

BURLESON CITY COUNCIL WORK SESSION
August 14, 2008
MINUTES

Roll Call:

Council present:

Stuart Gillaspie
Jim Wadlow
Matt Powell
Ken Shetter
Dan McClendon
Carter Mahanay

Council Absent:

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: 6:18 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.**

Curtis E. Hawk, City Manager, presented the following items for discussion:

- 1D. Minute Order MO-08-035, setting the dates for public hearings on the 2008 tax rate as September 04, 2008 and September 11, 2008.**

General update on the requirements of this item.

- 1E. Minute Order MO-08-036, placing the proposed tax rate for vote on the September 25, 2008 regular council agenda and stating the proposed tax rate of \$0.6940.**

General update on the requirements of this item.

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

Public infrastructure of the New BISD High School will need to be discussed at the next Joint Utilization Committee Meeting. There is a need to have a joint meeting with the full council and BISD board members.

7C. Proposed FY 2008-09 Annual Operating Budget.

There was a general discussion.

7F. Discussion of Various Ordinances

Staff will need more time for the revisions on several ordinances in order to devote full time and attention to the new Comprehensive Plan currently working.

7G. Discussion of Potential Charter Revision Process

There will be need for full presentation and action by the council at the next council meeting.

- 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.**

None

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

None

Break 7:00 p.m.

BURLESON CITY COUNCIL REGULAR SESSION
August 14, 2008
MINUTES

Roll Call:

Council present:

Stuart Gillaspie
Jim Wadlow
Matt Powell
Ken Shetter
Dan McClendon
Carter Mahanay
Chip Stephens (arrives 7:35 p.m.)

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: 7:22 p.m.

Invocation – Lamar Black, Crestmont Baptist Church

Pledge of Allegiance

Proclamations

Items to be continued or withdrawn

4A. *Resolution R-1128-08 supporting the use of "green cement" in municipal projects.*

Items to be withdrawn from the consent agenda for separate discussion.

Consent Agenda

1A. Minutes from the July 24, 2008, regular session and the July 31, 2008 special session.

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

Motion passed 6-0. Chip Stephens absent.

1B. Financial Transactions.

City of Burleson
Financial Transactions

Vendor / Description	Amount	Fund
REQUISITIONS OVER \$3,000:		
Apac – Texas, Inc. – Asphalt for the Street Pavement Dept.	22,500.00	GF
Four D Construction, Inc. – C/O #4 Vent modification on the Village Creek Sewer Relief Line Project	3,580.20	2006CO
Durable Specialties, Inc. – C/O #1 Repairs to UPS equipment at the Heberle/Alsbury Signal light	2,200.00	2005GOB
Jana Lynch – C/O #1 Additional fees for the design and layout of the Burleson Progress Report for FY2008	2,332.00	GF/W&S
PAYMENTS OVER \$3,000:		
Fay Woods – Easement for parcel #34 on the Quil Miller Sanitary Sewer project	8,800.00	4AST
Timothy & Belisa Davis – Easement for parcel #36 on the Quil Miller Sanitary Sewer project	11,200.00	4AST
Cigna Health Care of Texas – Prepayment for premium binder Equal to first month coverage for Healthcare Coverage FY 2009	150,000.00	GF

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

Motion passed 6-0. Chip Stephens absent.

1C. Minute Order MO-08-034, setting the date and time for the public hearing for the FY 2008-2009 proposed budget to be September 04, 2008 at 6:00 p.m. in the Council Chambers.

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

Motion passed 6-0. Chip Stephens absent.

1D. Minute Order MO-08-035, setting the dates for public hearings on the 2008 tax rate as September 04, 2008 and September 11, 2008.

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

Motion passed 6-0. Chip Stephens absent.

- 1E. Minute Order MO-08-036, placing the proposed tax rate for vote on the September 25, 2008 regular council agenda and stating the proposed tax rate of \$0.6940.**

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

Motion passed 6-0. Chip Stephens absent.

- 1F. Ordinance B-782-08, establishing a speed limit of 35 miles per hour on Hemphill Road from Alsbury Boulevard to the north City Limit line. (Final Reading)**

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

Motion passed 6-0. Chip Stephens absent.

- 1G. Ordinance A-312-08 for the voluntary annexation of approximately 108.6 acres located south of Hidden Creek Parkway west of East Renfro Street. (Case No 08-085) (Final Reading)**

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

Motion passed 6-0. Chip Stephens absent.

- 1H. Ordinance A-313-08 for the voluntary annexation of approximately 14.23 acres located south of Hidden Creek Parkway west of East Renfro Street. (Case No 08-084) (Final Reading)**

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

Motion passed 6-0. Chip Stephens absent.

- 1I. Ordinance B-745 (A0808), amending Ordinance B-745 and Chapter 66 of the Burluson Code of Ordinances concerning the sale of Secondhand Goods. (First Reading)**

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

Motion passed 6-0. Chip Stephens absent.

- 1J. Resolution R-1127-08 supporting the "Less Tears...More Years" Campaign addressing teenage driving safety.**

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

Motion passed 6-0. Chip Stephens absent.

1K. Accept Quarterly Investment Report – Periods ending 12/31/07, 3/31/08, and 6/30/08

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

Motion passed 6-0. Chip Stephens absent.

Presentations

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

None.

2B. Citizen Appearances.

None.

* Moved up in the agenda for consideration of the public in attention.

7E. Discussion of Solid Waste Enterprise Fund

Aaron Russell, Director of Public Works, presented to council the current non-residential (Commercial) Solid Waste Collection requirements.

Jason Bagley, 728 Lisa Street, stock holder in Area Waste Solution, does not want the city to limit the commercial non-residential solid waste vendors to one. Believes this will end free enterprise. This is a locally owned and operated business and employees are Burleson residents. Having one vendor would raise rates for the commercial businesses in town.

Jim Bailey, 344 S. Warren, commercial non-residential solid waste is not the problem with residential solid waste collection. Mr. Bailey is against one vendor only this would take away the option for commercial businesses. Burleson business owners will be concerned with this option.

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 B. Davenport Unit 7H, on an existing pad site located at 7940 FM 1902. (Case No. 08-101)

Laura Melton, City Engineering department presented the request by Chesapeake Operating, Inc., for a gas well drilling permit for one (1) gas well, known as the B. Davenport Unit 7H, on an existing pad site located at 7940 FM 1902. (Case No. 08-101)

Mayor Shetter opened the public hearing: Time: 8:35 p.m.

No speakers

Mayor Shetter closed the public hearing. Time: 8:35p.m.

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

Motion passed 6-0. Stuart Gillaspie 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 Allenco Unit 2H and 3H, on an existing pad site located at 1552 S.W. Hulen Street. (Case No. 08-100)

Laura Melton, City Engineering department presented the request by Chesapeake Operating, Inc., for a gas well drilling permit for two (2) gas wells, known as the Allenco Unit 2H and 3H, on an existing pad site located at 1552 S.W. Hulen Street. (Case No. 08-100)

Mayor Shetter opened the public hearing: Time: 8:38 p.m.

No speakers

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

Motion was made by Matt Powell and second by Carter Mahanay to approve with the requirements that there be sound barriers placed on the North side to remedy the noise for Shannon Creek residents.

Motion passed 7-0.

3C. Public hearing and consideration of Ordinance B-683 (A0808) amending Ordinance B-683, the Villages of Wakefield Planned Development (PD) zoning district, located along the west side of FM 731 between Alsbury Boulevard and Hillside Drive (Case 08-105) (First Reading)

Shai Roos, Director of Community and Economic Planning, presented Ordinance B-683 (A0808) amending Ordinance B-683, the Villages of Wakefield Planned Development (PD) zoning district, located along the west side of FM 731 between Alsbury Boulevard and Hillside Drive (Case 08-105) (First Reading)

Motion was made by Chip Stephens and second by Stuart Gillaspie to table the item.

Motion passed 7-0.

Motion was made by Chip Stephens and second by Dan McClendon to remove from the table.

Motion passed 7-0.

Mayor Shetter opened the public hearing: Time: 9:16 p.m.

Mayor continued the public hearing and the item as such time as staff brings the item forward again.

Mayor Shetter closed the public hearing. Time: Continued

Ordinances & Resolutions

4A. Resolution R-1128-08 supporting the use of "green cement" in municipal projects.

* Removed from the agenda.

Contracts & Agreements

5A. No items at this meeting

Other Items for Consideration

6A. Appointment of Community At Large Members to Burleson Opportunity Fund Board of Directors.

Curtis E. Hawk, City Manager, presented to council the City of Burleson's requirement to appoint 2 Community At Large Members to Burleson Opportunity Fund Board of Directors.

Mayor Ken Shetter recommended Dan-O Strong, Chamber of Commerce President and Justin Bond, Chesapeake Operating, Inc. and a graduate from Burleson High School.

Motion was made by Matt Powell and second by Jim Wadlow to appoint Dan-O Strong and Justin Bond.

Motion passed 7-0.

Reports

7A. Economic Development.

No reports.

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

* Discussed during the worksession.

7C. Proposed FY 2008-09 Annual Operating Budget

* Discussed during the worksession.

7D. Ordinance B-749-06 Animal Care and Control; regarding the maintenance of potbellied pigs as domestic pets

Sheri Campbell-Husband, Director of Neighborhood Services, presented to council Ordinance B-749-06 Animal Care and Control; regarding the maintenance of potbellied pigs as domestic pets.

Council believes this is a staff level decision.

7E. Discussion of Solid Waste Enterprise Fund

* Moved up in the agenda for consideration of the public in attendance.

7F. Discussion of Various Ordinances

* Discussed during the worksession.

7G. Discussion of Potential Charter Revision Process

* Discussed during the worksession.

7H. Various Staff Reports

Sheri Campbell-Husband, updated council on Paw Pals Academy that took place in June 2008. There was outstanding positive response to the program. Acknowledgement for Michelle Spradlin, Animal Shelter Supervisor, council appreciates her efforts.

Council recognized Officer Owens for all his work towards Neighborhood Policing.

There is a need to change the November 13, 2008 to another date and will be brought for action at the next meeting.

Council and Staff Comments

8A.

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

Motion passed 7-0. Time: 9:40 p.m.

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

Motion passed 7-0. Time: 10:06 p.m.

August 28, 2008
1A-11

There being no further business Mayor Shetter adjourned the meeting.

Time: 10:07 p.m.

Amanda J. McCrory
City Secretary