

Council Session  
September 22, 2005

The Burluson City Council met in a regular session on September 22, 2005, in the Burluson City Hall, 141 W. Renfro, Burluson, 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 Stuart Gillaspie and second by Matt Powell to approve the minutes of the September 8, 2005 regular session of Council.

Motion passed 7-0.

Motion was made by Stuart Gillaspie and second by Matt Powell to approve the following purchase requisitions and payments: General Fund - purchase requisitions: 1) \$ 5,000.00 – Republic Electric, 2) \$ 12,556.00 – CDW Government Solutions, 3) \$ 5,970.00 – Reese Supply Company, 4) \$ 7,100.00 – Cablenetwork Associates, Inc. General Fund – payments: 1) \$ 3,781.00 – Visa. Water and Wastewater Fund - purchase requisitions: 1) \$ 8,756.86 – Hughes Supply, Inc., Hidden Creek Golf Course Fund - purchase requisitions: 1) \$ 4,315.12 – Coca-Cola Bottling Co., General Fund/Hidden Creek Golf Course Fund/2001 Sales Tax Revenue Bond Funds – 4A/2002 Water Sewer Revenue Bond Fund – payments: 1) \$ 3,960.94 - Taylor, Olson, Adkins, Sralla & Elam. 2005 Certificate of Obligation Bond Fund – 4A – payments: 1)\$ 9,353.00 – Ellerbee Walczak, Inc.

Motion passed 7-0.

Motion was made by Stuart Gillaspie and second by Matt Powell to approve the first 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 7-0.

Motion was made by Stuart Gillaspie and second by Matt Powell to approve the first 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 7-0.

Motion was made by Stuart Gillaspie and second by Matt Powell to approve Case 05-133 – Preliminary Plat of Lot 1, Block 1, Dreylon Addition, 4.0 acres located in the 200 block of Elk Drive.

Motion passed 6-0. Chip Stephens abstained.

Motion was made by Stuart Gillaspie and second by Matt Powell to approve Case 05-135 – Final Plat of Lot 1, Block 1, Dreylon Addition, 4.0 acres located in the 200 block of Elk Drive.

Motion passed 6-0. Chip Stephens abstained.

Motion was made by Stuart Gillaspie and second by Matt Powell to approve Case 05-131 – Final Plat of Lot 15A, Bowden Acres, 0.928 acres located at 300 Bowden Circle.

Motion passed 7-0.

Motion was made by Stuart Gillaspie and second by Matt Powell to approve Case 05-137 – Final Plat of Shannon Creek Phase One, 29.21 acres located in the 300 block of Shaffstall Road.

Motion passed 7-0.

Motion was made by Stuart Gillaspie and second by Matt Powell to approve the renewal of the following annual contracts for FY 2005-2006:

- 1) 2005-2006 interlocal agreement between the Burleson Independent School District and the City regarding School Resource Officers.
- 2) 2005-2006 interlocal agreement between the Burleson Independent School District and the City regarding the DARE program.
- 3) Interlocal Agreement with City of Fort Worth for HHW Collection
- 4) 2005-2006 agreement with Municipal Planning Resources Group, Inc.

Motion passed 7-0.

Motion was made by Stuart Gillaspie and second by Matt Powell to approve an agreement with GIS Planning for GIS website services related to GIS and mapping and authorizing the City Manager to execute the agreement.

Motion passed 7-0.

The Council heard a presentation by Animal Services Supervisor Shelly Meeks on animal rescue and recovery in the hurricane Katrina disaster area.

Motion was made by Matt Powell and second by Jerry Allen to convene into executive session pursuant to Texas Government Code 551.087, deliberation regarding Economic Development.

Motion passed 7-0. Time 7: 12 PM

Motion was made by Stuart Gillaspie and second by Chip Stephens to reconvene into open session.

Motion passed 7-0. Time 7:19 PM

Council directed the City Attorney to prepare and ordinance that will allow the Council to amend the residential homestead exemption for disabled persons and persons of 65 years of age after the outcome of the November 8, 2005 special election results are known.

Motion was made by Matt Powell and second by Jerry Allen to approve the final reading of Ordinance C-584, adopting the 2005-2006 annual operating budget.

Motion passed 7-0.

Motion was made by Stuart Gillaspie and second by Claudia Humphreys that property taxes be increased by the adoption of a tax rate of \$0.5964. The final reading of Ordinance C-585, adopts this tax rate.

Motion passed 7-0.

Motion was made by Claudia Humphreys and second by Chip Stephens to approve the final reading of Ordinance C-586, establishing rates to be charged for water and wastewater service in the City of Burleson.

Motion passed 7-0.

Motion was made by Matt Powell and second by Chip Stephens to adopt the 2005-2006 City of Burleson fee schedule.

Scott Polokov with Prime Strategies Inc. addressed the Council and audience regarding the proposed transit site and the potential for development in the area.

The Mayor opened the public hearing on the annexation of a tract comprising 653 acres, more or less, located in the H.G. Catlett Survey, Abstract No. 180; the H.G. Catlett Survey, Abstract No. 186; the E. Smith Survey, Abstract No. 763; the J.S. Huie Survey, Abstract No. 380; the H.G. Catlett Survey, Abstract No. 177; and the S.M. Blair Survey, Abstract No. 65, Johnson County, Texas. Time 8:00 PM.

The following individuals filled out speaker/comment cards:

Steve Ann Richie, 207 Timber Creek Drive, questioned the alignment of

the extension of Alsbury Blvd. as it relates to the Bleeker property.  
Against the annexation.

David Richie, 207 Timber Creek Dr., did not speak, objects to Alsbury extension. Against the annexation.

Steve Douglas, 553 NW Janie Lane, did not speak. Against the annexation.

Gayle Douglas, 553 NW Janie Lane, did not speak. Against annexation.

Norman Johnston, 11025 CR 1020, does not want to be annexed.

Jerry Garcia, 1400 CR 920, had questions about zoning, continuation of current uses of property. Opposed to commuter rail and annexation.

Yvonne White, 1316 CR 920, had questions about what type of development, how long has the city been planning a rail site, concerned with Councilmember purchasing land in the area for proposed annexation (this question was addressed by the City Attorney who noted that the Councilmember had on file the proper notices for conflict of interest and would not be participating in any discussions or decisions.) Opposed to the annexation.

Lynn Bleeker and Marilyn Bleeker did not speak. Against annexation.

There being no further speakers the Mayor announced that the next public hearing would be on October 4, 2005 at 7:00 PM and closed the public hearing. Time 8:50 PM.

David Wynn, City Engineer made a presentation regarding the land use assumptions and capital improvements plan.

The Mayor opened a public hearing on the land use assumptions and capital improvements plan. Time 9:06 PM

There being no speakers the Mayor closed the public hearing at 9:07 PM.

Motion was made by Jerry Allen and second by Claudia Humphreys to approve Resolution 1025, adopting land use assumptions and capital improvements plan to be used in support of water and wastewater impact fees.

Motion passed 7-0.

Motion was made by Chip Stephens and second by Matt Powell to approve Resolution 1026, calling a public hearing on the implementation of water and wastewater impact fees.

Motion passed 7-0.

Motion was made by Stuart Gillaspie and second by Claudia Humphreys to grant the waiver from the street length requirements for Tuscan Acres, 3.0 acres located in the 1000 block of County Road 804. (Case 05-128)

Motion passed 7-0.

Motion was made by Matt Powell and second by Chip Stephens to approve the 380 agreement between the City of Burleson and B&G Commercial Investments Corporation, LLC for infrastructure improvements for the B&G Professional Building, lot 2R, Block 38, MA Clark Addition and authorize the City Manager to execute the agreement.

Motion passed 7-0.

Motion was made by Claudia Humphreys and second by Jerry Allen to direct staff to proceed with notification of the Johnson County taxing entities regarding the Tax Increment Finance District Reinvestment Zone Number Two.

Motion passed 7-0.

Motion was made by Chip Stephens and second by Jerry Allen to approve the first 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 7-0.

Motion was made by Stuart Gillaspie and second by Jerry Allen to approve Resolution 1027 calling for a joint election with Johnson County for November 8, 2005, and Resolution 1028, calling for a joint election with Tarrant County for November 8, 2005.

Motion passed 7-0.

Motion was made by Jerry Allen and second by Claudia Humphreys to transfer any funds remaining that were dedicated to the hurricane Katrina relief efforts to the relief efforts related to hurricane Rita.

Motion passed 7-0.

There being no further business, the Mayor declared the meeting adjourned.  
Time 10:00 PM

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Mary J. Kayser  
City Secretary