

BURLESON CITY COUNCIL WORK SESSION
June 12, 2008
MINUTES

Roll Call:

Council present:

Council Absent:

Stuart Gillaspie

Jim Wadlow

Matt Powell (arrives 6:12 p.m.)

Ken Shetter

Dan McClendon

Carter Mahanay

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: 6:10 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 made by Jim Wadlow and second Dan McClendon to convene into executive session.

Motion passed 5-0. **Time: 6:11 p.m.**

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

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

Motion passed 6-0. **Time: 7:03 p.m.**

BURLESON CITY COUNCIL REGULAR SESSION
June 12, 2008
MINUTES

Roll Call:

Council present:

Council Absent:

Stuart Gillaspie

Jim Wadlow
Matt Powell
Ken Shetter
Dan McClendon
Carter Mahanay
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 7:04 p.m.

Invocation – Chip Stephens

Pledge of Allegiance

Proclamations

Items to be continued or withdrawn

Items to be withdrawn from the consent agenda for separate discussion.

Consent Agenda

1A. Approve the minutes from the.

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

Motion passed 6-0.

1B. Financial Transactions.

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

Motion passed 5-0. Dan McClendon abstained.

City of Burleson
Financial Transactions

Vendor / Description	Amount	Fund
REQUISITIONS OVER \$3,000:		
Industrial Power Isuzu Truck – Electrical repairs on garbage truck in the Solid Waste Dept.	4,708.04	ESF
The Star Group - Ads for summer events in the Recreation Dept.	3,238.12	GF/ H/M
Cosper Tractor & Equipment – Repairs to tractor in the Park Maintenance Dept.	6,230.00	ESF
Doug Wiegref Concrete – Repair concrete channel for the Street Pavement Maintenance Dept.	3,900.00	GF
Sanders Plumbing – Replace two shower stalls at fire station #1.	8,970.00	GF
Integrated Forensic Laboratories – Forensic lab services for July – Sep 2008.	3,300.00	GF
Linder Construction Company, Inc. – C/O #3 – Additional quantities to address field conditions on the City Wide Drainage Improvement Project.	47,120.73	2007CO
C. Green Scaping, Inc. – C/O #3 – Boulders to replace type III barricades on the Hidden Creek Parkway Landscaping Improvements Project.	2,208.00	2005CO
Centex Seeding - Additional hydromulch for the Hidden Creek Parkway Landscaping Improvements Project.	2,000.00	2001STRBF
PAYMENTS OVER \$3,000:		
Mastercard – Credit card charges for April 2008.	20,995.73	GF/SRF/ W&S/ H/M

1C. Final plat of Lot 9, Block 1, Burleson Commons located on the south corner of the SW Wilshire Boulevard (SH 174) and John Jones Drive (FM 731) intersection. (Case 08-056)

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

Motion passed 5-0. Chip Stephens abstained.

1D. Replat of Lot 1, Block 1 and Final plat of Lot 2, Block 1, Joshua School Addition located on the west side of FM 1902 and north of FM 917. (Case 08-057)

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

Motion passed 6-0.

1E. Replat of Phase 1, Lot 1, Block 15, into Lots 1R & 2R, Block 15, Cedar Ridge Addition located on the south corner of the SW Alsbury Boulevard and Summercrest Boulevard intersection. (Case 08-053)

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

Motion passed 5-0. Carter Mahanay abstained.

1F. Ordinance B-781-08, establishing a school zone on West Bend Boulevard from Hearthstone Drive to Summercrest Boulevard. (First Reading)

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

Motion passed 6-0.

1G. Resolution R-1016 (A0608), renewing existing cooperation agreement between the City of Burleson and Tarrant County's Community Development Block Grant Program, and approving a minor technical change as requested by the Texas Department of Housing and Urban Development (HUD).

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

Motion passed 6-0.

1H. Award the bid for the 2008 Mill and Overlay program to Premium Paving, LTD. (ITB 2008-022)

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

Motion passed 6-0.

1I. Award the bid for the 2008 Micro Surface Program to Ballou Construction Co., Inc. (ITB 2008-023)

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

Motion passed 6-0.

1J. MO-08-027 Authorizing entry into an agreement with Production Company L.P. ("Devon") for the sale of non-potable water from Bailey Lake and authorization for the City Manager to execute the contract.

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

Motion passed 6-0.

Presentations

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

No presentations.

2B. Citizens Appearance

Brenda Geeslan, 131 Cliffside Dr. S., spoke to council regarding the garage sale ordinance change. She is opposed to the new ordinance restricting garage sale signs and turned in a signed petition.

Public Hearings and Related Ordinances

3A. Public Hearing and consideration of a request by Williams Production, for four (4) gas well drilling permits, known as the Burleson Bible Church Unit 1H and 2H and the Forest Ridge Unit 1H and 2H, located approximately 600' north and 300' east of the intersection of E. Renfro St. and Hurst Road (Case Nos. 08-77).

Laura E. Melton, Civil Engineer, gave a presentation for a request by Williams Production, for four (4) gas well drilling permits, known as the Burleson Bible Church Unit 1H and 2H and the Forest Ridge Unit 1H and 2H, located approximately 600' north and 300' east of the intersection of E. Renfro St. and Hurst Road (Case Nos. 08-77).

Councilmember Matt Powell opened the public hearing: Time 7:34 p.m.

Deborah Johnstone, 849 E. Renfro, spoke against the gas well drilling permit. Feels like Williams is using others to encourage her to sign. Is also concerned about the pipeline and the safety of the students at the new high school. Would like an environmental study done on the gas well location.

Clete Martin, 3233 Trailwood Dr. E, spoke in support of the gas well. Represents the Burleson Bible Church.

Gretchen Altaras, Box 573, Joshua, concerned about the pipeline being under the roadway. Feels it is too close to the band hall of the new high school campus.

Councilmember Matt Powell closed the public hearing: Time 8:02 p.m.

Motion made by Dan McClendon and second by Carter Mahanay to approve.

Motion passed 4-0. Mayor, Ken Shetter and Chip Stephens abstained.

3B. Public Hearing and consideration of a request by Chesapeake Operating, Inc., for a gas well drilling permit for two (2) gas wells known as the Brown Unit 2H and 3H on 198.26 acres, located on an existing pad site at 128 Loy Street (Case No. 08-65).

Laura E. Melton, Civil Engineer, gave a presentation for a request by Chesapeake Operating, Inc., for a gas well drilling permit for two (2) gas wells known as the Brown Unit 2H and 3H on 198.26 acres, located on an existing pad site at 128 Loy Street (Case No. 08-65).

Mayor Shetter opened the public hearing: Time 8:10 p.m.

No speakers.

Mayor Shetter closed the public hearing. Time: 8:10 p.m.

Motion made by Jim Wadlow second by Chip Stephens to approve.

Motion passed 6-0.

3C. Public Hearing and consideration of a request by Chesapeake Operating, Inc., for a gas well drilling permit for three (3) gas wells known as the Tantarra Unit 3H, 4H and 5H, located on an existing pad site at 1993 SW Hulen Street (Case No. 08-67).

Laura E. Melton, Civil Engineer, gave a presentation for a request by Chesapeake Operating, Inc., for a gas well drilling permit for three (3) gas wells known as the Tantarra Unit 3H, 4H and 5H, located on an existing pad site at 1993 SW Hulen Street (Case No. 08-67).

Mayor Shetter opened the public hearing: Time 8:12 p.m.

No speakers.

Mayor Shetter closed the public hearing. Time 8:12 p.m.

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

Motion passed 6-0.

Ordinances & Resolutions

- 4A. Ordinance D-087-08 rezoning 19.67 acres from (SF7) Single Family 7 to (PD) Planned Development zoning district located along the west side of future Hemphill Street, south of NE Alsbury Boulevard. (Case No 07-131) (Final Reading)**

Shai Roos, Director , Community and Economic Development presented Ordinance D-087-08 rezoning 19.67 acres from (SF7) Single Family 7 to (PD) Planned Development zoning district located along the west side of future Hemphill Street, south of NE Alsbury Boulevard. (Case No 07-131) (Final Reading)

Arthur Webster with MDK Burleson Development, addressed council regarding the rezoning.

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

Motion passed 6-0.

Contracts & Agreements

- 5A. MO-08-025 to approve entry into an annual agreement with the City of Cleburne to utilize Cleburne's Transfer Station during scheduled and emergency down times at the Burleson Transfer Station and authorizing the City Manager to sign.**

Aaron Russell, Director of Public Works made a presentation for an annual agreement with the City of Cleburne to utilize Cleburne's Transfer Station during scheduled and emergency down times at the Burleson Transfer Station MO-08-025.

Motion was made by Matt Powell and second by Jim Wadlow to approve and the amount not to exceed \$20,000.00.

Motion passed 6-0.

5B. MO-08-026 awarding the bid for the construction of the MIGG Phase 3 (Irene St.) project to Tri-Tech Construction, Inc. and authorize the City Manager to execute the contract and approve change orders not exceeding \$25,000.00.

Aaron Russell, Director of Public Works made a presentation for MO-08-026 awarding the bid for the construction of the MIGG Phase 3 (Irene St.) project to Tri-Tech Construction, Inc. and authorize the City Manager to execute the contract and approve change orders not exceeding \$25,000.00.

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

Motion passed 6-0.

Other Items for Consideration

6A. Consideration of a waiver request by Burleson Commons, L.P. for the elimination of the private detention ponds serving the Burleson Commons Development at the south corner of the intersection of SW Wilshire Boulevard and John Jones Drive.

Aaron Russell, Director of Public Works made a presentation for a waiver request by Burleson Commons, L.P. for the elimination of the private detention ponds serving the Burleson Commons Development at the south corner of the intersection of SW Wilshire Boulevard and John Jones Drive.

Motion was made by Matt Powell and second by Carter Mahanay to approve contingent upon an acceptable site plan preserving 1 acre of green space with a water feature.

Motion passed 5-0. Chip Stephens abstained.

6B. Discuss Potential Voluntary Annexations and Annexation Timeline.

Curtis Hawk, City Manager discussed potential voluntary annexations and a timeline.

Reports

7A. Economic Development.

No reports.

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

No reports.

7C. Ordinance Revisions.

Curtis Hawk, City Manager discussed with council a need for future ordinance revisions.

David Wynn, Deputy City Manager presented a list of projects in progress and future projects and answered questions.

7D. Various Staff Reports

No reports.

Council and Staff Comments

8A.

Mayor, Ken Shetter commented on the success of the NTTA meeting that occurred on May 27, 2008 at city hall and the Partners in Mobility in Austin.

Aaron Russell, Director of Public Works updated council on the waterline break that occurred on Saturday June 7th. There were approximately 750 homes affected by the 16-inch water main break on the East side of I-35.

Matt Powell commented on the need for a discussion regarding the playgrounds while the parks are under construction. Asked staff to make sure citizens are not being given citations due to Oncor cutting limbs and leaving them.

Carter Mahanay made a positive comment on his tour of city facilities and asked about the status of the red light at Hulen and Hwy 174.

Dan McClendon commented on the red light cameras and fines being issued for rolling through a right on red.

Curtis Hawk introduced the new Municipal Court Administrator Constance White.

Sheri Campbell Husband reminded council of the open house at the Animal Shelter on Saturday, June 14, 2008.

Curtis Hawk commented on author John McConal's visit to the Library on June 10, 2008.

Chief Cowan relayed a thank you from Shawn Bolton for all the support from the city.

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.**

There being no further business Mayor Shetter adjourned the meeting.

Time: 9:52 p.m.

Cathy Bourg
Deputy City Secretary