

Council Work Session  
July 13, 2006

The Burleson City Council met in a work session on July 13, 2006, in the Burleson City Hall, 141 W. Renfro, Burleson, Texas. Mayor Shetter called the meeting to order at 5:47 P.M., the following members present: Ken Shetter, Jim Wadlow, Jerry Allen, Chip Stephens and Stuart Gillaspie. Matt Powell arrived at 5:47 PM.

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

Presentation of Draft I-35 Study by Prime Strategies.

Allen Taylor arrived at 6:00 PM

Presentation of Draft Master Thoroughfare Plan by Kimley-Horn.

Claudia Humphreys arrived at 6:30 PM

Budget FY 06-07 (Deferred to later in the meeting)

The Council took a break at 6:52 PM

Council Session  
July 13, 2006

The Burleson City Council met in a regular session on July 13, 2006, in the Burleson City Hall, 141 W. Renfro, Burleson, Texas. Mayor Shetter called the meeting to order at 7:10 P.M., the following members present: Ken Shetter, Stuart Gillaspie, Jim Wadlow, Matt Powell, Claudia Humphreys, Jerry Allen and Chip Stephens

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 Matt Powell and second by Jerry Allen to approve minutes from the June 22, 2006 regular session.

Motion passed 6-0. Jerry Allen abstained.

Motion was made by Matt Powell and second by Jerry Allen to approve the final reading of Ordinance C-598-06, denying the request of Atmos Energy Corp., Mid-Tex Division, for an annual Gas Reliability Infrastructure Program (GRIP) rate increase.

Motion passed 7-0.

Motion was made by Matt Powell and second by Jerry Allen to approve the final reading of Ordinance C-599-06, establishing rates to be charged for water and wastewater service in the City of Burleson (as authorized in section 10-4, Code of Ordinances); repealing all ordinances and parts of ordinances in conflict herewith; providing a repealer clause; and providing an effective date clause.

Motion passed 7-0.

Motion was made by Matt Powell and second by Jerry Allen to approve the final reading Ordinance D-069-06, rezoning 9.4987 acres of Lot 3, Block 1, Southcliff Addition from (A) Agricultural to (SP) Site Plan zoning district located west of Wilshire Boulevard (SH 174) south of Shaffstall Road. (Case 06-054)

Motion passed 7-0.

Motion was made by Matt Powell and second by Jerry Allen to approve the final reading Ordinance B-743-06, amending Chapter 10, Buildings and Building Regulations, of the Burleson Code of Ordinances, by adding Article XVI Masonry Construction Standards (Case 06-006)

Motion passed 7-0.

Motion was made by Matt Powell and second by Jerry Allen to approve the final reading 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 Matt Powell and second by Jerry Allen to approve the Amendment to the Restated Interlocal Cooperative Agreement with Area Metropolitan Ambulance Authority. (MedStar)

Motion passed 7-0.

Motion was made by Matt Powell and second by Jerry Allen to approve a Community Facilities Contract (Three Party Format) for Prairie Timber Estates, require the payment of all associated development fees prior to the filing of the plat; authorize the Mayor to sign and authorize the use of the three party contracts for future projects at the developer's request.

Motion passed 6-0. Claudia Humphreys abstained.

Motion was made by Matt Powell and second by Jerry Allen to authorize the City Manager to execute an amendment to the Hidden Creek Parkway engineering services contract with Freese and Nichols, Inc. for the design of a driveway connecting Bransom Elementary School with Hidden Creek Parkway in the amount of \$13,900.00 and to approve a change order to the Hidden Creek Parkway project for the cost of construction of the Bransom Elementary School driveway in an amount no to exceed \$109,421.00.

Motion passed 7-0.

Motion was made by Matt Powell and second by Jerry Allen to award the bid for the Mill and Overlay Program to Reliable Paving in the amount of \$89,709.00.

Motion passed 7-0.

Motion was made by Matt Powell and second by Jerry Allen to award the bid for the Micro Surface Program to Ballou Construction in the amount of \$ 177,932.59.

Motion passed 7-0.

Motion was made by Jerry Allen and second by Claudia Humphreys to approve the following purchase requisitions and payments: General Fund - purchase requisitions: 1) \$ 4,499.38 – Demco, 2) \$ 4,049.00 – MBM Corp., 3) \$ 11,190.00 – Apac Texas, Inc. Equipment Services Fund - purchase requisitions: 1) \$ 21,298.49 – Lynn Smith Chevrolet, 2) \$ 3,244.72 – Industrial Power Isuzu Truck. 2005 CO 4A - purchase requisitions: 1) \$ 22,209.04 – Orvall Hall Excavating Co., 2) \$ \$13,260.23 - Orvall Hall Excavating Co. Hidden Creek Golf Course Fund - purchase requisitions: 1) \$ 189,908.00 – Luber Brothers, Inc. General Fund/Water and Wastewater Fund - purchase requisitions: 1) \$ 4,000.00 – WBAP-AM. 2005 CO 4A – payments: 1) \$ 3,162.00 - Ellerbee Walczak, Inc. General Fund/2005 Water Sewer Revenue Bond Fund – payments: 1) \$ 8,042.00 - Ellerbee Walczak, Inc. General Fund/2005 General Obligation Bond Fund – 1) \$ 19,453.13 – HTE, Inc.

Motion passed 7-0.

Motion was made by Jerry Allen and second by Stuart Gillaspie to approve a Vehicle Use Agreement with Mike Carlson Motors for a School Resource Officer vehicle.

Motion passed 7-0.

Director of Planning and Community Development, Clayton Husband gave the staff report on the request by Four Sevens Operating Company for a gas well drilling permit on Hidden Creek Golf Course. (Case 06-080)

The mayor opened a Public Hearing on a request by Four Sevens Operating Company for a gas well drilling permit on Hidden Creek Golf Course. (Case 06-080)

There being no speakers the Mayor closed the public hearing.

Motion was made by Stuart Gillaspie and second by Jim Wadlow to approve a request by Four Sevens Operating Company for a gas well drilling permit on Hidden Creek Golf Course. (Case 06-080)

Motion passed 7-0.

Motion was made by Jim Wadlow and second by Jerry Allen to approve Resolution 1059-06, supporting the RTC preferred alignment for the Trans Texas Corridor.

Motion passed 7-0.

Motion was made by Claudia Humphreys and second by Stuart Gillaspie to approve modifications to the Community Facilities Contract for Plantation Offsite Sewer Improvements related to the maintenance of the offsite sewer facilities (this will be included as a special condition to the community facilities contract); authorize the Mayor to execute the agreement and authorize the payment for the right-of-way in the amount of \$17,884.00 (this will be included as a special condition to the community facilities contract) and the payment will occur when the plat is filed with the County.

Motion passed 7-0.

Motion was made by Stuart Gillaspie and second by Jim Wadlow to authorize the City Manager to execute a contract with James Kelly, DBA Blue Moon Acquisitions for professional services related to real estate acquisitions for the Village Creek Sanitary Sewer Relief Line (Town Creek to SH 174) Capital Improvement Project in an amount not to exceed \$15,000.00.

Motion passed 7-0.

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, 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 7:30 PM

Motion was made by Stuart Gillaspie and second by Jim Wadlow to reconvene into open session.

Motion passed 7-0. Time 8:07 PM

Motion was made by Claudia Humphreys and second by Chip Stephens to authorize the City Manager to formulate and execute an agreement with Lake Hollow Corporation for participation in the cost of construction of the additional width of Hemphill Street in the amount of \$25,342.00.

Motion passed 7-0.

Consideration of a Correction Deed to release mineral rights to owner of property acquired for the Southwest Delivery Water Supply and Shaffstall Pump Station.

This item died for lack of a motion.

Motion was made by Stuart Gillaspie and second by Chip Stephens to authorize the City Manager to formulate an agreement to abandon Bufford Street (Bransom Street to Tarrant Avenue) and alleys west of Bransom Street between Ellison Street and Bufford Street and between Bufford Street and Eldred Street upon submittal of proper documents by the First Baptist Church.

Motion passed 7-0.

Motion was made by Claudia Humphreys and second by Jerry Allen to establish a Council Development Committee and a Council Community Services Committee and to appoint the members as follows:

**Council Development Committee:**

Jerry Allen  
Chip Stephens  
Jim Wadlow

## **Council Community Services Committee**

Matt Powell  
Claudia Humphreys  
Ken Shetter

Motion passed 7-0.

### Reports

Director of Planning and Community Development, Clayton Husband presented the SH121 Land Use and Corridor Study.

Director of Planning and Community Development, Clayton Husband presented a draft Ordinance, amending Chapter 34, Environment, of the Burlison Code of Ordinance, by amending Articles I and II in their entirety regarding nuisance codes. (Case 06-070)

Jerry Allen:

parking requirements to apply to commercial as well as residential.

clarification on draining swimming pools

Claudia Humphreys:

Vehicles in the back yard

Assistant Director of Finance, Rhett Clark presented the Monthly Financial Report, May 2006.

Various department reports.

Director of Emergency Operations, Stacy Singleton, gave a report on the July 4, 2006, fireworks, tickets issued, repercussions of Johnson County not having a ban on fireworks.

Director of Engineering Services, David Wynn gave a report on the TxDot Construction and Hidden Creek Parkway lights and landscaping

Fire Chief, Gary Wisdom gave a report on not providing fire service outside the city.

There being no further business, the Mayor declared the meeting adjourned. Time 10:19 PM.

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Mary J. Kayser  
City Secretary