

**BURLESON CITY COUNCIL REGULAR MEETING
February 21, 2022
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, City Attorney
Matt Ribitzki, Deputy City Attorney

1. CALL TO ORDER –5:33 PM

Invocation – Theo Stewart, Texas Health Huguley Hospital
Pledge of Allegiance to the US Flag
Texas Pledge

2. PUBLIC PRESENTATIONS

A. Proclamations

- None at this time.

B. Presentations

- None at this time.

C. Community Interest Items

- City Fest was a great success Thank you to all city staff who worked hard to ensure the safety of the citizens during the icy weather last week.
- Black History Month in February.

3. CHANGES TO POSTED AGENDA

A. Items to be continued or withdrawn

- None at this time.

B. Items to be withdrawn from Consent Agenda for separate discussion or items to be added to the Consent Agenda.

- Move items 7C and 7D to consent

Motion made by Dan McClendon and Rick Green to move items 7C and 7D to the consent agenda.

Motion passed 7-0.

4. **CITIZEN APPEARANCES**

- Sarah Carlson, 1158 Crossvine Drive, and expressed concerns with the Council deliberation at the last Council meeting.
- Richard Collins, Sierra Vista, expressed concerns with the bond election meeting deliberation between Council and the exclusion of citizen comments.

5. **CONSENT AGENDA**

A. City council minutes from the February 7, 2022 regular meeting. (Staff Contact: Amanda Campos, City Secretary)

Motion made by Tamara Payne and Dan McClendon to approve.

Motion passed 7-0.

B. Replat for M.A. Clark's Addition, Lots 2R1 and 2R2, Block 40, Lot 2R, Block 72, located directly south of the E. Tabb Street and N. Baker Street intersection (Case 21-118). (Staff Contact: Tony McIlwain, Director of Development Services) (The Planning and Zoning Commission recommended unanimous approval.)

Motion made by Tamara Payne and Dan McClendon to approve.

Motion passed 7-0.

C. CSO#1991-02-2022, resolution authorizing participation with the State of Texas through the Office of the Attorney General in resolving opioid-related claims against Endo/Par under the terms and conditions set forth in the Endo/Par Texas State-Wide Opioid Settlement Agreement between Endo/Par, the State of Texas, and the Counties of Dallas, Bexar, Harris, and Tarrant. (Staff Contact: Matt Ribitzki, Deputy City Attorney/Compliance Manager)

Motion made by Tamara Payne and Dan McClendon to approve.

Motion passed 7-0.

D. CSO#1992-02-2022, resolution authorizing participation with the State of Texas through the Office of the Attorney General in resolving opioid-related claims against Teva under the terms and conditions set forth in the Teva Texas State-Wide Opioid Settlement Agreement between Teva, the State of Texas, and the Counties of Dallas, Bexar, Harris, and Tarrant. (Staff Contact: Matt Ribitzki, Deputy City Attorney/Compliance Manager)

Motion made by Tamara Payne and Dan McClendon to approve.

Motion passed 7-0.

- E. CSO#1993-02-2022, Memorandum of Understanding between the City of Burleson and Burleson Independent School District for shelter and mass care activities during emergency situations. (Staff Contact: Will Allen, Emergency Operations Manager)**

Motion made by Tamara Payne and Dan McClendon to approve.

Motion passed 7-0.

- F. CSO#1994-02-2022, Memorandum of Understanding between the City of Burleson and First Baptist Church Burleson for shelter and mass care activities during emergency situations. (Staff Contact: Will Allen, Emergency Operations Manager)**

Motion made by Tamara Payne and Dan McClendon to approve.

Motion passed 7-0.

- G. CSO#1995-02-2022, Memorandum of Understanding between the City of Burleson and Burleson Church of Christ for shelter and mass care activities during emergency situations. (Staff Contact: Will Allen, Emergency Operations Manager)**

Motion made by Tamara Payne and Dan McClendon to approve.

Motion passed 7-0.

- H. CSO#1996-02-2022, Memorandum of Understanding between the City of Burleson and Pathway Church for shelter and mass care activities during emergency situations. (Staff Contact: Will Allen, Emergency Operations Manager)**

Motion made by Tamara Payne and Dan McClendon to approve.

Motion passed 7-0.

- I. CSO#1997-02-2022, resolution accepting and approving the City's Disaster Debris Management Plan. (Staff Contact: Will Allen, Emergency Operations Manager)**

Motion made by Tamara Payne and Dan McClendon to approve.

Motion passed 7-0.

- J. CSO#1998-02-2022, resolution authorizing continued participation with the Atmos Cities Steering Committee; authorizing the payment of the 2022 assessment to the Atmos Cities Steering Committee in the amount not to exceed \$2,484.30 to fund regulatory and related activities related to the Atmos Energy Corporation; and declaring an effective date. (Staff Contact: Matt Ribitzki, Deputy City Attorney/Compliance Manager)**

Motion made by Tamara Payne and Dan McClendon to approve.

Motion passed 7-0.

- K. CSO#1999-02-2022, resolution formally adopting the name of the dog park located at 620 Memorial Plaza Drive as Burleson Bark Park. (Staff Contact: Jen Basham, Director of Parks and Recreation)**

Motion made by Tamara Payne and Dan McClendon to approve.

Motion passed 7-0.

7. GENERAL – MOVED TO CONSENT

- C. CSO#2003-02-2022, maintenance contract with Canon Solutions America for copier support and maintenance for five-year for all City departments through an intergovernmental cooperative purchasing agreement with Omnia Partners in the amount not to exceed \$204,219. (Staff Presenter: Justin Scharnhorst, Purchasing Manager)**

Motion made by Tamara Payne and Dan McClendon to approve.

Motion passed 7-0.

- D. CSO#2004-02-2022, resolution ratifying the termination of the local transportation advance funding agreement for the Alsbury Extension Phase II Project and authorizing the City Manager to reimburse the Texas Department of Transportation an amount not to exceed \$292,114.58 for the return of federally earmarked funds and costs expended under the agreement. (Staff Presenter: Eric Oscarson, Director of Public Works)**

Motion made by Tamara Payne and Dan McClendon to approve.

Motion passed 7-0.

6. DEVELOPMENT APPLICATIONS

- A. CSO#2000-02-2022, ordinance amending ordinance B-582, the zoning ordinance of the City of Burleson, Texas, by amending the official zoning map and changing the zoning on approximately 37.92 acres from “A” Agricultural, to “I” Industrial District, to allow for the development of a cold storage warehouse and**

office facility, making this ordinance cumulative of prior ordinances, providing a severability clause; providing a penalty clause, and providing for an effective date at 7001 FM 917 (Case 21-157). (First and Final Reading) (Staff Presenter: Tony McIlwain, Director of Development Services) (The Planning and Zoning Commission recommended approval by unanimous vote)

Director of Development Services Tony McIlwain presented the zoning ordinance to allow for the development of a cold storage warehouse and office facility.

Mayor Fletcher opened the public hearing. Time 5:49 p.m.

Ben Milligan, 610 McVoid Road, Springtown, the Developer of the project was available to answer questions that Council may have.

Mayor Fletcher closed the public hearings. Time 5:54 p.m.

Motion made by Dan McClendon and Rick Green to approve.

Motion passed 7-0.

- B. CSO#2001-02-2022, resolution of support for a housing tax credit application to the Texas Department of Housing and Community Affairs for Thomas Square Apartments, an existing senior living community at 551 SW Thomas Street, Thomas Square Apartments (Case 22- 023):. (Staff Presenter: Tony McIlwain, Director of Development Services)**

Director of Development Services Tony McIlwain presented a resolution supporting for a housing tax credit application to the Texas Department Housing and Community.

Debra Welcha Sr Development Director,

Motion made by Tamara Payne and Victoria Johnson to approve.

Motion passed 7-0.

City Secretary Amanda Campos requested clarification on the resolution concerning the commitment to VOA of funding assistance in the amount of \$500.

Tamara Payne clarified that the motion was to approve and include the \$500 and Victoria Johnson agreed to the clarification.

7. GENERAL

- A. Ordinance approving an amended and restated service and assessment plan for the Parks at Panchasarp Farms Public Improvement District JC-1; making a finding of special benefit to the property in Phase #2 of the district; levying special assessments against property within phase #2 of the district and establishing a lien on such property; providing for payment of the assessments in accordance with Chapter 372, Texas Local Government Code, as amended;**

providing for the method of assessment and the payment of assessments; providing penalties and interest on delinquent assessments; providing for severability; and providing an effective date. (First Reading) (Staff Presenter: Matt Ribitzki, Deputy City Attorney/Compliance Manager).

Deputy City Attorney/Compliance Manager Matt Ribitzki presented an ordinance approving an amended and restated service and assessment plan for the Parks at Panchasarp Farms Public Improvement District JC-1.

Mayor Fletcher opened the public hearing. Time 6:04 p.m.

Mayor Fletcher closed the public hearings. Time 6:14 p.m.

Motion made by Jimmy Stanford and Ronnie Johnson to approve.

Motion passed 7-0.

- B. CSO#2002-02-2022, ordinance amending the City budget for fiscal year 2021-2022 by increasing appropriations of ARPA Grant Fund for American Rescue Plan (ARPA) ACT stimulus funds in the amount of \$8,000,000 for various purposes allowable per federal grant guidelines; increasing appropriations of the Equipment Replacement Fund in the amount of \$3,000,000 to transfer excess fund balance to the General Fund; increasing appropriations of the Equipment Replacement Fund Proprietary in the amount of \$1,000,000 to transfer excess fund balance to the Water and Sewer Fund; 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: Martin Avila, Director of Finance)**

Director of Finance Martin Avila presented an ordinance amending the city budget for fiscal year 2021-2022 by increasing appropriations of ARPA Grant fund for American Rescue Plan (ARPA) Act stimulus funds in the amount of \$8,000,000.

Motion made by Tamara Payne and Ronnie Johnson to approve and find that time is of the essence.

Motion passed 7-0.

- C. CSO#2003-02-2022, maintenance contract with Canon Solutions America for copier support and maintenance for five-year for all City departments through an intergovernmental cooperative purchasing agreement with Omnia Partners in the amount not to exceed \$204,219. (Staff Presenter: Justin Scharnhorst, Purchasing Manager) MOVED TO CONSENT**

Item 7C was moved and voted with the consent agenda above.

- D. CSO#2004-02-2022, resolution ratifying the termination of the local transportation advance funding agreement for the Alsbury Extension Phase II**

Project and authorizing the City Manager to reimburse the Texas Department of Transportation an amount not to exceed \$292,114.58 for the return of federally earmarked funds and costs expended under the agreement. (Staff Presenter: Eric Oscarson, Director of Public Works) MOVED TO CONSENT

Item 7D was moved and voted with the consent agenda above.

- E. CSO#2005-02-2022, contract with Siddon Martin Emergency Group for the purchase of four Demers 2023 MXP 153 Ford F450 Type I Gas 4X4 Ambulances through an interlocal agreement with the Houston Galveston Area Council in the amount not to exceed \$1,200,000. (Staff presenter: K.T. Freeman, Fire Chief)**

Fire Chief K.T. Freeman presented a contract with Siddon Martin Emergency Group for the purchase of four Demers 2023 MXP 153 Ford F450 Type I Gas 4x4 ambulances.

Motion made by Tamara Johnson and Jimmy Stanford to approve.

Motion passed 7-0.

8. REPORTS AND PRESENTATIONS.

- A. Receive a report, hold a discussion, and give staff direction regarding a Home Improvement Rebate Program. (Staff Presenter: Lisa Duello, Neighborhood Services Director)**

Neighborhood Services Lisa Duello presented and discussed a Home Improvement Rebate Program.

After a brief discussion and questions, Council consensus was to move forward with the Home Improvement Rebate program.

- B. Receive a report, hold a discussion, and give staff direction regarding participation in regional transportation programs. (Staff Presenter: Eric Oscarson, Director of Public Works)**

Director of Public Works Eric Oscarson presented and discussed participation in regional transportation programs.

After a brief discussion and questions, Council consensus was to move forward.

TRTC – Chris Fletcher and Jimmy Stanford
RTC – Dan McClendon
NCTCOG – Victoria Johnson

9. CITY COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS OR REPORTS

- Work session and presentation on the Master Thoroughfare Plan with hike and bike trails.
- Comprehensive Land Use Plan.

- Mayor Vera at 10 a.m. and interment at 2 p.m. funeral
- Development requirements for littering.
- Old Town parking area speeding traffic

10. RECESS INTO EXECUTIVE SESSION

- A. Pending or Contemplated Litigation or to Seek the Advice of the City Attorney Pursuant to Section 551.071**
- B. Discussion Regarding Possible Purchase, Exchange, Lease, or Value of Real Property Pursuant to Section 551.072**
 - Discuss and Receive Direction Regarding Real Property Located at 124 NW Magnolia (124 SW Haskew), Burleson, Johnson County, Texas
- C. Deliberation regarding a negotiated contract for a prospective gift or donation to the state or the governmental body Pursuant to Section 551.073**
- D. 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**

Motion was made by Tamara Payne and Victoria Johnson to convene into executive session at 7:30 p.m.

Motion passed 7-0.

Motion was made by Tamara Payne and Dan McClendon to reconvene into open session at 7:39 p.m.

Motion passed 7-0

ADJOURNMENT

Motion made by Victoria Johnson and Jimmy Stanford to adjourn.

Mayor Fletcher adjourned the meeting at 7:39 p.m.

Monica Solko
Deputy City Secretary