

BURLESON CITY COUNCIL WORK SESSION
May 10, 2007
MINUTES

Roll Call:

Council present:

Stuart Gillaspie
Jim Wadlow
Matt Powell
Ken Shetter
Chip Stephens

Council Absent:

Jerry Allen

Claudia Humphreys (arrives @ 8:15 p.m.)

Staff

Curtis E. Hawk, City Manager
Paul Cain, Deputy City Manager
Cathleen Wells, City Attorney

WORK SESSION – Call to order – Time: 6:12 p.m.

1. David Wynn, Director of Planning and Engineering presented to council item 3B., consideration of Ordinance D-081-07, requesting an amendment to Ordinance D-070-06, PD Planned Development zoning district for 203.90 acres (Hidden Vistas) located south of Hidden Creek Parkway and west of the Union Pacific Railroad. (Case No. 07-033). (First Reading).

Curtis E. Hawk presented to council item 4B, Ordinance C-621-07, revising and amending the FY 2006-2007 annual operating budget, and approving organizational changes by creating a Department of Neighborhood Services, a Department of Planning and Engineering Services, and an Office of Informational Services. (First Reading)

David Smyth, Assistant Director of Public Works, presented to council a report of the sewer line replacement program. This was a follow up to a complaint received at the April 26, 2007 regular council meeting.

David Stringer, Director of Public Works, presented to council item 4A, Ordinance B-768-07, amending Chapter 82 of the City of Burleson Code of Ordinances adding section 8-7 through 8-14 "Lawn and Landscape Irrigation Conservation". (First Reading)

Paul Cain, Deputy City Manager presented to council item 4C, Resolution R-1087-07, creating Mayor's Youth Council.

2. 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.

Time: 6:46 p.m.

Motion passed 4-0.

Stuart Gillaspie arrives at the council meeting. 7:00 p.m.

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

Time: 7:13 p.m.

Motion passed 5-0.

BURLESON CITY COUNCIL REGULAR SESSION
May 10, 2007
MINUTES

REGULAR SESSION – Call to order – Time: 7:13 p.m.

Invocation – Mark Greenroy

Items to be continued or withdrawn

No items.

Items to be withdrawn from the consent agenda for separate discussion

No items.

Consent Agenda

1A. Approve the minutes from the April 26, 2007 regular session.

Motion was made by Matt Powell and second by Jim Wadlow to approve.

Motion passed. 4-0

Chip Stephens abstained.

1B. Financial Transactions.

Requisitions

Fund: General Fund

Cook Landscaping Concepts, Inc. - \$3,600.00

KS2 Technologies, Inc. - \$3,500.00

Environmental Systems Research, Inc. - \$8,160.00

Fund: Water & Sewer

NG Painting, LP - \$160,000.00

Richardson Logic Control, Inc. - \$5,000.00

Wallace Control & Electric, Inc. - \$6,480.00

Fund: CSFF

Dechert's Landscaping & Irrigation, Inc. - \$2,000.00

Fund: 2002 Water Sewer Revenue Bond Fund

Landmark Structures I, LP - \$20,988.00

Fund: 2006 Certificate of Obligation

Four D Construction - \$16,913.00

Fund: Equipment Service Fund

Industrial Power Isuzu Truck - \$1,357.60

Fund: 2001 Sales Tax Revenue Bond Fund – 4A

Orval Hall Excavation - \$10,541.82

Fund: Equipment Replacement Fund

Philpott Motor Company - \$20,676.00

Payment

Fund: General Fund

Workers Assistance Program - \$7,035.00

Denitech Corporation - \$3,900.00

Fund: 2005 Water Sewer Revenue Bond Fund

Darlyn Jimenez - \$4,000.00

A. David & Carolyn Jimenez - \$4,000.00

**Fund: General Fund/SRF/Hidden Creek Golf Course/Water & Sewer/
2006 General Obligation Fund**

Lowe's Home Improvement Centers, Inc. - \$3,107.11

Motion was made Matt Powell and second by Jim Wadlow to approve.

Motion passed 5-0.

1C. Award the contract for the Concrete Repairs & Installation (ITB 2007-024) to the lowest and best bid, Westhill Construction Inc., in the amount of \$30,850.

Motion was made Matt Powell and second by Jim Wadlow to approve.

Motion passed 5-0.

1D. Award the contract for Bio-Diesel Fuel (ITB 2007-025) to the lowest and best bid, Lucky Lady Oil Company, for use in City vehicles and equipment.

Motion was made Matt Powell and second by Jim Wadlow to approve.

Motion passed 5-0.

Proclamations

Mayor Shetter presented a proclamation to Director of Public Work, David Stringer and Assistant Director of Public Works, David Smyth for National Public Works Week

Presentations

2A. Donation from Polleyco Construction Services on behalf of Chesapeake Energy to the City of Burleson's Park Capital Improvement Fund.

Representatives from Chesapeake Energy presented check to Mayor Shetter and council to the Park's Department for \$5,000.00 and complimented city staff.

2B. Citizens Appearance

There were no speakers.

Public Hearings and Related Ordinances

3A. Public Hearing and consideration of a request by Pauline Garrett for a replat of Lot 7R-1 and 7R-2, Whispering Meadows, located north of Whispering Meadows Road, south of FM 1902. (Case 05-161)

David Wynn, Director of Planning and Engineering made presentation to council.

Mayor Shetter opened the public hearing: Time: 7:23 p.m.

No speakers

Mayor Shetter closed the public hearing. Time: 7:24 p.m.

Motion was made by Stuart Gillaspie and second by Chip Stephens to approve.

Motion passed 5-0

3B. Public hearing and consideration of Ordinance D-081-07, requesting an amendment to Ordinance D-070-06, PD Planned Development zoning district for 203.90 acres (Hidden Vistas) located south of Hidden Creek Parkway and west of the Union Pacific Railroad. (Case No. 07-033). (First Reading)

David Wynn, Director of Planning and Engineering made a presentation to council on Case 07-033.

Mayor Shetter opened the public hearing: Time: 7:28 p.m.

No speakers

Mayor Shetter closed the public hearing. Time: 7:28 p.m.

Motion was made by Chip Stephens and second by Matt Powell to approve first reading.

Motion passed 5-0

3C. Public Hearing and consideration of a request by Burleson Independent School District for a waiver from the masonry construction standards, Ordinance B-743-06, Section 10-605, as it pertains to accessory buildings at Kerr Middle School, located at 517 SW Johnson Avenue. (Case No. 07-044)

David Wynn, Director of Planning and Engineering made a presentation to council on Case 07-044.

Mayor Shetter opened the public hearing: Time: 7:31 p.m.

No speakers

Mayor Shetter closed the public hearing. Time: 7:31 p.m.

Motion was made by Matt Powell and second by Jim Wadlow to approve.

Motion passed 5-0

3D. Public Hearing and consideration of Hollis R. Sullivan, Inc. for a gas well drilling permit, known as the Wilshire #1H, on 61.51 acres. The drilling site is located on the east side of SH 174 (Wilshire Boulevard) north of Shaffstall Road (Case No. 07-040).

David Wynn, Director of Planning and Engineering made a presentation to council on Case 07-040.

Mayor Shetter opened the public hearing: Time: 7:36 p.m.

Mayor Shetter closed the public hearing. Time: 7:36 p.m.

Mayor Shetter re-opened public hearing: Time: 7:59 p.m.

Rick Appling, 3510 Cumberland, Wichita Falls, 76309, representative for the Wilshire #1H gas well permit. They are willing to adjust to better align with the future Hulen Road.

Council requested to see a site plan for screening and landscape plan,

Motion was made by Matt Powell and second by Chip Stephens to continue Case 07-040.

Mayor Shetter continued the public hearing.

Motion passed 5-0

Ordinances & Resolutions

4A. Ordinance B-768-07, amending Chapter 82 of the City of Burleson Code of Ordinances adding section 8-7 through 8-14 "Lawn and Landscape Irrigation Conservation". (First Reading)

David Smyth, Assistant Director of Public Works, presented to council Ordinance B768-07.

Motion was made by Chip Stephens and second by Matt Powell to approve first reading.

Motion passed 5-0

4B. Ordinance C-621-07, revising and amending the FY 2006-2007 annual operating budget, and approving organizational changes by creating a Department of Neighborhood Services, a Department of Planning and Engineering Services, and an Office of Informational Services. (First Reading)

Motion was made by Jim Wadlow and second by Chip Stephens to approve first reading.

Motion passed 5-0

4C. Resolution R-1087-07, creating Mayor's Youth Council.

Motion was made by Chip Stephens and second by Matt Powell to approve.

Motion passed 5-0

Contracts & Agreements

5A. No items at this time.

Other Items for Consideration

6A. No items

Reports

7A. Legislative Update.

Curtis E. Hawk, City Manager updated council on the 80th Legislative session.

Claudia Humphreys arrives at the meeting. 8:15 p.m.

7B. Various Staff Reports

Brent Batla, Training Officer for the Burleson Fire Department, reported to council on the severe storm response in the City of Burleson.

7C. Land acquisition for flood control, public infrastructure, and other public improvements.

Other Staff Report.

Curtis E. Hawk, City Manager, updated the council on the need for a special session to canvass the election. The proposed date is May 21, 2007 at 6:00 p.m.

Council and Staff Comments

Matt Powell commented on the progress of the record department and encouraged Mark Eder, Director of Information Technology to help facilitate the document imaging.

Mayor Shetter complimented the City Secretary's Office staff for handling of elections.

Stuart Gillaspie, announced the Kid for Character March on Saturday, May 12, 2007.

Budget Workshop will be June 5, 2007 at Fire Station #1 and June 7, 2007.

Executive Session

9A. Executive Session: Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sec. 551.071, Sec. 551.072, 551.074, 551.076, 551.087, and Section 418.183(f) of the Texas Government Code (Texas Disaster Act). Refer to posted list attached hereto and incorporated here in. Executive

Session may be held, under these exceptions, at any time during the meeting that a need arises for the City Council to seek advice from the City Attorney as to the posted subject matter of this City Council meeting.

Council convened into executive session at the work session.

There being no further business Mayor Shetter adjourned the meeting.

Time: 8:34 p.m.

Amanda J. McDowell
City Secretary