

**BURLESON CITY COUNCIL REGULAR MEETING
JULY 22, 2024
MINUTES**

ROLL CALL

COUNCIL PRESENT:

Victoria Johnson
Phil Anderson
Alexa Boedeker
Chris Fletcher
Larry Scott

Adam Russell

COUNCIL ABSENT:

Dan McClendon

Staff present

Tommy Ludwig, 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 – Frank Pace, Minister, Wings of Hope

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

- Proclamation recognizing July 2024 as Parks & Recreation Month. (*Recipient: Jen Basham, Parks & Recreation Director*)

B. Presentations

- Receive a report to recognize the selected Employee of the Quarter for the 2nd quarter of 2024. (*Staff Contact: Cheryl Marthiljohni, Director of Human Resources*)
- Adoptable Shelter Pet (*Staff Contact: DeAnna Phillips, Director of Community Services*)

- Receive a report to recognize the communications team for state-wide awards. (*Staff Presenter: DeAnna Phillips, Director of Community Services*)

C. Community Interest Items

- Join us for a Birthday Celebration for K-9 Sonic, turning 5, on August 9, from 11:00 am to 1:00 pm, Burleson Animal Shelter, 775 SE Johns Jones Drive.
- Join us for Burleson Animal Shelter Night at Cleburne Railroaders game, August 21, gates open 6:00 pm, first pitch at 7:00 pm, \$5 from every ticket sold gets donated to the Burleson Animal Shelter. Come out and support the shelter and baseball.
- Thank you to Lions Club, Public works, Police, Fire and staff who helped with the 4th of July parade and events.

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A. Items to be continued or withdrawn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B. Items to be withdrawn from Consent Agenda for separate discussion or items to be added to the Consent Agenda.

- 5D to be removed for separate discussion and consideration.

4. CITIZEN APPEARANCES

- Jacqueline Avila, 12336 Rolling Ridge Drive, Burleson, came forward and spoke on homeless population.

5. CONSENT AGENDA

A. Minutes from the June 17, 2024 regular council meeting. (*Staff Contact: Amanda Campos, City Secretary*)

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

Motion passed 6-0, with Dan McClendon absent.

B. CSO#5501-07-2024, community facilities contract with Yourang, LLC for City cash reimbursement for the modification of pedestrian street lights in the amount of \$12,950.44 and authorize the City Manager to execute the contract on behalf of the City. (*Staff Contact: Tony McIlwain, Development Services Director*)

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

Motion passed 6-0, with Dan McClendon absent.

- C. **CSO#5502-07-2024**, minute order ratifying the 4A Economic Development Corporation Board's action approving speaking contracts for the 2025 Project U Leadership Conference. (*Staff Contact: Alex Philips, Director of Economic Development*)

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

Motion passed 6-0, with Dan McClendon absent.

- D. **CSO#5503-07-2024**, Cooperative Purchase Customer Agreement for replacement parts for traffic signal systems from Iteris, Inc., through BuyBoard Cooperative Purchasing (Contract #695-23), for two years in the amount of \$400,000. (*Staff Contact: Errick Thompson, Director of Public Works*) – REMOVED.

Item 5D was removed for separate discussion and consideration.

6. DEVELOPMENT APPLICATIONS

- A. **CSO#5504-07-2024**, ordinance for a zoning change request from “C” Commercial and “A” Agricultural to “PD”, Planned Development for industrial development utilizing Appendix C, Article VII; Business Park Design Standards located at 3162 S Burleson Blvd (Case 24-129). (First & 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: 5:55 p.m.**

No speakers.

Mayor Fletcher closed the public hearing. **Time: 5:56 p.m.**

Motion made by Alexa Boedeker and seconded by Larry Scott to approve.

Motion passed 6-0, with Dan McClendon absent.

Amanda Campos, City Secretary, announced that items would be taken out of order under General.

7. GENERAL

- M. **CSO#5509-07-2024**, resolution awarding FY 2025 Hotel Occupancy Tax funds for tourism activities (*Staff Presenter: Alex Philips, Economic Development Director*)

Alex Philips, Economic Development Director, presented an agreement to the city council.

Motion made by Adam Russell and seconded by Victoria Johnson to approve with a 20% reduction across all requests to be in line with the approved budget.

Motion passed 6-0, with Dan McClendon absent.

RECESS AND BACK TO ORDER

Mayor Fletcher recessed for a short break at 6:12 p.m. and called the meeting back to order at 6:19 p.m. with all members present.

7. GENERAL

- A. CSO#5505-07-2024, resolution authorizing the ratification of expenditures for credit card processing payments with Paymentus Corporation in the amount of \$248,050 and authorizing to spend \$121,000 in order to complete this fiscal year's financial obligation. (Staff Contact: Richard Abernethy, Director of Administrative Services)**

Richard Abernethy, Director of Administrative Services, presented a resolution to the city council.

Motion made by Larry Scott and seconded by Alexa Boedeker to approve.

Motion passed 6-0, with Dan McClendon absent.

- B. CSO#5506-07-2024, professional services agreement with Designing Local Ltd. for the creation of a Public Art Master Plan in the amount of \$75,000. (Staff Contact: Jen Basham, Director of Parks and Recreation)**

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

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

Motion passed 6-0, with Dan McClendon absent.

Amanda Campos, City Secretary, announced that the next two items 7C and 7D would be presented as one presentation but would be voted on separately.

- C. CSO#5507-07-2024, contract with Dobbs Tennis Courts LLC, on a cooperative agreement for two Pickleball court install in the amount of \$88,914. (Staff Contact: Jen Basham, Parks and Recreation Director)**

Jen Basham, Director of Parks and Recreation, presented items 7C and 7D to the city council.

Motion made by Victoria Johnson and seconded by Alexa Boedeker to approve.

Motion passed 6-0, with Dan McClendon absent.

- D. CSO#5508-07-2024, BuyBoard cooperative purchasing agreement (679-22) with PlayWell for installation and replacement of playground equipment for Meadowcrest Park in the amount of \$293,853.89. (Staff Contact: Jen Basham, Parks and Recreation Director)**

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

Motion passed 6-0, with Dan McClendon absent.

Amanda Campos, City Secretary, announced that items 7E, 7F, 7G, 7H, 7I, 7J, 7K, 7L and consent agenda item 5D would be presented together as one presentation but would be voted on separately.

- E. Consider approval of the traffic signal maintenance and operations provisions and authorize the city manager to execute the agreement with TxDOT. (Staff Contact: Eric Oscarson, Deputy City Manager)**

Eric Oscarson, Deputy City Manager, presented items 7E, 7F, 7G, 7H, 7I, 7J, 7K, 7L and consent agenda item 5D to the city council.

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

Motion passed 5-1, with Victoria Johnson voting against and Dan McClendon absent

- F. Consider approval of a BuyBoard cooperative purchasing agreement with Iteris, Inc for procurement and construction of a portion of the Intelligent Transportation System project in the amount of \$1,744,183.80 with project contingency of \$87,209.19 for a total amount of \$1,831,392.99. (Staff Contact: Eric Oscarson, Deputy City Manager)**

Item 7F was discussed with item 7E above.

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

Motion passed 5-1, with Victoria Johnson voting against and Dan McClendon absent

- G. Consider approval of a BuyBoard cooperative purchasing agreement with Paradigm Traffic Systems, Inc for procurement and construction of a portion of the Intelligent Transportation System project in the amount of \$334,200 with**

project contingency of \$16,710 for a total amount of \$350,910. *(Staff Contact: Eric Oscarson, Deputy City Manager)*

Item 7G was discussed with item 7E above.

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

Motion passed 5-1, with Victoria Johnson voting against and Dan McClendon absent

- H. Consider approval of a professional services agreement with LJA Engineering, Inc for website design for the Intelligent Transportation System project in the amount of \$150,000. *(Staff Contact: Eric Oscarson, Deputy City Manager)***

Item 7H was discussed with item 7E above.

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

Motion passed 6-0, with Dan McClendon absent.

- I. Consider approval of a DIR cooperative purchasing agreement with Solid Border, Inc. for information technology related equipment and software for a portion of the Intelligent Transportation System project in the amount of \$488,670.64. *(Staff Contact: Eric Oscarson, Deputy City Manager)***

Item 7I was discussed with item 7E above.

Motion made by Adam Russell and seconded by Alexa Boedeker to approve.

Motion passed 5-1, with Victoria Johnson voting against and Dan McClendon absent

- J. Consider approval of a DIR cooperative purchasing agreement (DIR-CPO-4547) with CDW-G for information technology hardware and software for a portion of the Intelligent Transportation System project in the amount of \$118,831.50. *(Staff Contact: Eric Oscarson, Deputy City Manager)***

Item 7J was discussed with item 7E above.

Motion made by Adam Russell and seconded by Alexa Boedeker to approve.

Motion passed 5-1, with Victoria Johnson voting against and Dan McClendon absent

- K. Consider approval of a DIR cooperative purchasing agreement (DIR-CPO-4167) with CDW-G for information technology hardware and software for a portion of the Intelligent Transportation System project in the amount of \$93,259.76. *(Staff Contact: Eric Oscarson, Deputy City Manager)***

Item 7K was discussed with item 7E above.

Motion made by Adam Russell and seconded by Alexa Boedeker to approve.

Motion passed 5-1, with Victoria Johnson voting against and Dan McClendon absent

- L. Consider approval of a DIR cooperative purchasing agreement with GTS Technology Solutions for information technology hardware and software for a portion of the Intelligent Transportation System project in the amount of \$198,261.64. (Staff Contact: Eric Oscarson, Deputy City Manager)**

Item 7L was discussed with item 7E above.

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

Motion passed 5-1, with Victoria Johnson voting against and Dan McClendon absent

5. CONSENT AGENDA – REMOVED ITEM

D.CSO#5503-07-2024, Cooperative Purchase Customer Agreement for replacement parts for traffic signal systems from Iteris, Inc., through BuyBoard Cooperative Purchasing (Contract #695-23), for two years in the amount of \$400,000. (Staff Contact: Errick Thompson, Director of Public Works)

Item 5D was discussed with item 7E above.

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

Motion passed 6-0, with Dan McClendon absent.

- M. CSO#5509-07-2024, resolution awarding FY 2025 Hotel Occupancy Tax funds for tourism activities (Staff Presenter: Alex Philips, Economic Development Director) - MOVED**

Item 7M was taken out of order, discussed and voted on before item 7A above.

- N. CSO#5510-07-2024, resolution determining the costs of certain public park improvements to be financed by the Parks at Panchasarp Farms Public Improvement District JC-1; accepting a preliminary Service and Assessment Plan, including proposed assessment rolls; directing the filing of the proposed assessment rolls with the City Secretary to make available for public inspection; calling a public hearing on August 5, 2024, to consider an ordinance levying assessments on property within the district; directing city staff to publish and mail notice of said public hearing; and resolving other matters incident and related thereto. (Staff Contact: Tony D. McIlwain, Development Services Director)**

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

Motion made by Larry Scott and seconded by Victoria Johnson to approve and establish a public hearing date of August 5, 2024.

Motion passed 6-0, with Dan McClendon absent.

RECESS AND BACK TO ORDER

Mayor Fletcher recessed for a short break at 7:43 p.m. and called the meeting back to order at 7:54 p.m. with all members present.

8. REPORTS AND PRESENTATIONS

A. Receive a report, hold a discussion and provide staff direction regarding Low Water Crossings. (Staff Contact: Michelle McCullough, Deputy Director of Development Services/City Engineer)

Michelle McCullough, Deputy Director of Development Services/City Engineer, reported on the conditions on the low water crossings in the city.

Discussion included:

- Background and overview
- General operations:
 - Full sized gates (used to close the roadway)
 - Mini gates (warn drivers but do not close roadway)
 - Roadways with roadside post mounted, flip-down signs (open by Public Works) (do not close the roadway)
 - Portable barricades (available)
- Low Water Crossings
 - CR 1019 (Hooper Business Park)
 - South Fox Lane
 - Hulen Street
 - SE Tarrant Avenue
 - Many locations across the city experience flooding during heavy rain events but are not considered low water crossings.
- Existing conditions of each location
- Planned short-term improvements
- Future potential improvements, future identified improvements or pending improvements
- Examples of roadways that flood in heavy rain events:
 - Alsbury Blvd., Bethesda Rd., Bowden Cir., CR 714, CR 914, CR 1021, Dobson Rd., N. Fox Ln., Johnson Ave., Hilery St., E. Miller St., Suzanne Terr.
- Examples of flood warning signs
- Preliminary costs

After a brief discussion and questions, Council was in favor of staff budgeting additional funding in next year's budget for a cellular/auto notification to manually close the gates with flashing lights for warning and auto reopen.

B. Receive a report, hold a discussion, and provide staff direction on the FY 2024-2025 budget supplemental requests, proposed rates or fee adjustments, five-year fund forecast, and receive additional direction from City Council regarding the annual budget for fiscal year 2024-2025. (Staff Contact: Tommy Ludwig, City Manager, and Harlan Jefferson, Deputy City Manager)

Tommy Ludwig, City Manager, reported on the FY 2024-2025 budget supplemental requests and proposed rates or fee adjustments to the city council.

Discussion included:

- Apex radios
- General Fund
 - Total General Fund supplemental requests \$5,605,879 (offset of \$56,500)
 - One Time Cost: \$2,624,433
 - On-Going Cost: \$2,981,446
 - 42 General Fund Supplemental Requests Received
 - 13 FTEs included with the Supplemental Requests
 - Total General Fund Supplemental Recommended \$734,030 (Offset of \$56,500)
 - One Time Cost: \$326,748
 - On-Going Cost: \$407,282
 - 8 General Fund Supplemental Requests Recommended
 - 1.5 FTE Recommended
- General Fund Fees
 - Solicitation Permit increase
- Medical Transport Discussion
- Water and Wastewater fees
 - Recommended rate increased for both:
 - 7.4% to 8.4% increase – May 28th
 - 5.9% to 6.6% increase – current
- Credit Card Processing Fees
 - Automatic payment (auto pay) – no fee charged
 - Automatic bank draft – no fee charged
 - Online payment – fee charged
 - Over the phone (IVR) – fee charged
 - ACH/Online Bill Pay – No fee charged
- Solid Waste Fund Discussion
 - Admin and overhead increase \$1.00 for litter abatement
- 4A Fund
 - Total General Fund supplemental requests \$105,391
 - One Time Cost: \$3,000
 - On-Going Cost: \$102,391
 - 1 4A Supplemental Requests Received
 - 1 FTE included with the Supplemental Requests

- Total 4A Supplemental Recommended \$105,391
 - One Time Cost: \$3,000
 - On-Going Cost: \$102,391
 - 1 4A Supplemental Requests Recommended
 - 1 FTE Recommended
- 4B Fund Parks Performance Fund
 - Total PPF Supplemental Requests \$56,507 (Offset of \$27,600)
 - One Time Cost: \$36,886
 - On-Going Cost: \$19,621
 - 5 PPF Supplemental Requests Received
 - 0 FTEs included with the Supplemental Requests
 - Total PPF Supplemental Recommended \$49,007 (Offset of \$27,600)
 - One Time Cost: \$36,886
 - On-Going Cost: \$12,121
 - 4 PPF Supplemental Requests Recommended
 - 0 FTEs Recommended
- Hidden Creek Golf Course
 - Total HCGC Fund Supplemental Requests \$253,871
 - One Time Cost: \$223,917
 - On-Going Cost: \$29,954
 - 6 HCGC Supplemental Requests Received
 - 2 FTEs included with the Supplemental Requests
 - Total HCGC Fund Supplemental Recommended \$26,530
 - One Time Cost: \$26,530
 - On-Going Cost: \$0
 - 1 HCGC Supplemental Requests Recommended
 - 0 FTEs Recommended
 - Golf fee and range balls fee increases
 - Weekend Green Fee \$3.00 increase
 - Weekday Green Fee \$1.00 increase
 - Senior Green Fee \$2.00 increase
 - Creek Senior Green Free (cart inclusive) \$2.00 increase
 - Range Ball (large) \$2.00 increase
 - Range Ball (small) \$1.00 increase
 - Silver Players Club \$3.00 increase
- 4B
 - Total 4B Supplemental Requests \$20,000
 - One Time Cost: \$0
 - On-Going Cost: \$20,000
 - 2 4B Supplemental Requests Received
 - 0 FTEs included with the Supplemental Requests
 - Total 4B Supplemental Recommended \$10,000
 - One Time Cost: \$0
 - On-Going Cost: \$10,000
 - 1 4B Supplemental Requests Recommended
 - 0 FTEs Recommended
- IT Fund
 - Total IT Fund Supplemental Requests \$555,826

- One Time Cost: \$0
- On-Going Cost: \$555,826
- 4 IT Fund Supplemental Requests Received
- 4 FTEs included with the Supplemental Requests
- Total IT Fund Supplemental Recommended \$123,543
 - One Time Cost: \$0
 - On-Going Cost: \$123,543
 - 1 IT Fund Supplemental Requests Recommended
 - 1 FTEs Recommended

Council was in favor of the presentation. Tommy Ludwig stated that the low water crossing request would be added.

C. Receive a report, hold a discussion, and provide staff direction regarding the proposed FY 2024-2025 Capital Improvement Program (CIP). (Staff Contact: Eric Oscarson, Deputy City Manager)

Eric Oscarson, Deputy City Manager, reported on the proposed FY2024-2025 Capital Improvement Program (CIP) to the city council. The program included General Government Capital Projects Plan FY 2025-2029, Water and Wastewater capital plan, 4A capital projects plan, TIF2 capital plan, and 4B capital plan.

There were no questions from Council.

D. Receive a report, hold a discussion, and give staff direction regarding FY 2024-2025 compensation, employee policy updates, and employee benefits. (Staff Contact: Cheryl Marthiljohni, Director of Human Resources)

Cheryl Marthiljohni, Director of Human Resources, reported on FY 2024-2025 compensation, employee policy updates and employee benefits to the city council.

Discussion included:

- Compensation Plan (effective 10/1/24)
 - Pay Plan 3% average merit and step
- Merit Increases – pay for performance matrix based on performance evaluation
- Compensation – FLSA New Overtime Rules
- Review of Compensation Strategy for Base Pay (merit competitiveness)
- Benefits updates
 - Add personal holiday
 - Flexible work schedules
 - First Responder Health
 - Optional pet insurance
 - Employee option to donate (United Way, Animal Shelter)
 - Wellness (point increase and adding volunteer opportunities for points)
 - Training and Development for leadership training, diversity and inclusion, communications and management skills
 - Catastrophic pool leave donation option (support other employees)
- Fire 48/96 Operational Schedule to implement by October 1

- Handbook updates:
 - Replacement and disposal of technology equipment
 - Holiday addition
 - Longevity
 - Professional appearance (jewelry/body art)
 - Tuition reimbursement
 - Discipline (update terminology to corrective action)
 - Acceptable Use Policy
 - Personal Day (addition)
 - Telecommute work arrangements
 - Work schedule
 - Catastrophic leave donation pool

After a brief discussion and questions, Council was in favor of the changes.

RECESS AND BACK TO ORDER

Mayor Fletcher recessed for a short break at 9:53 p.m. and called the meeting back to order at 10:03 p.m. with all members present.

E. Receive a report, hold a discussion and provide staff direction regarding Burleson Fire/EMS delivery of ambulance transportation services. (Staff Contact: Casey Davis, Fire Chief)

Casey Davis, Fire Chief, reported on Burleson Fire/EMS delivery of ambulance transportation services to the city council.

Discussion included:

- Burleson EMS call volume
 - Number of Runs (total 5,003 includes Burleson 911 Response, CareFlite 911 Response, Burleson Inter-facility transport, and CareFlite Inter-Facility Transport)
 - Average run time
 - Unit hour utilization (vehicles)
- Call volume
- Hospital destinations (treatment no transport 37%)
- Patient Transport Policy
- Previous Billing Update (cash collection and project totals)
- EMS Billing Summary
- EMS Activity Summary
- EMS Subscription Plan

After a brief discussion and questions, Council was not in favor of an ambulance subscription plan.

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 *Quincey Word v. City of Burleson*, Cause No. DC-C202400429, 18th District Court, Johnson County, Texas
- Receive a report and hold a discussion regarding Subchapters D and E of Chapter 42 of the Local Government Code and existing development agreements
- Receive a report and hold a discussion regarding the structure(s) located at or near real property commonly known as 365 S Dobson in Burleson, Johnson County, Texas
- Receive a report and hold a discussion regarding Chapter 54 of the Water Code
- Receive a report and hold a discussion regarding Article V (Public Events) of Chapter 70 (Streets, Sidewalks and Other Public Places) of the City of Burleson Code of Ordinances

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

- Receive a report and hold a discussion on certain parcels of real property in Johnson County, Texas for economic development purposes where deliberation in open session would have a detrimental effect on the position of negotiations with 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 Dough
- Craftmasters Real Estate, LLC

Motion was made by Adam Russell and seconded by Alexa Boedeker to convene into executive session. **Time: 10:43 p.m.**

Motion passed 6-0, with Dan McClendon absent.

Motion was made by Adam Russell and seconded by Victoria Johnson to reconvene into open session. **Time: 11:40 p.m.**

Motion passed 6-0, with Dan McClendon absent.

11. ADJOURNMENT

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

Mayor Chris Fletcher adjourned the meeting.

Time: 11:40 p.m.

Monica Solko
Deputy City Secretary