

Memorandum

To: Honorable Mayor Shetter and members of the Burleson City Council

From: Amanda McCrory, City Secretary

Date: March 16, 2009

Subject: Minutes of the March 2, 2009, regular Council session.

Council Action Requested:

Approve the minutes of the March 2, 2009, regular Council session.

Background Information:

Board/Citizen Input:

Financial Considerations:

Attachments:

Minutes of the March 2, 2009, regular Council session.

Staff Contact:

Amanda McCrory

City Secretary

817-447-5400 ext. 277

BURLESON CITY COUNCIL WORK SESSION
March 2, 2009
DRAFT MINUTES

Roll Call:

Council present:

Stuart Gillaspie
Jim Wadlow
Matt Powell
Ken Shetter
Dan McClendon
Carter Mahanay
Chip Stephens

Council Absent:

Staff

Curtis E. Hawk, City Manager
Paul Cain, Deputy City Manager
David Wynn, Deputy City Manager
Allen Taylor, City Attorney

WORK SESSION – Call to order – Time: 6:18 p.m.

1. Presentation of Draft Parks & Trails Master Plan and recommended plan revisions.

Dalan Walker, Parks Planner, presented to council the Draft Parks & Trails Master Plan.

2. Discussion of all items on tonight's meeting. No action will be taken and each item will be considered during the Regular Session.

3. Executive Session: Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sec. 551.071, Sec. 551.072, 551.073, 551.074, 551.076, 551.087, and Section 418.183(f) of the Texas Government Code (Texas Disaster Act). Refer to posted list attached hereto and incorporated here in.

Motion was made by Jim Wadlow and seconded by Chip Stephens to convene into executive session.

Motion passed 7-0. **Time: 6:50 p.m.**

4. Reconvene into open session for possible action.

Motion was made by Matt Powell and seconded by Stuart Gillaspie to reconvene into open session.

Motion passed 7-0. **Time: 7:13 p.m.**

BURLESON CITY COUNCIL REGULAR SESSION
March 2, 2009
DRAFT MINUTES

Roll Call:

Council present:

Stuart Gillaspie
Jim Wadlow
Matt Powell
Ken Shetter
Dan McClendon
Carter Mahanay
Chip Stephens

Council Absent:

Staff

Curtis E. Hawk, City Manager
Paul Cain, Deputy City Manager
David Wynn, Deputy City Manager
Allen Taylor, City Attorney

REGULAR SESSION – Call to order – Time: 7:18 p.m.

Invocation – Dr. Charles Stewart, Cana Baptist Church

Pledge of Allegiance

Proclamations

Items to be continued or withdrawn

Items to be withdrawn from the consent agenda for separate discussion.

11. *Preliminary plat of Phase 6, Lots 1 & 2, Block 7, Hidden Vistas located south of Hidden Creek Parkway and West of Union Pacific Railroad.
(Case No 08-178)*

Consent Agenda

1A. Approve the minutes from the February 16, 2009 council meeting.

Motion was made by Matt Powell and seconded by Chip Stephens to approve.

Motion passed 7-0.

1B. Financial Transactions.

Motion was made by Matt Powell and seconded by Chip Stephens to approve.

Motion passed 7-0.

City of Burleson
Financial Transactions

Vendor / Description	Amount	Fund
REQUISITIONS OVER \$3,000:		
Alpha Testing, Inc. – Materials testing for Fire station #3.	10,127.25	4AST
Professional Safety Systems – Equipment for 2 new Dodge chargers for the Police Dept.	17,408.00	ERF
All American Press – Spring community guide for the Library.	8,035.00	GF
Blackboard Connect, Inc. – Connect CTY emergency notification services for the Emergency Services Dept.	21,825.00	GF
Hall-mark Fire Apparatus-Texas – Fire pump system repairs on 2 trucks for the Fire Dept.	3,038.67	ESF
Diamond B Fence & Concrete – Cart path repairs at the golf course.	3,960.00	GNBC
Southwestern Gas Pipeline, Inc. – Gas pipeline relocation on the Quil Miller Trunk Main project.	31,814.00	2008CO
Kimley-Horn and Associates – Lakewood Drive median opening traffic impact analysis review.	6,000.00	GF
Bethesda Water Supply Corporation – Waterline relocation for Hurst Road Improvement Project.	11,248.00	2007 GOB
Lenco Armored Vehicles – Lenco BearCat Armored vehicle. GSA contract GS-07F-0390M. The armored vehicle is being purchased with funds from the 2008 Homeland Security Grant.	227,411.00	Public Safety Grant Fund
American Technologies Network Corp. – Camera for Command Truck. GSA contract GS-07F-0169M. The camera is being purchased with funds from the 2008 State Homeland Security Grant.	24,003.00	Public Safety Grand Fund
PAYMENTS OF \$3,000:		
La Buena Vida De Burleson – Contribution for FY 2009. (Specifically budgeted – for informational purposes only.)	3,000.00	H/M
Johnson County Economic Development Commission – JCED Commission Partnership participation for FY 2009.	5,000.00	GF
Mastercard – Credit card charges for January 2009.	29,785.75	GF/SRF/ W&S/ESF
Terracon Consultants, Inc. – Additional core samples & soil testing on	1,320.26	PIF

the Senior Center Remodel project. Visa – Credit card charges for February 2009.	4,890.84	GF/SRF/ W&S/SWF/ ESF
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1C. Resolution R-1147-09, amending the City’s Authorized Representatives to Texas Local Government Investment Pool (TexPool, TexPool Prime).

Motion was made by Matt Powell and seconded by Chip Stephens to approve.

Motion passed 7-0.

1D. Resolution R-1148-09, designating and authorizing certain city employees to approve wire transfers by and on behalf of the City, designating custodial agent, and authorizing investment pools.

Motion was made by Matt Powell and seconded by Chip Stephens to approve.

Motion passed 7-0.

1E. Reconsideration of a request from Texas Midstream Gas Services of a license agreement for the purpose of installing a natural gas transmission line across city owned property located south of Spinks Airport defined as Abstract 496 TR4A, A Lee Survey, Johnson County, Texas and authorize the City Manager to execute the agreement.

Motion was made by Matt Powell and seconded by Chip Stephens to approve.

Motion passed 7-0.

1F. Renew the annual contract for Janitorial Services with 3-Way Janitorial, Inc.

Motion was made by Matt Powell and seconded by Chip Stephens to approve.

Motion passed 7-0.

1G. Contract with Alpha Testing for materials testing and related services for the Recreation Center construction project at Bartlett Park.

Motion was made by Matt Powell and seconded by Chip Stephens to approve.

Motion passed 7-0.

- 1H. Approve Burleson 4A Economic Development Corporation's action authorizing reimbursement of funds from 4A sales tax fund for Business Park Master Plan and appropriate \$110,000 from the 4A Special Revenue Fund to be transferred to a Capital Projects Fund for this project.**

Motion was made by Matt Powell and seconded by Chip Stephens to approve.

Motion passed 7-0.

Separate Discussion

- 1I. Preliminary plat of Phase 6, Lots 1 & 2, Block 7, Hidden Vistas located south of Hidden Creek Parkway and West of Union Pacific Railroad. (Case No 08-178)**

Motion was made by Matt Powell and seconded by Chip Stephens to approve.

Motion passed 7-0.

Mayor Shetter read a proclamation for "American Red Cross Month".

Presentations

2A. Citizens Appearance

Amanda Werley and Carly Love Burleson High School students presented to council the program "Shattered Dreams", this program is not being funded this year. They are requesting the City Council spread the word in the community.

John Yancy (representing Jean Yancy and R. Jones), 1051 S. Dobson, would like council to consider traffic light for intersection of Hidden Creek Blvd. and Dobson St. Has concerns with Hidden Creek Estates Phase I elevation levels.

Public Hearings and Related Ordinances

- 3A. Public Hearing and consideration of Ordinance D-096-09 for a specific use permit (SUP) for a Monopole Antenna for Verizon Wireless, located at 921 S Burleson Boulevard on a 1,135 square feet portion of lot 1, block 1, Housing of the Future Addition, Johnson County. (Case No. 08-160) (First reading).**

Shai Roos, Director of Community and Economic Development presented to council Ordinance D-096-09 for a specific use permit (SUP) for a Monopole Antenna for Verizon Wireless, located at 921 S Burleson Boulevard on a 1,135 square feet portion of lot 1, block 1, Housing of the Future Addition, Johnson County. (Case No. 08-160)

Mayor Shetter opened the public hearing: Time: 7:42 p.m.

Peter Kavauagh, 1620 Handley Drive, Dallas, TX representative from Verizon explained the need for more Monopole Antenna to better service the area.

Mayor Shetter closed the public hearing: Time: 7:48 p.m.

Mayor Shetter re-opened the public hearing. Time: 7:56 pm.

No speakers

Mayor Shetter continued the public hearing to the first regular council meeting in April 2009. Time: 7:57 p.m.

Motion made by Stuart Gillaspie and seconded by Jim Wadlow to table item to first regular council meeting in April 2009.

Motion passed 7-0.

Ordinances & Resolutions

4A. Ordinance B-785-09, repealing Chapter 70, Article III, "Smoking in Public Places" of the Code of Ordinances of the City of Burleson and replacing it in its entirety and establishing revised regulations for smoking in public places. (First Reading)

Lisa Duello, Director of Neighborhood Services, presented to council Ordinance B-785-09, repealing Chapter 70, Article III, "Smoking in Public Places" of the Code of Ordinances of the City of Burleson and replacing it in its entirety and establishing revised regulations for smoking in public places. (First Reading)

Claudia Humphreys, 10032 SH 171, Grandview, TX, in favor of Ordinance B-785-09.

Mather Owen, 119 Hilltop Circle, Burleson, TX, in favor of Ordinance B-785-09.

Maggie Kramer, 2601 Bent Oaks, Burleson, TX in favor of Ordinance B-785-09.

Ray Kramer, 2601 Bent Oaks, Burleson, TX in favor of Ordinance B-785-09.

Kay Kamm, 8900 Carpenter Fwy, Dallas, TX representative from the American Cancer Society Ordinance B-785-09 has not gone far enough and needs to be worked on.

Rodney Smith, 520 Bond St., Burleson, TX opposed to Ordinance B-785-09.

Doug Drake, 700 Bryan Dr., Burleson, TX opposed to Ordinance B-785-09.

Jaime Fearer, 505 White Oak, Burleson, TX representative from Fresco's is opposed to Ordinance B-785-09.

Henry Eder, 250 Lace Lane, Burleson, TX opposed to Ordinance B-785-09.

Mary Jo Moncrief, 332 Merced St., Burleson, TX in favor of Ordinance B-785-09.

Roman Cruz, 344 SW Wilshire, Burleson, TX representative from Antonio's is opposed to Ordinance B-785-09.

Carlos Rios, 327 Burleson Blvd., Burleson, TX opposed to Ordinance B-785-09.

Bill Albay, 508 Shady Oaks, Burleson, TX representative Miranda's Restaurant is opposed to Ordinance B-785-09.

Gloria McCann, 608 NW King, Burleson, TX representative from Gina's Pizza, is opposed to Ordinance B-785-09.

Scott Abbott, 1012 Hanover St., Weatherford, TX Community Development Coordinator with American Cancer Society in favor of Ordinance B-785-09.

Judy Madden, 100 SW Brushy Mound, Burleson, TX in favor of Ordinance B-785-09.

Break 9:07 p.m. – 9:17 p.m.

Motion was made by Jim Wadlow and seconded by Dan McClendon to approve.

Motion failed 4-3. Stuart Gillaspie, Matt Powell, Carter Mahanay and Chip Stephens against. Jim Wadlow, Dan McClendon and Ken Shetter for.

Contracts & Agreements

5A. No items for consideration at this time.

Other Items for Consideration

6A. Authorization to solicit corporate donations for purchase of the "SafeAssured ID" system.

Officer Owen and Officer Engel of the Burleson Police Department presented to council the program "SafeAssured ID" system.

Motion was made by Stuart Gillaspie and seconded by Matt Powell to authorize Police Department to solicit donations.

Motion passed 7-0.

Reports

7A. Discussion of QT Lakewood median opening.

David Wynn, Deputy City Manager, presented to council an option for the QT Lakewood median opening.

7B. Discussion of City of Burleson Legislative Agenda adopted by Council on January 20, 2009 by Resolution R-1140-09.

Mayor Shetter and Curtis Hawk, City Manager, updated council on the Transportation Local Option.

Executive Session

8A. Executive Session: Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sec. 551.071, Sec. 551.072, 551.073, 551.074, 551.076, 551.087, and Section 418.183(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 exceptions, 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.

Motion was made Jim Wadlow and seconded by Chip Stephens to convene into executive session.

Motion passed 7-0. **Time: 10:15 p.m.**

Motion was made by Matt Powell and seconded by Stuart Gillaspie to reconvene into executive session.

Motion passed 7-0. **Time: 10:48 p.m.**

Motion was made by Jim Wadlow and seconded by Carter Mahanay to authorize staff to negotiate the Economic Development Agreements and Amendments as discussed in executive session.

Motion passed 6-0. Chip Stephens abstained.

There being no further business Mayor Shetter adjourned the meeting.

Time: 10:50 p.m.

Amanda J. McCrory
City Secretary