

**BURLESON CITY COUNCIL REGULAR MEETING
APRIL 15, 2024
MINUTES**

ROLL CALL

COUNCIL PRESENT:

Victoria Johnson
Phil Anderson
Ronnie Johnson
Chris Fletcher

Dan McClendon

COUNCIL ABSENT:

Larry Scott

Adam Russell

Staff present

Eric Oscarson, Deputy City Manager
Harlan Jefferson, Deputy City Manager
Amanda Campos, City Secretary
Monica Solko, Deputy City Secretary
Lisandra Leal, Assistant City Secretary
Allen Taylor, Jr., City Attorney

1. CALL TO ORDER – 5:30 p.m.

Mayor Fletcher called the meeting to order. **Time: 5:32 p.m.**

Invocation – Michael Babcock with the Church of Jesus Christ of Latter-day Saints.

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 14-April 20, 2024 as "National Volunteer Week" in the City of Burleson. *(Recipient: Parks and Recreation Department and Volunteers)*
- A Proclamation recognizing April 15 - April 19, 2024 as "Work Zone Awareness Week" in the City of Burleson. *(Recipient: Errick Thompson, Director of Public Works)*

- A Proclamation recognizing April 26, 2024 as "Arbor Day" in the City of Burleson. (*Recipient: Jessica Martinez, Recreation Manager for Parks and Recreation*)

B. Presentations

- Receive a report to recognize the selected Employee of the Quarter for the 1st quarter of 2024. (*Staff Contact: Wanda Bullard, Assistant Director of Human Resources*)

C. Community Interest Items

- Prayers for Council member Scott's mother.
- Thank you to all staff, volunteers and marketing team for making Trash Bash a success on Saturday, April 13.
- Council member Ronnie Johnson will be celebrating his 60 year high school reunion, and asked everyone to celebrate each other any chance they have.
- Join us in recognizing Burleson Dispatch during National Telecommunication week April 14-April 20.
- Reminder early voting starts Monday, April 22, from 8:00 a.m. to 5:00 p.m. at the Burleson sub-courthouse at 247 Elk Drive.
- Join us Thursday at the Burleson Chamber of Commerce luncheon hosted by the First Baptist Church as Mayor Fletcher presents the State of the City.
- National Drug Take-Back is April 27, 10:00 a.m. to 2:00 p.m. in the Walmart parking lot, 951 SW Wilshire Blvd.
- Household Hazardous Waste Collection is April 27, from 9-11 a.m., at the City Service Center, 725 SW John Jones Drive.

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

- Ken Richardson, 1132 Hidden Creek Court, came forward with concerns on clearing/cutting trees and shrubs on property.
- Michael Babcock, 824 Mesquite Drive, came forward with a request for a proclamation regarding suicide prevention/mental health event, on Tuesday, May 7, 8:30 a.m. to 3:30 p.m. at Pathway Church, a free event to help the community. Reminder that National Day of Prayer is May 2, join us in Mayor Vera Calvin Plaza 6:30 p.m. for a prayer.
- Bill Janush, 117 NE Clinton Street, came forward with concerns on intersection safety.

5. CONSENT AGENDA

A. Minutes from the April 1, 2024 regular council meeting. (Staff Contact: Amanda Campos, City Secretary)

Motion made by Dan McClendon and seconded by Phil Anderson to approve the consent agenda.

Motion passed 5-0, with Larry Scott and Adam Russel absent.

B. Community facilities contract with Joe Usher for City cash participation for the construction of approximately 135 feet of six-foot wide sidewalk in an amount not to exceed \$6,435.40 and authorize the City Manager to execute the contract on behalf of the City. (Staff Contact: Michelle McCullough, Assistant Director/City Engineer)

Motion made by Dan McClendon and seconded by Phil Anderson to approve the consent agenda.

Motion passed 5-0, with Larry Scott and Adam Russel absent.

C. Minute order rejecting all competitive sealed proposals for the construction of the Burleson Westside Lift Station, force main, and gravity sewer improvements for the Hooper Business Park and surrounding area. (Staff Contact: Michelle McCullough, Assistant Director/City Engineer)

Motion made by Dan McClendon and seconded by Phil Anderson to approve the consent agenda.

Motion passed 5-0, with Larry Scott and Adam Russel absent.

D. CSO#5444-04-2024, ordinance amending Burleson Code of Ordinances, Chapter 70, "Streets, Sidewalks, and Other Public Places". (Final Reading) (Staff Contact: Tony D. McIlwain, AICP, CFM, Development Services Director)

Motion made by Dan McClendon and seconded by Phil Anderson to approve the consent agenda.

Motion passed 5-0, with Larry Scott and Adam Russel absent.

E. CSO#5445-04-2024, resolution authorizing the City Manager to execute all necessary documents to enter into and close on a real estate contract with the Texas Department of Transportation, as purchaser, to convey fee simple title to approximately 218 square feet of land out of the David Anderson Survey, Abstract No. 4 in the City of Burleson, Johnson County, Texas. (Staff Contact: Errick Thompson, Director of Public Works & Engineering)

Motion made by Dan McClendon and seconded by Phil Anderson to approve the consent agenda.

Motion passed 5-0, with Larry Scott and Adam Russel absent.

- F. CSO#5446-04-2024, resolution authorizing the City Manager to execute all necessary documents to enter into and close on a real estate contract with the Texas Department of Transportation, as purchaser, to convey fee simple title to approximately 287 square feet of land out of the David Anderson Survey, Abstract No. 4 in the City of Burleson, Johnson County, Texas. (Staff Contact: Errick Thompson, Director of Public Works & Engineering)**

Motion made by Dan McClendon and seconded by Phil Anderson to approve the consent agenda.

Motion passed 5-0, with Larry Scott and Adam Russel absent.

- G. CSO#5447-04-2024, resolution accepting the Public Utility Commission's 2024 maximum access lines rates increase. (Staff Contact: Matt Ribitzki, Sr. Deputy City Attorney/Director of Legal Services)**

Motion made by Dan McClendon and seconded by Phil Anderson to approve the consent agenda.

Motion passed 5-0, with Larry Scott and Adam Russel absent.

- H. Appointing Presiding Judge and Alternate Judge of the Early Voting Ballot Board for the May 4, 2024, General Election. (Staff Contact: Amanda Campos, City Secretary)**

Motion made by Dan McClendon and seconded by Phil Anderson to approve the consent agenda.

Motion passed 6-0 with Adam Russell absent.

- I. CSO#5519-04-2024, amended employment agreement with Amanda Campos to act as City Secretary. (Staff Contact: Matt Ribitzki, Sr. Deputy City Attorney/Director of Legal Services)**

Motion made by Dan McClendon and seconded by Phil Anderson to approve the consent agenda.

Motion passed 5-0, with Larry Scott and Adam Russel absent.

6. DEVELOPMENT APPLICATIONS

- A. CSO#5448-04-2024, ordinance for a zoning change request from "PD", Planned Development to "PD" Planned Development for a commercial trade school Craftmasters at FM 1902 & CR 1019 (Case 23-308). (First and Final Reading) (Staff Contact: Tony McIlwain, Development Services Director) (The Planning and Zoning Commission recommended approval unanimously)**

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

Mayor Fletcher opened the public hearing. **Time: 6:12 p.m.**

No speaker.

Mayor Fletcher closed the public hearing. **Time: 6:13 p.m.**

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

Motion passed 5-0, with Larry Scott and Adam Russel absent.

- B. CSO#5449-04-2024, ordinance for a zoning change request from “C” Commercial to “C” Commercial with an “SUP” Specific Use Permit allowing for an Auto repair garage located in the Old Town Overlay District for Team Hoover Automotive at 314 NE Wilshire Blvd (Case 23-398). (First and Final Reading) (Staff Contact: Tony McIlwain, Development Services Director) (The Planning and Zoning Commission recommended approval unanimously)**

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

Mayor Fletcher opened the public hearing. **Time: 6:15 p.m.**

Mike Hoover, 134 NW Hillery Street, was available to answer question.

Mayor Fletcher closed the public hearing. **Time: 6:16 p.m.**

Motion made by Ronnie Johnson and seconded by Victoria Johnson to approve.

Motion passed 5-0, with Larry Scott and Adam Russel absent.

- C. CSO#5450-04-2024, resolution for a commercial site plan amendment with a waiver to Section 132-115; Accessory building and structure yard regulations at Lumberyard at 137 S. Wilson Street (Case 24-041). (First and Final Reading) (Staff Contact: Tony McIlwain, Development Services Director) (The Planning and Zoning Commission recommended approval unanimously)**

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

Mayor Fletcher opened the public hearing. **Time: 6:20 p.m.**

No speaker.

Mayor Fletcher closed the public hearing. **Time: 6:21 p.m.**

Motion made by Dan McClendon and seconded by Phil Anderson to approve.

Motion passed 5-0, with Larry Scott and Adam Russel absent.

- D. CSO#5451-04-2024, ordinance for a zoning change request from "A", Agricultural to "C", Commercial for a contractor's office with no outside storage at 3812 S Burleson Blvd (Case 24-042). (*First and Final Reading*) (Staff Contact: Tony McIlwain, Development Services Director) (The Planning and Zoning Commission recommended approval unanimously)**

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

Mayor Fletcher opened the public hearing. **Time: 6:24 p.m.**

No speaker.

Mayor Fletcher closed the public hearing. **Time: 6:24 p.m.**

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

Motion passed 5-0, with Larry Scott and Adam Russel absent.

7. GENERAL

- A. CSO#5452-04-2024, resolution declaring intention to reimburse an amount not to exceed \$7,500,000 for Council approved capital projects with the FY23/24 budget and capital improvement plan. The resolution will give the City the ability to begin incurring capital expenditure costs of these projects with the intent of reimbursing the cost incurred with proceeds from bond debt to be issued at a future date and placing time restrictions on the issuance of tax-exempt obligations. (Staff Contact: Harlan Jefferson, Deputy City Manager)**

Harlan Jefferson, Deputy City Manager, presented a resolution to the city council.

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

Motion passed 5-0, with Larry Scott and Adam Russel absent.

- B. CSO#5453-04-2024, resolution amending the Parks and Recreation five-year Capital Improvement Program (CIP) for Fiscal Year 2023-2024. (Staff Contact: Harlan Jefferson, Deputy City Manager)**

Harlan Jefferson, Deputy City Manager, presented a resolution to the city council.

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

Motion passed 5-0, with Larry Scott and Adam Russel absent.

- C. Professional Services Agreement with Gresham Smith in the amount of \$337,950 for design of the SE Tarrant Sewer Erosion Control project. (Staff Contact: Errick Thompson, Director of Public Works & Engineering)**

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

Motion made by Dan McClendon and seconded by Phil Anderson to approve.

Motion passed 5-0, with Larry Scott and Adam Russel absent.

8. REPORTS AND PRESENTATIONS

- A. Receive a report, hold a discussion, and provide staff feedback regarding the Hulen Street Widening Project. (Staff Contact: Tiana Jackson, P.E., CFM, Capital Engineering Manager)**

Tiana Jackson, Capital Engineering Manager, presented the Hulen Street widening project 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 certain information technology software applications utilized by the City and third parties
- Receive a report and hold a discussion regarding the Mockingbird Lane to CR 914A sanitary sewer, the Chapter 380 and Economic Development and Performance Agreement between the City of Burleson, the Burleson 4A Economic Development Corporation, R.A. Development, Ltd., et al. for Chisholm Summit, and the construction contract between R.A. Development, Ltd., and Dagger Construction

- B. 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**

- Receive a report and hold a discussion regarding an informal security audit of certain information technology software applications utilized by the City and third parties

- 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 Futurama

Motion was made by Dan McClendon and seconded by Victoria Johnson to convene into executive session. **Time: 7:02 p.m.**

Motion passed 5-0, with Larry Scott and Adam Russel absent.

Motion was made by Victoria Johnson and seconded by Phil Anderson to reconvene into open session. **Time: 7:52 p.m.**

Motion passed 5-0, with Larry Scott and Adam Russel absent.

11. ADJOURNMENT

Motion made by Victoria Johnson and seconded by Ronnie Johnson to adjourn.

Mayor Fletcher adjourned the meeting.

Time: 7:52 p.m.

Monica Solko
Deputy City Secretary