

Council Session
April 14, 2005

The Burleson City Council met in a regular session on April 14, 2005, in the Burleson City Hall, 141 W. Renfro, Burleson, Texas. Mayor Shetter called the meeting to order at 7:02 P.M., with the following members present: Stuart Gillaspie, Jim Bailey, Ken Shetter, Claudia Humphreys, Jerry Allen and Chip Stephens. Matt Powell absent.

Deputy City Manager, Curtis Hawk; City Attorney, Allen Taylor and other interested citizens also present.

Motion was made by Jerry Allen and second by Stuart Gillaspie to approve the minutes of the March 24, 2005, regular session of Council.

Motion passed 6-0. Matt Powell absent.

Motion was made by Jerry Allen and second by Stuart Gillaspie to approve the minutes of the March 15, 16, and 21, 2005, special session of Council.

Motion passed 5-0. Jerry Allen abstains. Matt Powell absent.

Motion was made by Jerry Allen and second by Stuart Gillaspie to approve the following purchase requisitions and payments:

Purchase Requisitions:

Hidden Creek Golf Course Fund 1) \$ 5,000.00 – Callaway Golf.

2) \$ 5,000.00 – Sysco Food Service Dallas

Water and Sewer Fund 1) \$ 54,758.85 – Hughes Supply, Inc.

General Fund/Equipment Replenishment Fund 1) \$37,018.50 – Classic Chevrolet – Beaumont

2001 4A Sales Tax 1) \$18,890.00 – E-Logic, Inc.

Payments Over \$3,000.00:

General Fund/Water and Sewer 1) \$ 4,004.89 – Texas Water Products

2) \$ 6,732.07 – Visa

General Fund/2001 WSRBF/2002 WSRBF 1) \$9,517.50 – Ellerbee Walczak, Inc.

General Fund 1) \$3,500.00 – City of Irving

Special Revenue 1) \$3,670.30 – Burleson Beautification Council

Motion passed 6-0. Matt Powell absent.

Motion was made by Jerry Allen and second by Stuart Gillaspie to approve the final plat of Vinewood Phase IV, 19.83 acres located near the intersection of John Jones Drive (FM 731) and County Road 714.

Motion passed 6-0. Matt Powell absent.

Motion was made by Jerry Allen and second by Stuart Gillaspie to approve the final plate of Wakefield Heights Phase II, 19.47 acres located in the 600-800 block of John Jones Drive. (FM 731)

Motion passed 6-0. Matt Powell absent.

Motion was made by Jerry Allen and second by Stuart Gillaspie to approve the final plat of Villages of Wakefield Phase I, 56.33 acres located in the 800-900 block of John Jones Drive. (FM 731)

Motion passed 6-0. Matt Powell absent.

Motion was made by Jerry Allen and second by Stuart Gillaspie to approve the final plat of Wilshire 174 Addition, 2.71 acres located in the 1700 block of SW Wilshire Boulevard.

Motion passed 6-0. Matt Powell absent.

Motion was made by Jerry Allen and second by Stuart Gillaspie to approve an Encroachment on Easement agreement with TXU for the construction of Hidden Creek Parkway across an existing TXU easement and authorized the City Manager to execute the agreement.

Motion passed 6-0. Matt Powell absent.

Motion was made by Jerry Allen and second by Stuart Gillaspie to approve the first reading of ordinance A-304 annexing a tract of land comprising 27.00 acres, more or less located in the B. Bransom Survey, Abstract No. 58, as filed in the deed records of Johnson County, Texas.

Motion passed 6-0. Matt Powell absent.

Motion was made by Jerry Allen and second by Stuart Gillaspie to approve the first reading of ordinance A-305 annexing a tract of land comprising 9.105 acres, more or less, located in the SM Blair Survey A-65 , as filed in the deed records of Johnson County, Texas.

Motion passed 6-0. Matt Powell absent.

Alice Bleeker from the Harvest House presented to the council a replica of the mural painted at the Harvest House by 6th and 7th graders from Kerr Middle School.

Mayor Shetter presented a proclamation for National Volunteer Week to representatives from the Police Department, Environmental Services, Animal Control, Parks and Recreation and the Library.

Ken Devero, Jay Oji and Don Phifer of Sphinx at Alsbury presented information to the council on the proposed multi-family development located on the north side of Alsbury Boulevard at Commercial Drive.

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

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

The Mayor opened a public hearing regarding lease of subsurface minerals at Chisenhall Park.

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

Motion was made by Claudia Humphreys and second by Jerry Allen to accept the contract with Antero Resources for subsurface mineral rights production at Chisenhall Hall park authorizing City Manager execute contract and dedicating the gas revenue fund solely for the Parks & Recreation capital improvements for the entire Parks program and funds are supplemental to any other funds city deems necessary for Parks & Recreation.

Motion passed 6-0. Matt Powell absent.

Motion was made by Claudia Humphreys and second by Chip Stephens to authorize a call for requests for proposals for subsurface mineral right development on the Oak Valley Park South property.

Motion passed 6-0. Matt Powell absent.

Motion was made by Stuart Gillaspie and second by Jim Bailey to award the contract to construct Hidden Creek Parkway to Orval Hall Excavating Company in the amount of \$13,664,426.83 and authorized the City Manager to sign the contract and approve change orders up to \$25,000.00.

Motion passed 6-0. Matt Powell absent.

Motion was made by Claudia Humphreys and second by Jerry Allen to direct staff to reconstruct the access ramps in Mistletoe Hill Phase 3 for a cost of \$20,400.00

Motion passed 6-0. Matt Powell absent.

Motion was made by Jerry Allen and second by Jim Bailey to approve Resolution 1012 supporting the existing state law for procurement of engineering services.

Motion passed 6-0. Matt Powell absent.

Deputy City Manager Curtis E. Hawk updated council on current legislative issues.

Motion was made by Claudia Humphreys 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 and pursuant to Sec. 551.087, deliberation regarding Economic Development Negotiations.

Motion passed 6-0. Matt Powell absent. Time 8:27 PM

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

Motion passed 6-0. Matt Powell absent. Time 8:52 PM

Motion made by Stuart Gillaspie and second by Claudia Humphreys for council to allow staff to pursue full contract procurement of property as discussed in executive session – first property.

Motion passed 6-0. Matt Powell absent

Motion was made by Stuart Gillaspie and second by Jerry Allen to authorize city to proceed with negotiating a contract on property as discussed in executive session and proceed with an engineering and architectural inspection – second property.

Motion passed 6-0. Matt Powell absent.

There being no further business, the Mayor declared the meeting adjourned.
Time 9:00 PM.

Amanda J. McDowell
Deputy City Secretary

Approved as to form
Mary J. Kayser, City Secretary