

BURLESON CITY COUNCIL WORK SESSION
July 10, 2008
MINUTES

Roll Call:

Council present:

Stuart Gillaspie
Jim Wadlow
Matt Powell
Ken Shetter

Council Absent:

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: 6:12 p.m.

- 1. Presentation regarding responses to requests for qualification for the Business Park and discussion with The Industrial Group (TIG) on their qualifications and vision for the Burleson Industrial Park.**

John Walsh, Tom Smolik, R.J. Sikes, Lauren Cranford and Alex Griffin representatives from TIG presented to council their qualifications and vision for the Burleson Industrial Park.

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

None

- 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.**

None

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

BURLESON CITY COUNCIL REGULAR SESSION
July 10, 2008
DRAFT MINUTES

Roll Call:

Council present:

Stuart Gillaspie
Jim Wadlow
Matt Powell
Ken Shetter

Council Absent:

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: 7:12 p.m.

Invocation – Councilmember Jim Wadlow

Pledge of Allegiance

Proclamations

Items to be continued or withdrawn

Items to be withdrawn from the consent agenda for separate discussion.

1F. Ordinance C-637-07 (A0608), establishing rates to be charged for all residential and commercial customers for solid waste and trash collection and disposal. (Final Reading)

Consent Agenda

1A. Approve the minutes from the June 19, 2008 special session and the June 26, 2008, regular council session.

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

Motion passed 6-0. Dan McClendon absent.

1B. Financial Transactions.

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

Motion passed 6-0. Dan McClendon absent.

City of Burleson
Financial Transactions

| Vendor / Description | Amount | Fund |
|---|-----------|----------------------|
| REQUISITIONS OVER \$3,000: | | |
| Coban Computer Systems – Coban computer systems for two new patrol cars in the Police Dept. | 21,610.00 | GF |
| Coban Computer Systems – Coban computer system for the City Marshal's vehicle in Municipal Court. | 6,025.00 | SRF |
| Apac-Texas, Inc. – Asphalt for the Street Pavement Maintenance Dept. | 22,500.00 | GF |
| Huguley Assessment Center – Health fitness assessment for firefighters. | 7,780.00 | GF |
| Insituform Technologies, Inc. – C/O #1 Additional quantities to address changed site conditions on the Neighborhood Streets Reconstruction project and the Water Rehab project. | 58,995.00 | 2007CO |
| PAYMENTS OVER \$3,000: | | |
| Ellerbe-Walckzak, Inc. - Engineering testing for Burleson subdivisions, McAllister Road, Summercrest and Neighborhood Streets Reconstruction projects. | 9,858.00 | GF/2007CO/ 2007GO |
| Sandina M. Bowden – Easements for parcels 12 and 14 on the Quil Miller Sanitary Sewer Project. | 62,000.00 | 4AST |
| Taylor, Olson, Adkins, Sralla & Elam, LLP - Attorney fees for May 2008. | 18,364.46 | GF |

1C. Final plat of 34 single-family lots, 2 reserved lots, and 1 private park, 11.65 acres of Cooper Valley, Phase 2-B2 located south of FM 917 and east of SH 174 in the ETJ. (Case No 08-058)

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

Motion passed 6-0. Dan McClendon absent.

1D. Final plat of Lots 11-14, Block 1, South Towne Crossing Addition located on the southwest side of Elk Drive between Hillside Drive and SW Wilshire Boulevard (SH 174). (Case No 08-070)

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

Motion passed 6-0. Dan McClendon absent.

1E. Resolution R-1075-07 (A0708), stating the City Council has reviewed the City's written investment policy as required by the Public Funds Investment Act.

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

Motion passed 6-0. Dan McClendon absent.

1F. Ordinance C-637-07 (A0608), establishing rates to be charged for all residential and commercial customers for solid waste and trash collection and disposal. (Final Reading)

* Item removed for separate discussion.

1G. Award the contract for the Concrete Repairs and New Installation (ITB 2008-026) to the lowest and best bid, Reliable Paving, Inc. in the amount of \$37,685.00.

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

Motion passed 6-0. Dan McClendon absent.

1H. Ratify the 4A Board Action authorizing the use of 4A funds for construction of the CR 711 Business Park Gas Pipeline and Award the bid for the construction and installation of the same pipeline project to Developers Construction, Inc. in the amount of \$184,500.00, and authorize the City Manager to execute the contract and approve change orders not to exceed \$5,000.00.

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

Motion passed 6-0. Dan McClendon absent.

1I. Capital lease purchase agreement with Textron Financial for the purchase of golf course equipment totaling \$88,720.89, and authorize the City Manager to execute the contract.

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

Motion passed 6-0. Dan McClendon absent.

1F. Ordinance C-637-07 (A0608), establishing rates to be charged for all residential and commercial customers for solid waste and trash collection and disposal. (Final Reading)

Motion was made by Matt Powell and second by Stuart Gillaspie to approve with the amendment of changing “may be adjusted during the year on no more than a quarterly basis to *will* be adjusted during the year on a quarterly basis...”

Motion passed 5-1. Ken Shetter against. Dan McClendon absent.

Presentations

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

None

2B. Silent Hero Award presented to Telecommunication Operator Desire Spruill

* Moved to the July 24, 2008 council meeting.

2C. Presentation by Dr. Alex Del Carmen regarding “Strategic Plan for Police Services”

Bradley Ford with Dr. Alex Del Carmen’s office presented to council an update on the “Strategic Plan for Police Services”.

2D. Citizen Appearances.

John Walsh, Tom Smolik, R.J. Sikes, Lauren Cranford and Alex Griffin representatives from TIG continued their presentation to council of their qualifications and vision for the Burleson Industrial Park.

Public Hearings and Related Ordinances

3A. Public Hearing and consideration of a request by Williams Production for a gas well drilling permit for two (2) gas wells, known as the Oak Valley Unit 3H and the WMA Unit 4H on the existing Oak Valley pad site located south of Hidden Creek Parkway, east of Hurst Road. (Case No. 08-96)

** Item withdrawn by Williams Production.*

3B. Public hearing and consideration of Ordinance D-090-08, for the issuance of a Specific Use Permit (SUP) allowing for a corporate office for Adrenaline Motorsports, to be situated within the Commercial (C) zoning district along I-35W, south of Hidden Creek Parkway on 8.97 acres, also known as Tract 3, Abstract 132, J.M. Cartwright Survey. (Case No 08-075) (First Reading)

Shailaja Roos, Director of Community Planning and Economic Development presented to council Ordinance D-090-08, for the issuance of a Specific Use Permit (SUP) allowing for a corporate office for Adrenaline Motorsports, to be situated within the Commercial (C) zoning district along I-35W, south of Hidden Creek Parkway on 8.97 acres, also known as Tract 3, Abstract 132, J.M. Cartwright Survey. (Case No 08-075) (First Reading)

Mayor Shetter opened the public hearing: Time: 8:39 p.m.

Bob Yonke, 1775 SW Hulen St., explained the general business of Adrenaline Motorsports.

Mayor Shetter closed the public hearing. Time: 9:02 p.m.

Motion was made by Chip Stephens and second by Jim Wadlow approve adding that the SUP will be brought back to council for consideration of renewal after 10 years.

Motion passed 6-0. Dan McClendon absent.

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 6-0. Dan McClendon absent.

Time: 9:05 pm

Motion made by Stuart Gillaspie and second by Chip Stephens to reconvene into open session.

Motion passed 6-0. Dan McClendon absent.

Time: 9:26 p.m.

3C. Public hearing and consideration of Ordinance B-760-06 (A0708) revising the Sign Ordinance to amend Section 39-145 to allow truck mounted signs within the city limits of the City of Burleson. (Case No. 08-088)(First Reading)

Shailaja Roos, Director of Community Planning and Economic Development, presented to council Ordinance B-760-06 (A0708) revising the Sign Ordinance to amend Section 39-145 to allow truck mounted signs within the city limits of the City of Burleson. (Case No. 08-088)(First Reading)

Mayor Ken Shetter noted to remove or revise the following section of the Ordinance B-760-06(A0708) before consideration.

Remove the 3rd whereas, Section 1 definition of sign type and Section 2 G phrase for only cultural;

Whereas, vehicle mounted signs may be utilized for the purpose of advertising social or cultural activities and messages for non-profit entities.

Sign Type: Vehicle Sign (moving or parked) for advertising social or cultural activities and messages for non-profit entities.

(g) Vehicles (moving or parked) may have a sign that bears advertising only for social or cultural activities and messages for non-profit entities.

Revise to have location tied to permit time frame.

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

No speakers

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

Motion made by Matt Powell and second by Chip Stephens to approve with the mentioned sections revised.

Motion passed 6-0. Dan McClendon absent.

3D. Public hearing regarding a voluntary annexation of approximately 108.6 acres located south of Hidden Creek Parkway west of East Renfro Street. (Case No 08-085) (Second Public Hearing)

Mayor Shetter opened the public hearing: Time: 9:36 p.m.

No speakers

Mayor Shetter closed the public hearing. Time: 9:36 p.m.

3E. Public hearing regarding a voluntary annexation of approximately 14.23 acres located south of Hidden Creek Parkway west of East Renfro Street. (Case No 08-084) (Second Public Hearing)

Mayor Shetter opened the public hearing: Time: 9:36p.m.

No speakers

Mayor Shetter closed the public hearing. Time: 9:36 p.m.

Ordinances & Resolutions

4A. No items for consideration at this meeting

Contracts & Agreements

5A. No items for consideration at this meeting.

Other Items for Consideration

6A. Preliminary plat of Lots 1 & 2, Block 1, of Lake Posada located at the end of Pica Drive east of Interstate 35W and south of East FM 917 in the ETJ. (Case No 08-068)

Shailaja Roos, Director of Community Planning and Economic Development, presented to council the Preliminary and Final plat of Lots 1 & 2, Block 1, of Lake Posada located at the end of Pica Drive east of Interstate 35W and south of East FM 917 in the ETJ. (Case No 08-068)

Ernie Rodriguez, 782 S. Cooper, Arlington, Texas, spoke on behalf of his parents who are requesting the preliminary plat and final plat.

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

Motion passed 6-0. Dan McClendon absent.

6B. Final plat of Lot 1, Block 1, of Lake Posada located at the end of Pica Drive east of Interstate 35W and south of East FM 917 in the ETJ. (Case No 08-069)

*Presented with 6A

Motion was made by Matt Powell and second by Carter Mahanay to approve with DAC comments being satisfied.

Motion passed 6-0. Dan McClendon absent.

Reports

7A. Economic Development.

No reports.

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

No reports.

7C. Proposed FY 2008-09 Annual Operating Budget

Curtis E. Hawk, informed council that staff has a need to add the agenda of the July 31, 2008 special session at 6:30 p.m. a discussion on the enterprise fund with solid waste, subdivision regulations, list of ordinances, comp plan and budget items.

Stacy Singleton, Director of Emergency Services/Fire Marshal, gave a report to the council on a fire to a house that was caused by a down power line that was attached to a tree touching the house.

7D. Various Staff Reports

Council and Staff Comments

8A.

Mayor Ken Shetter updated council on the TRTC region wide lobbying efforts.

Executive Session

9A.

*Moved up in the agenda.

There being no further business Mayor Shetter adjourned the meeting.

Time: 10:01 p.m.

Amanda J. McCrory
City Secretary