

Council Session
October 13, 2005

Prior to the convening of the Council meeting The Burleson Heritage Foundation made a presentation to the Council regarding ongoing projects and activities

The Burleson City Council met in a regular session on October 13, 2005, in the Burleson City Hall, 141 W. Renfro, Burleson, Texas. Mayor Shetter called the meeting to order at 7:20 P.M., the following members present: Ken Shetter, Stuart Gillaspie, Jim Bailey, and Jerry Allen. Matt Powell, Claudia Humphreys and Chip Stephens absent.

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

Motion was made by Jim Bailey and second by Jerry Allen to approve the minutes of the September 22, 2005 regular session of Council.

Motion passed 4-0. Matt Powell, Claudia Humphreys and Chip Stephens absent.

Motion was made by Jim Bailey and second by Jerry Allen to approve the following purchase requisitions and purchases: General Fund - purchase requisitions: 1) \$ 9,889.78 – All American Press, 2) \$ 6,767.88 – CDW Government Solutions, 3) \$ 5,966.71 – CDW Government Solutions, 4) \$ 3,165.00 – Concept Solutions, Inc., 5) \$ 3,502.4 – Dell computer Corp., 6) \$ 3,502.40 – Dell Computer Corp., 7) \$ 4,056.00 – Dell Computer Corp., 8) \$ 3,652.20 – GT Distributors, 9) \$ 5,000.00 – HTE, Inc., 10) \$ 42,241.48 – Med Star, 11) \$ 6,000.00 - Occupational Health Center, 12) \$ 20,900.00 – Swan &herring, LLC, 13) \$ 4,400.00 – Terminx Commercial Division, 14) \$ 3,600.00 – Uniforms by Star, 15) \$ 6,380.00 – Zytron. General Fund – payments: 1) \$ 4,030.00 – CALEA, Inc., 2) \$ 4,474.40 – Holt Company of Texas, 3) \$ 3,273.60 – VISA, 4) \$ 3,500.00 – NCTCOG, 5) \$ 5,000.00 – Tex-21. Public Safety Grant Fund - purchase requisitions: 1) \$ 13,277.30 – GT Distributors, 2) \$ 4,395.30 – GT Distributors. 2005 General Obligation Bond Fund - purchase requisitions: 1) \$ 130,787.00 – Austin Ribbon & Computer, 2) \$ 9,487.50 – Innovative Solutions, 3) \$ 60,351.00 – Portable Computer Systems, 4) \$ 32,000.00 – TxDot. Water and Wastewater Fund - purchase requisitions: 1) \$ 62,886.00 – Dataprose, Inc., 2) \$ 5,250.00 – Hughes Supply, Inc. Hidden Creek Golf Course Fund - purchase requisitions: 1)\$ 3,500.00 – Course Trends, 2) \$ 95,506.68 – John Deere Credit, 3) \$ 77,021.36 – Textron Business Financial. Cemetery Fund - purchase requisitions: 1) \$ 13,000.00 – Virgil Rhodes Construction, Co. Equipment Services Fund - purchase requisitions: 1) \$ 3,990.08 – Goodyear Tire Center, 2) \$ 23,951.16 – Sutphen Towers, Inc. General Fund/Water and Wastewater Fund - purchase requisitions: 1) \$ 12,051.00 – Azteca Systems, Inc. General Fund/Special Revenue Fund/2005 General Obligation Bond Fund - purchase requisitions: 1) \$ 81,791.49 – HTE, Inc., General Fund/Water and Wastewater Fund/Special Revenue Fund - purchase

requisitions: 1) \$ 52,150.00 – HTE, Inc., General Fund/Public Safety Grant Fund - purchase requisitions: 1) \$ 5,790.00 – HTE, Inc. General Fund/Water and Wastewater Fund – 1) 15,000.00 – Jana Lynch. General Fund/2005 Certificates of Obligation Hidden Creek Parkway – payments: 1) \$ 13,878.00 – Ellerbe-Walczak, Inc. General Fund/Water and Wastewater Fund/Equipment Services Fund/Hotel Motel Fund – payments: 1) \$ 5,075.81 – Lowe’s Home Centers, Inc. General Fund/2001 Sales Tax Revenue Bond Fund 4A – payments: 1) \$ 18,268.63 - Taylor, Olson, Adkins, Sralla & Elam, General Fund/Water and Wastewater Fund/Hidden Creek Golf Course Fund/Equipment Services Fund – payments: 1) \$ 217,109.28 – TML Intergovernmental Risk Pool.

Motion passed 4-0. Matt Powell, Claudia Humphreys and Chip Stephens absent.

Motion was made by Jim Bailey and second by Jerry Allen to approve the final reading of Ordinance D-048, changing the zoning from A Agricultural to C Commercial on 13.61 acres located at 1225 John Jones Drive (FM 731) (Case 05-130)

Motion passed 4-0. Matt Powell, Claudia Humphreys and Chip Stephens absent.

Motion was made by Jim Bailey and second by Jerry Allen to approve the final reading of Ordinance D-049, Specific Use Permit for car rental agency on 0.45 acres located in the 100 block of Elk Drive. (Case 05-132)

Motion passed 4-0. Matt Powell, Claudia Humphreys and Chip Stephens absent.

Motion was made by Jim Bailey and second by Jerry Allen to approve the final reading of Ordinance C-587, adopting and enacting a new code for the City of Burleson, Texas; providing for the repeal of certain ordinances not included therein; providing a penalty for the violation thereof; providing for the manner of amending such code and providing an effective date.

Motion passed 4-0. Matt Powell, Claudia Humphreys and Chip Stephens absent.

Motion was made by Jim Bailey and second by Jerry Allen to authorize staff to return unused street paving trust fund escrow and construction guarantee funds to depositors.

Motion passed 4-0. Matt Powell, Claudia Humphreys and Chip Stephens absent.

Motion was made by Jim Bailey and second by Jerry Allen to approve the Preliminary Plat of Lot 1, Block 1, Aaron Rents Addition, 1.2078 acres located on Wilshire Blvd (SH 174) north of Hidden Creek Parkway. Case 05-101.

Motion passed 4-0. Matt Powell, Claudia Humphreys and Chip Stephens absent.

Motion was made by Jim Bailey and second by Jerry Allen to approve Preliminary Plat of Lot 1, Block 1, Cedar Plaza Addition, 3.118 acres located on the south side of Renfro Drive east of S. Crowley Rd (FM 731). Case 05-129.

Motion passed 4-0. Matt Powell, Claudia Humphreys and Chip Stephens absent.

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

There being no speakers, the Mayor recessed the public hearing.

The first reading of Ordinance C-588, repealing the property tax exemption for the residential homesteads of disabled individuals or individuals 65 years of age or older, and providing an effective date contingent upon approval of tax freeze at a special election to be held on November 8, 2005 died for lack of a motion.

Motion was made by Jim Bailey and second by Stuart Gillaspie to award the bid for the I35W/Renfro Road waterline relocation project to Joe Bland Construction, LLP in the amount of \$100,934.00 and to authorize the City Manager to execute the contract and to approve change orders up to 25% of the Contract amount.

Motion passed 4-0. Matt Powell, Claudia Humphreys and Chip Stephens absent.

Motion was made by Jerry Allen and second by Stuart Gillaspie to approve Change Order No. 2 in the amount of \$53,774.45 to the Hidden Creek Parkway project and authorize the City Manager to execute the change order.

Motion passed 4-0. Matt Powell, Claudia Humphreys and Chip Stephens absent.

Motion was made by Stuart Gillaspie and second by Jim Bailey to approve an Engineering Services Contract with HDR Engineering, Inc. in the amount of \$274,151.00 for the design of the 2005 Miscellaneous Drainage Projects and authorizing the City Manager to execute the contract.

Motion passed 4-0. Matt Powell, Claudia Humphreys and Chip Stephens absent.

Motion was made by Jerry Allen and second by Jim Bailey to approve Resolution 1029, approving Cities Aggregation Power Project's letter of intent to enter into negotiations for a capacity contract with the owner of coal (including Texas lignite) generation to supply the base load electric power needs (approximately 55%-60% of total energy needs) for CAPP members over a 10-year period.

Motion passed 4-0. Matt Powell, Claudia Humphreys and Chip Stephens absent.

Rhett Clark, Assistant Finance Director, presented the Monthly Financial Report for August 2005.

Motion was made by Jim Bailey and second by Stuart Gillaspie to approve Resolution 1030, affirming the nominations of Byron Black, Sid Pruitt, Troy Thompson, Mike Brand and R.D. Scott for the Board of Directors for the Central Appraisal District of Johnson County, Texas.

Motion passed 4-0. Matt Powell, Claudia Humphreys and Chip Stephens absent.

Motion was made by Stuart Gillaspie and second by Jerry Allen to convene into executive session pursuant to Sec. 551.071 of the Texas Government Code, Pursuant to Sec. 551.072, deliberation regarding the purchase, exchange, lease or sale of real property for future expansion of certain programs and services, Pursuant to Sec. 551.074, personnel matters related to the City Manager's and City Secretary's evaluations and possible public safety employee reassignment, Pursuant to Sec. 551.076, deliberation regarding security devices, Pursuant to Sec. 551.087, deliberation regarding Economic Development Negotiations and Pursuant to Section 418.183(f) of the Texas Government Code (Texas Disaster Act) regarding critical infrastructure

Motion passed 4-0. Matt Powell, Claudia Humphreys and Chip Stephens absent. Time 7:59 PM

Motion was made by Jerry Allen and second by Stuart Gillaspie to reconvene into open session for possible action resulting from any items posted and legally discussed in Executive Session.

Motion passed 4-0. Matt Powell, Claudia Humphreys and Chip Stephens absent. Time 8:21 PM

There being no further business, the Mayor declared the meeting adjourned. Time 8:22 pm.

Mary J. Kayser
City Secretary