

Council Session
July 28, 2005

ROUGH DRAFT

The Burleson City Council met in a regular session on July 28, 2005, in the Burleson City Hall, 141 W. Renfro, Burleson, Texas. Mayor Shetter called the meeting to order at 7:00 P.M., the following members present: Ken Shetter, Stuart Gillaspie, Jim Bailey, Matt Powell, Claudia Humphreys, Jerry Allen and Chip Stephens.

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

Motion was made by Chip Stephens and second by Claudia Humphreys to approve the minutes of the July 14, 2005 regular session of Council and to approve the amended minutes of the June 9, 2005, regular session.

Motion passed 6-0. Claudia Humphreys abstained.

Motion was made by Chip Stephens and second by Claudia Humphreys to approve to approve the following purchase requisitions and payments: Equipment Services Fund - purchase requisitions : 1) \$ 6,093.64 – S&A Auto Body, 2) \$ 3,125.00 – Harrington Septic and Environmental, 3) \$ 3,963.30 – Goodyear Tire Center. General Fund - purchase requisitions : 1) \$ 8,923.22 – Johnson County, 2) \$ 7,286.40 – SMS Woodstone, Inc. General Fund – payments: 1) \$ 3,930.00 – North Central Texas Council of Governments. Hidden Creek Golf Course - purchase requisitions : 1) \$ 5,000.00 – Sysco Food Service of Dallas.

Motion passed 7-0.

Motion was made by Chip Stephens and second by Claudia Humphreys to approve the final reading of Ordinance B-738, amending Section 17-92 of the Burleson Code of Ordinances regarding wrecker service agreements.

Motion passed 7-0.

Motion was made by Chip Stephens and second by Claudia Humphreys to approve the final reading of Ordinance C-582, denying the request of ATMOS Energy Corp., Mid-Tex Division, for an annual Gas Reliability Infrastructure Program (GRIP) rate increase in this municipality, as a part of the company's statewide gas utility distribution system; approving cooperation with other cities within the ATMOS Energy Corp., Mid-Tex Division distribution system as part of the ATMOS Cities Steering Committee (ACSC); authorizing ACSC to hire legal and consulting services and to negotiate with the company and direct any necessary litigation; authorizing intervention as part of ACSC in any appeal of the city's action to the railroad commission; approving costs incurred as reasonable and providing a requirement for prompt reimbursement of costs; finding that the meeting at which this ordinance is passed is open to the public as required by law; and providing for notice of this ordinance to ATMOS Energy Corp., Mid-Tex Division.

Motion passed 7-0.

Motion was made by Chip Stephens and second by Claudia Humphreys to approve the final reading of Ordinance B-740, amending Section 7-23 through 7-29 of the City of Burleson Code of Ordinances regarding requirements for the mowing of weeds grass and uncultivated plants.

Motion passed 7-0.

Motion was made by Chip Stephens and second by Claudia Humphreys to approve the abandonment of a waterline easement in Gateway Station and authorize the City Manager to execute the abandonment documents.

Motion passed 7-0.

Motion was made by Chip Stephens and second by Claudia Humphreys to approve the first reading of Ordinance D-045, amending the Planned Development standards for Senter Meadows on 6.719 acres located in the 400 block of Oak Street.

Motion passed 7-0.

Motion was made by Jerry Allen and second by Chip Stephens to approve an agreement with United Healthcare for the City's employee health plan and to approve an agreement with AIG for the City's employee dental plans and approve an agreement with Benefit Management Administrators, Inc for the COBRA and Section 125 flexible spending administration for FY 2005-2006.

Motion passed 7-0.

Motion was made by Jerry Allen and second by Chip Stephens to remove from the table the consideration of a contract with Insituform Technologies, Inc for the rehabilitation of the I-35, 8" waterline located along the east side frontage road.

Motion passed 7-0.

Motion was made by Claudia Humphreys and second by Jerry Allen to approve the contract with Insituform Technologies, Inc for the rehabilitation of the I-35, 8" waterline located along the east side frontage road in the amount of \$377,770.00 and authorize the City Manager to execute the contract.

Motion passed 7-0.

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

The Council declined to make a nomination for the Board of Trustees for the TML Intergovernmental Employee Benefits Pool.

Councilmember Powell stated for the record that he had filed a conflict of interest affidavit with the City Secretary stating that he had a substantial interest in property located on Shaftstall Rd. (v 3554 p 466 Johnson County deed records)

Deputy City Manager, Curtis Hawk gave a legislative update.

Motion was made by Jerry Allen 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 as permitted by law, 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. 551.076, 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 7-0. Time 7:43 PM

Motion was made by Matt Powell and second by Jim Bailey to reconvene into open session for possible action resulting from any items posted and legally discussed in Executive Session.

Motion passed 7-0. Time 9:40 PM

Motion was made by Stuart Gillaspie and second by Jerry Allen to authorize staff to close on a contract for property as discussed in Executive Session.

Motion passed 7-0.

There being no further business, the Mayor declared the meeting adjourned.
Time 9:41pm.

Mary J. Kayser
City Secretary