

AGENDA
BURLESON CITY COUNCIL MEETING
October 5, 2009

BURLESON CITY HALL
141 W. RENFRO
BURLESON, TX 76028

Call to Order

WORK SESSION – 6:00 p.m.

1. Child Care Centers in Non-Residential Districts.
2. Discussion of items listed on tonight's city council agenda.
3. **Executive Session:** Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sec. 551.071. Sec. 551.072, Sec. 551.073, Sec. 551.074, Sec. 551.076, Sec. 551.087 and Sec. 418.0183(f) of the Texas Government Code (Texas Disaster Act). Refer to posted list attached hereto and incorporated here in. **Executive Session may be held, under these exception, at any time during the meeting that a need arises for the City Council to seek advice from the City Attorney as to the posted subject matter of this City Council meeting.**
4. Reconvene into open session for possible action resulting from any items posted and legally discussed in Executive Session.

Proclamation and Certificates

- *Proclamation for Census 2010 Complete Count Committee*
- *Proclamation for National Night Out*

REGULAR SESSION – 7:00 p.m.

Call to Order

Invocation
Pledge of Allegiance

Items to be continued or withdrawn

Items to be withdrawn from the consent agenda for separate discussion.

Consent Agenda

All items listed below are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of the items unless a Councilmember or citizen so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence. Approval of the consent agenda authorizes the City Manager to implement each item in accordance with staff recommendations.

General

1. A. Approval of the minutes from the September 21, 2009 regular Council session.
- B. Financial Transactions.

Ordinances & Resolutions

- C. Ordinance C-653-09, changing the name of the street within West Bend South Addition, Phase 5 from Sunset Drive to Shelley Drive. (Final Reading)
- D. Ordinance D-102-09 request for Zoning Change from Single Family 7 (SF7) to Two-Family Dwelling District (2F) for 228 E. Miller Street. (Case 09-060) (Final Reading)

Planning & Development

- E. Preliminary Plat of Lots 1 - 4, Block 1, Preston White Addition located south of the Hidden Creek Parkway and east of Interstate 35W. (Case 09-052)

- F. Preliminary Plat of Lots 1 and 2, Block 1, Buswell Addition located at the southeast intersection of E. Renfro Street and County Road 528. (Case 09-058)
- G. Final Plat of Lot 1, Block 1, Buswell Addition located near the southeast intersection of E. Renfro Street and County Road 528. (Case 09-059)

Contracts & Agreements

- H. Professional services contract with Freese & Nichols, Inc. for services related to updating the Water & Wastewater Master Plan and Impact Fees.
- I. Consideration of a bid submitted by Chesapeake Energy for the lease of subsurface minerals (natural gas) on 1.8315 acres of city owned property.

Purchasing

- J. Award the bid for Annual Contract for Grounds Maintenance for Medians, Pump Stations and Landscape Bed Maintenance. (ITB 2010-001)
- K. Award the bid for Annual Contract for Mowing Rights-of-Way (ROW). (ITB 010-002)
- L. Renew the annual contract for Printing Services to Bennett Printing & Office Supply, Print Team, Inc., and Marfield Corporate Stationery. (ITB 2009-001)

Other Items for Consideration

- M. Minute Order MO-09-074, accept Quarterly Investment Report – Period ended 06/30/09.

Presentations

- 2. A. Citizen Appearance.

(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 discussion of 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.)

Public Hearings & Other Related Items

3. A. Public Hearing and consideration of a request by Chesapeake Operating, Inc., for a gas well drilling permit for four (4) gas wells, known as the King B 1H, 2H, 3H and 4H on a new pad site located at 405 NE Wilshire Boulevard. (Case No. 08-175)

Ordinances & Resolutions and Other Related Items

4. A. Resolution R-1101-07(A1009), affirming the nominations for candidates for the Board of Directors for the Central Appraisal District of Tarrant County, Texas.
- B. Resolution R-1102-07(A1009), affirming the nominations for candidates for the Board of Directors for the Central Appraisal District of Johnson County, Texas.

Contracts & Agreements and Other Related Items

- 5 A. No items at this time.

Other Items for Consideration

6. A. MO-09-075, Approval of City Manager's appointment of Library Director.

Reports & Discussion Items

7. A. Police Crime Report.
- B. Council Committees.
- C. Community Interest Items.

Executive Session

8. A. **Executive Session:** Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sec. 551.071, Sec. 551.072, Sec. 551.073, Sec. 551.074, Sec. 551.076, Sec. 551.087 and Sec. 418.0183(f) of the Texas Government Code (Texas Disaster Act). Refer to posted list attached hereto and incorporated here in. **Executive Session may be held, under these exception, at any time during the meeting that a need arises for the City Council to seek advice from the City Attorney as to the posted subject matter of this City Council meeting.**
Reconvene into open session for possible action resulting from any items posted and legally discussed in Executive Session.

CERTIFICATE

I hereby certify that the above agenda was posted on this the 2nd day of **October, 2009, by 5:00 p.m.**, on the official bulletin board at the Burleson City Hall, 141 W. Renfro, Burleson, Texas.



Amanda McCrory

Amanda McCrory
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 817-426-9600 or TDD 1-800-735-2989.

10/2/2009
10:39:45 AM

EXECUTIVE SESSION

The City Council reserves the right to convene in Executive Session(s) during this meeting pursuant to the following Sections of the Government Code of the State of Texas:

1. Pursuant to Sec. 551.071(1)a, (1)b, and (2), consultation with its Attorney: The City Council may conduct private consultations with its attorneys when the City Council seeks the advice of its attorney concerning any item on this agenda, about pending and contemplated litigation, or a settlement offer; or a matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code. This consultation includes, but is not limited to, the following:
 - (1) Floyd Bartula, et al. vs. City of Burleson, Texas.
 - (2) Kevin Schronk, Individually and as Representative of the Estate of Helen Schronk, Deceased, and Dustin Schronk vs. City of Burleson and Laerdale Medical Corp. Cause No. C200600118 – In the 413th District Court for Johnson County, Texas.
 - (3) Advice concerning boundary agreements with area cities;
 - (4) Advice concerning Burleson High School #2 Public Infrastructure Improvements
 - (5) Impact Outdoor Advertising claim
2. Pursuant to Sec. 551.072, deliberation regarding the purchase, exchange, lease, or value of real property.
 - City of Burleson Mineral Rights
3. Pursuant to Sec. 551.073, deliberation regarding a negotiated contract for a prospective gift or donation to the state or the governmental body.
4. Pursuant to Sec. 551.074, personnel matters related to the appointment, employment, evaluation, and duties of the City Secretary, City Manager, and Municipal Court Judge.
5. Pursuant to Sec. 551.076, deliberation regarding (1) the deployment, or specific occasions for implementation of security personnel or devices; or (2) a security audit.
6. 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 the offer of a financial or other incentive to a business prospect described in (1) above.
7. Pursuant to Section 418.183(f) of the Texas Government Code (Texas Disaster Act) regarding critical infrastructure.

AGENDA ADDENDUM
BURLESON CITY COUNCIL
October 5, 2009
7:00 P.M.

CITY OF BURLESON
141 W. RENFRO
BURLESON, TX 76028

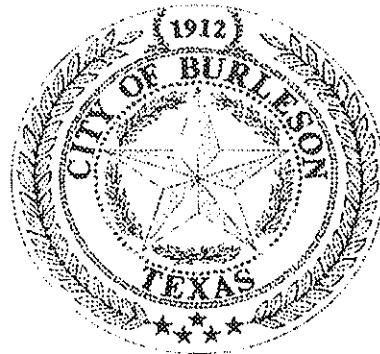
The following item is added to the agenda as a Discussion item

Reports & Discussion Items

7. D. Report on Storm Damage to City Property.

CERTIFICATE

I hereby certify that the above agenda was posted on this the 2nd day of October, 2009, by 5:00 p.m., on the official bulletin board at the Burleson City Hall, 141 W. Renfro, Burleson, Texas.



Cathy Bourg

Cathy Bourg
Deputy City Secretary

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