

BURLESON CITY COUNCIL WORK SESSION
August 28, 2008
MINUTES

Roll Call:

Council present:
Stuart Gillaspie
Jim Wadlow

Council Absent:

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

WORK SESSION – Call to order – Time: 6:12 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.**
 - 4A. **Ordinance B-783-08 adopting a new Subdivision and Development Ordinance. (First Reading)**

Mandy Clark, Deputy City Engineer presented *Ordinance B-783-08 adopting a new Subdivision and Development Ordinance*. Staff requested that the item be withdrawn since there have sufficient changes to the ordinance since it was presented at the August 14, 2008 worksession.

6A. Authorize staff to prepare a draft Charter Review Process for Council Consideration

Bart Bingham, Assistant to the City Manager presented to council the Charter Review Process.

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 second by Stuart Gillaspie to convene into executive session.

Motion passed 6-0. Matt Powell absent. **Time: 6:48 p.m.**

3. Reconvene into open session for possible action.

Motion was made by Jim Wadlow and second by Chip Stephens to reconvene into open session.

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

Motion was made by Jim Wadlow and second by Chip Stephens to authorize the city to pay Williams Production \$49,045.43 as discussed in executive session.

Motion passed 6-0. Mat Powell absent.

BURLESON CITY COUNCIL REGULAR SESSION
August 28, 2008
MINUTES

Roll Call:

Council present:
Stuart Gillaspie
Jim Wadlow

Council Absent:

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: 7:07 p.m.

Invocation – Mike Milburn – First Baptist Church

Pledge of Allegiance

Proclamations

Mayor presented representatives from the Burleson Soccer Association “Soccer Day” proclamation.

Items to be continued or withdrawn

4A. *Ordinance B-783-08 adopting a new Subdivision and Development Ordinance. (First Reading)*

Items to be withdrawn from the consent agenda for separate discussion.

Consent Agenda

1A. Approval of the minutes from the August 14, 2008, regular session.

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

Motion passed 6-0. Matt Powell absent.

1B. Financial Transactions.

City of Burleson
Financial Transactions

Vendor / Description	Amount	Fund
REQUISITIONS OVER \$3,000:		
Bridgeport Trucks – Repairs to garbage truck #300 in the Solid Waste Dept.	4,735.00	ESF
Coban Research & Tech – Coban Top Cam systems for the SRO vehicles in the Police Dept.	14,540.00	GF
DFW Communications, Inc. – Headsets and radio system for the Command truck in the Emergency Services Dept.	3,040.00	GF
PAYMENTS OVER \$3,000:		
B & G Commercial Investments- 2008 TIF 2 Reimbursement.	69,422.07	TIF
JC Penney Corporation – Sales tax incentive for calendar years 2005-2007 per the 380 agreement.	35,625.38	EDIF
Mel’s Electric, LP – Replace traffic signal loops on Renfro St. (Approved 5/8/08 – Change of funding source from GF to 2005CO)	4,500.40	2005CO

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

Motion passed 6-0. Matt Powell absent.

1C. Final plat of Lots 1 and 2, Block 1, Sanders Estates located along the south side of Conveyor Drive (FM 917) and east of Broadway Street (SH 174), in the Extraterritorial Jurisdiction (ETJ). (Case 08-90)

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

Motion passed 6-0. Matt Powell absent.

1D. Final plat of Lot 1, Block 1, Morgan Oaks located along the west side of CR 913 and west of Broadway Street, in the Extraterritorial Jurisdiction (ETJ). (Case 08-91)

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

Motion passed 6-0. Matt Powell absent.

1E. Ordinance B-745 (A0808), amending Ordinance B-745 and Chapter 66 of the Burleson Code of Ordinances concerning the sale of Secondhand Goods – reinstating allowance for off-premise signs. (Final Reading)

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

Motion passed 6-0. Matt Powell absent.

1F. Resolutions R-1129-08, R-1130-08, R-1131-08, R-1132-08, and R-1133-08 determining the necessity of acquiring Sanitary Sewer Easements and Temporary Construction Easements for the Quil Miller Sewer Project and authorizing the City Attorney to proceed with eminent domain proceedings.

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

Motion passed 6-0. Matt Powell absent.

1G. Renewal of School Resource Officer (SRO) Contract.

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

Motion passed 6-0. Matt Powell absent.

1H. Renewal of Drug Awareness Resistance Education (D.A.R.E.) Officer Contract.

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

Motion passed 6-0. Matt Powell absent.

1I. Minute Order MO-08-037, approving a Professional Services Agreement with Cheryl Dean as the Hearing Officer Pursuant to Ordinance C-627-07, Automated Red Light Enforcement.

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

Motion passed 6-0. Matt Powell absent.

1J. Award the bid for the construction of the 2008 Quil Miller Creek Wastewater Trunk Main Construction Project (Phase 1) and authorize the City Manager to execute the contract and approve change orders not exceeding \$25,000.00.

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

Motion passed 6-0. Matt Powell absent.

5A. Award contract for RFP 2008-025 – Professional Auditing Services, and authorize the City Manager to execute the contract

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

Motion passed 6-0. Matt Powell absent.

Presentations

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

None

2B. Citizens Appearance

No speakers

Public Hearings and Related Ordinances

3A. Continuation of 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 Development presented the continuation 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)

Mayor Shetter continued the public hearing: Time: 7:18 p.m.

No speakers.

Mayor Shetter closed the public hearing: Time: 7:18 p.m.

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

Motion passed 6-0. Matt Powell absent.

3B. Public hearing and consideration of Ordinance D-091-08 amending Ordinance B-582, rezoning 2.164 acres from tracts 8A and 8C in the Hiram Lewis Survey, Abstract 517, Johnson County, located along the west side of IH-35W and north of FM 917, from (A) Agricultural District to (SP) Site Plan District. (Case No. 07-026) (First Reading)

Shai Roos, Director of Community and Economic Development presented Ordinance D-091-08 amending Ordinance B-582, rezoning 2.164 acres from tracts 8A and 8C in the Hiram Lewis Survey, Abstract 517, Johnson County, located along the west side of IH-35W and north of FM 917, from (A) Agricultural District to (SP) Site Plan District. (Case No. 07-026) (First Reading)

Mayor Shetter opened the public hearing: Time: 7:26 p.m.

No speakers

Mayor Shetter closed the public hearing. Time: 7:26 p.m.

Motion was made by Stuart Gillaspie and second by Carter Mahanay to approve.

Motion passed 6-0. Matt Powell absent.

3C. Public hearing and consideration Ordinance D-092-08 amending Ordinance B-582, rezoning 9.512 acres out of the Stephen Kensey Survey, Abstract No 475, Johnson County, located at 3300 South IH-35W (at the southwest corner of the FM 917 intersection) and situated within the IH-35 Overlay district, from (A) Agricultural District to (SP) Site Plan District with a 10 year time limit for expiration. (Case No 08-087) (First Reading)

Shai Roos, Director of Community and Economic Development presented Ordinance D-092-08 amending Ordinance B-582, rezoning 9.512 acres out of the Stephen Kensey Survey, Abstract No 475, Johnson County, located at 3300 South IH-35W (at the southwest corner of the FM 917 intersection) and situated within the IH-35 Overlay district, from (A) Agricultural District to (SP) Site Plan District. (Case No 08-087) (First Reading)

Mayor Shetter opened the public hearing: Time: 7:31 p.m.

Burt Guidry and Tom Inman with Dragon Products would like to have the time limit set at 10 years.

Mayor Shetter closed the public hearing. Time: 7:33 p.m.

Motion made by Chip Stephens and second by Dan McClendon to approve setting a time limit of 10 years for D-092-08.

Motion passed 6-0. Matt Powell absent.

3D. Public hearing and consideration of Ordinance B-582 (A0808) revising the Burleson Zoning Ordinance Section 39 Sign regulations with regard to garage sale signs. (Case No. 08-111) (First reading)

Shai Roos, Director of Community and Economic Development presented Ordinance B-582 (A0808) revising the Burleson Zoning Ordinance Section 39 Sign regulations with regard to garage sale signs. (Case No. 08-111) (First reading)

Mayor Shetter opened the public hearing: Time: 7:36 p.m.

No speakers

Mayor Shetter closed the public hearing. Time: 7:36 p.m.

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

Motion passed 6-0. Matt Powell absent.

3E. 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 Willow Creek B Unit 2H, 3H and 4H, on an existing pad site located at 633 Mockingbird Lane. (Case Nos. 08-108 and 08-112)

Aaron Russell, Director of Public Works and Engineering presented to council a request by Chesapeake Operating, Inc., for a gas well drilling permit for three (3) gas wells, known as the Willow Creek B Unit 2H, 3H and 4H, on an existing pad site located at 633 Mockingbird Lane. (Case Nos. 08-108 and 08-112)

Mayor Shetter opened the public hearing: Time: 7:43 p.m.

No speakers

Mayor Shetter closed the public hearing. Time: 7:43 p.m.

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

Motion passed 6-0. Matt Powell absent.

Ordinances & Resolutions

4A. Ordinance B-783-08 adopting a new Subdivision and Development Ordinance. (First Reading)

** Removed from the agenda.*

Contracts & Agreements

5A. Award contract for RFP 2008-025 – Professional Auditing Services, and authorize the City Manager to execute the contract

** Moved to consent agenda*

Other Items for Consideration

6A. Authorize staff to prepare a draft Charter Review Process for Council Consideration

Council authorizes staff to prepare a draft Charter Review Process for Council Consideration.

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

No reports.

7D. Discussion of Various Ordinances

No reports.

7E. Report on Burleson Opportunity Fund and scheduling of upcoming Joint Council Board Meeting and discussion of potential agenda items.

Mayor Ken Shetter presented a video on Burleson Opportunity Fund.

7F. Update on Chisenhall Complex

No reports.

7G. Various Staff Reports

Economic Committee met and heard presentation on Hidden Creek Redevelopment. More information will be presented to council.

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.

There being no further business Mayor Shetter adjourned the meeting.

Time: 8:18 p.m.

Amanda J. McCrory
City Secretary