

BURLESON CITY COUNCIL REGULAR MEETING

April 17, 2023

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, Jr., City Attorney
Matt Ribitzki, Deputy City Attorney

1. CALL TO ORDER – 5:33 p.m.

Invocation – Mayor Chris Fletcher gave the invocation.

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

- A Proclamation recognizing April 16-April 22, 2023 as "National Volunteer Week" in the City of Burleson. *(Recipient: Parks and Recreation Department and Volunteers)*
- A Proclamation recognizing April 28, 2023 as "National Arbor Day" in the City of Burleson. *(Recipient: Parks and Recreation Department)*

B. Presentations

- None.

C. Community Interest Items

- Waymaker breakfast, last Thursday, at Pathway Church supporting Center for ASD. Encourage the community to visit.

- Reminder April is peak month for tornadoes.
- Join us for Earth Day, Saturday, April 22, 10 a.m., at Russell Farm Art Center.
- Join us at the Drug Take Back event, April 22, 10 a.m. to 2 p.m., Walmart Supercenter parking lot, 951 SW Wilshire Blvd.
- Join us at the Household Hazardous Waste, Electronic Recycling, Tire Collection and paper shredding event, May 6, 9 a.m. – 11 a.m., Municipal Service Center, 725 S.E. John Jones Dr.
- Applause to CT100, during their event acknowledged a moment of silence for all first responders who gave their life to protect their community.

8. **RECESS INTO EXECUTIVE SESSION - MOVED**

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.

Pending or contemplated litigation or to seek the advice of the City Attorney pursuant to Section 551.071, Texas Government Code

- Negotiations and potential eminent domain action for the acquisition of real property for the construction and maintenance of roadway and public utility improvements along Lakewood Drive to serve existing and new development in the City and for other public purposes permitted by law.
- Exclusive franchise agreement for the collection, hauling, and disposal of municipal solid waste in the City of Burleson with Waste Connections Lone Star, Inc. dated June 1, 2019
- Article III “Solid Waste Collection” of Chapter 82 “Utilities” of the City of Burleson Code of Ordinances (2005)

Discussion regarding possible purchase, exchange, lease, or value of real property pursuant to Section 551.072, Texas Government Code

- Deliberation regarding the purchase, exchange, lease, or value of real property to be acquired for the construction and maintenance of roadway and public utility improvements along Lakewood Drive to serve existing and new development in the City.

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, Texas Government Code

- Project Workforce

Motion was made by Dan McClendon and seconded by Jimmy Stanford to convene into executive session. **Time: 5:46 p.m.**

Motion passed 7-0.

Motion was made by Dan McClendon and seconded by Victoria Johnson to reconvene into open session. **Time: 6:30 p.m.**

Motion passed 7-0.

4. **CITIZEN APPEARANCES - MOVED**

- No speakers.

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.**

Mayor Pro Tem Dan McClendon requested that item 6F be discussed before considering other items to be added to the consent agenda.

6. **GENERAL - MOVED**

F. **CSO#5078-04-2023, five-year contract with CentralSquare Technologies for the purchase of a public safety software suite (Computer-Aided Dispatch, Mobile Data System, Law Enforcement Records Management System) in the amount of \$2,612,275.73, including a five-percent contingency. (Staff Presenter: Paul Bradley, Director of Public Safety Communications)**

Paul Bradley, Director of Public Safety Communications, presented a contract to the city council.

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

Motion passed 7-0.

3. **CHANGES TO POSTED AGENDA - cont'd**

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

- Add items 6G-6K to consent agenda.

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

Motion passed 7-0.

5. **CONSENT AGENDA**

A. **Minutes from the April 3, 2023 regular council meeting. (Staff Contact: Amanda Campos, City Secretary)**

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

Motion passed 7-0.

- B. CSO#5067-04-2023, professional services agreement with Plummer Associates, Inc. for the design of the 12-inch Willow Creek Water Line project in the amount of \$110,675.00. (Staff Presenter: Errick Thompson, Deputy Director of Public Works - Engineering)**

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

Motion passed 7-0.

- C. CSO#5068-04-2023, resolution authorizing the reimbursement of R.A. Development, Ltd., for sewer design costs pursuant to CSO#1878-09-2021, an existing Chapter 380 and Economic Development and Performance Agreement in the amount of \$162,000. (Staff Presenter: Errick Thompson, Deputy Director of Public Works)**

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

Motion passed 7-0.

- D. CSO#5069-04-2023, interlocal agreement with the City of Waxahachie for cooperative purchasing between the cities that will allow among other cooperative purchases, utilization of an existing City of Burleson agreement with Hoots Lawn Care. (Staff Contact: Justin Scharnhorst, Assistant to the City Manager)**

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

Motion passed 7-0.

- E. CSO#5070-04-2023, contract for the purchase of four outdoor warning sirens from Joe Goddard, LLC. through a cooperative purchasing agreement with the City of Denton in the amount not to exceed \$150,000. (Staff Contact: Joe Laster, Emergency Operations Manager)**

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

Motion passed 7-0.

- F. CSO#5071-04-2023, resolution authorizing a change to the color of the flooring at Ellison on the Plaza. (Staff Presenter: Eric Oscarson, Director of Public Works)**

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

Motion passed 7-0.

- G. CSO#5072-04-2023, professional services agreement with Mycoskie & Associates, Inc. dba MMA, Inc. for storm sewer design services in the amount of \$50,000. (Staff Presenter - Eric Oscarson, Director of Public Works)**

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

Motion passed 7-0.

- H. CSO#5073-04-2023, resolution authorizing a \$5,000 sponsorship expense for the Hill College Boots & Suits Annual Student Scholarship Fundraiser. (Staff Contact: DeAnna Phillips, Director of Community Services)**

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

Motion passed 7-0.

- I. CSO#5074-04-2023, contract with Metro Fire Apparatus Specialist, Inc. for the purchase of eighteen self-contained breathing apparatuses (SCBA) and applicable accessories through a cooperative purchasing agreement with BuyBoard in the amount not to exceed \$57,597. (Staff Contact: K.T. Freeman, Fire Chief)**

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

Motion passed 7-0.

- J. CSO#5075-04-2023, amendment to CSO#002-04-2014, the communication's system agreement with Johnson County, setting the annual subscriber fee at \$18.52 per radio, per month, not to exceed an annual cost of \$69,783.36 effective October 1, 2022. (Staff Contact: Joe Laster, Emergency Operations Manager)**

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

Motion passed 7-0.

6. GENERAL – ADDED TO CONSENT AGENDA

- G. CSO#5079-04-2023, five-year contract with AT&T for two Dedicated Ethernet Private Line (EPL) through a cooperative purchasing agreement with the Texas Department of Information Resources (DIR) in the amount not to exceed \$163,102.87 and authorize the City Manager upon acceptance and approval of the City Attorney to execute both subsequent agreements. (Staff Contact: James Grommersch, Chief Technology Officer, IT)**

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

Motion passed 7-0.

- H. CSO#5080-04-2023, five year contract with Solid Border for the purchase of Firewall Licensing through a cooperative purchasing agreement with the Texas Department of Information Resources (DIR) in the amount not to exceed \$162,979.63 (Staff Contact: James Grommersch, Chief Technology Officer, IT)**

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

Motion passed 7-0.

- I. CSO#5081-04-2023, five-year contract with SHI International Corp for Cohesity Backup, and additional Artic Wolf Sensor through a cooperative purchasing agreement with the Texas Department of Information Resources (DIR) in the amount not to exceed \$166,561.13 (Staff Contact: James Grommersch, Chief Technology Officer, IT)**

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

Motion passed 7-0.

- J. CSO#5082-04-2023, five-year contract with CDW-G, LLC for the purchase of an Aruba Switch, Rack Environmental Sensor and support through a cooperative purchasing agreement with the Texas Department of Information Resources (DIR) in the amount not exceed \$50,272.24 (Staff Contact: James Grommersch, Chief Technology Officer, IT)**

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

Motion passed 7-0.

- K. CSO#5083-04-2023, five year contract with GTS Technology Solutions for Dell Servers, networking equipment, Microsoft licensing and support through a cooperative purchasing agreement with the Texas Department of Information Resources (DIR) in the amount not to exceed \$897,049.57. (Staff Contact: James Grommersch, Chief Technology Officer, IT)**

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

Motion passed 7-0.

6. GENERAL

- A. CSO#5066-04-2023, resolution to authorize the use of power of eminent domain to condemn property and authorizing the filing of eminent domain proceedings for the purpose of obtaining the necessary real property for construction and maintenance of roadway and public utility improvements along Lakewood Drive**

to serve existing and new development in the City. (Staff Presenter: Matt Ribitzki, Deputy City Attorney/Compliance Manager)

Matt Ribitzki, Deputy City Attorney/Compliance Manager, presented a resolution to the city council.

Motion made by Tamara Payne and seconded by Rick Green to authorize the use of the power of eminent domain to acquire the real property described as a 0.177 acre (7,726 square foot) tract of land situated in the H.G. Catlett Survey, Abstract No. 185, Johnson County, Texas, being a portion of a tract of land conveyed to Marion O. Bush, and Wife Marilyn F. Bush in that deed recorded in Volume 515, Page 29, Deed Records, Johnson County, Texas (D.R.J.C.T), as more fully described in Resolution Number CSO#5066-04-2023, for the purpose of the construction and maintenance of roadway and public utility improvements along Lakewood Drive to serve existing and new development in the City, and I further move to adopted Resolution Number CSO#5066-04-2023, as presented.

Motion passed 7-0.

- B. CSO#5076-04-2023, construction contract with Northstar Construction LLC for the construction of additional parking areas for Bailey Lake and Chisenhall Fields in the amount not to exceed \$1,792,594.23. (Staff Presenter: Jen Basham, Parks and Recreation Director)**

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

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

Motion passed 7-0.

- C. CSO#5077-04-2023, resolution adopting an emergency medical and ambulance services billing policy. (Staff Presenter: K.T. Freeman, Fire Chief)**

K.T. Freeman, Fire Chief, presented a resolution to the city council.

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

Motion passed 7-0.

- D. Ordinance amending Chapter 14, "Businesses" of the Code of Ordinances of the City of Burleson, Texas (2005), as amended, by adding article XII, entitled "Registration of Short Term Rentals" and establishing general standards and a registration process for short-term rentals, establishing fees, and providing definitions. (First Reading)(Staff Presenter: Tony McIlwain, Development Services Director)**

Tony McIlwain, Development Services Director, presented an ordinance to the city council.

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

Motion passed 7-0.

- E. Ordinance amending Ordinance CSO#3069-09-2022 the City's fee schedule by adding fees associated with the registration of short term rental properties; finding that the meeting at which this ordinance is passed was open to the public and that the recitals are true; containing a severability clause, cumulative clause, and effective date. (First Reading) (Staff Presenter: Tony McIlwain, Development Services Director)**

Tony McIlwain, Development Services Director, presented an ordinance to the city council.

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

Motion passed 7-0.

- ~~F. CSO#5078-04-2023, five-year contract with CentralSquare Technologies for the purchase of a public safety software suite (Computer Aided Dispatch, Mobile Data System, Law Enforcement Records Management System) in the amount of \$2,612,275.73, including a five-percent contingency. (Staff Presenter: Paul Bradley, Director of Public Safety Communications) - MOVED~~**

Item 6F was presented, discussed and voted on before the consent agenda above.

- ~~G. CSO#5079-04-2023, five-year contract with AT&T for two Dedicated Ethernet Private Line (EPL) through a cooperative purchasing agreement with the Texas Department of Information Resources (DIR) in the amount not to exceed \$163,102.87 and authorize the City Manager upon acceptance and approval of the City Attorney to execute both subsequent agreements. (Staff Contact: James Grommersch, Chief Technology Officer, IT) - MOVED~~**

Item 6G was added and voted on with the consent agenda above.

- ~~H. CSO#5080-04-2023, five year contract with Solid Border for the purchase of Firewall Licensing through a cooperative purchasing agreement with the Texas Department of Information Resources (DIR) in the amount not to exceed \$162,979.63 (Staff Contact: James Grommersch, Chief Technology Officer, IT) - MOVED~~**

Item 6H was added and voted on with the consent agenda above.

- ~~I. CSO#5081-04-2023, five-year contract with SHI International Corp for Cohesity Backup, and additional Artic Wolf Sensor through a cooperative purchasing agreement with the Texas Department of Information Resources (DIR) in the~~**

~~amount not to exceed \$166,561.13 (Staff Contact: James Grommersch, Chief Technology Officer, IT) - MOVED~~

Item 6I was added and voted on with the consent agenda above.

- ~~J. CSO#5082-04-2023, five-year contract with CDW-G, LLC for the purchase of an Aruba Switch, Rack Environmental Sensor and support through a cooperative purchasing agreement with the Texas Department of Information Resources (DIR) in the amount not exceed \$50,272.24 (Staff Contact: James Grommersch, Chief Technology Officer, IT) - MOVED~~

Item 6J was added and voted on with the consent agenda above.

- ~~K. CSO#5083-04-2023, five-year contract with GTS Technology Solutions for Dell Servers, networking equipment, Microsoft licensing and support through a cooperative purchasing agreement with the Texas Department of Information Resources (DIR) in the amount not to exceed \$897,049.57. (Staff Contact: James Grommersch, Chief Technology Officer, IT) - MOVED~~

Item 6K was added and voted on with the consent agenda above.

7. CITY COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS OR REPORTS

- Requested an item be added to the next meeting to discuss behavior due to online comments from Planning and Zoning Commission member, Place 5.
- Discuss a process for code of conduct for Boards, Commissions, and Committees.

8. RECESS INTO EXECUTIVE SESSION

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improvements along Lakewood Drive to serve existing and new development in the City.

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, Texas Government Code

- Project Workforce

No need for a second Executive Session.

ADJOURNMENT

Motion made by Dan McClendon and Victoria Johnson to adjourn.

Mayor Fletcher adjourned the meeting.

Time: 7:44 p.m.

Monica Solko
Deputy City Secretary