

BURLESON CITY COUNCIL REGULAR MEETING

January 8, 2024

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: 5:30 p.m.**

Invocation – Bob Massey, Secretary/Treasurer Burleson Christian Ministerial Alliance 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**

- None.

B. Presentations

- Receive a report to recognize the selected Employee of the Quarter for the 4th quarter of 2023. (*Staff Presenter: Wanda Bullard, Interim Director of Human Resources*)
- Receive a report and hold a discussion regarding a mid-year update for the Mayor's Youth Council. (*Staff Presenter: Lisandra Leal, Assistant City Secretary*)

C. Community Interest Items

- Burleson Senior Center recently expanded hours, Saturday 10am-4pm, encourage community members to stop by.
- Animal Services, Borrowed Buddies Program, grants adoptable pets opportunity for a “day out” or “weekend” from the shelter environment and provides the pets the chance to experience the warmth of a home setting (Saturday at 3:30pm-Tuesday at 11am) which also helps with overcrowding.
- Burleson 101 Civic Academy starts on Thursday, January 11 at 6:30 p.m.

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 CHANGES TO POSTED AGENDA**A. Items to be continued or withdrawn**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B. Items to be withdrawn from Consent Agenda for separate discussion or items to be added to the Consent Agenda.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

- Bill Janusch, 117 NE Clinton Street, came forward with concerns for citizens with disabilities.

10. RECESS INTO EXECUTIVE SESSION - MOVED

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

Motion was made by Adam Russell and seconded by Victoria Johnson to convene into executive session. **Time: 5:56 p.m.**

Motion passed 7-0.

Motion was made by Adam Russell and seconded by Ronnie Johnson to reconvene into open session. **Time: 6:28 p.m.**

Motion passed 7-0.

5. CONSENT AGENDA

Amanda Campos, City Secretary, announced that a speaker card was received for item 5I and asked that the item be removed from the consent agenda for separate discussion.

A. Minutes from the December 11, 2023 regular council meeting. (Staff Contact: Amanda Campos, City Secretary)

Motion made by Dan McClendon and seconded by Larry Scott to approve the consent agenda.

Motion passed 7-0.

- B. CSO#5351-01-2024, amendment to the engineering services contract with Teague Nall & Perkins, Inc. for the Alsbury Blvd. at FM 731 (John Jones Dr.) turn lanes and intersection improvements project in the amount of \$55,500 for a total contract amount of \$239,860. (Staff Contact: Errick Thompson, Director of Public Works & Engineering)**

Motion made by Dan McClendon and seconded by Larry Scott to approve the consent agenda.

Motion passed 7-0.

- C. CSO#5352-01-2024, contract with Don Smith Concrete for ITB 2024-001 Oak Valley South Trail in the amount of \$114,708. (Staff Contact: Jen Basham, Parks and Recreation Director)**

Motion made by Dan McClendon and seconded by Larry Scott to approve the consent agenda.

Motion passed 7-0.

- D. CSO#5353-01-2024, contract with Granicus for video recording and broadcast software and maintenance through a cooperative purchasing agreement with the interlocal purchasing system for three years in the amount of \$124,460. (Staff Contact: Hugo Rodriguez, Deputy Director, IT)**

Motion made by Dan McClendon and seconded by Larry Scott to approve the consent agenda.

Motion passed 7-0.

- E. CSO#5354-01-2024, minute order appointing new voting members and alternates to the Mayor's Youth Council. (Staff Contact: Amanda Campos, City Secretary)**

Motion made by Dan McClendon and seconded by Larry Scott to approve the consent agenda.

Motion passed 7-0.

- F. CSO#5355-01-2024, ETJ Release Petition for 1201 Caddo Peak Trail (Case 23-389): Consider denial of a petition for release from the City of Burleson extraterritorial jurisdiction (ETJ) for approximately 1.216 acres of land**

addressed as 1201 Caddo Peak Trail. *(Staff Contact: Tony McIlwain, Development Services Director) (No Planning and Zoning Commission action was required for this item)*

Motion made by Dan McClendon and seconded by Larry Scott to approve the consent agenda.

Motion to deny passed 7-0.

- G. **CSO#5356-01-2024, ETJ Release Petition for 846 Alan Dr. and 7125 CR 803 (Case 23-396): Consider denial of a petition for release from the City of Burleson extraterritorial jurisdiction (ETJ) for approximately 23.60 acres of land addressed as 846 Alan DR and 7125 CR 803. (Staff Contact: Tony McIlwain, Development Services Director) (No Planning and Zoning Commission action was required for this item)**

Motion made by Dan McClendon and seconded by Larry Scott to approve the consent agenda.

Motion to deny passed 7-0.

- H. **CSO#5357-01-2024, ETJ Release Petition for 5614 CR 803 (Case 23-395): Consider denial of a petition for release from the City of Burleson extraterritorial jurisdiction (ETJ) for approximately 2.59 acres of land addressed as 5614 CR 803. (Staff Contact: Tony McIlwain, Development Services Director) (No Planning and Zoning Commission action was required for this item)**

Motion made by Dan McClendon and seconded by Larry Scott to approve the consent agenda.

Motion to deny passed 7-0.

- I. ~~**CSO#5358-01-2024, ETJ Release Petition for 6608 Sundance Circle (Case 23-401): Consider denial of a petition for release from the City of Burleson extraterritorial jurisdiction (ETJ) for approximately 7.254 acres of land addressed as 6608 Sundance Circle. (Staff Contact: Tony McIlwain, Development Services Director) (No Planning and Zoning Commission action was required for this item)**~~ - REMOVED

Item was removed from consent agenda.

- J. **CSO#5359-01-2024, ETJ Release Petition for 7137 CR 803 and 2508 Nicole Dr. (Case 23-402): Consider denial of a petition for release from the City of Burleson extraterritorial jurisdiction (ETJ) for approximately 13.00 acres of land addressed as 7137 CR 803 and 2508 Nicole Dr. (Staff Contact: Tony McIlwain, Development Services Director) (No Planning and Zoning Commission action was required for this item)**

Motion made by Dan McClendon and seconded by Larry Scott to approve the consent agenda.

Motion to deny passed 7-0.

- K. CSO#5360-01-2024, ETJ Release Petition for 1201 Blackhawk Rd. (Case 23-404): Consider denial of a petition for release from the City of Burleson extraterritorial jurisdiction (ETJ) for approximately 1.99 acres of land addressed as 1201 Blackhawk Rd. (Staff Contract: Tony McIlwain, Development Services Director) (No Planning and Zoning Commission action was required for this item)**

Motion made by Dan McClendon and seconded by Larry Scott to approve the consent agenda.

Motion to deny passed 7-0.

- L. CSO#5361-01-2024, ETJ Release Petition for 2408 Conveyor Dr. (Case 23-405): Consider denial of a petition for release from the City of Burleson extraterritorial jurisdiction (ETJ) for approximately 12.608 acres of land addressed as 2408 Conveyor Dr. (Staff Contact: Tony McIlwain, Development Services Director) (No Planning and Zoning Commission action was required for this item)**

Motion made by Dan McClendon and seconded by Larry Scott to approve the consent agenda.

Motion to deny passed 7-0.

- M. CSO#5362-01-2024, ETJ Release Petition for 10124 CR 1020 (Case 23-403): Consider denial of a petition for release from the City of Burleson extraterritorial jurisdiction (ETJ) for approximately 6.00 acres of land addressed as 10124 CR 1020. (Staff Contact: Tony McIlwain, Development Services Director) (No Planning and Zoning Commission action was required for this item)**

Motion made by Dan McClendon and seconded by Larry Scott to approve the consent agenda.

Motion to deny passed 7-0.

5. ITEMS REMOVED FROM CONSENT AGENDA

- I. CSO#5358-01-2024, ETJ Release Petition for 6608 Sundance Circle (Case 23-401): Consider denial of a petition for release from the City of Burleson extraterritorial jurisdiction (ETJ) for approximately 7.254 acres of land addressed as 6608 Sundance Circle. (Staff Contact: Tony McIlwain, Development Services Director) (No Planning and Zoning Commission action was required for this item)**

David McClure, 6608 Sundance Circle, property owner, came forward requesting the city approve his request to be removed from the ETJ.

Motion made by Dan McClendon and seconded by Larry Scott to approve the denial.

Motion to deny passed 7-0.

6. DEVELOPMENT APPLICATIONS

A. **CSO#5363-01-2024, resolution for a waiver to Article III, Landscape Standards, relating to artificial turf at Lumberyard located at 137 S. Wilson Street (Case 23-289). (Staff Presenter: Tony McIlwain, Development Services Director)**

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

No speakers.

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

Motion passed 7-0.

B. **CSO#5364-01-2024, resolution for a commercial site plan with a variance or waiver to Chapter 36, fencing and screening regulations, allowing for an alternative transitional screening material at Burleson Retail Summercrest at 700 Wilshire Blvd (Case 23-252). (Staff Presenter: Tony McIlwain, Development Services Director)**

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

Anna Carrillo, 9001 Airport Fwy., North Richland Hills came forward to answer Council questions.

Mayor Fletcher opened the public hearing. **Time: 6:52 p.m.**

No speakers.

Mayor Fletcher closed the public hearing. **Time: 6:53 p.m.**

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

Motion passed 7-0.

C. **CSO#5365-01-2024, resolution for variances to Chapter 63, Sign Regulations, relating to the relocation of a non-conforming billboard at 461 E. Renfro Street (Case 23-347). (Staff Presenter: Tony McIlwain, Development Services Director)**

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

Chris Weems, 875 Dublin Drive, came forward to answer questions from Council.

Motion made by Dan McClendon and seconded by Adam Russell to approve subject to confirmation they have not be compensated the value of the sign.

Motion passed 7-0.

RECESS AND BACK TO ORDER

Mayor Fletcher recessed for a short break at 7:08 p.m. and called the meeting back to order at 7:16 p.m. with all members present.

7. GENERAL

- A. CSO#5366-01-2024, contract with LandDesign, Inc. for site planning the west end property project in the amount of \$250,000. (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 Victoria Johnson and seconded by Phil Anderson to approve.

Motion passed 7-0.

- B. CSO#5367-01-2024, resolution authorizing a right-of-way use agreement for a metal awning and posts over an existing outdoor seating patio at 133 S. Wilson Street, Spice Rack Bar & Grill. (Staff Presenter: Tony McIlwain, Development Services Director)**

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

Motion made by Dan McClendon and seconded by Adam Russell to approve with clad vertical posts with cedar and replace the existing metal roof with a black standing seam.

Motion passed 7-0.

- C. Ordinance amending the City's fee schedule ordinance for Fiscal Year 2023-24 (CSO#5218-09-2023) by adding and amending fees associated with the Burleson Recreation Center (BRiCK), Russell Farm, and other City athletics fees. (First Reading) (Staff Presenter: Jen Basham, Director of Parks and Recreation)**

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

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

Motion passed 7-0.

D. CSO#5368-01-2024, resolution amending the Emergency Medical and Ambulance Services Billing Policy (CSO#5191-08-2023). (Staff Presenter: Casey Davis, Assistant Fire Chief)

Casey Davis, Assistant Fire Chief, presented a resolution to the city council.

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

Motion passed 7-0.

E. Ordinance amending the City's fee schedule ordinance for Fiscal Year 2023-24 (CSO#5218-09-2023) by adding fees associated with emergency medical and ambulance services. (First Reading) (Staff Presenter: Casey Davis, Assistant Fire Chief)

Casey Davis, Assistant Fire Chief, presented an ordinance to the city council.

Motion made by Ronnie Johnson and seconded by Phil Anderson to approve.

Motion passed 7-0.

F. CSO#5369-01-2024, ordinance amending the annual City budget for Fiscal Year 2023-24 (CSO#5214-09-2023) by increasing appropriations to various funds for rolling forward encumbrances from the prior year to accommodate current purchase orders. (First and Final Reading) (Staff Presenter: Harlan Jefferson, Deputy City Manager)

Harlan Jefferson, Deputy City Manager, presented an ordinance to the city council.

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

Motion passed 7-0.

8. REPORTS AND PRESENTATIONS

A. Receive a report, hold a discussion and provide staff feedback regarding the redesign of the BRiCk lobby. (Staff Presenter: Jen Basham, Director of Parks and Recreation)

Jen Basham, Director of Parks and Recreation, presented the redesign of the Brick lobby to the city council.

- B. Receive a report, hold a discussion, and provide feedback on the May 2024 General Election for Council Places 1, 3, and 5. (Staff Presenter: Amanda Campos, City Secretary)**

Amanda Campos, City Secretary, reported on the May 2024 General Election for Council Places 1, 3, and 5 to the city council.

- C. Receive a report, hold a discussion and provide staff direction regarding an update to the city's zoning ordinance in anticipation of an approval of a local option election for liquor sales. (Staff Presenter: Tony McIlwain, Development Services Director)**

Tony McIlwain, Development Services Director, gave an update on the city's zoning ordinance in anticipation of an approval of a local option election to the city council.

Bill Janusch, 117 NE Clinton Street, came forward with concerns on the building requirements.

- D. Receive a report, hold a discussion, and provide staff direction on City Council Policy #39 City Council Technology Allowance Policy. (Staff Presenter: Amanda Campos, City Secretary)**

Amanda Campos, City Secretary, reported on City Council Policy #39 to the city council.

9. CITY COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS OR REPORTS

- None.

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 Subchapter D of Chapter 42 of the Local Government Code and existing development agreements
- Receive a report and hold a discussion regarding the laws surrounding long term rental registration programs, including Subchapter A of Chapter 214 of the Local Government Code
- Receive a report and hold a discussion regarding City liability under the Texas Tort Claims Act for City parks and recreational areas
- Receive a report and hold a discussion regarding the petition and election process under Chapter 501 of the Texas Election Code

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

Motion was made by Adam Russell and seconded by Larry Scott to convene into executive session. **Time: 9:23 p.m.**

Motion passed 7-0.

Motion was made by Adam Russell and seconded by Ronnie Johnson to reconvene into open session. **Time: 10:43 p.m.**

Motion passed 7-0.

11. ADJOURNMENT

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

Mayor Fletcher adjourned the meeting. **Time: 10:44 p.m.**

Monica Solko
Deputy City Secretary