain, Development Services Director, gave an update on digital billboard signs to the city council.

- B. Receive a report, hold a discussion and give staff direction regarding renovation options for City Hall. (Staff Presenter: Tommy Ludwig, Deputy City Manager)**

Tommy Ludwig, Deputy City Manager, gave a presentation on renovation options for City Hall to the city council.

- C. Receive a report, hold a discussion and give staff direction regarding the proposed budget and receive any additional direction from City Council regarding the fiscal year 2022-2023 annual budget. (Staff Presenter: Martin Avila, Finance Director)**

Bryan Langley, City Manager, presented the proposed budget for FY 2022-2023 to the city council.

RECESS AND BACK TO ORDER

Mayor Fletcher recessed for a short break at 6:44 p.m. and called the meeting back to order at 6:57 p.m. with all members present as recorded.

9. CITY COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS OR REPORTS

- Boards and Commissions – how often they meet (once a year, quarterly, etc.), type of requirements for a meeting, utilize members, make sure members are being heard.
- Shannon Creek Park - the residential houses on Stillwater back up to the space have wrought iron fencing, is that a planned development requirement.

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

-Extraterritorial Jurisdiction between the cities of Burleson, Crowley, and Fort Worth

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.
- Discuss and receive direction on certain parcels of real property for the expansion of Lakewood Drive where deliberation in open session would have a detrimental effect on the position of negotiations with third parties.
- Discuss and receive direction on certain parcels of real property for the expansion of County Road 1020 where deliberation in open session would have a detrimental effect on the position of negotiations with third parties.
- Discuss and receive direction on certain parcels of real property for public library 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**

-Hyder Ranch

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 seconded by Jimmy Stanford to convene into executive session. **Time: 7:48 p.m.**

Motion passed 7-0.

Council member Tamara Payne left the meeting at 7:48 p.m.

Motion was made by Jimmy Stanford and seconded by Dan McClendon to reconvene into open session. **Time: 8:31 p.m.**

Motion passed 6-0. Tamara Payne absent.

ADJOURNMENT

Motion made by Victoria Johnson and Rick Green to adjourn.

Mayor Fletcher adjourned the meeting. **Time: 8:32 p.m.**

Monica Solko
Deputy City Secretary