

Council Work Session
May 11, 2006

The Burleson City Council met in a work session on May 11, 2006, in the Burleson City Hall, 141 W. Renfro, Burleson, Texas. Mayor Shetter called the meeting to order at 6:10 P.M., the following members present: Ken Shetter, Stuart Gillaspie Jim Bailey, Matt Powell, Claudia Humphreys, and Chip Stephens. Jerry Allen absent.

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

Planning and Community Development Director, Clayton Husband and Engineering Services Director, David Wynn presented and update on various ordinances: Masonry, Tree Preservation and Sign Kiosks, Subdivision Regulations and the Design Manual.

The Council took a break at 6:55 PM.

Council Session
May 11, 2006

The Burleson City Council met in a regular session on May 11, 2006, in the Burleson City Hall, 141 W. Renfro, Burleson, Texas. Mayor Shetter called the meeting to order at 7:06 P.M., the following members present: Ken Shetter, Stuart Gillaspie, Jim Bailey, Matt Powell, Claudia Humphreys and Chip Stephens. Jerry Allen absent.

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 November 15, 2005 special session, November 21, 2005 special session and the April 27, 2006 regular session.

Motion passed 5-0. Jim Bailey abstained. Jerry Allen absent.

Motion was made by Chip Stephens and second by Claudia Humphreys to approve the following purchase requisitions and payments: General Fund - purchase requisitions: 1) \$ 11,868.00 – Vulcan Materials, 2) \$ 10,230.00 – Arnold Crushed Stone, Inc., 3) \$ 12,425.88 – Gib Lewis, 4) \$ 6,020.00 – Denitech Fort Worth, 5) \$ 18,200.00 – SEM Materials, 6) \$ 9,442.47 – Environmental Systems Research. General Fund – payments: 1) \$ 6,783.00 – Workers Assistance Program, Inc.,

2) \$ 4,670.00 – WPAM-AM. Special Revenue Fund - purchase requisitions: 1) \$ 3,399.78 – Tab Products Co. Hidden Creek Golf Course Fund – payments: 1) \$ 5,486.17 – Callaway Golf. 1996 Water and Sewer Infrastructure Bond Fund – payments: 1) \$ 5,000.00 – Deloitte & Touche. General Fund/2001 Sales Tax Revenue Bond Fund – 4A – payments: 1) \$ 19,089.48 - Taylor, Olson, Adkins, Sralla & Elam, LLP. General Fund/2005 Certificates of Obligation Hidden Creek Parkway/2002 Water Sewer Revenue Bond Fund/2003 Water Sewer Revenue Bond Fund – payments: 1) \$ 27,341.00 – Ellerbee-Walczak, Inc.

Motion passed 6-0. Jerry Allen absent.

Motion was made by Chip Stephens and second by Claudia Humphreys to approve the first reading of Ordinance C-597-06, approving the Project and Financing Plan for Tax Increment Finance Reinvestment Zone Number Two.

Motion passed 6-0. Jerry Allen absent.

Motion was made by Chip Stephens and second by Claudia Humphreys to approve the first reading of Ordinance B-751-06, establishing a speed limit of 35 miles per hour on Hidden Creek Parkway from SH 174 (Wilshire Boulevard) to Deborah Street and establishing a speed limit of 40 miles per hour on Hidden Creek Parkway from Deborah Street to East Renfro Street.

Motion passed 6-0. Jerry Allen absent.

Motion was made by Chip Stephens and second by Claudia Humphreys to approve Resolution 1050-06 suspending the May 30, 2006, effective date of the proposal by Atmos Energy Corp., Mid-Tex Division to implement interim GRIP rate adjustments for gas utility investment in 2005

Motion passed 6-0. Jerry Allen absent.

Motion was made by Chip Stephens and second by Claudia Humphreys to approve a Preliminary Plat for 25.35 acres of Rolling Meadows Phase IV located east of County Road 602, west of East Renfro Street. (Case 06-003)

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

Motion was made by Chip Stephens and second by Claudia Humphreys to approve a Final Plat of Lot 1, Block A, Wilshire Chicken Red's Addition, 1.564 acres located on the east side of Wilshire Boulevard north of Miles Avenue. (Case 06-055)

Motion passed 6-0. Jerry Allen absent.

Motion was made by Chip Stephens and second by Claudia Humphreys to approve the request for a waiver from cul-de-sac length requirements in the City of Burleson Design Standards Manual for Rolling Meadows Phase IV located east of County Road 602, west of East Renfro Street. (Case 06-003)

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

Motion was made by Chip Stephens and second by Claudia Humphreys to approve the Bylaws for the Tax Increment Finance Reinvestment Zone Number Two.

Motion passed 6-0. Jerry Allen absent.

Motion was made by Chip Stephens and second by Claudia Humphreys to authorize the City Manager to execute the Change Order No. 6 to the Hidden Creek Parkway project.

Motion passed 6-0. Jerry Allen absent.

Motion was made by Chip Stephens and second by Claudia Humphreys to issue a Correction Deed to Release Mineral Rights to Owner of Property Acquired as Right-of-Way for Hidden Creek Parkway.

Motion passed 6-0. Jerry Allen absent.

The Mayor presented a proclamation for Public Works Week to representatives of the Public Works Department.

Ron Crook, 120 Country Vista, spoke in opposition to the request by the Willow Creek Ranch Home Owners Association for a waiver from Article VII Oil and Gas, Section 14-353, Location Criteria, of the Burleson Code of Ordinances to allow a gas drilling pad in a single family residential subdivision.

Kerry Markwardt, 158 Ranchway, spoke in favor of the request by the Willow Creek Ranch Home Owners Association for a waiver from Article VII Oil and Gas, Section 14-353, Location Criteria, of the Burleson Code of Ordinances to allow a gas drilling pad in a single family residential

subdivision and showed the Council a map of the areas proposed for the drilling.

Motion was made by Claudia Humphreys and second by Matt Powell to approve a request by the Willow Creek Ranch Home Owners Association for a waiver from Article VII Oil and Gas, Section 14-353, Location Criteria, of the Burleson Code of Ordinances to allow a gas drilling pad in a single family residential subdivision. (Case 06-063)

Motion passed 6-0. Jerry Allen absent.

The Mayor opened a Public hearing on the request by XTO Energy for a gas well drilling permit on 251.5 acres located north of County Road 714, west of Cozby Lane. (Case 06-048)

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

Motion was made by Jim Bailey and second by Claudia Humphreys to approve a request by XTO Energy for a gas well drilling permit on 251.5 acres located north of County Road 714, west of Cozby Lane. (Case 06-048)

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

Motion was made by Stuart Gillaspie and second by Matt Powell to approve Resolution 1051-06, requesting the City's approval for the submission of the TxDOT Click it or Ticket grant application and authorize the City Manager to execute the application and contracts.

Motion passed 6-0. Jerry Allen absent.

Motion was made by Jim Bailey and second by Matt Powell to authorize the City Manager to execute an Engineering Services contract with HNTB in the amount of \$90,000.00 for a Parks, Recreation and Trails Master Plan for the City of Burleson.

Motion passed 6-0. Jerry Allen absent.

Motion was made by Jim Bailey and second by Chip Stephens to authorize the City Manager to execute an Engineering Services Letter Agreement with Kimley-Horn and Associates, Inc., in the amount of \$3,000.00 for a signal warrant study for the Renfro / McAlister intersection.

Motion passed 6-0. Jerry Allen absent.

Motion was made by Matt Powell to authorize the City Manager to execute an Engineering Services Letter Agreement with Kimley-Horn and Associates, Inc., in the amount of \$12,500.00 for a signal study along the Alsbury Boulevard from the northbound I-35W service road to Hemphill Street

Motion passed 6-0. Jerry Allen absent.

Finance Director, Charles Harris and Deputy City Manager Paul Cain presented information on the Mid-Year Budget.

Deputy City Manager, Paul Cain reported on the I35W/Renfro bridge incident and repair.

Allison Thompson reported on the Zagat review that Babe's Chicken Dinner House received.

Motion was made by Matt Powell and second by Chip Stephens 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. 551.076, deliberation regarding security devices, pursuant to Sec. 551.087, deliberation regarding Economic Development Negotiations, pursuant to Section 418.183(f) of the Texas Government Code (Texas Disaster Act) regarding critical infrastructure.

Motion passed 6-0. Jerry Allen absent. Time 8:15 PM

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

Motion passed 6-0. Jerry Allen absent. Time 9:11PM

There being no further business, the Mayor declared the meeting adjourned. Time 9:12 PM.

Mary J. Kayser
City Secretary