

Council Session
May 25, 2006

The Burleson City Council met in a regular session on May 25, 2006, in the Burleson City Hall, 141 W. Renfro, Burleson, Texas. Mayor Shetter called the meeting to order at 7:03 P.M., the following members present: Ken Shetter, Stuart Gillaspie, Jim Bailey, Matt Powell, Claudia Humphreys, Jerry Allen, Jim Wadlow and Chip Stephens.

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

Amanda McDowell, Deputy City Secretary administered the oath of office to newly elected, Ken Shetter, Mayor, Jim Wadlow, Councilmember Place 2, Claudia Humphreys, Place 4 and Chip Stephens, Place 6.

Councilmember Bailey exchanged seats with newly elected Councilmember Wadlow.

Several presentations were made to honor outgoing Councilmember Jim Bailey for his 18 years of service.

Mayor Shetter recessed the council meeting at 8:00 p.m. after the presentations.

Mayor Shetter reconvened the meeting at 8:17 p.m.

Motion was made by Jerry Allen and second by Matt Powell to approve the minutes of the May 25, 2006 regular session.

Motion passed 5-0. Jim Wadlow and Jerry Allen abstained.

Motion was made by Jerry Allen and second by Matt Powell to approve the following purchase requisitions and payments: Park Dedication Fund - purchase requisitions: 1) \$ 4,125.00 – Nema 3 Electric, Inc., General Fund – purchase requisitions: 1) \$ 8,500.00 – Aqua-Rec, Inc., 2) \$ 37,300.00 – Apac-Texas, Inc., 3) \$ 23,995.00 – Anderson Paving, Inc. Equipment Replacement Fund – purchase requisitions: 1) \$ 4,700.00 – Priority Public Safety: Equipment Services Fund – purchase requisitions: 1) \$ 7,717.33 – Industrial Power Isuzu Truck, 2) \$4,840.00 – Industrial Power Isuzu Truck. General Fund/2005 Certificate of Obligation/2005 Water & Sewer Revenue Bond Fund – payments: 1) \$ 3,908.00 – Ellerbee-Walczak, General Fund/2001 Sales Tax Revenue Bond Fun – 4A – payments: 1) \$ 13,489.39 – Taylor, Olson, Adkins, Sralla & Elam. Economic Development Incentive Fund – payments: 1) \$ 116,253.14 – Kimco Burleson L.P. 2005 General Obligation Bond – payments: 1) \$ 3,299.85 – HTE.

Motion passed 7-0.

Motion was made by Jerry Allen and second by Matt Powell to approve

the first reading of Ordinance D-068-06, rezoning 2.21 acres out of the Stephen Kinsey Survey, Abstract No. 475 from (A) Agricultural to (I) Industrial zoning district located west of Interstate 35W and south of FM 917. (Case 06-021)

Motion passed 7-0.

Motion was made by Jerry Allen and second by Matt Powell to approve the final 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 7-0.

Motion was made by Jerry Allen and second by Matt Powell to approve a Final Plat for 10.2 acres, Lot 1, Block 1, Victory Family Church Addition, located at the southwest corner of John Jones Drive (FM 731) and Hillside Drive. (Case 06-062)

Motion passed 7-0.

Dan Steblay, 101 NW Newton, Burleson, spoke in favor of a traffic signal at Shaffstall Road and 174 and one at Alsbury and Summercrest. Todd House, Deputy City Engineer relayed the information that plans have been submitted by the City to TXDOT for a signal at Shaffstall Road and 174. Mr. House was unaware of any action to add a signal at Alsbury and Summercrest.

Mayor Shetter opened the public hearing for a request by Williams Production – Gulf Coast Company LP for two gas well drilling permits on 206.18 acres located on the southwest side of Shaffstall Road, between Tantarra Drive and Wilshire Boulevard. Time 8:42 p.m.

David Birdwell, 10021 Tantarra, spoke in favor of the request by Williams Production.

Dan Steblay, 101 NW Newton, spoke against the request by Williams Production. Mr. Steblay owns the already platted subdivision Shannon Creek across the road from the proposed pad site. He believes it would be harmful to his property value and make it harder to sell the lots.

Mike Burch, a Williams Production representative, spoke of the measures that Williams Production is proposing to make the pad site as well concealed as possible.

Council questioned the reasons for the pad site to be within 250 feet from the Shannon Creek Estate Subdivision. Council asked about compliance with the Master Thoroughfare Plan for the existing roads.

Mike Arnold, 9821 Tantarra Estates, spoke in favor of the request.

David Shipman, 301 CR 920, spoke in favor of the request.

Mayor Shetter closed the public hearing. Time 9:42 p.m.

Motion was made by Claudia Humphreys and second by Jim Wadlow to table the request by Williams Production – Gulf Coast Company LP for two gas well drilling permits on 206.18 acres located on the southwest side of Shaffstall Road, between Tantarra Drive and Wilshire Boulevard to allow applicant to reconcile the council's comments and concerns.

Motion passed 7-0.

Motion was made by Chip Stephens and second by Claudia Humphreys to approve the first reading of Ordinance B-752-06, amending Article II, Section 12 and Article III, Section 27 of Ordinance B-582, Zoning Ordinance of the City of Burleson Code of Ordinances to allow Drop-in Child Care Uses within the (C) Commercial zoning district. (Case 06-061)

Motion passed 7-0.

Motion was made by Jerry Allen and second by Chip Stephens to approve Resolution 1053-06, supporting the naming of a U. S. Navy Ship the USS Fort Worth.

Motion passed 7-0.

Motion was made by Claudia Humphreys 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 7-0. Time 9:50 PM

Motion was made by Matt Powell 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 7-0. Time 11:11PM

Councilmember Claudia Humphreys left the council meeting. Time 11:13 PM

Motion was made by Jerry Allen and second by Chip Stephens to rescind authorization to execute agreement with CitiCapital and to authorize the City

Manager to execute Agreement with Chase Equipment Leasing Inc. for Financing of Wireless Network Construction.

Motion passed 6-0. Claudia Humphreys absent.

Motion was made by Stuart Gillaspie and second by Jim Wadlow to authorize the City Manager to execute agreement with DFW Communications, Inc. for purchase and installation of a new city wide radio system in the amount of \$462,712.42.

Motion passed 6-0. Claudia Humphreys absent.

Motion was made by Jerry Allen and second by Matt Powell to approve the mid-year adjustments to FY 2005-2006 Annual Operating Budget as follows:

Additional funds for Council Chamber A/V improvements	\$ 45,000
Alsbury Blvd traffic study	\$ 12,500
McAlister Road traffic study	\$ 3,000
Fence at Norwood Elementary	<u>\$ 13,000</u>
Total	\$ 73,500

Additionally, a \$ 500,000 transfer for the Water and Wastewater Fund is requested for the purpose of rate mitigation,

having the total by \$573,500.00.

Motion passed 6-0. Claudia Humphreys absent.

Motion was made by Matt Powell to table the approval of a Preliminary Plat for 23.2 acres for 95 Lots, Heritage Village, located south of Warren Street, southeast of Gregory Street. (Case 06-058) until applicant notifies staff they are ready to bring back to council.

Motion passed 6-0. Claudia Humphreys absent.

The Monthly Financial Report, April 2006 will be presented at the next council meeting, June 8, 2006.

Curtis E. Hawk, City Manager reminded staff and council of the budget workshops, June 15, 2006 and June 20, 2006.

There being no further business, the Mayor declared the meeting adjourned. Time 11:59 PM.

Amanda J. McDowell
Deputy City Secretary