

## **COUNCIL AGENDA**

**BURLESON CITY HALL – 7:00 P. M.  
(141 W. RENFRO)**

**January 27, 2005**

**Call to Order**

**Invocation**

**Pledge of Allegiance**

### **Items for Council Action**

**Items to be withdrawn from the consent agenda for separate discussion.**

**Items to be withdrawn by staff.**

### **Consent Agenda**

**All items under this section are recommended for approval for the "Consent Agenda". These items are of a routine nature and require only brief deliberation by the Council. The City Staff has briefed the Council on these items. Approval of the consent agenda authorizes the City Manager to implement each item in accordance with staff recommendation.**

- 1a. Approve the minutes of the January 13, 2005, regular session of Council and the January 7, 2005, special session.**
- 1b. Financial transactions.**
- 1c. Ordinances proposed for final reading.**
  - 1. Ordinance D-036, changing the zoning on an approximately 1.71-acre tract of land out of the Samuel Myers Survey, Abstract No. 627 and the John W. Rawls Survey, Abstract No. 728 from Agricultural (A) to Commercial (C). (located at 2701 S. IH-35W.) (Final reading)**
  - 2. Ordinance D-037, changing the zoning on lot 1, Block 11, Alsbury Estates East, Phase 2 from Single-Family 7 (SF7) to Neighborhood Services (NS). (located at 900 N.E. Alsbury Blvd.) (Final reading)**

- 1c. con't.**
- 3. Ordinance D-039, changing the zoning on four tracts (288.545-acres) out of the S.M. Blair Survey, Abstract No. 65; the G.R. Shannon Survey, Abstract No. 1205 and the S.M. Blair Survey, Abstract No. 66. (located adjacent to the 300-700 block of Shaffstall Road.)**  
**Rezoning of the property has been requested as follows:**  
**Tract 1 – Approximately 272.386-acres from Agricultural (A) to Single-Family 7 Density Option (SF7D);**  
**Tract 2 – Approximately 11.235-acres from Agricultural (A) to Two-Family (2F);**  
**Tract 3 – Approximately 2.199-acres from Agricultural (A) to Neighborhood Services (NS); and**  
**Tract 4 – Approximately 2.725-acres from Agricultural (A) to Neighborhood Services (NS). (Final reading)**
- 4. Ordinance B-730, establishing a speed limit of 40 miles per hour on Hurst Road from FM 3391 (East Renfro Street) to Hidden Creek Parkway and establishing a school zone speed limit of 20 miles per hour on Hurst Road from 200 feet north of Evandale to Hidden Creek Parkway. (Final reading)**
- 1d. Granting sanitary sewer easements through city property for the Town Creek sanitary sewer improvements project and authorizing the Mayor to sign the easement documents.**

### **Presentations**

- 2a. Citizen Jim Westbrook to address council with concerns about Ordinance B-700, Sign Regulations Ordinance.**
- 2b. Citizen Appearances.**

**(Citizens who have signed a card to speak to the City Council will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the presentation is on the agenda, the city staff and City Council members are prevented from discussing the subject and may respond only with statements of factual information or existing city policy.**

**Public comment will not be taken on items that the Council has previously considered in a public hearing.)**

### **Fire Department**

- 3a. Ordinance B-731, amending Chapter 6 of the Burleson Code of Ordinances by adding a new Section 6-164 authorizing the establishment of an annual subscription plan for fire operations services provided to property in the City's extraterritorial jurisdiction that is not in Johnson County Emergency Services District No. 1. (First reading)**

### **Resolutions**

- 4a. Resolution 1000 designating David White and Charles Harris as administrators of the RM mixed beverage restaurant permit with food and beverage for Hidden Creek Golf Course.**

### **Human Resources**

- 5a. Authorize the city manager to amend the personnel policy manual to allow employees who have worked for the city at least 20 years to receive payment for their accrued sick leave up to 720 hours when they leave the employment of the city.**

### **Council Comments**

- 6a. Non-agenda council comments.**

**(In compliance with the Texas Open Meetings Act, Council members may comment on routine city matters, may ask questions of staff that require only responses of factual information or statements of existing city policy, or may request that non-routine matters of public concern be placed on a future agenda. Council members may not discuss non-agenda items among themselves.)**

### **Staff Comments**

- 7a. Non-agenda staff comments.**

**(In compliance with the Texas Open Meetings Act, city staff members may comment on routine city operations and projects. Staff members may respond to questions from others only with statements of factual information or existing city policy.)**

### **Executive Session**

- 8a. Pursuant to Sec. 551.071 of the Texas Government Code, the city council reserves the right to convene in Executive Session(s), from time to time as deemed necessary during this meeting for any posted agenda item, to receive advice from its attorney as permitted by law. In addition the Council will convene in executive session to discuss the following:**

**(A) pending or contemplated litigation including but not limited to the following:**

- (1) City of Burleson vs. Club Mark Corporation.**
- (2) City of Burleson vs. Moritz Interests, Inc.; and Moritz Interests, Ltd.; and Conaster Construction, Inc.; and Conaster Construction I, Inc.**
- (3) Floyd Bartula, et al. V. City of Burleson, Texas**
- (4) City of Cleburne, Texas and City of Burleson, Texas v. Johnson County Rural Fire Prevention District.**

**(5) City of Burleson, Texas and City of Cleburne, Texas v. City of Joshua, Texas**

**(B) a settlement offer;**

**(C) a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the chapter.**

- 8b. Pursuant to Sec. 551.072, deliberation regarding the purchase, exchange, lease or sale of real property for future expansion of certain programs and services.**
- 8c. Pursuant to Sec. 551.087, deliberation regarding Economic Development Negotiations including (1) discussion or deliberation regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; OR (2) deliberation of a financial or other incentive to a business prospect described in (1) above.**
- 8d. Reconvene into open session for possible action resulting from any items posted and legally discussed in Executive Session.**

**POSTED this the 24<sup>th</sup> day of January, 2005, in the Burleson City Hall, 141 W. Renfro, Burleson, Texas. TIME: 5:00 P.M.**

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**Mary J. Kayser, City Secretary**

**ACCESSIBILITY STATEMENT**

**The Burleson City Hall is wheelchair accessible. The entry ramp is located in the front of the building. Accessible parking spaces are also available in that area. Sign interpretative services for meetings must be made 48 hours in advance of the meeting. Call the A.D.A Coordinator at 817-447-5400 or TDD 1-800-735-2989.**