

BURLESON CITY COUNCIL WORK SESSION
May 8, 2008
MINUTES

Roll Call:

Council present:

Stuart Gillaspie (arrives 6:50 p.m.)
Jim Wadlow
Matt Powell
Ken Shetter
Dan McClendon
Claudia Humphreys
Chip Stephens

Council Absent:

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: 6:29 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.**

No items discussed.

- 2. 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.**

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

Motion passed 5-0. Stuart Gillaspie absent and Dan McClendon not in council chambers.

Motion passed. **Time: 6:31 p.m.**

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

Motion was made by Jim Wadlow and second by Claudia Humphreys to reconvene into open session.

Motion passed 7-0. **Time: 7:07 p.m.**

BURLESON CITY COUNCIL REGULAR SESSION
May 8, 2008
MINUTES

Roll Call:

Council present:

Stuart Gillaspie
Jim Wadlow
Matt Powell
Ken Shetter
Dan McClendon
Claudia Humphreys
Chip Stephens

Council Absent:

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 – J. W. Kinds, Cana Baptist Church

Pledge of Allegiance

Proclamations

Items to be continued or withdrawn

Items to be withdrawn from the consent agenda for separate discussion.

1B. Financial Transaction:
Republic Title - \$32,734.87 account 4A Sales Tax

Consent Agenda

1A. Approve the minutes from the April 24, 2008 regular council meeting.

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

Motion passed 7-0.

1B. Financial Transactions.

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

Motion passed 7-0.

City of Burleson
Financial Transactions

Vendor / Description	Amount	Fund
REQUISITIONS OVER \$3,000:		
Nema 3 Electric, Inc. – Electrical work for installation of water features at Bailey Lake.	9,857.00	2001 Sales Tax Revenue Bond
Fire Service Testing Company, Inc. – Entry exam for firefighters.	3,815.00	General Fund
Atlas Enterprises, Inc. – Fireworks display for July 4 th celebration.	24,000.00	General Fund
HD Supply Waterworks, LTD – Turbine meters for the Water Services Dept.	4,616.70	Water & Wastewater
City of Irving – 11 th annual Transportation Summit fee.	4,000.00	General Fund
Bush Hog, LLC – Mower for the Street Drainage Maintenance Dept.	13,864.00	Equipment Revenue Fund
Macaulay Controls Company – Flow meters for the Sewer Services Dept.	4,513.00	Water & Wastewater
All American Press – Summer brochures for the Parks and Recreation Dept.	10,874.00	General Fund
Johnson County Tax Assessor – Ad Valorem tax collection fees for FY 2008.	18,100.80	General Fund
Mels Electric LP – Replace traffic signal loops on Renfro Street.	4,500.00	General Fund
Graham Associates, Inc. – C/O #2 Create new easement documents and additional design services on the Quil Miller Creek Sanitary Sewer Trunk Main project.	15,145.00	4A Sales Tax
KMP Graphics – C/O #1 Additional signs for the interurban project.	1,580.00	Hotel Motel Tax
PAYMENTS OVER \$3,000:		
Republic Title – Final payment on purchase of the business park property. (See attached memo.)	32,734.87	4A Sales Tax
Grace Temple Church of Fort Worth, Texas Inc. – Village Creek Sewer Easement on Parcel 13R.	5,000.00	2005 Water & Wastewater Revenue Bond
Diamond Productions – Fees for June 6 th concert on the Summer Concert series for the Parks & Recreation Dept.	5,000.00	Hotel Motel Tax
Ellerbe-Walczak, Inc. - Payment for engineering testing for Burleson	5,605.00	General Fund

subdivisions and capital improvement projects.		/2006 General Obligation Bond /2007 General Obligation Bond
First Southwest Company - Fiscal year ended September 30, 2007 Annual Disclosure Report.	14,000.00	General Fund
Johnson County Umpires Association – Softball umpire fees for April 2008.	3,134.00	General Fund
Texas Engineering Extension Service – Structural Collapse Technician training for 3 firefighters.	5,200.00	General Fund
Workers Assistance Program, Inc. - Renewal of the EAP agreement for April 1, 2008 through March 31, 2009.	7,268.76	General Fund

1C. Resolution R-1118-08, amending the City's Authorized Representatives to Texas Local Government Investment Pool (TexPool, TexPool Prime)

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

Motion passed 7-0.

1D. Resolution R-1119-08, designating and authorizing certain city employees to approve wire transfers by and on behalf of the City, designating custodial agent, and authorizing investment pools.

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

Motion passed 7-0.

1E. Resolution R-1120-08 authorizing continued participation with the Steering Committee of Cities Served by Oncor; and authorizing the payment of 10 cents per capita to the steering committee to fund regulatory and related activities related to Oncor Electric Delivery.

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

Motion passed 7-0.

Presentations

2A. Boards, Commissions, and other Advisory groups.

Presentation made to Library Director Gayla Tennison and Library Board representatives by the Texas Municipal Library Directors Association for the 2007 Achievement of Excellence in Libraries Award.

Proclamation Public Works Week.
Proclamation National Police Week
Proclamation National Police Memorial Day May 15.
Proclamation Public Service Week

2B. Citizens Appearance

Manuel Trevino, 836 E. Renfro, Cinco De Mayo Celebration, thanked the city council and staff for all their help in making the celebration a success.

Public Hearings and Related Ordinances

3A. Public Hearing and consideration of a request by Chesapeake Operating, Inc., for a gas well drilling permit for one (1) gas well known as the Mountain Valley Unit 1H on 21.17 acres, located at 2225 SW Wilshire Boulevard, (Case No. 08-55)

Laura Melton, Engineer with the City of Burleson, presented the request by Chesapeake Operating, Inc., for a gas well drilling permit for one (1) gas well known as the Mountain Valley Unit 1H on 21.17 acres, located at 2225 SW Wilshire Boulevard, (Case No. 08-55)

Dusty Anderson 301 Commerce, Fort Worth, explained to the council how the water is being delivered to the site and will submit a truck traffic route and would try to limit turns to right hand turns.

Council would like staff to review the notification to surrounding citizens.

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

No speakers

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

Motion made by Dan McClendon second by Matt Powell provided that a satisfactory dust remediation plan is approved by staff.

Motion passed 7-0.

3B. Public Hearing and consideration of a request by Chesapeake Operating, Inc., for a gas well drilling permit for one (1) gas well known as the Billy Davenport Unit 9H on approximately 400 acres, located approximately 3000 feet north of the intersection of C.R. 913 and F.M. 1902. (Case No. 08-61)

Laura Melton, Engineer with City of Burleson presented a request by Chesapeake Operating, Inc., for a gas well drilling permit for one (1) gas well known as the Billy Davenport Unit 9H on approximately 400 acres, located approximately 3000 feet north of the intersection of C.R. 913 and F.M. 1902. (Case No. 08-61)

Mayor Shetter opened the public hearing: Time: 7:44p.m.

Scott Hutto, 2540 Verde Dr., Burleson, TX, has safety and inspections concerns. Concerned about long term affects and would request that the well be moved.

Mayor Shetter closed the public hearing. Time: 7:56 p.m.

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

Motion passed 7-0

3C. Public hearing and consideration of Ordinance D-080-07 (A0408) revising the boundary areas of the IH-35 Overlay District to include approximately 1,002 acres within the city limits of the City of Burleson along the IH-35W corridor south of Briar Oaks Road and North of Asher Lane. (Case No 08-060) (First Reading)

Stephen Cook, Planning Official, presented to council Ordinance D-080-07 (A0408) revising the boundary areas of the IH-35 Overlay District to include approximately 1,002 acres within the city limits of the City of Burleson along the IH-35W corridor south of Briar Oaks Road and North of Asher Lane. (Case No 08-060) (First Reading)

Mayor Shetter opened the public hearing: Time: 8:03p.m.

No speakers

Mayor Shetter closed the public hearing. Time: 8:03p.m.

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

Motion passed 7-0

3D. Public hearing and consideration of Ordinance B-582-(A0508) amending Chapter 10 Buildings and Building Regulations, of the Burleson Code of Ordinances, by adding Article XVII Fence, Screening and Transitional Buffer Regulations and modifying Article XIV Landscape Ordinance. (Case 06-073) (First Reading)

Stephen Cook, Planning Official, presented to council Ordinance B-582-(A0508) amending Chapter 10 Buildings and Building Regulations, of the Burleson Code of Ordinances, by adding Article XVII Fence, Screening and Transitional Buffer

Regulations and modifying Article XIV Landscape Ordinance. (Case 06-073)
(First Reading)

Break 8:52 p.m. – 9:11 p.m.

Mayor Shetter opened the public hearing. Time: 9:25 p.m.

No speakers

Mayor Shetter closed the public hearing. Time: 9:25 p.m.

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

Motion passed 7-0

Ordinances & Resolutions

4A. No items at this time

Contracts & Agreements

5A. No items at this time.

Other Items for Consideration

6A. Joint Resolution R-1121-08 and Boundary Agreement with the City of Fort Worth and authorization for the Mayor to execute.

Paul Cain, Deputy City Manager, presented to council a Joint Resolution and Boundary Agreement with the City of Fort Worth and authorization for the Mayor to execute.

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

Motion passed 7-0.

6B. Preliminary plat of Lots 4, 7, 8, and 9, Block 1, South Wilshire Addition located on the southwest corner of the SW Wilshire Boulevard (SH 174) and Elk Drive intersection. (Case 08-040)

Stephen Cook, Planning Official, presented to council a Preliminary plat of Lots 4, 7, 8, and 9, Block 1, South Wilshire Addition located on the southwest corner of the SW Wilshire Boulevard (SH 174) and Elk Drive intersection. (Case 08-040)

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

Motion passed 7-0.

6C. Final plat of Lot 9, Block 1, South Wilshire Addition located on the southwest corner of the SW Wilshire Boulevard (SH 174) and Elk Drive intersection. (Case 08-041)

Stephen Cook, Planning Official, presented to council the Final plat of Lot 9, Block 1, South Wilshire Addition located on the southwest corner of the SW Wilshire Boulevard (SH 174) and Elk Drive intersection. (Case 08-041)

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

Motion passed 7-0.

6D. MO-08-021, authorizing an additional Clerk in the Burleson Municipal Court.

Curtis E. Hawk, City Manager, presented to council MO-08-021, authorizing an additional Clerk in the Burleson Municipal Court.

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

Motion passed 7-0.

6E. Award the contract for Phase I of the preparation of a Comprehensive Plan for the City of Burleson, Texas to Freese and Nichols, Inc. in the amount of \$70,000.00 and authorize the City Manager to execute the contract.

Stephen Cook, Planning Official, presented to the contract for Phase I of the preparation of a Comprehensive Plan for the City of Burleson, Texas and authorize the City Manager to execute the contract.

Motion was made by Stuart Gillaspie and second by Jim Wadlow to approve.

Motion passed 7-0.

6F. Authorization of agreement with Black & Veatch for Water/Wastewater Rate Study at a cost of \$71,000.00 and transfer \$31,000.00 from account 401-4041-511-7803 to 401-1041-512-3208.

Davie Smyth, Assistant Director of Public Works, presented to council agreement with Black & Veatch for Water/Wastewater Rate Study and transfer \$31,000.00 from account of necessary funds.

Motion was made by Jim Wadlow and second by Stuart Gillaspie to approve.

Motion passed 7-0.

Reports

7A. Economic Development.

No reports.

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

No reports.

7C. Various Staff Reports

David Wynn, announced the organizational change of adding Engineering to Public Works and leaving Community Development a stand alone department. He introduced Director of Community Development Shailaja Roos, and Director of Public Works Aaron Russell.

Rhett Clark introduced new Assistant Director of Finance, Ariel Carmona.

Rhett Clark presented to council the quarterly investment report for period ending September 30, 2007.

Chief Tom Cowan, presented to council the crime statistic reports.

Council and Staff Comments

8A.

Curtis E. Hawk, asked council to look at calendars to set Council Retreat times.

Next council meeting discussion of policies on emergency sirens during work session.

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.**

May 8, 2008
Page 10 of 10

Motion was made Matt Powell and second by Chip Stephens to convene into executive session.

Motion passed 7-0. **Time: 10:57 p.m.**

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

Motion made by 6-0. **Time: 11:45 p.m.**

There being no further business Mayor Shetter adjourned the meeting.

Time: 11:45 p.m.

Amanda J. McCrory
City Secretary