

BURLESON CITY COUNCIL WORK SESSION  
January 10, 2008  
MINUTES

Roll Call:

Council present:

Stuart Gillaspie  
Jim Wadlow  
Matt Powell  
Ken Shetter  
Dan McClendon

Council Absent:

Claudia Humphreys

Chip Stephens

Staff

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

**WORK SESSION – Call to order – Time: 6:17 p.m.**

**1. Discussion of Ordinance D-084-07 for a specific use permit of a convenience store with fuel sales.**

Stephen Cook, Planning Official, highlighted the changes made to ordinance D-084-07 that were implemented since the first reading at the December 13, 2007 council meeting.

**2. Discussion of Industrial Zoning District Classifications.**

Curtis E. Hawk, City Manager and Stephen Cook, Planning Official, presented to council a discussion on beginning the process of modifying the Industrial Zoning District classifications.

**3. Discussion of City's Storm Water Management Program.**

Sheri Campbell-Husband, Director of Neighborhood Services presented to council the highlights of the Storm Water Management Program.

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

**5. 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, 551.074, 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.

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

Motion passed 6-0. Claudia Humphreys absent. **Time: 6:38 p.m.**

**6. Reconvene into open session for possible action.**

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

Motion passed 6-0. Claudia Humphreys absent. **Time: 7:05 p.m.**

BURLESON CITY COUNCIL REGULAR SESSION  
January 10, 2008  
MINUTES

Roll Call:

Council present:

Stuart Gillaspie  
Jim Wadlow  
Matt Powell  
Ken Shetter  
Dan McClendon

Council Absent:

Claudia Humphreys

Chip Stephens

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: 7:06 p.m.**

**Invocation –**

**Pledge of Allegiance**

**Proclamations**

**Items to be continued or withdrawn**

**1L. Final Plat of 27 lots, 32.74 acres of Hidden Vistas, Phase 3 located south of Hidden Creek Parkway and West of Union Pacific Railroad. (Case 07-127)**

**Items to be withdrawn from the consent agenda for separate discussion.**

Consent Agenda

**1A. Approve the minutes from the December 13, 2007 regular session.**

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

Motion passed 5-0. Claudia Humphreys absent. Stuart Gillaspie abstain.

**1B. Financial Transactions.**

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

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Motion passed 6-0. Claudia Humphreys absent.

**Requisitions**

**Fund: General Fund**

Anchor Sports, LTD - \$5,190.00

**Fund: Solid Waste Fund**

RDK Truck Sales & Services, Inc. - \$3,900.00

**Fund: Equipment Services Fund**

Holt Company of Texas - \$11,500.00

Campbell's Auto Body - \$8,719.72

**Fund: Water & Wastewater Fund**

Dell Computer Corporation - \$4,421.00

**Fund: Park Improvement Fund**

GSBS Batenhorst, Inc. - \$26,985.00

**Fund: 2006 Certificate of Obligation**

Alpha Testing - \$5,710.00

Tri-Tech Construction - \$13,340.50

**Fund: 4A Sales Tax**

Brittain & Crawford - \$10,500.00

**Fund: 2005 Certificate of Obligation Misc. Street & Drainage**

Westhill Construction Co., Inc. - \$27,250.00

**Fund: Park Dedication Fund**

Ratliff Ready Mix - \$3,298.00

Circle T Nursery - \$6,220.00

**Payment**

**Fund: General Fund**

H T E - \$5,915.00

Centerline Supply Co. - \$3,321.00

Central Appraisal District - \$134,677.

City of Cleburne - \$14,243.00

**Fund: General Fund/Water & Wastewater/ Equipment Replacement Fund**

Mastercard - \$41,547.07

**1C. Ordinance C-639-07, abandoning a 30' roadway and utility easement and retaining it as a private access and public utility easement. (Final Reading)**

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

Motion passed 6-0. Claudia Humphreys absent.

- 1D. 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. (Final Reading)**

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

Motion passed 6-0. Claudia Humphreys absent.

- 1E. Ordinance B-776-08, establishing a speed limit of 35 miles per hour on Houston Road from Renfro Street east to the City Limits. (First Reading)**

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

Motion passed 6-0. Claudia Humphreys absent.

- 1F. Ordinance B-777-08, establishing a speed limit of 40 miles per hour on Hidden Vistas Boulevard from Hidden Creek Parkway to Landmark Drive. (First Reading)**

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

Motion passed 6-0. Claudia Humphreys absent.

- 1G. Agreement with Polleyco Services for the sale of non-potable water from Bailey Lake.**

Motion was made by Matt Powell and second by Chip Stephens to approve and authorize the City Manager to sign.

Motion passed 6-0. Claudia Humphreys absent.

- 1H. Lease Purchase Agreement with Chase Equipment Leasing, Inc. for the purchase of Solid Waste equipment for a lease term of seven years.**

Motion was made by Matt Powell and second by Chip Stephens to authorize the City Manager to sign in the amount of \$803,000.

Motion passed 6-0. Claudia Humphreys absent.

- 1I. Preliminary Plat of 3 lots, 5.89 acres of Rapfogel Addition located along the east side of SW Wilshire Boulevard (SH 174) and north of Miles Avenue. (Case 07-130)**

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

Motion passed 6-0. Claudia Humphreys absent.

- 1J. Preliminary Plat of 86 single-family lots, 2 reserved lots and 1 open space lot, 24.88 acres of Cooper Valley located south of FM 917 and east of SH 174 in the ETJ. (Case 07-132)**

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

Motion passed 6-0. Claudia Humphreys absent.

- 1K. Final Plat of 52 single-family lots and 2 reserved lots, 13.22 acres of Cooper Valley, Phase 2-B1 Addition located south of FM 917 and east of SH 174 in the ETJ. (Case 07-133)**

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

Motion passed 6-0. Claudia Humphreys absent.

- 1L. Final Plat of 27 lots, 32.74 acres of Hidden Vistas, Phase 3 located south of Hidden Creek Parkway and West of Union Pacific Railroad. (Case 07-127)**

Item continued to the January 24, 2008 meeting per requestor.

- 1M. Award the bid for conveyor system and hopper replacement to Mayfran Inc. (ITB 2008-006)**

Motion was made by Matt Powell and second by Chip Stephens to award the bid to Mayfran, Inc. in the amount of \$160,390.

Motion passed 6-0. Claudia Humphreys absent.

- 1N. Award the bid for exterior paint of Mountain Valley 0.3 MG ground storage tank to Corrosion Eliminators, Inc. (ITB 2008-011)**

Motion was made by Matt Powell and second by Chip Stephens to award the bid to Corrosion Eliminators, Inc. in the amount of \$42,282.

Motion passed 6-0. Claudia Humphreys absent.

**10. Award the bid for pipe and appurtenances for the Water/Wastewater Division to HD Supply Water Works LTD. (ITB 2008-009)**

Motion was made by Matt Powell and second by Chip Stephens to award the bid to HD Supply Water Works LTD. in the amount of \$17,511.87.

Motion passed 6-0. Claudia Humphreys absent.

**\* Moved up in the agenda,**

**4H. Remove from the table and consideration 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) (Final Reading)**

Motion was Chip Stephens and second by Matt Powell to remove from the table.

Motion passed 6-0. Claudia Humphreys absent.

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

Motion passed 6-0. Claudia Humphreys absent.

Presentations

**2A. Citizens Appearance**

John Duke Smith, 108 Ricky Lane, Burleson informed the council about the February 16, 2008 "Walk Old Town Burleson" event sponsored by the Burleson Historic Foundation

Jim Bailey, wished council Happy New Year, the concerns he hears are about gas wells and believes council is doing a good job to address that. Would like to ask for support on the February 16, 2008 "Walk Old Town Burleson".

Public Hearings and Related Ordinances

**3A. Public Hearing and request the approval of a Replat of lot 6, Block 1, 2.24 acres of Burleson Oaks Estates into lot 6RA and 6RB located in the ETJ along the west side of Burleson Oaks Drive south of FM 917. (Case 07-126)**

David Wynn, Deputy City Manager, presented to council the Replat of lot 6, Block 1, 2.24 acres of Burleson Oaks Estates into lot 6RA and 6RB located in the ETJ along the west side of Burleson Oaks Drive south of FM 917. (Case 07-126)

**Mayor Shetter opened the public hearing: Time: 7:21 p.m.**

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No speakers

**Mayor Shetter closed the public hearing: Time: 7:21 p.m.**

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

Motion passed 6-0. Claudia Humphreys absent.

**3B. Public Hearing and consideration of Ordinance D-087-08 rezoning 19.67 acres from (SF7) Single Family 7 to (MF2) Multiple Family 2 zoning district located along the west side of future Hemphill Street and south of N.E. Alsbury Boulevard. (Case No 07-131) (First Reading)**

Stephen Cook, Planning Official, presented to council Ordinance D-087-08 rezoning 19.67 acres from (SF7) Single Family 7 to (MF2) Multiple Family 2 zoning district located along the west side of future Hemphill Street and south of N.E. Alsbury Boulevard. (Case No 07-131) (First Reading)

Denny Nooner, Villa La Fortuna Senior Community, presented a power point presentation to council on the Planned Retirement Community.

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

Bradley Young, 3021 Clear Creek, Midlothian Texas is the property owner complimented council on being fair in the process. Mr. Young pointed out to council that if this use does not go through it would hard for him to utilize the land.

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

Motion was made by Matt Powell and second by Jim Wadlow to approve changing it to a PD (Planned Development) not MF2 (Multi Family 2)

Motion passed 6-0. Claudia Humphreys absent.

**3C. Public Hearing and consideration of Minute Order MO 08-012 regarding the City's Storm Water Management Program.**

Sheri Campbell-Husband, Director of Neighborhood Services, and Bianca Chafin, Environmental Services presented to council the City's proposed Storm Water Management Program.

**Mayor Shetter opened the public hearing: Time: 8:19p.m.**

No speakers

**Mayor Shetter closed the public hearing. Time: 8:19p.m.**

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

Motion passed 6-0. Claudia Humphreys absent.

Break 8:20 p.m. – 8:39 p.m.

### Ordinances & Resolutions

**4A. Ordinance A-308-07, annexation of approximately 9.65 acres of land located east of SH 174 (SW Wilshire Boulevard) and along Wicker Way and Wildwood Ln. (Case No. 07-105) (Final Reading)**

David Wynn, Deputy City Manager, presented to council Ordinance A-308-07, annexation of approximately 9.65 acres of land located east of SH 174 (SW Wilshire Boulevard) and along Wicker Way and Wildwood Ln. (Case No. 07-105) (Final Reading)

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

Motion passed 6-0. Claudia Humphreys absent.

**4B. Ordinance A-309-07, annexation of approximately 172.56 acres of land located between the southeast corner of East Renfro Street and Fox Lane and the southwest corner of East Renfro Street and Hidden Creek Parkway. (Case No. 07-106) (Final Reading)**

David Wynn, Deputy City Manager, presented to council Ordinance A-309-07, annexation of approximately 172.56 acres of land located between the southeast corner of East Renfro Street and Fox Lane and the southwest corner of East Renfro Street and Hidden Creek Parkway. (Case No. 07-106) (Final Reading) and presented the Service Plan for this area.

Motion was made by Jim Wadlow and second by Dan McClendon to approve.

Motion passed 6-0. Claudia Humphreys absent.

**4C. Ordinance A-310-07, annexation of approximately 1.03 acres of land located at 1280 Hidden Creek Parkway. (Case No. 07-107) (Final Reading)**

David Wynn, Deputy City Manager, presented to council Ordinance A-310-07, annexation of approximately 1.03 acres of land located at 1280 Hidden Creek Parkway. (Case No. 07-107) (Final Reading)

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

Motion passed 6-0. Claudia Humphreys absent.

**4D. Ordinance A-311-07, annexation of approximately 1,227.18 acres of land located along Interstate 35W, south of Bethesda Road, east of Briar Oaks Road, north of Asher Road. (Case No. 07-108) (Final Reading)**

David Wynn, Deputy City Manager, presented to council Ordinance A-311-07, annexation of approximately 1,227.18 acres of land located along Interstate 35W, south of Bethesda Road, east of Briar Oaks Road, north of Asher Road. (Case No. 07-108) (Final Reading)

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

Motion passed 6-0. Claudia Humphreys absent.

**4E. Resolution R-1109-08, authorizing the City Manager to execute Chapter 43 Texas Local Government Code Development Agreements with certain property owners within proposed annexation areas.**

Stephen Cook, Planning Official, presented to council Resolution R-1109-08, authorizing the City Manager to execute Chapter 43 Texas Local Government Code Development Agreements with certain property owners within proposed annexation areas.

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

Motion passed 6-0. Claudia Humphreys absent.

**4F. Resolution R-1110-08, declaring a moratorium effective immediately upon passage and expiring at 5:01 p.m., January 31, 2009, on the enforcement of any city ordinances or codes prohibiting the storage or retail or wholesale sale of fireworks on property annexed into the city of Burleson on January 10, 2008, by Ordinance No. A-311-07.**

Stacy Singleton, Fire Marshal, presented to council Resolution R-1110-08, declaring a moratorium effective immediately upon passage and expiring at 5:01 p.m., January 31, 2009, on the enforcement of any city ordinances or codes prohibiting the storage or retail or wholesale sale of fireworks on property annexed into the city of Burleson on January 10, 2008, by Ordinance No. A-311-07.

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

Motion passed 6-0. Claudia Humphreys absent.

**4G. Ordinance B-773-07, establishing a school zone on Hidden Creek Parkway from Hurst Road to 660 feet to the west. (Final Reading)**

David Wynn, Deputy City Manager, presented to council Ordinance B-773-07, establishing a school zone on Hidden Creek Parkway from Hurst Road to 660 feet to the west. (Final Reading)

Motion was made Stuart Gillaspie and second by Matt Powell to table to the next council meeting. (January 24, 2008)

Motion passed 6-0. Claudia Humphreys absent.

**4H. Remove from the table and consideration 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) (Final Reading)**

Moved up in the agenda.

Contracts & Agreements

**5A. No items for consideration at this time.**

Other Items for Consideration

**6A. No items for consideration at this time.**

Reports

**7A. Economic Development.**

No reports.

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

No reports.

**7C. Report on updated Personnel Policies.**

Maria Reed, Director of Human Resources presented to council updates to the Personnel Policies.

Rhett Clark, Director of Finance presented to council the new IRS requirements of taxable income pertaining to uniforms and cell phones.

## 7D. Various Staff Reports

Kellye Cunningham, City Manager Assistant, presented to council an update of the Mayor's Youth Council.

David Wynn, Deputy City Manager, updated council on the TOD.

Dave Stringer, Director of Public Works, updated council on the curbside recycling program.

## 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, 551.074, 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 Jim Wadlow and second by Chip Stephens to convene into executive session.

Motion passed 6-0. Claudia Humphreys absent. **Time: 10:24 p.m.**

Motion made by Matt Powell and second by Stuart Gillaspie to reconvene into open session.

Motion passed 6-0. Claudia Humphreys absent. **Time: 10:58 p.m.**

There being no further business Mayor Shetter adjourned the meeting.

Time: 10:59 p.m.

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Amanda J. McDowell  
City Secretary