

BURLESON CITY COUNCIL WORK SESSION
May 22, 2008
DRAFT MINUTES

Roll Call:

Council present:

Stuart Gillaspie
Jim Wadlow
Matt Powell
Ken Shetter
Dan McClendon
Claudia Humphreys (arrives 6:45 p.m.)
Chip Stephens

Council Absent:

Staff

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

WORK SESSION – Call to order – Time: 6:20 p.m.

- 1. Discussion of policy for the Activation of the Outdoor Warning System and Connect-CTY.**

Stacy Singleton, Fire Marshall made a presentation on the policy for the Activation of the Outdoor Warning System and Connect CTY.

- 2. 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.

- 3. 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.**

No discussion.

BURLESON CITY COUNCIL REGULAR SESSION
May 22, 2008
DRAFT 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
Allen Taylor, City Attorney

REGULAR SESSION – Call to order – Time: 7:12 p.m.

Invocation - Eric Humphreys

Pledge of Allegiance

Oath of Office was administered to Mayor Ken Shetter, Councilmember Place 2 Jim Wadlow, Councilmember Place 4 Carter Mahanay, Councilmember Place 6 Chip Stephen

4B. Resolution R-1125-08, renaming West Bend Park to “Claudia’s Playground”.

Mayor Ken Shetter presented R-1125-08 renaming West Bend Park to “Claudia’s Playground.

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

Motion passed 7-0.

Presentation for outgoing councilmember Claudia Humphreys.

Proclamations - Sarah Evans as a Hometown Hero.

Items to be continued or withdrawn

Items to be withdrawn from the consent agenda for separate discussion.

1H. Minute Order MO-08-022, appointing voting membership of the Mayor’s Youth Council to serve terms commencing June 1, 2008.

Consent Agenda

1A. Approve the minutes from the May 08, 2008 regular meeting.

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

Motion passed 7-0.

1B. Financial Transactions.

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

Motion passed 7-0.

City of Burleson
Financial Transactions

Vendor / Description	Amount	Fund
REQUISITIONS OVER \$3,000:		
Vulcan Materials Company – Grade 4 rock for the Street Pavement Maintenance Dept.	12,660.00	GF
SEM Materials – Chip sealing materials for the Street Pavement Maintenance Dept.	25,950.00	GF
Jackson Construction, LTD – Installation of french drain on McAllister east of Hemphill on the Upper Pressure Plane Project.	12,625.00	2007GO
Graham Associates – C/O #3 Alignment change on Bowden Tract on the Quil Miller Sanitary Sewer project.	13,375.00	4AST
Burleson Independent School District – Sidewalk on Summercrest and Cedar Ridge.	5,130.00	2006GO
PAYMENTS OVER \$3,000:		
FC Restaurant Group, LLC – Sales tax incentive for calendar year 2007 per the 380 agreement.	5,303.17	EDIF
George & Cynthia Straughan – Easement #37 on the Quil Miller Sanitary Sewer project.	16,200.00	4AST

- 1C. Final plat of Lot 1, Block 1, Massey Addition located at the end of Betty Lane, east of FM 2280 (Old Betsy Road) in the Extraterritorial Jurisdiction (ETJ). (Case 08-047)**

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

Motion passed 7-0.

- 1D. 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) (Final Reading)**

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

Motion passed 7-0.

- 1E. Resolution R-1123-08, authorizing the City Secretary authority to appoint a specific individual as “acting city secretary”.**

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

Motion passed 7-0.

- 1F. Easement and Right-of-Way Use Agreement for a Monument Sign within Burleson Commons proposed within an existing Water and Sewer Line Easement.**

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

Motion passed 7-0.

- 1G. Minute Order MO-08-023 appropriating \$160,390 from Equipment Replacement Fund fund balance for the replacement of the transfer station conveyor system, and authorize that amount to be included in the revised budget.**

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

Motion passed 7-0.

- 1H. Minute Order MO-08-022, appointing voting membership of the Mayor’s Youth Council to serve terms commencing June 1, 2008.**

Kellye Cunningham, Management Assistant made a presentation for MO-08-022, appointing voting membership of the Mayor's Youth Council to serve terms commencing June 1, 2008.

Amanda Worley, Chair for the Mayor's Youth Council reported to council about the upcoming May Day Event to be held on Saturday, May 24, 2008 at the Burleson Municipal Pool.

Motion was made by Matt Powell and second by Jim Wadlow to approve with additions of Brad Allard and Victoria Sykes.

Motion passed 7-0.

Presentations

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

No items.

2B. Citizens Appearance

Arthur Schuster, 713 Flounder Dr. addressed council regarding water restrictions and why it does not include swimming pools being filled.

Aaron Russell, Director of Public Works answered questions regarding water conservation.

Byron Black, 820 Beverly Dr. representative from City of Character Council spoke to council about the program and the importance of the organization. He requested that the logo be placed back on the water towers and that the character traits be added back to the Progress Report. Character luncheon and Essay Contest will be on October 21st, 2008.

Public Hearings and Related Ordinances

3A. Public Hearing and consideration of a request by Devon Energy, for a gas well drilling permit for two (2) gas wells known as the Mayfield Unit 2H and 3H on approximately 300 acres, located on an existing pad site at 1153 Big Horn Drive (Case No. 08-062).

Laura Melton, Engineer made a presentation to council for a Public Hearing and consideration of a request by Devon Energy, for a gas well drilling permit for two (2) gas wells known as the Mayfield Unit 2H and 3H on approximately 300 acres, located on an existing pad site at 1153 Big Horn Drive (Case No. 08-062).

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

No speakers.

Mayor Shetter closed the public hearing: Time: 8:20 p.m.

Wendy Worten with Devon Energy answered yes to councilmember Powell's question that the area with the pipeline would still have the same transportation capacity with the added wells.

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

Motion passed 6-0. Carter Mahanay abstained.

Ordinances & Resolutions

4A. Ordinance C-549 (A0508), amending the existing gas franchise between the City and Atmos Energy Corporation to provide for a different consideration. (First Reading)

Curtis Hawk, City Manager made presented Ordinance C-549 (A0508), amending the existing gas franchise between the City and Atmos Energy Corporation to provide for a different consideration.

Ariel Caroma, Assistant Director of Finance answered questions regarding the gas franchise ordinance.

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

Motion passed 7-0.

Contracts & Agreements

5A. Award the bid for the construction of the 2007 Old Town Street, Storm Drain, and Waterline Construction Project (Phases 1 and 2) project to JRJ Paving, L.P in the amount of \$1,570,764.06 and authorize the City Manger to execute the contract and approve change orders not exceeding \$25,000.00.

Todd House, Deputy City Engineer Capitol Improvements division of Public Works made a presentation to award the bid for the construction of the 2007 Old Town Street, Storm Drain, and Waterline Construction Project (Phases 1 and 2) project.

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

Motion passed 7-0.

Other Items for Consideration

6A. Minute Order MO-08-024 establishing a policy for the activation of the Outdoor Emergency Warning System and Connect-CTY.

Item discussed in the work session.

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

Motion passed 7-0.

Reports

7A. Economic Development.

Paul Cain, Deputy City Manager updated council on the pre-bid conference at the Golf Course on the RFQ for the Hotel Conference Center. There were two bids received that will require a 4A meeting to choose one. The deadline for the RFQ is June 16, 2008.

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

No reports.

7C. Water / Wastewater Impact Fees Report.

Curtis Hawk, City Manager updated council on the report for Water/Wastewater Impact Fees that was included in their packets.

7D. Various Staff Reports

Sheri Campbell Husband, Director of Neighborhood Services reported on 15 year old Michelle Spriggs who painted a series of murals at the Animal Shelter. They are planning to have an Open House Reception on Saturday, June 14th at 11:30 at the Animal Shelter.

Curtis Hawk, City Manager reported on the property owned by Lynn Smith which is located at the SW corner of 917 and I 35. They would like to rezone the property for the purpose of leasing the property for the sale and storage of heavy equipment for gas well operators. The city will be sending a letter for temporary certificate of occupancy to allow the property owner to proceed. The property

owner will be given a time period to get the SP zoning approved by council or the occupancy will no longer be in place.

Stephen Cook, Senior Planner made a report regarding the proposed equipment sales on the Lynn Smith property.

Council and Staff Comments

8A.

Mayor Ken Shetter let everyone know there will be a Wreath Laying Ceremony on Memorial Day at the Fountains at Renfro Square at 10:00 a.m.

Peter Krause introduced the city's new Senior Parks Planner, Dalen Warker.

Mayor Ken Shetter reminded council of the NTTA/TXDOT briefing on Chisholm Trail on May 27, 2008 at 1:00 p.m. to be held at City Hall.

City Manager Curtis Hawk reminded council of the upcoming Budget Worksession on June 17th and the Council Retreat on June 19th.

Mayor Ken Shetter reported that the deadline for the Burleson Opportunity Fund Scholarships was May 12, 2008 and 46 students applied.

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

Motion passed 7-0. **Time: 9:16 p.m.**

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

Motion made by 7-0. **Time: 10:06 p.m.**

June 12, 2008

1A - 9

Motion was made by Dan McClendon and second by Matt Powell to authorize the City Manager to proceed with negotiation for the subject property discussed in executive session up to the amount approved in executive session.

Motion passed 6-0. Chip Stephens abstained.

There being no further business Mayor Shetter adjourned the meeting.

Time: 10:10 p.m.

Cathy Bourg
Deputy City Secretary