

Council Work Session
April 12, 2007

The Burleson City Council met in a work session April 12, 2007, in the Burleson City Hall, 141 W. Renfro, Burleson, Texas at 6:21 P.M., with the following members present Ken Shetter, Jim Wadlow, Matt Powell, Claudia Humphreys, and Stuart Gillaspie. Chip Stephens and Jerry Allen absent.

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

Motion was made by Jim Wadlow 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. 551.074, personnel matters, 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 5-0. Chip Stephens and Jerry Allen absent. Time: 6:23 P.M.

Chip Stephens arrived. Time: 6:37 P.M.

Motion was made by Claudia Humphreys and second by Jim Wadlow to reconvene into open session for possible action resulting from any item posted and legally discussed in Executive Session.

Motion passed 6-0. Jerry Allen absent. Time: 7:06 P.M.

Council Session
April 12, 2007

The Burleson City Council met in regular session April 12, 2007, in the Burleson City Hall, 141 W. Renfro, Burleson, Texas, at 7:06 P.M., with the following members present Ken Shetter, Jim Wadlow, Chip Stephens, Stuart Gillaspie, Claudia Humphreys and Matt Powell. Jerry Allen absent.

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

Invocation was given by Donna Schmoyer with St. Matthews church.

Motion was made by Stuart Gillaspie and second by Matt Powell to approve the minutes from the March 22, 2007 regular council meeting.

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

Motion was made by Stuart Gillaspie and second by Matt Powell to approve the following purchase requisitions and payments:

Requisitions

Fund: 4A-NBCPF

Schrickle, Rollins and Associates, Inc. - \$5,114.00

Fund: General Fund

Apac-Texas, Inc, - \$45,000.00

Greenlander, LLC - \$6,995.00

Foremost Promotions - \$3,119.47

Fund: ESF

Industrial Power Isuzu Truck - \$10,995.00

Payments

Fund: General Fund/2005CO 4A

Ellerbee-Walczak, Inc. - \$5,021.00

Motion passed 6-0. Jerry Allen absent.

Motion was made by Stuart Gillaspie and second by Matt Powell to approve a contract with James Kelley, DBA Blue Moon Acquisitions for professional services related to real estate acquisitions for the Hemphill Road and McAlister Road Capital Improvement Projects, and authorize for the City Manager to execute the contract.

Motion passed 6-0. Jerry Allen absent.

Motion was made by Stuart Gillaspie and second by Matt Powell to approve the Pipeline Crossing Agreement between Union Pacific Railroad and the City of Burleson for the North Creek Relief Sewer Project and authorizing the City Manager to execute.

Motion passed 6-0. Jerry Allen absent.

Motion was made by Stuart Gillaspie and second by Matt Powell to approve a Joint Election Agreement with Tarrant County to share a polling site on May 12, 2007 and authorize the Mayor to sign.

Motion passed 6-0. Jerry Allen absent.

Motion was made by Stuart Gillaspie and second by Matt Powell to approve the final reading of Ordinance C-614-07, amending chapter 38, Fire Prevention and Protection, Article II, of the Code of Ordinances of the City of Burleson, "Establishing the Fire Prevention Department as a Law Enforcement Agency of the City."

Motion passed 6-0. Jerry Allen absent.

Motion was made by Stuart Gillaspie and second by Matt Powell to award the bid for 2007 Exterior Tank Painting Services to NG Painting, L.G. in the amount of \$160,000.00.

Motion passed 6-0. Jerry Allen absent.

Motion was made by Stuart Gillaspie and second by Matt Powell to award the bid for the 2007 Mill and Overlay Program (ITB 2007-021) to JLB Contracting, LP, in the amount of \$167,373.64.

Motion passed 6-0. Jerry Allen absent.

Motion was made by Stuart Gillaspie and second by Matt Powell to award the bid for the 2007 Micro Surface Program (ITB 2007-022) to Ballou Construction Co., Inc. in the amount of \$190,138.20.

Motion passed 6-0. Jerry Allen absent.

Mayor Shetter read a Proclamation for Earth Week and presented to Sheri Campbell-Husband, Director of Communications and Environmental Services and representatives of Keep Burleson Beautiful.

Mayor Shetter read a Proclamation for National Volunteer Week and presented to representatives of Citizens on Patrol.

Mayor Shetter read a Proclamation for National Telecommunicators Week and presented to Tom Cowan, Chief of Police and Karen Dawkins, Telecommunications Officer.

Mayor Shetter read a Proclamation for National Crime Victim Week and presented to Wanda Page, Victim Assistance Coordinator.

There were no speakers for Citizen's Appearance.

Mayor Shetter opened a public hearing for first reading of Ordinance D-078-07, a request for a rezoning from the (I) Industrial district to (2F) Two Family zoning district for approximately 0.66 acres located west of North Field Street, southwest of Interstate 35W. (Case 07-011)

TIME: 7:23 P.M.

Helayna Sanders, 320 Field St., Burleson, TX, posed questions regarding maintenance and property value.

Dan Norman, 12421 Oak Grove Rd., Burleson, TX, spoke in favor of the rezoning.

There being no further speakers the Mayor closed the public hearing. TIME 7:36 P.M.

Motion was made by Stuart Gillaspie and second by Matt Powell to table the first reading of Ordinance D-078-07, a request for a rezoning from the (I) Industrial district to (2F) Two Family zoning district for approximately 0.66 acres located west of North Field Street, southwest of Interstate 35W. (Case 07-011)

Motion passed 6-0. Jerry Allen absent.

Mayor Shetter opened a public hearing for final reading of Ordinance C-615-07 an amendment to the Comprehensive Plan regarding the IH35 Corridor Plan, final reading of Ordinance B-767-07 regarding the IH35 Overlay District, and final reading of Ordinance D-080-07, amending the Burleson Zoning Ordinance and Official Zoning Map.

TIME 7:58 P.M.

Leon Flusche, of Arlington, posed questions regarding Tarver Rd. and I35 ramp locations.

Bill Slovich, 100 CR 714, Burleson, TX, voiced interest in the property.

Kendall Heaps, 5700 CR 608, Burleson, TX, voiced understanding for the planning for zoning changes, concerns for the future of Holy Cross Christian Academy and opposes the Hidden Creek Destination Complex Map.

Jim Bailey, 244 S Warren, commented that the Comprehensive Plan has worked in the past and will be beneficial in the future.

Sheila Vose, 917 area, voiced concerns of her home being in a commercial area in the future.

Larry Pool, 2816 S I35, posed questions regarding residential development on his property in the future.

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

TIME 8:59 P.M.

Motion was made by Claudia Humphreys and second by Matt Powell to approve the final reading of Ordinance C-615-07, an amendment to the Comprehensive Plan regarding the IH35 Corridor Plan with the additional comments to include the crossover on CR711 in the business park area and to include language that will clarify, that item 3B page 20 map controls the document of item 3B page 21 map with the attorneys coming up with the language to add that notation directly on item 3B page 21 map. (Case 07-011)

Motion passed 6-0. Jerry Allen absent.

Motion was made by Claudia Humphreys and second by Chip Stephens to approve the final reading of Ordinance B-767-07, an amendment to the Burleson Zoning Ordinance regarding the IH35 Overlay District. (Case 07-030)

Motion passed 6-0. Jerry Allen absent.

Motion was made by Claudia Humphreys and second by Stuart Gillaspie to approve the final reading of Ordinance D-080-07, amending the Burleson Zoning Ordinance and Official Zoning Map by establishing and enacting the IH35 Overlay District on approximately 2,000 acres of property generally located on the east and west sides of IH35 and including all property in the city limits on both sides of the highway. (Case 07-031)

Motion passed 6-0. Jerry Allen absent.

Mayor Shetter opened a public hearing for second reading of Ordinance D-079-07, request for the issuance of a Specific Use Permit (SUP) for child care as a home occupation on property located at 128 NE Cindy Lane. (Case 07-017)
TIME: 9:22 P.M.

Patricia Robles, 128 NE Cindy Lane, Burleson, TX, the homeowner gave supporting argument in favor of consideration of the Specific Use Permit.

Roby Arredondo, 124 NE Cindy Lane, Burleson, TX, spoke against the approval of the Specific Use Permit.

Melba White, 120 NE Cindy Lane, Burleson, TX. spoke against the approval of the Specific Use Permit.

Elton White 120 NE Cindy Lane, Burleson, TX, spoke against the approval of the Specific Use Permit.

Kathy Wimbrow, 121 NE Cindy Lane, Burleson, TX, spoke against the approval of the Specific Use Permit.

Nikkie Mosby, 557 NW Lorna, Burleson, TX, spoke against the approval of the Specific Use Permit.

Cindy Corneluis, 557 NW Lorna, Burleson, TX, spoke against the approval of the Specific Use Permit.

There being no further speakers the Mayor closed the public hearing.
TIME: 9:55 P.M.

Motion was made by Jim Wadlow and second by Chip Stephens to deny the second reading of Ordinance D-079-07, the request for the issuance of a Specific Use Permit (SUP) for child care as a home occupation on property located at 128 NE Cindy Lane. (Case 07-017)

Motion passed 6-0. Jerry Allen absent.

Mayor Shetter opened a public hearing for first reading of Ordinance C-616-07, an amendment to the Comprehensive Plan regarding the Burleson Master Thoroughfare Plan. (Case No. 07-038)
TIME: 10:20

Charles Curtis, 1433 CR 920, Burleson, TX, spoke against the amendment to the Comprehensive Plan.

There being no further speakers the Mayor closed the public hearing.
TIME: 10:25 P.M.

Motion was made by Jim Wadlow and second by Chip Stephens to approve the first reading of Ordinance C-616-07, an amendment to the Comprehensive Plan regarding the Burleson Master Thoroughfare Plan. (Case No. 07-038)

Motion passed 6-0. Jerry Allen absent.

Charles Curtis, 1433 CR 920, Burleson, TX, spoke against changing the name of Shaffstall Road

Motion was made by Chip Stephens and second by Jim Wadlow to approve the first reading of Ordinance C-618-07, changing the name of Shaffstall Road from State Highway 174 (Wilshire Boulevard) to the Burlington Northern Railroad and changing the name of County Road 920 from the Burlington Northern Railroad to County Road 1016 to Southwest Hulen Street.

Motion passed 6-0. Jerry Allen absent.

Greg Solomon President of the Burleson Chamber of Commerce spoke to the council regarding the benefits that Honeyfest brings to the city and requested financial support from the city for the event.

Motion was made by Matt Powell and second by Chip Stephens to approve financial support to the Chamber of Commerce for Honeyfest in the amount of \$7,800.00 out of the Hotel/Motel Fund.

Motion passed 6-0. Jerry Allen absent.

Motion was made by Jim Wadlow and second by Claudia Humphreys to approve the first reading of Ordinance C-619-07, changing the name of Granbury Road from State Highway 174 (Wilshire Boulevard) to its terminus approximately 1800 feet northwest of State Highway 174 to Lakewood Drive.

Motion passed 6-0. Jerry Allen absent.

Motion was made by Stuart Gillaspie and second by Chip Stephens to approve the first reading of Ordinance C-620-07, changing the name of Ellison Street (Old Alvarado Highway) approximately 100 ft east of Scott between Ellison Street as realigned and South Boulevard, to B & G Boulevard.

Motion passed 6-0. Jerry Allen absent.

No action was taken regarding land acquisition for purposes of flood control and other public improvements.

David White, Director of Hidden Creek Golf Course, reported on golf course operations year to date.

The Quarterly Investment Report for Quarter ended 12/31/06, was moved to April 26, 2007 council meeting.

David Wynn, P.E., Director of Engineering Services, reported on the new Planning and Zoning Commission dates based on elimination of Joint Public Hearings between the City Council and Planning and Zoning Commission.

Paul Cain, Deputy City Manager, made a presentation on Strengthening Families Initiative.

Curtis Hawk, City Manager, reported on House Bill 2084.

David Wynn, Director of Planning and Engineering Services, updated the council on Sign Kiosk.

Paul Cain, Deputy City Manager, advised council and congratulated Stacy Singleton, Director of Emergency Management/Fire Marshal, for being appointed Vice President of the Texas Advisory Council on Arson.

Peter Krause, Director of Parks and Recreation, showed the council a 3D video of the fly over for the future Parks and Recreation Improvements.

There being no further business, the Mayor declared the meeting adjourned.

TIME: 11:13 P.M.

Cathy Bourg
Deputy City Secretary