

**Council Session
February 10, 2005**

The Burlleson City Council met in a regular session on February 10, 2005, in the Burlleson City Hall, 141 W. Renfro, Burlleson, Texas. Mayor Shetter called the meeting to order at 7:00 P.M., with the following members present: Ken Shetter, Stuart Gillaspie, Jim Bailey, Matt Powell and Chip Stephens. Claudia Humphreys, Jerry Allen absent.

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 Stuart Gillaspie to approve the minutes of the January 27, 2005, regular session of Council.

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

Motion was made by Jim Bailey and second by Stuart Gillaspie to approve the following purchase requisitions and payments: General Fund - purchase requisitions: 1) \$ 4,887.00 – Dell Computer Corp., 2) \$ 3,608.97 – Tee's Plus. 3) \$ 10,080.00 – SMS Woodstone, Inc. General Fund - payments: 1) \$ 5,000.00 – Johnson County Economic Development Commission. Hidden Creek Golf Course Fund - purchase requisitions: 1) \$ 3,090.00 – Great Greens of America, 2) \$ 3,000.00 - Avid Golfer Magazine, 3) \$ 5,000.00 – Nike, USA, Inc., 4) \$ 3,000.00 – Callaway Golf. Hidden Creek Golf Course Fund – payments: 1) \$6,969.06 – Textron Financial Corp. 4A Sales Tax Bond Fund - purchase requisitions: 1) \$ 4,940.00 – Redmoon Broadband. Hotel Motel Tax Fund – payments: 1) \$ 11,550.00 – AFM Entertainment. General Fund/Special Revenue Fund – payments: 1) \$ 3,324.88 – Dell Computer Corp. General Fund/2001 General Obligation Bond Fund/2001 Water and Sewer Revenue Bond Fund – payments: 1) \$ 11,772.00 - Ellerbee Walczak, Inc.

Motion passed 5-0. Claudia Humphreys, Jerry Allen absent.

Motion was made by Jim Bailey and second by Stuart Gillaspie to approve a sanitary sewer encroachment easement across Texas Utilities Electric Delivery property for servicing the Broad Valley Subdivision and authorizing the City Manager to sign.

Motion passed 5-0. Claudia Humphreys, Jerry Allen absent.

Motion was made by Jim Bailey and second by Stuart Gillaspie to approve a drainage easement, sanitary sewer easement and street and utility dedication across TXU property for the Vinewood Addition, Phase IV, and authorizing the City Manager to sign.

Motion passed 5-0. Claudia Humphreys, Jerry Allen absent.

Motion was made by Jim Bailey and second by Stuart Gillaspie to approve Resolution 1003, calling a general election for May 7, 2005.

Motion passed 5-0. Claudia Humphreys, Jerry Allen absent.

Motion was made by Jim Bailey and second by Stuart Gillaspie to approve Resolution 1004, extending the business hours of the City Secretary's office during early voting.

Motion passed 5-0. Claudia Humphreys, Jerry Allen absent.

Motion was made by Jim Bailey and second by Stuart Gillaspie to approve Resolution 1005, joint resolution with the Burleson Independent School District to conduct joint early voting for the May 7, 2005, general election.

Motion passed 5-0. Claudia Humphreys, Jerry Allen absent.

Motion was made by Jim Bailey and second by Stuart Gillaspie to approve Adjusting the City of Burleson Fee Schedule to reflect the updated charges for copies of accident reports.

Motion passed 5-0. Claudia Humphreys, Jerry Allen absent.

Motion was made by Jim Bailey and second by Stuart Gillaspie to approve the short form (final) plat of Whispering Oaks, an approximately 3.438-acre tract of land. (located in the 1100 block of Edgehill Road.

Motion passed 5-0. Claudia Humphreys, Jerry Allen absent.

Van Johnson and Melanie Johnson, 1358 Broad Valley Ct., addressed the Council with concerns about the location of a sanitary sewer easement on their property (Resolution 1001).

Motion was made by Jim Bailey and second by Stuart Gillaspie to table, until the February 24, 2004, Council meeting, Resolution 1001 determining the necessity of acquiring a permanent sanitary sewer easement and temporary construction easement containing 0.098 acres within the City of Burleson, Texas, and authorizing the city attorney to proceed with eminent domain proceedings and Resolution 1002, determining the necessity of acquiring a permanent sanitary sewer easement and temporary construction easement containing 0.139 acres within the City of Burleson, Texas, and authorizing the city attorney to proceed with eminent domain proceedings.

Motion passed 5-0. Claudia Humphreys, Jerry Allen absent.

Mayor Shetter and Police Chief Tom Cowan presented Citizens Certificates of Valor to Aubrey Sims, Deahl Rooks and Dale Gosser and Citizens Commendation Certificates to Michael Pinterka and Mick Cochran.

Bennett Graves, 775 Little Ridge Ct. and Doug Marnitti addressed the Council regarding the median on Hidden Creek Parkway in Oak Valley and requesting barriers.

Terry Kile, with Deloitte & Touche presented the annual audit for the fiscal year ended September 30, 2004.

Motion was made by Matt Powell and second by Jim Bailey to accept the annual audit for the fiscal year ended September 30, 2004.

Motion passed 5-0. Claudia Humphreys, Jerry Allen absent.

Motion was Made by Jim Bailey and second by Chip Stephens to ratify the action of the Burleson 4A board approving funding the proportionate share of debt service and issuance costs applicable to the Hidden Creek Parkway project in relation to the total debt service and issuance costs of all projects included in the 2005 Certificates of Obligation Bonds. Further described as the fractional amount of debt service and issuance costs calculated by dividing \$13,446,000 (total funding allocated for Hidden Creek Parkway) by \$15,625,000 (total funding for all projects, exclusive of issuance costs; or a fractional share of approximately 86% of the debt service and issuance costs).

Motion passed 5-0. Claudia Humphreys, Jerry Allen absent.

Motion was made by Stuart Gillaspie and second by Jim Bailey to approve the final reading of Ordinance C-577, providing for the issuance of \$14,965,000.00 of City of Burleson, Texas combination tax and revenue certificates of obligation, series 2005 at 4.10% and ordaining other matters relating to the subject, including immediate effectiveness.

Motion passed 5-0. Claudia Humphreys, Jerry Allen absent.

Motion was made by Chip Stephens and second by Jim Bailey to approve the final reading of Ordinance C-578, providing for the issuance of \$3,970,000.00 of City of Burleson, Texas general obligation bonds, series 2005 at 3.95% and ordaining other matters relating to the subject, including immediate effectiveness.

Motion passed 5-0. Claudia Humphreys, Jerry Allen absent.

Motion was made by Matt Powell and second by Chip Stephens to approve Resolution 1006, endorsing certain legislative changes to SB 7 supported by the Cities Aggregation Power Project, Inc.

Motion passed 5-0. Claudia Humphreys, Jerry Allen absent.

Motion was made by Jim Bailey and second by Stuart Gillaspie to approve the final reading of Ordinance C-576, amending Chapter 6 of the Burleson Code of Ordinances by adding a new Section 6-164 and Section 6-165 authorizing the establishment of an annual subscription plan for fire operations services provided to property in the City's extraterritorial jurisdiction that is not in Johnson County Emergency Services District No. 1 and adding definitions.

Motion passed 5-0. Claudia Humphreys, Jerry Allen absent.

Motion was made by Jim Bailey and second by Matt Powell to amend the City of Burleson FY 04-05 Fee Schedule to include an annual subscription plan for fire operations services provided to property in the City's extraterritorial jurisdiction that is not in Johnson County Emergency Services District No. 1 in the amount of \$55.00.

Motion passed 5-0. Claudia Humphreys, Jerry Allen absent.

Motion was made by Chip Stephens and second by Jim Bailey to award the bid for firefighter protective clothing to Fuego in the amount of \$30,124.11 and to authorize the lease purchase of firefighter protective clothing with Baystone

Financial Group at an interest rate of 4.990% and authorize the City Manager to sign the lease purchase documents.

Motion passed 5-0. Claudia Humphreys, Jerry Allen absent.

Motion was made by Stuart Gillaspie and second by Chip Stephens to approve changes to the City of Burleson FY 04-05 Fee Schedule for animal adoption fees and On-Site Septic Facilities (OSSF) fees.

Motion passed 5-0. Claudia Humphreys, Jerry Allen absent.

Jerald Ross, 6201 FM 1902, spoke in favor of Ordinance B-731.

Motion was made by Stuart Gillaspie and second by Chip Stephens to approve the first reading of Ordinance B-731, amending ordinance B-697, amending Article III of Chapter 10 of the Code of Ordinances of the City of Burleson; establishing obligations, duties and responsibilities for residential and non-residential garbage and collection.

Motion was made by Jim Bailey and second by Matt Powell to approve the following Board and Commission appointments:

ZBA Board

Cathy Webb – Chair
Leonard Clark – 2006
Chad McConnell – 2006
Lori Cross – 2006
Brenda Staglik – 2006 Alternate (new)
Tempa Sherril – 2005 Alternate unexpired term (new)

Library Board

Rosalind Ray – Chair
John Hart – 2006
Don Kuhn – 2006 (new)
Martha Hernandez – 2006
Pamela Clark – 2006

Parks Board

James Wadlow – reappointment to chair and member 2006
Judy Smitherman – 2006
Pamela Neill - 2006

Animal Shelter

Mark Eissler – 2006
Debra Abrahamson – 2006
Jodi Houts – 2006 (new)
Person involved with daily shelter operations – Shelly Meeks

Cemetery Board

Barbara Shire - Chair
Doris Jo Haas – 2006 (new)
Mary Ruth Arnold – 2006 (new)

Motion passed 5-0. Claudia Humphreys, Jerry Allen absent.

David Wynn, director of Engineering Services, presented various options for the staging of the Hidden Creek Parkway construction project.

Motion was made by Stuart Gillaspie and second by Chip Stephens to bid and

construct hidden Creek Parkway as a single project with time for completion defined by completion of the entire project.

Motion passed 5-0. Claudia Humphreys, Jerry Allen absent.

There being no further business, the Mayor declared the meeting adjourned.
Time 9:22 PM.

Mary J. Kayser
City Secretary