

Council Session
January 13, 2005

ROUGH DRAFT

The Burleson City Council met in a regular session on January 13, 2005, in the Burleson City Hall, 141 W. Renfro, Burleson, Texas. Mayor Shetter called the meeting to order at 7:00 P.M., with the following members present: Ken Shetter, Jim Bailey, Matt Powell, and Chip Stephens. Stuart Gillaspie, Claudia Humphreys and Jerry Allen absent.

City Manager, Bill Davison; Deputy City Manager, Curtis Hawk; Deputy City Manager, Paul Cain; Assistant City Attorney, Wade Adkins and other interested citizens were also present.

Motion was made by Jim Bailey and second by Matt Powell to approve the minutes of the December 9, 2004, regular session of Council.

Motion passed 4-0. Stuart Gillaspie, Claudia Humphreys and Jerry Allen absent.

Motion was made by Jim Bailey and second by Matt Powell to approve the following purchase requisitions and payments: General Fund - purchase requisitions: 1) \$ 112,791.73 - Central Appraisal District, 2) \$ 3,199.48 - Med Star, 3) \$ 3,161.68 - WT Cox Subscriptions, Inc., 4) \$ 15,000.00 - Brodart, 5) \$ 4,000.00 - Denitech Fort Worth. General Fund - payments: 1) \$ 4,000.00 - Denitech Fort Worth, 2) \$ 4,060.75 - Freese & Nichols, Inc. Water and Wastewater Fund - purchase requisitions: 1) \$ 4,673.15 - Hughes Supply, Inc., 2) \$ 6,735.00 - Metro Services Consulting, Inc., 3) \$ 3,769.00 - Sandvick Equipment & Supply. Park Dedication Fund - purchase requisitions: 1) \$ 67,640.00 - Centennial Contractors. Vehicle Replacement Fund - purchase requisitions: 1) \$20,824.75 - Roger Williams Chrysler/Dodge/Jeep, 2) \$ 24,842.00 - The Lawrence Marshall Dealerships. Hidden Creek Golf Course Fund - purchase requisitions: 1) \$ 2,515.00 - National Golf Foundation. 2001 General Obligation Bond Fund - purchase requisitions: 1) \$ 15,588.75 - Stabile & Winn. Special Revenue Fund - purchase requisitions: 1) \$ 9,500.00 - GT Distributors, Inc. General Fund/Water and Wastewater Fund - payments: 1) \$ 4,359.49 - VISA. General Fund/Water and Wastewater Fund - purchase requisitions: 1) 12,780.00 - Monkey Ink Studio. General Fund/2001 General Obligation Bond Fund - payments: 1) \$ 10,727.00 - Ellerbee-Walczak, Inc.

Motion passed 4-0. Stuart Gillaspie, Claudia Humphreys and Jerry Allen absent.

Motion was made by Jim Bailey and second by Matt Powell to approve the final reading of Ordinance B-729, adopting the Burleson Old Town Design Standards.

Motion passed 4-0. Stuart Gillaspie, Claudia Humphreys and Jerry Allen absent.

Motion was made by Jim Bailey and second by Matt Powell to approve the final Ordinance C-575, creating the Old Town Development Standards Review Committee, providing for appointment and terms; providing for qualifications of members; establishing duties and powers of the committee.

Motion passed 4-0. Stuart Gillaspie, Claudia Humphreys and Jerry Allen absent.

Motion was made by Jim Bailey and second by Matt Powell to approve the mutual aid agreement with the Tarrant County Emergency Services District and authorizing the Mayor to sign.

Motion passed 4-0. Stuart Gillaspie, Claudia Humphreys and Jerry Allen absent.

Motion was made by Jim Bailey and second by Matt Powell to approve the appointment of a representative, Rudy DeLeon, and an alternate, David Wynn, to Fort Worth Wholesale Customer Advisory Committee.

Motion passed 4-0. Stuart Gillaspie, Claudia Humphreys and Jerry Allen absent.

Motion was made by Jim Bailey and second by Matt Powell to approve a personal service contract with Gib Lewis for legislative consulting and authorizing the City Manager to sign.

Motion passed 4-0. Stuart Gillaspie, Claudia Humphreys and Jerry Allen absent.

Motion was made by Jim Bailey and second by Matt Powell to approve Resolution 994, authorizing the City of Burleson to retain the law firm of Varnum, Riddering, Schmidt & Howlett, LLP for assistance regarding renewal of the Charter Communications, Inc. cable television franchise.

Motion passed 4-0. Stuart Gillaspie, Claudia Humphreys and Jerry Allen absent.

Motion was made by Jim Bailey and second by Matt Powell to approve an engineering services contract with Schrickel, Rollins, and Associates, Inc. for the IH-35W/Renfro waterline relocation project and authorizing the City Manager to execute the contract.

Motion passed 4-0. Stuart Gillaspie, Claudia Humphreys and Jerry Allen absent.

Motion was made by Jim Bailey and second by Matt Powell to award the bid for half-ton pickup to Forrest Chevrolet in the amount of \$13,825.00.

Motion passed 4-0. Stuart Gillaspie, Claudia Humphreys and Jerry Allen absent.

Motion was made by Jim Bailey and second by Matt Powell to approve the first reading of 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.)

Motion passed 4-0. Stuart Gillaspie, Claudia Humphreys and Jerry Allen absent.

Motion was made by Jim Bailey and second by Matt Powell to approve the first reading of 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.)

Motion passed 4-0. Stuart Gillaspie, Claudia Humphreys and Jerry Allen absent.

Motion was made by Jim Bailey and second by Matt Powell to approve the first reading of 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).

Motion passed 4-0. Stuart Gillaspie, Claudia Humphreys and Jerry Allen absent.

Motion was made by Jim Bailey and second by Matt Powell to approve the final plat of lots 1 & 2, Block 2, Burleson Crossing, an approximately 1.333-acre tract of land. (located on the 400 block of E. Renfro.)

Motion passed 4-0. Stuart Gillaspie, Claudia Humphreys and Jerry Allen absent.

Motion was made by Jim Bailey and second by Matt Powell to approve the final plat of Rolling Meadows, Phase Three, an approximately 26.31-acre tract of land. (located adjacent to the intersection of CR 602 and CR 527.)

Motion passed 4-0. Stuart Gillaspie, Claudia Humphreys and Jerry Allen absent.

Motion was made by Jim Bailey and second by Matt Powell to approve the final plat of the Duval Addition, an approximately 2.538-acre tract of land. (located at the intersection of N. Commerce Street and Rudd Street.)

Motion passed 4-0. Stuart Gillaspie, Claudia Humphreys and Jerry Allen absent.

Motion was made by Jim Bailey and second by Matt Powell to approve Resolution 995, directing publication of notice of intention to issue certificates of obligation, series 2005; and providing an effective date.

Motion passed 4-0. Stuart Gillaspie, Claudia Humphreys and Jerry Allen absent.

Motion was made by Jim Bailey and second by Matt Powell to approve Resolution 996, providing for regular license plates on certain police department vehicles.

Motion passed 4-0. Stuart Gillaspie, Claudia Humphreys and Jerry Allen absent.

Motion was made by Jim Bailey and second by Matt Powell to award the bid for concrete repair & new installation as follows: the primary award to Westhill Construction, Inc. and the secondary award to J&J Landscape Construction, Inc.

Motion passed 4-0. Stuart Gillaspie, Claudia Humphreys and Jerry Allen absent.

The Mayor opened a public hearing regarding Charter Communications cable franchise renewal.

There being no speakers, the Mayor recessed the public hearing, which will be reconvened at the April 14, 2005, Council meeting.

Motion was made by Chip Stephens and second by Matt Powell to approve and authorize a call for Request for Proposals for subsurface mineral right development on the Chisenhall Park Property noting that the RFP will include pooling as an evaluation criteria.

Motion passed 4-0. Stuart Gillaspie, Claudia Humphreys and Jerry Allen absent.

Motion was made by Jim Bailey and second by Chip Stephens to approve the first reading of 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.

Motion passed 4-0. Stuart Gillaspie, Claudia Humphreys and Jerry Allen absent.

Motion was made by Matt Powell and second by Chip Stephens to approve Resolution 998, suspending the proposal by Atmos Energy Corporation to implement interim GRIP rate adjustments, authorize participation with other cities served by Atmos Energy Corporation, Mid-Tex Division in a review and inquiry regarding the rates and authorizing intervention in administrative and court proceedings involving the rate adjustments, designating a representative to a steering committee and requiring reimbursement of reasonable legal and consultant expenses.

Motion passed 4-0. Stuart Gillaspie, Claudia Humphreys and Jerry Allen absent.

Motion was made by Chip Stephens and Jim Bailey to approve Resolution 997, authorizing intervention before the Railroad Commission of Texas in gas utilities docket (GUD) No. 9530; authorizing participation with other cities served by Atmos Energy Corporation, in administrative and court proceedings involving a gas cost prudence review related to a filing made in September of 2004 as required by the final order in GUD No. 8664; designating a representative of the city to serve on a steering committee; requiring reimbursement of reasonable legal and consultant expenses.

Motion passed 4-0. Stuart Gillaspie, Claudia Humphreys and Jerry Allen absent.

Councilmember Humphreys arrived at 7:53 PM.

Motion was made by Chip Stephens and second by Matt Powell to approve Resolution 999, outlining the City Council's legislative priorities for the 79th Legislative Session.

Motion passed 5-0. Stuart Gillaspie and Jerry Allen absent.

Motion was made by Jim Bailey and second by Matt Powell to appoint Nelson Hottell to the Capital Improvements Advisory Committee.

Motion passed 5-0. Stuart Gillaspie and Jerry Allen absent.

Mayor Shetter appointed Councilmembers Allen, Humphreys and Powell to the Park Capital Improvement Panel.

Fire Chief Gary Wisdom gave a presentation on the colors of future Fire Department apparatus.

Motion was made by Claudia Humphreys and second by Matt Powell to convene into executive session pursuant to Sec. 551.071 of the Texas Government Code, to receive advice from its attorney, Pursuant to Sec. 551.072, deliberation regarding the purchase, exchange, lease or sale of real property for future expansion of certain programs and services and pursuant to Sec. 551.087, deliberation regarding Economic Development Negotiations.

Motion passed 5-0. Stuart Gillaspie and Jerry Allen absent. Time 8:31 PM.

Motion was made by Chip Stephens and second by Claudia Humphreys to reconvene into open session for possible action resulting from any items posted and legally discussed in Executive Session.

Motion passed 5-0. Stuart Gillaspie and Jerry Allen absent. Time 8:44 PM.

Motion was made by Claudia Humphreys and second by Chip Stephens to authorize the payment of \$ 28,700.00 for right-of-way and damages related to the Hidden Creek Parkway project.

Motion passed 5-0. Stuart Gillaspie and Jerry Allen absent.

There being no further business, the Mayor declared the meeting adjourned. Time 8:45 PM.

Mary J. Kayser
City Secretary