

BURLESON CITY COUNCIL WORK SESSION
December 13, 2007
MINUTES

Roll Call:

No Work Session held.

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

- 1. Discussion of all items on tonight's meeting. No action will be taken and each item will be considered during the Regular Session.**
- 2. Executive Session:**

Motion was made by and second by to convene into executive session Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sec. 551.071, Sec. 551.072, 551.073, 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.

- 3. Reconvene into open session for possible action.**

BURLESON CITY COUNCIL REGULAR SESSION
December 13, 2007
MINUTES

Roll Call:

Council present:

Jim Wadlow (arrives 8:10 p.m.)
Matt Powell
Ken Shetter
Dan McClendon
Claudia Humphreys
Chip Stephens (arrives 7:37 p.m.)

Council Absent:

Stuart Gillaspie

Staff

Curtis E. Hawk, City Manager
Paul Cain, Deputy City Manager
David Wynn, Deputy City Manager
Allen Taylor, City Attorney

REGULAR SESSION – Call to order – Time: 7:07 p.m.

Invocation – Mike Marshal, First United Methodist Church

Pledge of Allegiance

Proclamations

Items to be continued or withdrawn

Items to be withdrawn from the consent agenda for separate discussion.

- 1H. **Ordinance B-773-07, establishing a school zone on Hidden Creek Parkway from Hurst Road to 660 feet to the west. (First Reading)**
- 1K. **Professional services agreement with Brittain & Crawford, LLC, for survey services related to the rail transit site and authorize the City Manager to execute.**

Consent Agenda

- 1A. **Approve the minutes from the November 8, 2007, regular session and the November 29, 2007, special session.**

Motion was made by Claudia Humphreys and second by Dan McClendon to approve.

Motion passed 4-0. Stuart Gillaspie, Jim Wadlow and Chip Stephens absent.

1B. Financial Transactions.

Motion was made by Claudia Humphreys and second by Dan McClendon to approve.

Motion passed 4-0. Stuart Gillaspie, Jim Wadlow and Chip Stephens absent.

Requisitions

Fund: General Fund/Water & Wastewater
Environmental System Research, Inc. - \$4,080.00

Fund: General Fund
Setcom - \$5,972.00
Luber Brothers, Inc. - \$12,310.50
Holt Company - \$7,471.08
Four Seasons equipment, Inc. - \$1,245.39
Tarrant Appraisal District - \$17,686.00

Fund: Equipment Replacement Fund
Dallas Dodge Chrysler Jeep - \$79,408.00

Fund: Equipment Service Fund
Industrial Power Isuzu Truck - \$8,988.00
Bridgeport Trucks - \$6,000.00
Kinlock Equipment & Supply - \$6,079.58

Fund: SCFF
Terracon Consultants, Inc. - \$9,218.00

Fund: Water & Wastewater
HD Supply Waterworks, LTD. - \$20,300.10

Fund: 2005 Certificate of Obligation
Mels Electric L.P. - \$4,565.00
Orval Hall Excavating Co. - \$38,467.88

Fund: Hidden Creek Golf Course
Bridgestone Golf, Inc. - \$5,500.00

Fund: Park Improvement Fund
Oncor Electric Delivery Company - \$20,341.52

Fund: Solid Waste Fund
SMS Woodstone, Inc. - \$23,650.00
Advanced Graphic Signs - \$6,000.00

Payment

Fund: General Fund

Mastercard - \$43,547.07

Taylor, Olson, Adkins, Sralla & Elam, LLP - \$18,792.65

H T E, Inc. - \$88,655.00

Fund: General Fund/2006 Certificate of Obligation

Ellerbee-Walczak, Inc. - \$12,248.00

Fund: 2005 Certificate of Obligation

Fort Worth Transportation Authority - \$10,000.00

Fund: Water & Wastewater

TCEQ - \$5,024.52

- 1C. Ordinance B-772-07, amending Chapter 82 Article III establishing obligations, duties and responsibilities for collection of residential garbage and recycling and non-residential garbage collection, to include the establishment of curbside recycling services for the City of Burleson residents. (Final Reading)**

Motion was made by Claudia Humphreys and second by Dan McClendon to approve.

Motion passed 4-0. Stuart Gillaspie, Jim Wadlow and Chip Stephens absent.

- 1D. Ordinance C-637-07, establishing rates to be charged for Solid Waste Collections including Curbside Recycling. (Final Reading)**

Motion was made by Claudia Humphreys and second by Dan McClendon to approve.

Motion passed 4-0. Stuart Gillaspie, Jim Wadlow and Chip Stephens absent.

- 1E. Ordinance C-636-07 to Tax Tangible Personal Property in Transit which would otherwise be exempt pursuant to Texas Tax Code, Section 11.253. (Final Reading)**

Motion was made by Claudia Humphreys and second by Dan McClendon to approve.

Motion passed 4-0. Stuart Gillaspie, Jim Wadlow and Chip Stephens absent.

- 1F. Ordinance C-638-07, appointing the interim Municipal Court Judge and interim Associate Municipal Court Judges of the Municipal Court of Record in the City of Burleson, terms commencing January 1, 2008 and terminating March 31, 2008, or upon appointment of permanent replacements. (Final Reading)**

Motion was made by Claudia Humphreys and second by Dan McClendon to approve.

Motion passed 4-0. Stuart Gillaspie, Jim Wadlow and Chip Stephens absent.

- 1G. Ordinance D-085-07 rezoning 5.433 acres from (SF7) Single Family 7 to (GR) General Retail zoning located north of Lakewood Drive between SH 174 (SW Wilshire Blvd) and Cherry Hills Lane. (Case No. 07-102) (Final Reading)**

Motion was made by Claudia Humphreys and second by Dan McClendon to approve.

Motion passed 4-0. Stuart Gillaspie, Jim Wadlow and Chip Stephens absent.

- 1H. Ordinance B-773-07, establishing a school zone on Hidden Creek Parkway from Hurst Road to 660 feet to the west. (First Reading)**

Removed from consent agenda for separate discussion.

- 1I. Ordinance B-774-07, establishing a speed limit of 35 miles per hour on Summercrest Boulevard from FM731 to Cedar Ridge Lane and establishing a school zone on Summercrest Boulevard from Cedar Ridge Lane to 237 feet east of West Bend Boulevard. (First Reading)**

Motion was made by Claudia Humphreys and second by Dan McClendon to approve.

Motion passed 4-0. Stuart Gillaspie, Jim Wadlow and Chip Stephens absent.

- 1I.1 Ordinance B-771-07, amending Chapter 38 of the Fire Prevention and Protection Code by adopting the 2003 International Fire Code with local amendments. (Final Reading)**

Motion was made by Claudia Humphreys and second by Dan McClendon to approve.

Motion passed 4-0. Stuart Gillaspie, Jim Wadlow and Chip Stephens absent.

- 1J. Advance Funding Agreement for the installation of traffic signals at the intersections of FM 3391 (Renfro Road) and South Hurst Road and Cardinal Ridge, authorization for the City Manager to execute the Advance Funding Agreement, and authorizing payment of \$497,484.00 to the Texas Department of Transportation.**

Motion was made by Claudia Humphreys and second by Dan McClendon to approve.

Motion passed 4-0. Stuart Gillaspie, Jim Wadlow and Chip Stephens absent.

- 1K. Professional services agreement with Brittain & Crawford, LLC, for survey services related to the rail transit site and authorize the City Manager to execute.**

Removed from consent agenda for separate discussion.

- 1L. Final Plat of 129 lots, 68.7 acres of Hillside Park at Wakefield, located southwest of John Jones Drive (FM 731) across from Hillside Drive. (Case 06-092)**

Motion was made by Claudia Humphreys and second by Dan McClendon to approve.

Motion passed 4-0. Stuart Gillaspie, Jim Wadlow and Chip Stephens absent.

- 1M. Final Plat of 1 lot, 3.08 acres of Pierce Addition, located in the ETJ along the north side of CR 804A between Oak Parkway and FM 731. (Case 07-109)**

Motion was made by Claudia Humphreys and second by Dan McClendon to approve.

Motion passed 4-0. Stuart Gillaspie, Jim Wadlow and Chip Stephens absent.

- 1N. Final Plat of 1 lot, 1.63 acres of Amdar Machine Addition, located in the ETJ along the east side of FM 2280 south of Northcrest Drive. (Case 07-111)**

Motion was made by Claudia Humphreys and second by Dan McClendon to approve.

Motion passed 4-0. Stuart Gillaspie, Jim Wadlow and Chip Stephens absent.

- 1O. Final Plat of 1 lot, 2.5 acres of Daniel's Place Addition located in the ETJ along the east side of CR 1017 south of Mazac Road. (Case 07-112)**

Motion was made by Claudia Humphreys and second by Dan McClendon to approve.

Motion passed 4-0. Stuart Gillaspie, Jim Wadlow and Chip Stephens absent.

- 1P. Final Plat of 50 lots, 21.1 acres of Shannon Creek Estates, Phase 1 located north of Shaffstall Road, east of the Burlington Northern/ Santa Fe Railroad. (Case 07-124)**

Motion was made by Claudia Humphreys and second by Dan McClendon to approve.

Motion passed 4-0. Stuart Gillaspie, Jim Wadlow and Chip Stephens absent.

- 1Q. Award the base bid for the construction of the Hidden Creek Parkway Landscape Improvements project to C Green Scaping in the amount of \$239,411.79 and authorize the City Manager to execute the contract.**

Motion was made by Claudia Humphreys and second by Dan McClendon to approve.

Motion passed 4-0. Stuart Gillaspie, Jim Wadlow and Chip Stephens absent.

- 1R. Authorize the City Manager to request the Texas Department of Transportation (TxDOT) perform a speed study on the I-35W frontage roads between Alsbury Boulevard and Briaroaks Road to set speed limits on the frontage road at the appropriate speed.**

Motion was made by Claudia Humphreys and second by Dan McClendon to approve.

Motion passed 4-0. Stuart Gillaspie, Jim Wadlow and Chip Stephens absent.

- 1S. Quarterly Investment Report for Quarters ended 3/31/07 and 6/30/07.**

No action required. Report only.

- 1T. MO-07-010, amending of the 2007-2008 City of Burleson Fee Schedule by replacing the Fort Worth Water and Wastewater Impact Fee Assessment Schedule effective January 1, 2008.**

**CITY OF BURLESON FEE SCHEDULE
FISCAL YEAR 2007-2008**

FEE NAME

FORT WORTH WATER SYSTEM IMPACT FEE		DETERMINED BY CITY OF FORT WORTH	
Rates effective January 1, 2008-June 6, 2009			
	<u>Meter Size</u>	<u>Equivalent Factor</u>	
1.	3/4"	1	\$920.00
2.	1"	1.67	\$1,536.00
3.	1 1/2"	3.33	\$3,064.00
4.	2"	5.33	\$4,904.00
5.	3"	10 11.67	\$10,736.00
6.	4"	16.67 21	\$19,320.00
7.	6"	33.33 46.67	\$42,936.00
8.	8"	53.33 80	\$73,600.00
9.	10"	76.67 126.67	\$116,536.00

FORT WORTH WASTEWATER SYSTEM IMPACT FEE		DETERMINED BY CITY OF FORT WORTH	
Rates effective January 1, 2008-June 6, 2009			
	<u>Meter Size</u>	<u>Equivalent Factor</u>	
1.	3/4"	1	\$335.00 \$394.00
2.	1"	1.67	\$559.00 \$658.00
3.	1 1/2"	3.33	\$1,115.00 \$1,312.00
4.	2"	5.33	\$1,785.00 \$2,100.00
5.	3"	10 11.67	\$3,908.00 \$4,598.00
6.	4"	16.67 21	\$7,033.00 \$8,274.00
7.	6"	33.33 46.67	\$15,630.00 \$18,388.00
8.	8"	53.33 80	\$26,792.00 \$31,520.00
9.	10"	76.67 126.67	\$42,422.00 \$49,908.00

Motion was made by Claudia Humphreys and second by Dan McClendon to approve.

Motion passed 4-0. Stuart Gillaspie, Jim Wadlow and Chip Stephens absent.

1U. MO-07-011, appointment to fill an unexpired term on the Planning and Zoning Commission.

Motion was made by Claudia Humphreys and second by Dan McClendon to appoint Jerry Allen to the Planning and Zoning Commission to fill an unexpired term beginning December 2007 and ending September 31, 2008.

Motion passed 4-0. Stuart Gillaspie, Jim Wadlow and Chip Stephens absent.

1K. Professional services agreement with Brittain & Crawford, LLC, for survey services related to the rail transit site and authorize the City Manager to execute.

Matt Powell, Council Place 3, asked if the scope of the survey contract would include topographical information.

David Wynn, Deputy City Manager, explained this was merely a boundary survey for the rail transit site.

Motion was made by Matt Powell and second by Claudia Humphreys to approve adding a design topography service with in the contract.

Motion passed 4-0. Stuart Gillaspie, Jim Wadlow and Chip Stephens absent.

1H. Ordinance B-773-07, establishing a school zone on Hidden Creek Parkway from Hurst Road to 660 feet to the west. (First Reading)

Motion was made by Claudia Humphreys and second by Matt Powell to approve.

Motion passed 3-1. Dan McClendon against. Stuart Gillaspie, Jim Wadlow and Chip Stephens absent.

Presentations

2A. Citizens Appearance

No speakers.

Public Hearings and Related Ordinances

* Order of Public Hearing rearranged in consideration of the people present to speak on various issues.

3H. Public Hearing and consideration of the request of Robert Spaulding for a waiver from the masonry construction ordinance B-743-06 for a new accessory structure in a residential zone located at 1800 Lariat Drive. (Case 07-134)

David Wynn, Deputy City Manager, presented to council a request of Robert Spaulding for a waiver from the masonry construction ordinance B-743-06 for a new accessory structure in a residential zone located at 1800 Lariat Drive. (Case 07-134)

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

Betty Ashbrook, 540 Laredo Road, in support of the request by Robert Spaulding for the waiver. Ms. Ashbrook is the neighbor.

Robert W. Spaulding, 1800 Lariat Lane, is the applicant and believes this is within acceptable appearance and a brick building would not fit. Would like council to review the ordinance for possible section added to take this situation into consideration.

Mayor Shetter closed the public hearing. Time: 7:35 p.m.

Motion was made by Matt Powell and second by Dan McClendon to approve.

Motion passed 4-0. Stuart Gillaspie, Jim Wadlow and Chip Stephens absent.

Chip Stephens arrives 7:37 p.m.

3I. Public Hearing and consideration of the request of Chris Milton for a waiver from the masonry construction ordinance B-743-06 for a single family residence to be located at 112 SW Taylor Street, Lot 18, Block 5 Crestmoor Park Addition. (Case 07-135)

Mayor Shetter opened the public hearing: Time: 7:41p.m.

Ron Haywood, 1029 NW Renfro, spoke in favor.

Sue Scott, spoke in favor.

Mayor Shetter closed the public hearing. Time: 7:43 p.m.

Motion was made by Claudia Humphreys and second by Chip Stephens to approve.

Motion passed 5-0. Stuart Gillaspie and Jim Wadlow absent.

3A. Public Hearing and consideration of the request of Aspect Energy for an amendment to a gas well permit for a site located 820 feet west of County Road 714 and 2,100 feet east of FM 731 to allow the installation of additional pad site equipment. (Case 06-115)

David Wynn, Deputy City Manager, presented to council the request of Aspect Energy for an amendment to a gas well permit for a site located 820 feet west of County Road 714 and 2,100 feet east of FM 731 to allow the installation of additional pad site equipment. (Case 06-115)

Mayor Shetter opened the public hearing: Time: 7:48 p.m.

No speakers.

Mayor Shetter closed the public hearing: Time: 7:49 p.m.

Motion was made by Claudia Humphreys and second by Chip Stephens provided there will be sound blanket around the site from the beginning.

Motion passed 5-0. Stuart Gillaspie and Jim Wadlow absent.

3B. Public Hearing and consideration of a request by XTO Energy Inc., for a gas well drilling permit on 147 acres located east of Hurst Road, north of East Renfro Street. (Case No. 07-051)

Stephen Cook, Planning Official, presented to council the request by XTO Energy Inc., for a gas well drilling permit on 147 acres located east of Hurst Road, north of East Renfro Street. (Case No. 07-051)

Mayor Shetter opened the public hearing: Time: 8:04 p.m.

Helen Wallace, 171 N. Hurst Road, has issues with what is happening to Hurst Road at this time to get to the site. Wyche Court north on Hurst Road is already in worst shape than the original access road. Has objection to Emergency Access Road that will be off of Hurst Road. (Ms. Wallace finished talking and came back at 9:21 p.m. to add additional comments) Quill Miller flood plan is not really a possibility. Opposed to Emergency Access Road.

Jim Wadlow arrives 8:10 p.m.

John Guzman, 749 Wyche Court, had objection to not being notified of this public hearing. *Stephen Cook, Planning Official, explained that the ordinance requires notification of 1000 feet of the gas well, Wyche Court is not within 1000 feet.* Hurst Road can not be used. Emergency Access Road off of Wyche Court is unacceptable. What constitutes an improvement? Believes the gas well is unsafe close to the school. Opposed to the emergency access and its location to the school.

Bruce Basden, 716 Flamingo, council keeps moving target for the gas company. Believes XTO is doing a good job in addressing the issues from the last meeting. Is in favor of the permit.

David Seidler with XTO, 301 Commerce Suite 3000, Fort Worth, discussed security issues with gas well. Willing to make their agreement with the school district a part of the permit. Will put in the best security possible to protect the site. XTO will follow any current ordinance. Mr. Seidler responded to Councilmember Matt Powell's response time question by committing to speak to Mr. Graham. Thanked council and staff and hoped to have the permit granted.

Dr. Jackson BISD Superintendent addressed site plan of the future BISD High School questions.

Bob Manthei, 810 Houston St., Fort Worth, thanked staff and spoke about security issues and gate access. XTO has made a lot of steps towards security, digital video, and contacting the school and police. The access on Hurst Rd. will not be used until it is acceptable to use. Will have an October 31, 2008 deadline. Water will be piped into the location.

Dr. Jackson BISD Superintendent spoke regarding the access on Fox Ln. and school traffic. Completion time for the school will be 2010.

Heinz Wichterich, 325 Fox Lane, did not realize from the notification letter that Fox Lane is going to be utilized as a route for the gas well site. Is opposed.

William Jackson, 100 S. Hurst Road, strike all references to possible improvement on Hurst Road. The information was noted that maintenance trucks would be traveling down Hurst Road now in meeting hears there will be semi trucks.

Holly Rigby, 505 S. Fox Lane, let council know that Fox Lane is a road that is in bad condition and raised in the middle.

Charles Murphy, 180 N. Hurst Road, property is on the route of the emergency access road. Permit was denied by council based on Ordinance B-761-06 section 14-358 E, E1, E2, and E4. Has anything changed regarding the conditions and the reason the first denial? Son was killed working on gas well. Too close to school for a gas well. Is opposed to gas well.

Mrs. Francis Marie Justice, 748 Wyche Ct., submitted written comments only: Strongly object to using Hurst Road at all. Would like council to know that she did not receive notice of meeting until day before and was placed in her mail box not mailed through post office. *(Mrs. Justice is not within the 1000 required notification and therefore was not notified by the city)*

Mayor Shetter closed the public hearing. Time: 9:34 p.m.

Break 10:02 p.m. to 10:40 p.m.

Motion was made by Claudia Humphreys and second by Dan McClendon to approve with the following stipulations.

- ISD agreement be placed as part of the ordinance, so that we understand exactly what the relationship between the ISD and XTO are.
- Keypad entrance to the well site be placed upon the facility and a motion sensitive recording device will also be placed at the well site.
- No activity on Fox Lane between school hours 6:00 a.m. to 9:00 a.m. and 3:00 p.m. to 6:00 p.m.
- After Fox Lane is being used that frac trucks will be limited to 10:00 p.m. to 6:00 a.m.
- No activity on Hurst Road other than emergency vehicle equipment.
- Additional security guidelines occurring to new ordinances that will be adopted in the future will also be applicable to this particular ordinance.

Motion passed 5-1. Matt Powell against. Stuart Gillaspie absent.

3C. Remove from the table, continue the Public Hearing, and consider the request of Devon Energy for a gas well permit on approximately 161 acres located 1100 feet west of FM 1902, and 200 feet south of CR 913. (Case No. 07-081)

Devon Energy requested this item be pulled from the agenda for a later meeting.

3D. Public Hearing and consideration of a request by Paloma Resources, LLC for a gas well drilling permit for one gas well, known as the Willow Creek B Unit 1H, on 219.43 acres located at 633 Mockingbird Lane, in the northern portion of Willow Creek Ranch and adjacent to the Burlington Northern Santa Fe Railroad right-of-way. (Case No. 07-121)

David Wynn, Deputy City Manager, presented a request by Paloma Resources, LLC for a gas well drilling permit for one gas well, known as the Willow Creek B Unit 1H, on 219.43 acres located at 633 Mockingbird Lane, in the northern portion of Willow Creek Ranch and adjacent to the Burlington Northern Santa Fe Railroad right-of-way. (Case No. 07-121)

Mayor Shetter opened the public hearing: Time: 10:54 p.m.

Frank Sargent, 128 Ranchway Drive, the majority of well site will be on the back part of property. Is in favor of the gas well.

Mayor Shetter closed the public hearing. Time: 10:55 p.m.

Chris Hammond, 221 S. Mill St., Cleburne, TX, Paloma Resources representative,
Paloma will continue the asphalt.

Motion was made by Dan McClendon and second by Jim Wadlow to approve with the stipulation that Paloma Resources agree to treat the entire access route with emulsified asphalt and maintain in that condition for the life of the lease.

Motion passed 6-0. Stuart Gillaspie absent.

3E. Public Hearing and consideration of a request for a waiver from Section 8.2.G of the Burleson Design Standards Manual regarding street standards for the maximum length of a cul-de-sac and the approval of the preliminary plat of 5 Lots, 6.38 acres of Antonio's Vistas located along the west side of S. Fox Lane south of E. Renfro Street in the ETJ. (Case 07-118)

David Wynn, Deputy City Manager, presented a request for a waiver from Section 8.2.G of the Burleson Design Standards Manual regarding street standards for the maximum length of a cul-de-sac and the approval of the preliminary plat of 5 Lots, 6.38 acres of Antonio's Vistas located along the west side of S. Fox Lane south of E. Renfro Street in the ETJ. (Case 07-118)

Mayor Shetter opened the public hearing: Time: 11:02 p.m.

Holly Rigby, 505 S. Fox Lane, in general does not have problem except with the drive way changing water flow and drainage.

Mayor Shetter closed the public hearing. Time: 11:04 p.m.

Motion was made by Dan McClendon and second by Claudia Humphreys to approve.

Motion passed 6-0. Stuart Gillaspie absent.

3F. Public Hearing and request the approval of the Replat of 3.94 acres of Lot 31, Shady Hill Estates in the ETJ along the south side of CR 529 between CR 529A and Merrill Court. (Case 07-091)

David Wynn, Deputy City Manager, presented a request for approval of the Replat of 3.94 acres of Lot 31, Shady Hill Estates in the ETJ along the south side of CR 529 between CR 529A and Merrill Court. (Case 07-091)

Mayor Shetter opened the public hearing: Time: 11:10 p.m.

No speakers

Mayor Shetter closed the public hearing. Time: 11:10 p.m.

Motion was made by Chip Stephens and second by Dan McClendon to approve.

Motion passed 6-0. Stuart Gillaspie absent.

3G. Public Hearing and consideration of Ordinance D-086-07 for rezoning from A - Agricultural to I - Industrial within the Interstate 35 W overlay district for 12.568 acres located along the west side of I 35 north of Bethesda Road. (Case 07-122) (First Reading)

Stephen Cook, Planning Official, presented Ordinance D-086-07 for rezoning from A - Agricultural to I - Industrial within the Interstate 35 W overlay district for 12.568 acres located along the west side of I 35 north of Bethesda Road. (Case 07-122)

Mayor Shetter opened the public hearing: Time: 11:19 p.m.

Floyd Watkins, 3547 FM 731, Burleson, property owner trying to make income off his property. The use is to have trailers parking and selling some items. No office would be on the site.

Mayor Shetter closed the public hearing. Time: 11:29 p.m.

Motion was made by Chip Stephens and second by Claudia Humphreys to approve.

Motion passed 6-0. Stuart Gillaspie absent.

3H. Moved up in the agenda.

3I. Moved up in the agenda.

Ordinances & Resolutions

4A. Ordinance D-084-07 for a specific use permit of a convenience store with fuel sales on 1.36 acres located at the southeast corner of W Renfro Street and SH 174 (SW Wilshire Blvd). (Case 07-096) (Final Reading)

Stephen Cook, Planning Official, presented the final reading of Ordinance D-084-07 for a specific use permit of a convenience store with fuel sales on 1.36 acres located at the southeast corner of W Renfro Street and SH 174 (SW Wilshire Blvd). (Case 07-096)

Motion was made by Dan McClendon and second by Chip Stephens to table until Quick Trip representatives can be present.

Motion passed 6-0. Stuart Gillaspie absent.

4B. Ordinance C-639-07, abandoning a 30' public roadway and utility easement and retaining it as a private access and public utility easement and a waiver City Council Policy 13 regarding the process for easement abandonment. (First Reading)

David Wynn, Deputy City Manager, presented Ordinance C-639-07, abandoning a 30' public roadway and utility easement and retaining it as a private access and public utility easement and a waiver City Council Policy 13 regarding the process for easement abandonment. (First Reading)

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

Motion passed 6-0. Stuart Gillaspie absent.

4C. Ordinance B-775-07, repealing B-761-06, Article VII of Chapter 14 Oil and Gas, Regulating the Drilling and Production of Gas Wells within the City and replacing it in its entirety. (First Reading)

David Wynn, Deputy City Manager, presented Ordinance B-775-07, repealing B-761-06, Article VII of Chapter 14 Oil and Gas, Regulating the Drilling and Production of Gas Wells within the City and replacing it in its entirety. (First Reading)

Ian Norfold, 7021 Strawberry Way, Fort Worth, represent middle, civil engineer making sure the required security the gas company can do. Fences can be dangerous if they are ones that emergency situation occur. Chain link fences would work the best.

Justin Bond, 213 Timber Ridge, Chesapeake Energy, greatly appreciates staff and the job they have done with this ordinance. Staff has been the best of all the cities Chesapeake has worked with. Agreed that the city and Chesapeake have the same goal and include security has a high priority.

Motion was made by Claudia Humphreys and second by Chip Stephens to approve.

Motion passed 6-0. Stuart Gillaspie absent.

Contracts & Agreements

5A. No item for this agenda.

Other Items for Consideration

6A. No item for this agenda

Reports

7A. Economic Development

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

7C. Various Staff Reports

Curtis E. Hawk, City Manager, presented to council the Storm Water Management report to be discussed at the January 10, 2008.

Council and Staff Comments

8A. None

Executive Session

9A. Executive Session: Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sec. 551.071, Sec. 551.072, 551.073, 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.

Motion was made by Chip Stephens and second by Jim Wadlow to convene into executive session.

Motion passed 6-0. **Time: 12:44 p.m.**

Motion was made by Jim Wadlow and second by Matt Powel to reconvene into open session.

Motion passed 6-0. **Time: December 14, 2007 1:07 a.m.**

There being no further business Mayor Shetter adjourned the meeting.

Time: **December 14, 2007 1:07 a.m.**

Amanda J. McDowell
City Secretary