

BURLESON CITY COUNCIL REGULAR MEETING
November 14, 2022
DRAFT 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
Allen Taylor, Jr., City Attorney
Matt Ribitzki, Deputy City Attorney

1. CALL TO ORDER – 3:30 PM

Invocation – Summer Garcia, Director of Next Step Ministry Burleson.

Pledge of Allegiance to the US Flag

Texas Pledge:

2. REPORTS AND PRESENTATIONS

- A. Receive a report, hold a discussion and provide staff direction on City of Burleson Boards/Commissions structure. (*Staff presenter: Amanda Campos, City Secretary*)**

Amanda Campos, City Secretary, presented the Board and Commissions structure to council.

- B. Receive a report, hold a discussion and provide staff direction regarding the Public Art Committee. (*Staff Presenter: Jen Basham, Director of Parks and Recreation*).**

Jen Basham, Director of Parks and Recreation, presented the Public Art Committee to council.

- C. Receive a report, hold a discussion and provide staff direction regarding the design and construction of Shannon Creek Park. (*Staff Presenter: Jen Basham, Director of Parks and Recreation*)**

Jen Basham, Director of Parks and Recreation, presented the design and construction of Shannon Creek Park to council.

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

- Discuss and receive direction on a contract with James Crouch and Katherine Halwes, as sellers, to acquire fee simple title to a 30.76 acre tract of land situated in Johnson County, Texas, and commonly known as 2140 SW Hulen Street, Burleson, Texas for the sales price of \$5,000,000.

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 in Johnson County, Texas 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 in Johnson County, Texas for library 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 in Johnson County and Tarrant County, Texas for community park 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 in Johnson County, Texas 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 in Johnson County, Texas where deliberation in open session would have a detrimental effect on the position of negotiations with third parties.
- Discuss and receive direction on real property commonly known as 130 E Renfro Street, 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

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

- Project Rebel

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 Jimmy Stanford and seconded by Dan McClendon to convene into executive session. **Time: 4:45 p.m.**

Motion passed 7-0.

Motion was made by Jimmy Stanford and seconded by Rick Green to reconvene into open session. **Time: 5:30 p.m.**

Motion passed 7-0.

3. PUBLIC PRESENTATIONS

A. Proclamations

- None.

B. Presentations

- Recognition of Employee of the 3rd Quarter 2022. (*Staff Presenter: Rick DeOrdio, Human Resources Director*)

C. Community Interest Items

- Recognized Global Entrepreneurship Week.
- Global Entrepreneurship Week North Texas event at the Hurst Conference Center, free sessions all week, find more information at www.gewntx.co.
- Farmer's Market, Saturday, 8:00 a.m. – 1:00 p.m.
- Join us Saturday, December 3 for
 - Santa's Breakfast from 7:00 a.m. – 11:00 a.m. at the Russel Farm Art Center
 - Christmas at the Library from 10:00 a.m. – 1:00 p.m. at the Burleson Public Library
 - Rotary Club Christmas parade at 6:00 p.m.
 - Christmas Tree Lighting with Drone show from 6:30 p.m. – 8:00 p.m. at the Mayor Vera Calvin Plaza
- Thank you to all the departments that make all these events happen for the community.

4. 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.

5. CITIZEN APPEARANCES

- Adele Parker, 336 S. Dodson, came forward with concerns of speeding and flooding for Booger Creek.
- Cilinda Beatty came forward with concerns of speeding on Dodson.
- Bill Janusch, 117 NE Clinton Street, came forward with concerns with street repairs.

6. CONSENT AGENDA

A. **Minutes from the October 17, 2022 regular council meeting. (Staff Contact: Amanda Campos, City Secretary).**

Motion made by Dan McClendon and seconded by Rick Green to approve.

Motion passed 7-0.

B. **CSO#4034-11-2022, minute order confirming the City Council meeting dates for calendar year 2023. (Staff Contact: Amanda Campos, City Secretary).**

Motion made by Dan McClendon and seconded by Rick Green to approve.

Motion passed 7-0.

C. **CSO#4035-11-2022, one-year contract extension with Dataprose, LLC for the purchase of utility bill processing services in the amount not to exceed \$79,300. (Staff Contact: Jesse Elizondo, Director of Customer Service)**

Motion made by Dan McClendon and seconded by Rick Green to approve.

Motion passed 7-0.

D. **CSO#4036-11-2022, inter-local agreement between the Johnson County Family Crisis Center, Johnson County Sheriff's Department, Somervell County Sheriff's Department, Johnson and Somerville County District Attorneys, Texas Health Resources (Cleburne), and the Burleson Police Department establishing protocols for the Johnson and Somervell Sexual Assault Response Team (SART) and authorize the City Manager to execute the agreement. (Staff Contact: Billy J. Cordell, Police Chief)**

Motion made by Dan McClendon and seconded by Rick Green to approve.

Motion passed 7-0.

E. **CSO#4037-11-2022, resolution declaring Council's review and approval of the City Council Policy #30, as required annually by Public Funds Investment Act and the City's charter for the City of Burleson. (Staff Presenter: Martin Avila, Director of Finance)**

Motion made by Dan McClendon and seconded by Rick Green to approve.

Motion passed 7-0.

- F. CSO#4038-11-2022, minute order ratifying the Burleson 4A Economic Development Corporation's approval of a resolution authorizing the enforcement of a contract dated July 18, 2022 with James Crouch and Katherine Hawles to acquire 30.76 acre tract of land in Johnson County, Texas, commonly known as 2140 SW Hulen St, authorizing the Board President to direct and oversee the filing of a lawsuit, and authorizing the expenditure of funds. (Staff Contact: Matt Ribitzki, Deputy City Attorney/Compliance Manager)**

Motion made by Dan McClendon and seconded by Rick Green to approve.

Motion passed 7-0.

- G. CSO#4039-11-2022, contract for the purchase of a police armored rescue vehicle through the cooperative purchasing agreement with GSA in the amount not to exceed \$381,676.00. (Staff Presenter: Kip Dernovich, Deputy Director – Operations Public Works)**

Motion made by Dan McClendon and seconded by Rick Green to approve.

Motion passed 7-0.

- H. CSO#4040-11-2022, contract with Longhorn Harley Davidson to replace four police motorcycles through a cooperative purchasing agreement with BuyBoard in the amount not to exceed \$200,182.40. (Staff Presenter: Kip Dernovich, Deputy Director – Operations Public Works)**

Motion made by Dan McClendon and seconded by Rick Green to approve.

Motion passed 7-0.

- I. CSO#4041-11-2022, minute order with Central Square for annual software maintenance and high-availability services of Naviline software for up to three years in the amount not to exceed \$341,833.05. (Staff Contact: Hugo Rodriguez, Deputy Director, IT)**

Motion made by Dan McClendon and seconded by Rick Green to approve.

Motion passed 7-0.

- J. CSO#4042-11-2022, resolution authorizing a contract with Polarity Networks for installing a fiber network path in the Mayor Vera Calvin Plaza through The Interlocal Purchasing System (TIPS) contract in the amount not to exceed \$87,337.43 (Staff Contact: James Grommersch, Chief Technology Officer)**

Motion made by Dan McClendon and seconded by Rick Green to approve.

Motion passed 7-0.

- K. CSO#4043-11-2022, minute order for the Aruba networking hardware and central licenses from CDW-G, LLC, through a cooperative purchasing agreement with the Texas Department of Information Resources (DIR) and authorize the City Manager to approve the reoccurring maintenance and support associated with the hardware licensing for five years in an amount not to exceed \$38,992.57. (Staff Contact: James Grommersch, Chief Technology Officer)**

Motion made by Dan McClendon and seconded by Rick Green to approve.

Motion passed 7-0.

- L. CSO#4044-11-2022, minute order authorizing the purchase of Cisco Duo Multi-Factor Authentication from CDW-G, LLC through a cooperative purchasing agreement with the Texas Department of Information Resources (DIR) in the amount not to exceed \$192,037.19 for five years. (Staff Contact: James Grommersch, Chief Technology Officer)**

Motion made by Dan McClendon and seconded by Rick Green to approve.

Motion passed 7-0.

- M. CSO#4045-11-2022, minute order with Central Square for annual software maintenance of One Solution Public Safety software for three years in the amount not to exceed \$552,268.35. (Staff Contact: Hugo Rodriguez, Deputy Director, IT)**

Motion made by Dan McClendon and seconded by Rick Green to approve.

Motion passed 7-0.

- N. CSO#4046-11-2022, minute order authorizing the purchase of wholesale fuel from Mansfield Oil Company of Gainesville through an interlocal agreement with the City of Fort Worth in an amount not to exceed \$70,000. (Staff Contact: Eric Oscarson, Public Work Director)**

Motion made by Dan McClendon and seconded by Rick Green to approve.

Motion passed 7-0.

7. DEVELOPMENT APPLICATIONS

- A. Ordinance Modification for text amendments to Section 100-115 of Article IV – Overlay Zoning Districts of Appendix B, of the Code of Ordinances of the City of Burleson (Case 22-124): Hold a public hearing and consider approval of an ordinance amendment to add “restaurant or cafeteria (drive through type)” to the list of allowable uses with a specific use permit, with conditions within the**

Old Town Overlay District. (First Reading) (Staff Presenter: Tony McIlwain, Development Services Director) (The Planning and Zoning Commission recommended approval by unanimous vote)

Tony McIlwain, Development Services Director, presented Case 22-124 to the city council.

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

No speakers.

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

Motion made by Tamara Payne and seconded by Ronnie Johnson to approve.

Motion passed 7-0.

Amanda Campos, City Secretary, announced items 7B and 7C would be presented together but voted on separately.

- B. CSO#4047-11-2022, ordinance for voluntary annexation of approximately 236.36 acres of land situated in the H.R. McClure Survey, Abstract No. 587, described in the deeds recorded in documents Nos. 2021-36960, 2021-36997, and 2022-5271, Johnson County, Texas (D.R.J.C.T), located in the exclusive Extraterritorial Jurisdiction (ETJ) of the City of Burleson, related to previously approved development agreements, The Reserve at 5828 Conveyor Drive (Case 22-073). (First and Final Reading) (Staff Presenter: Tony McIlwain, Development Services Director)**

Tony McIlwain, Development Services Director, presented Case 22-073 and Case 22-071 to the city council.

Mayor Fletcher opened the public hearing for both Case 22-073 and Case 22-071. **Time: 6:07 p.m.**

Katherine Piguet, 2616 N. County Road 810, came forward with concerns of aging water lines and service.

Ronnie Leonard, 2932 N. County Road 810, came forward with questions for staff regarding the property. Allen Taylor, City Attorney, answered his concerns.

Mayor Fletcher closed the public hearings for both Case 22-073 and Case 22-071. **Time: 6:21 p.m.**

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

Motion passed 7-0.

- C. **CSO#4048-11-2022, ordinance for a zoning change request from defaulted "A", Agriculture, to "SFE" Single-family Estate dwelling district for a single-family gated community, the Reserve at 5828 Conveyor Dr (Case 22-071). (*First and Final Reading*) (Staff Presenter: Tony McIlwain, Development Services Director) (The Planning and Zoning Commission recommended approval by unanimous vote)**

Item 7C was presented including public hearing with the item (7B) above.

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

Motion passed 7-0.

8. GENERAL

- A. **CSO#4049-11-2022, ordinance altering the Speed Limit along Hemphill Street between NE Alsbury Boulevard and the city limits from 35 miles per hour to 45 miles per hour; directing the City Manager or designee to erect the appropriate signage and incorporating the recitals into the body of the ordinance. (*First and Final Reading*) (Staff Presenter: Eric Oscarson, Director of Public Works)**

Eric Oscarson, Director of Public Works, presented an ordinance to the city council.

The following speakers were against the speed increase:

- Jodi White, 912 Dogwood Drive.
- Mark Galoob, 1016 Fox Willow Court.
- Vanessa Shimek, 640 Peach Lane.
- Kathryn Shelton, 700 Plum Drive.
- Heather Rodriguez, 678 Plum Drive

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

Motion passed 5-2, with Rick Green and Ronnie Johnson voting against.

- B. **Ordinance amending Chapter 70 "Streets, Sidewalks and Other Public Places" of the Code of Ordinances, City of Burleson, by repealing and replacing Article V "Public Events" to require permits for public events; providing procedures for the issuance of a permit; requiring the City Council to approve portions of certain permit applications involving certain street closures or in-kind sponsorships; providing for water, health and sanitation facilities for the event; providing for police protection and emergency medical services for the event; requiring the permit applicant and permittee to carry liability insurance of a certain amount and indemnify the city. (*First Reading*) (Staff Presenter: DeAnna Phillips, Director of Community Services)**

DeAnna Phillips, Director of Community Services, presented a contract to the city council.

Motion made by Rick Green and seconded by Ronnie to approve.

Motion passed 7-0.

- C. CSO#4050-11-2022, contract with PlayWorks, Inc. for the purchase and installation of Playwell products at Wakefield Park through an existing purchasing cooperative agreement with Buyboard in the amount not to exceed \$193,000. (Staff Presenter: Jen Basham, Director of Parks and Recreation)**

Jen Basham, Director of Parks and Recreation, presented a contract to the city council.

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

Motion passed 7-0.

9. CITY COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS OR REPORTS

- None.

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- 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)**

No need for another Executive Session.

ADJOURNMENT

Motion made by Tamara Payne and Jimmy Stanford to adjourn.

Mayor Fletcher adjourned the meeting.

Time: 6:58 p.m.

Amanda Campos
City Secretary