

## **Memorandum**

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

From: Amanda McCrory, City Secretary

Date: May 18, 2009

Subject: Minutes of the May 4, 2009, regular Council session.

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### **Council Action Requested:**

Approve the minutes of the May 4, 2009, regular Council session.

### **Background Information:**

### **Board/Citizen Input:**

### **Financial Considerations:**

### **Attachments:**

Minutes of the May 4, 2009, regular Council session.

### **Staff Contact:**

Amanda McCrory

City Secretary

817-447-5400 ext. 277

BURLESON CITY COUNCIL WORK SESSION  
May 4, 2009  
DRAFT MINUTES

Roll Call:

Council present:

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

Council Absent:

Chip Stephens

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: 6:19p.m.**

**1. Presentation of the new VoIP System.**

Mark Eder, Director of Information Technology, presented to council the new VoIP System.

**2. Presentation on Community Policing Initiative by Dr. Phillip Lyons.**

Tom Cowan, Police Chief presented the Community Policing Initiative. Dr. Phillip Lyons, Sam Houston State University, further presented the implementation of Community Policing.

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

**4. 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 Stuart Gillaspie to convene into executive session.

Motion passed 6-0. Chip Stephens absent. **Time: 6:52p.m.**

**5. Reconvene into open session for possible action.**

Motion was made by Jim Wadlow and seconded by Matt Powell to reconvene into open session.

Motion passed 6-0. Chip Stephens absent. **Time: 7:17p.m.**

BURLESON CITY COUNCIL REGULAR SESSION  
May 4, 2009  
DRAFT MINUTES

Roll Call:

Council present:

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

Council Absent:

Chip Stephens

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: 7:17 p.m.**

**Proclamations**

National Public Works Week  
National Public Service Week

**Invocation** – Gloria Gillaspie, Lighthouse Church

**Pledge of Allegiance**

**Items to be continued or withdrawn**

**Items to be withdrawn from the consent agenda for separate discussion.**

- 1C. Ordinance D-097-09 for a request for a Specific Use Permit (SUP) for automobile sales in (C) Commercial and (I) Industrial zoning districts, within the Interstate 35 Overlay district for 9.9 acres on Lots 1 and 2, Block 2 of McCall's Industrial Addition and a portion of Tract 5E of the Sarah Gray Survey, Abstract No. 558, Tarrant County, Texas (Case 08-161a) (Final Reading);

Consent Agenda**1A. Approve the minutes from the April 20, 2009 regular council meeting.**

Motion was made by Stuart Gillaspie and seconded by Carter Mahanay to approve.

Motion passed 6-0. Chip Stephens absent.

**1B. Financial Transactions.**

Motion was made by Stuart Gillaspie and seconded by Carter Mahanay to approve.

Motion passed 6-0. Chip Stephens absent.

**City of Burleson  
Financial Transactions**

Vendor / Description	Amount	Fund
<b>REQUISITIONS OVER \$3,000:</b>		
The Harding Group – Renewal of software support platform – annual fee – for IT Department	5,700.00	GF
Mity Lite Inc. - Tables and chairs for Senior Center	7,412.04	GF
RLS Services – Rodder hose for 205 – 3/4" Pirana sewer hose blue for Chevrolet dump truck in Water Svc Dept	4,070.00	ESF
HD Supply Waterworks – Meter inventory – Water svc Dept	8,764.60	WS
All American Press – 12 page summer brochure	10,899.00	GF
Apac-Texas Inc. – Asphalt Street M&R and Utility cuts, Tarrant Co. bid for the Street Pavement Maintenance Dept	10,644.00	GF
Mitchell Repair Information Co. - Vehicle diagnostic software update for Equipment Svc Dept	3,144.00	ESF
Metro Fire Apparatus – Radiator repairs 167 Ladder truck in Fire Dept	4,445.00	ESF
Municipal Code Corp – Code supplement #3 – City Secretary Dept	3,486.31	GF
ITT Flygt Corp – New submersible pump for Sewer Svc Dept	5,116.5	WS
Transportation Summit - 12 <sup>th</sup> Annual Transportation Summit Aug 11-14, 2009	4,000.00	GF
Dell Computer – Laptop computers for Community Development Dept	3,447.59	GF
Freese & Nichols – Comprehensive Plan Phase II – Community Dev Dept	61,729.00	GF

Vendor / Description	Amount	Fund
Clifford Power Systems Inc. – Emergency purchase to replace defective transfer switch at City Hall (see attached memo)	3,615.00	GF
W.R. Hodgson Co. - C/O #3 – Permanent fence quantity overruns on Quil Miller project	5,325.30	2008 CO ED
<b>PAYMENTS OF \$3,000:</b>		
Oncor Cities Standing Steering Committee – 2009 Assessment	3,335.90	GF
Travelers Bond & Financial Products – Release of retainage to bonding company for the Village Creek Sewer Relief Line project	17,196.40	2006 CO WS/ 1993 Rev Bond WS/ 2001WSRBF - Phase 1/ 2002WSRBF - Phase 2

**1C. Ordinance D-097-09 for a request for a Specific Use Permit (SUP) for automobile sales in (C) Commercial and (I) Industrial zoning districts, within the Interstate 35 Overlay district for 9.9 acres on Lots 1 and 2, Block 2 of McCall's Industrial Addition and a portion of Tract 5E of the Sarah Gray Survey, Abstract No. 558, Tarrant County, Texas (Case 08-161a) (Final Reading);**

- *Removed from consent agenda for separate discussion.*

**1D. Resolution R-1153-09 Authorizing the City Manager or City Manager's Designee to Sign and Execute Contracts, Agreements, Orders, and Other Documents or Obligations Approved by City Council.**

Motion was made by Stuart Gillaspie and seconded by Carter Mahanay to approve.

Motion passed 6-0. Chip Stephens absent.

**1E. Award the contract for purchase and installation of a VoIP Phone System for City Facilities to Lantana Communications. (RFQ 2009-021)**

Motion was made by Stuart Gillaspie and seconded by Carter Mahanay to approve.

Motion passed 6-0. Chip Stephens absent.

**1F. Authorize the City Manager to Execute an Agreement with Charter Business to provide Data Transport and Fiber Connectivity Service to City of Burleson facilities.**

Motion was made by Stuart Gillaspie and seconded by Carter Mahanay to approve.

Motion passed 6-0. Chip Stephens absent.

**1G. Authorize Community Policing Training for the Police Department**

Motion was made by Stuart Gillaspie and seconded by Carter Mahanay to approve.

Motion passed 6-0. Chip Stephens absent.

**1C. Ordinance D-097-09 for a request for a Specific Use Permit (SUP) for automobile sales in (C) Commercial and (I) Industrial zoning districts, within the Interstate 35 Overlay district for 9.9 acres on Lots 1 and 2, Block 2 of McCall's Industrial Addition and a portion of Tract 5E of the Sarah Gray Survey, Abstract No. 558, Tarrant County, Texas (Case 08-161a) (Final Reading);**

Shai Roos, Director of Community and Economic Development, presented to council Ordinance D-097-09 for a request for a Specific Use Permit (SUP) for automobile sales in (C) Commercial and (I) Industrial zoning districts, within the Interstate 35 Overlay district for 9.9 acres on Lots 1 and 2, Block 2 of McCall's Industrial Addition and a portion of Tract 5E of the Sarah Gray Survey, Abstract No. 558, Tarrant County, Texas (Case 08-161a) (Final Reading)

Linda McDaniel, 12332 Highcrest Dr., Burleson, TX, is concerned about high traffic the use will create.

Motion was made by Carter Mahanay and seconded by Dan McClendon to approve.

Motion passed 6-0. Chip Stephens absent.

Presentations

**2A. Citizens Appearance**

None

Public Hearings and Related Ordinances

**3A. Public Hearing and consideration of a request by Chesapeake Operating, Inc., for a variance and gas well drilling permit for three (3) gas wells, known as the Burleson Elks Unit 2H, 4H and 6H on an existing pad site located at 902 NW John Jones Drive (Case No. 09-015).**

Aaron Russell, Director of Public Works and Engineering, present to council a request by Chesapeake Operating, Inc., for a variance and gas well drilling permit for three (3) gas wells, known as the Burleson Elks Unit 2H, 4H and 6H on an existing pad site located at 902 NW John Jones Drive (Case No. 09-015).

**Mayor Shetter opened the public hearing: Time: 7:49p.m.**

No speaker.

**Mayor Shetter closed the public hearing: Time: 7:50p.m.**

Motion made by Stuart Gillaspie and seconded by Jim Wadlow to approve.

Motion passed 6-0. Chip Stephens absent.

Ordinances & Resolutions

**4A. No items at this time.**

Contracts & Agreements

**5A. No items for consideration at this time.**

Other Items for Consideration

**6A. Adoption of the Park and Trail Master Plan.**

Dalan Walker, Parks & Recreation Planner, presented to council the Park and Trail Master Plan.

Motion was made by Jim Wadlow and seconded by Matt Powell to adopt.

Motion passed 6-0. Chip Stephens absent.

- *Moved up in the agenda in consideration of the audience.*

**7D. Report Town Creek from UPRR to Village Creek and Village Creek from Town Creek to I35W.**

David Wynn, Deputy City Manager, presented to council a report on Town Creek from UPRR to Village Creek and Village Creek from Town Creek to I35W.

David Scott, 100 E. Miller, city demands to use the property but will not maintain it.

Willard Willis, 263 Brushy Mound, believes the bridge does not match the creek flow.

**6B. Establishing Policy for and Authorizing Use of Revenues from Photographic Traffic Signal Enforcement System (PTSES)**

Paul Cain, Deputy City Manager, presented to council the Policy for Use of Revenues from Photographic Traffic Signal Enforcement System (PTSES).

Staff will bring back this item as a Worksession item.

Reports

**7A. Discussion of Emergency Management Exercise on June 24, 2009.**

Gary Wisdom, Fire Chief and Brent Batla, Battalion Chief presented to council an Emergency Management Exercise on June 24, 2009.

**7B. Discussion of policy on use of technology to Communicate with Citizens, including activation of Outdoor Warning System, Connect CTY, Webpage, E-Mail, and other Internet Social Networking Methods.**

Paul Cain, Deputy City Manager, introduced the item.

Gary Wisdom, Fire Chief presented CTY and Outdoor Warning Systems.

Sally Ellerston, Public Information Officer presented Progress Report, e-news letter and Constant Contact.

Mark Eder, Director Information Technology presented Website, DiscusWare, GovDelivery

Kellye Cunningham, Assistant to the City Manager presented Facebook.

**7C. Report on Swine Flu preparedness effort.**

No report.

**7D. Report Town Creek from UPRR to Village Creek and Village Creek from Town Creek to I35W.**

- *Moved up in the agenda.*

**7E. Report on May 9, 2009 General Election.**

Amanda McCrory, City Secretary, updated council on the General Election.

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

Ken Shetter, Mayor and Curtis E. Hawk, City Manager updated council on current legislative agenda items.

**7G. Discussion of Council Workshop dates for Budget Process.**

Paul Cain, Deputy City Manager, scheduled tentative dates for the Council Budget Workshop as July 7, 2009 and August 10, 2009.

**7H. Discussion of Right of way acquisition and road construction projects, as part of the Joint Agreement between the City of Burleson and the Burleson Independent School District pertaining to the New Burleson High School.**

None.

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 Matt Powell to convene into executive session.

Motion passed 6-0. Chip Stephens absent. **Time: 11:25 pm**

Motion made by Jim Wadlow and seconded by Matt Powell to reconvene into open session.

Motion passed 6-0. Chip Stephens absent. **Time: 11:47 pm**

There being no further business Mayor Shetter adjourned the meeting.

Time: 11:47 p.m.

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Amanda J. McCrory  
City Secretary