

BURLESON CITY COUNCIL REGULAR MEETING

October 16, 2023

MINUTES

ROLL CALLCOUNCIL PRESENT:

Victoria Johnson
Phil Anderson
Ronnie Johnson
Chris Fletcher
Larry Scott
Dan McClendon
Adam Russell

COUNCIL ABSENT:Staff present

Tommy Ludwig, City Manager
Eric Oscarson, Deputy City Manager
Harlan Jefferson, 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 – 5:30 p.m.

Mayor Fletcher called the meeting to order. **Time: 5:31 p.m.**

Invocation – Pastor Rusty Gilliam, Cross Timber 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

- None.

C. Community Interest Items

- Reminder, Constitutional Amendment Election, November 7, early voting begins October 23 through November 3, 2023. Voters in Johnson County, please visit the Johnson county elections website for locations. Voters in Tarrant County, please visit the Tarrant County Elections website for locations.

- Hispanic Heritage awareness wrapped up on Friday with a great concert, thank you to staff and everyone who helped with the event.
- Thank you to all that worked on the Founder's Day event last Saturday, it was a great event.
- Join us, for Boo Bash, on October 21 from 5:30pm-8:30pm at Chisenhall Sports Complex.
- Join us, for Burleson Police Department Drug Take-Back Program, on October 28 from 10am-2pm in the Walmart parking lot.

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A. Items to be continued or withdrawn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B. Items to be withdrawn from Consent Agenda for separate discussion or items to be added to the Consent Agenda.

- Item 5C withdrawn.

4. **CITIZEN APPEARANCES**

- None.

5. **CONSENT AGENDA**

A. Minutes from the October 2, 2023 regular council meeting. (Staff Contact: Amanda Campos, City Secretary)

Motion made by Ronnie Johnson and seconded by Larry Scott to approve the consent agenda.

Motion passed 7-0.

B. CSO#5263-10-2023, minute order appointing DeAnna Philips to the Animal Shelter Advisory Committee, Place 6 City Official – Non Voting Member. (Staff Contact: Amanda Campos, City Secretary)

Motion made by Ronnie Johnson and seconded by Larry Scott to approve the consent agenda.

Motion passed 7-0.

C. ~~CSO#5264-10-2023, three-year contract with Holiday Design Sisters for holiday lighting in the Mayor Vera Calvin Plaza in the amount of \$89,451. (Staff Contact: Alex Philips, Economic Development Director)~~ - WITHDRAWN

Item 5C was withdrawn under 3B for separate discussion and vote.

- D. CSO#5265-10-2023, minute order authorizing the lease and/or purchase of library books through an existing agreement with the State of Texas Cooperative Purchasing Program from Brodart Books & Library Services in the amount not to exceed \$65,415. (Staff Contact: Sara Miller, Deputy Director-Library)**

Motion made by Ronnie Johnson and seconded by Larry Scott to approve the consent agenda.

Motion passed 7-0.

- E. CSO#5266-10-2023, minute order for the purchase of eBooks, eAudiobooks and digital magazines through a sole source provider Bibliotheca's CloudLibraryTM online platform in the amount of \$54,045. (Staff Contact: Sara Miller, Deputy Director-Library)**

Motion made by Ronnie Johnson and seconded by Larry Scott to approve the consent agenda.

Motion passed 7-0.

- F. CSO#5267-10-2023, minute order for the purchase and replacement of uniforms, duty gear, tactical clothing and gear, and body armor, with M-Pak through a cooperative purchase agreement with General Service Administration in the amount of \$82,000. (Staff Contact: Randy Crum, Support Bureau Captain)**

Motion made by Ronnie Johnson and seconded by Larry Scott to approve the consent agenda.

Motion passed 7-0.

- G. CSO#5268-10-2023, minute order with Armstrong Forensic Laboratory, Inc. for forensic services, which includes narcotics testing, quantified THC testing, and courtroom testimony, in the amount of \$75,000. (Staff Contact: Randy Crum, Support Bureau Captain)**

Motion made by Ronnie Johnson and seconded by Larry Scott to approve the consent agenda.

Motion passed 7-0.

- H. CSO#5269-10-2023, interlocal agreement with the Burleson Independent School District (BISD) to provide eleven (11) school resource officers for the fiscal year 2023-24 in the amount of \$1,032,145. (Staff Contact: Randy Crum, Police Captain)**

Motion made by Ronnie Johnson and seconded by Larry Scott to approve the consent agenda.

Motion passed 7-0.

5. CONSENT AGENDA – WITHDRAWN ITEM

- C. CSO#5264-10-2023, three-year contract with Holiday Design Sisters for holiday lighting in the Mayor Vera Calvin Plaza in the amount of \$89,451. (Staff Contact: Alex Philips, Economic Development Director)**

Alex Philips, Economic Development Director, presented a contract to the city council.

Motion made by Victoria Johnson and seconded by Adam Russell to approve.

Motion passed 7-0.

6. DEVELOPMENT APPLICATIONS

- A. CSO#5270-10-2023, ordinance for a commercial site plan with waivers, and a zoning change request from “A”, Agricultural, to “C” Commercial with a SUP, Specific Use Permit, allowing “Automobile sales” in specific plan area 3, “Hidden Creek Development Center” of the IH-35 Overlay district, KIA Dealership at 1233 Tarver Rd (Case 23-074). (Staff Presenter: Tony D. McIlwain, Development Services Director) (The Planning and Zoning Commission recommended approval by a vote of 7-0) (First and Final Reading)**

Tony McIlwain, Development Services Director, presented an ordinance 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 Ronnie Johnson and seconded by Dan McClendon to approve.

Motion passed 6-1, with Victoria Johnson voting against.

- B. CSO#5271-10-2023, ordinance for a commercial site plan with waivers, and a SUP, Specific Use Permit, allowing “Mini-warehouse” in the C, Commercial Zoning District and specific plan area 1, “Spinks” of the IH35 Overlay district, Basden Storage at 755 E Renfro St. (Case 23-010). (Staff Presenter: Tony McIlwain, Development Services Director)(The Planning and Zoning Commission recommended approval by a vote of 7-0)(First and Final Reading)**

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

Mayor Fletcher opened the public hearing. **Time: 6:25 p.m.**

Mike Erinakes, 10340 County Road 1020, was available to answer any questions council may have.

Mayor Fletcher closed the public hearing. **Time: 6:26 p.m.**

Motion made by Adam Russell and seconded by Dan McClendon to approve 6B with the waivers signed on both parcels.

Motion passed 7-0.

7. GENERAL

- A. CSO#5272-10-2023, resolution ratifying the petition for release from the City of Burleson extraterritorial jurisdiction (ETJ) for approximately 26.82 acres of land located at 1133 CR 529, ETJ Release Petition (Case 23-275). (Staff Presenter: Tony McIlwain, Development Services Director) (No Planning and Zoning Commission action was required for this item.)**

Tony McIlwain, Development Services Director, presented a resolution to the city council.

Motion made by Larry Scott and seconded by Victoria Johnson approve and immediately release 1133 CR 529 from the Burleson ETJ.

Motion passed 7-0.

- B. CSO#5273-10-2023, resolution ratifying the petition for release from the City of Burleson extraterritorial jurisdiction (ETJ) for approximately 1.619 acres of land, Lot 1, Block 4, Hidden Glen; addressed as 2613 Sylvanglen St., ETJ Release Petition (Case 23-276). (Staff Presenter: Tony McIlwain, Development Services Director) (No Planning and Zoning Commission action was required for this item.)**

Tony McIlwain, Development Services Director, presented a resolution to the city council.

Motion made by Ronnie Johnson and seconded by Adam Russell to approve.

Motion passed 7-0.

- C. CSO#5274-10-2023, ordinance amending the city's budget for fiscal year 2023-2024 by increasing appropriations in the Mineral Capital Parks Fund in the amount of \$104,475 for the parks and recreation master plan, and finding that this ordinance may be considered and approved at only one meeting because time is of the essence. (First and Final Reading) (Staff Presenter: John Butkus, Finance Director)**

Jen Basham, Parks and Recreation Director, presented an ordinance to the city council.

Motion made by Dan McClendon and seconded by Victoria Johnson to approve because time is of the essence.

Motion passed 7-0.

D. CSO#5275-10-2023, contract with Kimley-Horn and Associates, Inc. for a Parks and Recreation Master Plan in the amount of \$104,475. (Staff Presenter: Jen Basham, Parks and Recreation Director)

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

Motion made by Dan McClendon and seconded by Adam Russell to approve.

Motion passed 7-0.

E. CSO#5276-10-2023 Right-of-Way Use Agreement for outdoor patio seating and approximately 45 feet of decorative metal fencing and removable bollards at 112 W. Ellison Street, Old Texas Brewing Company restaurant. (Staff Presenter: Errick Thompson, Public Works & Engineering Director) – TABLED

Errick Thompson, Public Works & Engineering Director, presented an agreement to the city council.

Jamie Collard, General Manager for Old Texas Brewing Company, 112 W. Ellison, came forward to answer questions from council.

Jeremy Durham, Extreme Fence, 2095 E. Renfro, came forward to answer questions from council.

Rick Hazon, former owner for Old Texas Brewing Company, 112 W. Ellison, came forward to speak on the history of the patio.

Bill Janusch, 117 NE Clinton Street, came forward to speak in favor of the item.

Motion made by Ronnie Johnson and seconded by Larry Scott tabled the item to allow the applicant to make changes and bring back to council for consideration.

Motion passed 7-0.

F. Amendments to Council Policy 36 – Purchasing Policy. (Staff Presenter: Justin Scharnhorst, Assistant to the City Manager)

Justin Scharnhorst, Assistant to the City Manager, presented amendments to Council Policy 36 to the city council.

Motion made by Adam Russell and seconded by Larry Scott to approve.

Motion passed 7-0.

- G. CSO#5277-10-2023, insurance application renewal and policy with Stealth Partner Group, managing general underwriter, and Berkshire Hathaway Specialty Insurance to continue to be the City's stop-loss insurance providers for the City's partially self-funded insurance for plan year 2024 in the amount of \$867,000. (Staff Presenter: Wanda Bullard, Interim Director of Human Resources)**

Wanda Bullard, Interim Director of Human Resources, presented the city's insurance application and policy renewal to the city council.

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

Motion passed 7-0.

RECESS AND BACK TO ORDER

Mayor Fletcher recessed for a short break at 7:50 p.m. and called the meeting back to order at 8:01 p.m. with all members present.

8. REPORTS AND PRESENTATIONS

- A. Receive a report, hold a discussion, and provide staff direction regarding the Police Department and Public Safety Communication expansion project. (Staff Presenter: Eric Oscarson, Deputy City Manager)**

Eric Oscarson, Deputy City Manager, gave an update on the Police Department and Public Safety Communications expansion project to the city council.

Bill Janusch, 117 NE Clinton Street, came forward to speak in favor of a 20 year building.

Kelsey Dean, 1655 Candler Drive, Apt. 14101, came forward to speak in favor of a 20 year building.

Jason Moore, Byrne Construction, came forward to speak on the renovation work on the building and the impacts of each option.

Marty Shu, Hilltop Securities, came forward to answer council questions.

- B. Receive a report, hold a discussion, and provide staff direction regarding the City Hall Renovation project. (Staff Presenter: Eric Oscarson, Deputy City Manager)**

Eric Oscarson, Deputy City Manager, gave an update on the City Hall renovation project to the city council. Council consensus option 2

C. Receive a report, hold a discussion and provide staff direction regarding options for wayfinding, lighting, and the addition of benches in Old Town (*Staff Presenter: Jen Basham, Parks and Recreation Director*)

Jen Basham, Parks and Recreation Director, reported on options for wayfinding, lighting, and additional benches in Old Town to the city council.

9. CITY COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS OR REPORTS

- Discuss right of way use agreements in Old Town program.

10. RECESS INTO EXECUTIVE SESSION

In accordance with Chapter 551 of the Texas Government Code, the City Council may convene in Executive Session in the City Council Workroom in City Hall to conduct a closed meeting to discuss any item listed on this Agenda.

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

- Receive a report and hold a discussion regarding debt issuance laws and processes, including reimbursement resolutions, notices of intent, and the different types of debt obligations, such as general obligation bonds, certificates of obligation, sales tax revenue bonds, and utility system revenue bonds
- Receive a report and hold a discussion regarding Lighthouse Incident Case Number 90743858.

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

C. 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 Retail
- Project Eos

Motion was made by Adam Russell and seconded Victoria Johnson by to convene into executive session. **Time: 10:10 p.m.**

Motion passed 7-0.

Motion was made by Dan McClendon and seconded by Adam Russell to reconvene into open session. **Time: 11:16 p.m.**

Motion passed 7-0.

11. ADJOURNMENT

Motion made by Dan McClendon and seconded Adam Russell by to adjourn.

Mayor Fletcher adjourned the meeting.

Time: 11:17 p.m.

Monica Solko
Deputy City Secretary