



AGENDA  
BURLESON CITY COUNCIL  
**December 10, 2018**

BURLESON CITY HALL  
141 W. RENFRO  
BURLESON, TX 76028

**WORK SESSION - 5:30 p.m.**

*(No public comment will be taken during the work session)*

Call to Order

1. **Report of the City Manager** - Dale Cheatham, City Manager
  - a. Changes to the City Council Agenda
  - b. Upcoming and Recent Events
  - c. Employee Recognitions
2. **Questions on Current Agenda Items** - City Councilmembers
3. **Responses to Items Tabled or Withdrawn from Previous Meeting** - Dale Cheatham, City Manager
4. **Reports and Presentations**
5. **City Council Requests for Future Agenda Items or Reports**
6. **Executive Session:** Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sec. 551.071, Sec. 551.072, Sec. 551.073, Sec. 551.074, Sec. 551.076, Sec. 551.087 and Sec. 418.0183(f) of the Texas Government Code (Texas Disaster Act). Refer to posted list attached hereto and incorporated herein. **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.**
7. Reconvene into open session for possible action resulting from any items posted and legally discussed in Executive Session.
8. As time permits, items from the Presentations and Reports & Discussion sections of the Regular Session may be moved up on the agenda and discussed.

## REGULAR SESSION – 6:00 p.m.

Call to Order

Invocation – Bob Massey

Pledge of Allegiance to the U.S. Flag

Pledge of Allegiance to the Texas Flag

*"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible"*

### 1. **Presentations**

A. Proclamations

B. Presentations

C. Community Interest Items

This is a standing item on the agenda of every regular meeting of the City Council. (The Texas Open Meetings Act effective September 1, 2009, provides that *"a quorum of the city council may receive from municipal staff, and a member of the governing body may make, a report regarding items of community interest during a council meeting without having given notice of the subject of the report, provided no action is taken or discussed."* The Open Meetings Act does not allow Council to discuss an item concerning pending City Council business unless it is specifically, appropriately posted on the agenda). An "item of community interest" includes the following:

- expressions of thanks, congratulations, or condolence;
- information regarding holiday schedules;
- honorary recognitions of city officials, employees, or other citizens;
- reminders about upcoming events sponsored by the city or other entity that is scheduled to be attended by city official or city employee; and
- announcements involving imminent public health and safety threats to the city.

D. Citizen Appearances

(Citizens who have signed a card to speak to the City Council will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the presentation is on the agenda, the city staff and City Council members are prevented from discussion of the subject and may respond only with statements of factual information or existing city policy. Public comment will not be taken on items that the Council has previously considered in a public hearing).

Items to be continued or withdrawn.

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

### 2. **Consent Agenda**

All items listed below are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of the items unless a Councilmember or citizen so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence. Approval of the consent agenda authorizes the City Manager to implement each item in accordance with staff recommendations.

General

- A. Minutes from the November 12, 2018 regular council meeting and the November 13, 14, 28 and 29 special council meeting. (*Amanda Campos*)

**Council Action Requested:**

Approve Minutes from the November 12, 2018 regular council meeting and the November 13, 14, 28 and 29 special council meeting.

- B. Award of RFP 2018-015 Burleson Branding Initiative to Civic Brand. (*DeAnna Phillips*)

**Council Action Requested:**

Approve Award of RFP 2018-015 Burleson Branding Initiative to Civic Brand in the amount of \$55,000

- C. Supplemental agreement between the City of Burleson and Union Pacific Railroad Company to lease additional right of way in Old Town. (*Drew Pennywell*)

**Council Action Requested:**

Approve supplemental agreement between the City of Burleson and Union Pacific Railroad Company for the lease of right of way in Old Town in the amount of \$29,154.55.

- D. Appointment of City of Burleson employees to City of Fort Worth Wholesale Customer Advisory Committee as per Article 15 of Water Agreement (*Aaron Russell*)

**Council Action Requested:**

City Council is requested to approve:

1. The appointment of Kevin North, Assistant Director of Public Works, to be the City of Burleson's voting member of the City of Fort Worth's Wholesale Customer Advisory Committee; and
2. The appointment of Aaron Russell, Director of Public Works, to be the City's alternate member to the committee.

- E. Resolution for the State of Texas, Office of the Governor, Homeland Security grant #3324302 program providing funding for night vision equipment. (*Chief Cordell*)

**Council Action Requested:**

Approve the City of Burleson resolution for the State of Texas, Office of the Governor, Homeland Security grant #3324302 program providing funding for night vision equipment.

- F. Minute Order to Establish a Public Hearing Date to Consider the Land Use Assumptions and Capital Improvements Plan regarding a Minor Roadway Impact Fee Update. (*Laura Melton*)

**Council Action Requested:**

Approve this Minute Order to Establish a Public Hearing Date to Consider the Land Use Assumptions and Capital Improvements Plan regarding a Roadway Impact Fee Study Update. The public hearing will be held at the regularly scheduled City Council Meeting at 7:00 p.m. on January 22, 2019.

- G. Minute Order to Establish a Public Hearing Date to Consider the Land Use Assumptions and Capital Improvements Plan regarding a Water/Wastewater Impact Fee Update. (*Laura Melton*)

**Council Action Requested:**

Approve this Minute Order to Establish a Public Hearing Date to Consider the Capital Improvements Plan regarding a Water & Wastewater Fee Study Update. The public hearing will be held at the regularly scheduled City Council Meeting at 7:00 p.m. on January 22, 2019.

### Development Applications

- H. Final Plat of Lot 7, Block A, Wilshire West Addition, located south of Commons Dr. and SW Wilshire Blvd. currently addressed as 1701 SW Wilshire Blvd. (Case 18-103) *(Mandy Clark)*

#### **Council Action Requested:**

Approve a Final Plat of Lot 7, Block A, Wilshire West Addition, located south of Commons Dr. and SW Wilshire Blvd. currently addressed as 1701 SW Wilshire Blvd. (Case 18-103)

### Award of Contracts/Purchasing

- I. Reject all bids for RFB 2019-002 Pavilion at Centennial Park and award project to InSite Amenities, approved Buy Board (512-16) vendor in the amount of \$59,953.00. *(Marc Marchand)*

#### **Council Action Requested:**

Reject all bids for RFB 2019-002 Pavilion at Centennial Park and award project to InSite Amenities, approved Buy Board vendor in the amount of \$59,593.00.

- J. Financial Transactions. *(Rhett Clark)*

### 3. Development Applications

- A. Public hearing and consideration of a Replat of Lots 3R-1 and 3R-2, Block 1, Moad Addition, currently addressed as 801 CR 914A in the City of Burleson (Case 18-125) *(Mandy Clark)*

#### **Council Action Requested:**

1. Open the public hearing; and
2. Close the public hearing; and
3. Recommend approval of a Replat of Lots 3R-1 and 3R-2 Block 1, Moad Addition, currently addressed as 801 CR 914A in the City of Burleson (Case 18-125)

- B. Public Hearing and consideration of a Replat of Lot 7R1, Happy Hill Addition, located at 9601 CR 604 within the City's Extraterritorial Jurisdiction (ETJ) (Case 18-118) *(Mandy Clark)*

#### **Council Action Requested:**

1. Open the Public Hearing; and
2. Close the Public Hearing; and
3. Approve a Replat of Lot 7R1, Happy Hill Addition, located at 9601 CR 604 within the City's Extraterritorial Jurisdiction (ETJ) (Case 18-118)

- C. Public Hearing and consideration of a Specific Use Permit to allow for a Video Gaming Center at 105 W. Ellison St. located within the Old Town Overlay District (First and Final Reading) (Case 18-126) *(Mandy Clark)*

#### **Council Action Requested:**

1. Open the Public Hearing;
2. Close the Public Hearing; and
3. Approve a Specific Use Permit to allow for a video gaming center at 105 W. Ellison St. located within the Old Town Overlay District (Case 18-126)

- D. Commercial Site Plan for Old Town Station, Phase 2 addressed as 225 E. Renfro Street with waivers to the landscape requirements within Chapter 86. (Case 18-128) *(Mandy Clark)*

**Council Action Requested:**

Approve a Commercial Site Plan for Old Town Station, Phase 2 addressed as 225 E. Renfro Street with waivers to the landscape requirements within Chapter 86. (Case 18-128)

- E. Public Hearing and consideration of a Commercial Site Plan with associated waivers to Chapter 10 Masonry Construction Standards, Chapter 36 Fencing and Screening, and Chapter 86, Landscaping, Vegetation, Trees for Burleson AutoNation Ford addressed as 850 N. Burleson Blvd. (Case 18-117) *(Mandy Clark)*

**Council Action Requested:**

1. Open the Public Hearing; and
2. Close the Public Hearing; and
3. Approve a request for a Commercial Site Plan with associated waivers to Chapter 10, Masonry Construction Standards, Chapter 36 Fencing and Screening and Chapter 86, Landscaping, Vegetation, Trees for Burleson AutoNation Ford addressed as 850 N. Burleson Blvd. (Case 18-117)

- F. Final Plat (Case 18-094) and Site Plan (Case 18-106) for Southland RE Properties, LLC with associated waivers to the IH-35 Design Standards for property addressed as 3601 S. Burleson Blvd. *(Mandy Clark)*

**Council Action Requested:**

Approve a Final Plat (Case 18-094) and Site Plan (Case 18-106) for Southland RE Properties, LLC with associated waivers to the IH-35 Design Standards for property addressed as 3601 S. Burleson Blvd.

- G. Public Hearing and consideration of a Specific Use Permit, Commercial Site Plan associated waivers for Champion Home Builders, Inc. located at 501 S. Burleson Blvd. (First and Final Reading) (Case 18-093) *(Mandy Clark)*

**Council Action Requested:**

1. Open the Public Hearing; and
2. Close the Public Hearing; and
3. Approve a Specific Use Permit and Commercial Site Plan for Champion Home Builders, Inc. and associated waivers to Appendix C, IH-35 Design Standards and Chapter 86, Landscape, Vegetation, Trees located at 501 S. Burleson Blvd. (Case 18-093)

- H. Public hearing and consideration of an Ordinance for a zoning change request from GR, General Retail to SP, Site Plan Zoning District (Case 18-120) and a Commercial Site Plan (Case 18-121) for an automated car wash use for property addressed as 1681 SW Wilshire Blvd. (First and Final Reading) *(Mandy Clark)*

**Council Action Requested:**

1. Open the Public Hearing; and
2. Close the Public Hearing; and
3. Approve or deny an Ordinance for a zoning change request from GR, General Retail to SP, Site Plan Zoning District (Case 18-120) and a Commercial Site Plan (Case 18-121) for an automated car wash use for property addressed as 1681 SW Wilshire Blvd.

- I. Public Hearing and consideration of an Ordinance to amend a SUP, Specific Use Permit CSO#766-02-2018, allowing automotive rental services on the property addressed as 800 SW Wilshire Blvd. (Case 18-124) (First and Final Reading) *(Mandy Clark)*

**Council Action Requested:**

1. Open the Public Hearing; and
2. Close the Public Hearing; and
3. Approve an Ordinance to amend a SUP, Specific Use Permit CSO#766-02-2018, allowing automotive rental services on the property addressed as 800 SW Wilshire Blvd. (Case 18-124)

- J. Public Hearing and consideration of a request to amend a portion of PD, Planned Development zoning district (Ordinance CSO#480-07-2016) (Case 18-042) concerning the screening between Assisted Living facilities and the adjacent Shannon Creek Subdivision; and a Commercial Site Plan amendment (Case 18-029, on approximately 24.69 acres located north of Greenridge Dr. approximately 900 feet west of FM 731 (First and Final Reading) *(Mandy Clark)*

**Council Action Requested:**

1. Open the Public Hearing; and
2. Close the Public Hearing; and
3. Approve or deny a request to amend a portion of Ordinance CSO#480-07-2016, PD, Planned Development zoning district (Case 18-042) and
4. Approve or deny the Commercial Site Plan amendment (Case 18-029) on approximately 24.69 acres located north of Greenridge Dr. approximately 900 feet west of FM 731

- K. Public Hearing and consideration of an Amendment to a portion of Ordinance D-082-07, PD, Planned Development zoning district to replace Townhome residential uses with Single Family Residential (Bungalow) use for approximately 12.7 acres addressed as 320 Arnold Ave. (First and Final Reading) (Case 18-130) *(Mandy Clark)*

**Council Action Requested:**

1. Open the Public Hearing; and
2. Close the Public Hearing; and
3. Approve a request for an Amendment to a portion of Ordinance D-082-07, PD, Planned Development zoning district for approximately 12.7 acres addressed as 320 Arnold Ave. (Case 18-130)

- L. Public Hearing and consideration of an Ordinance for a zoning change request from I, Industrial and C, Commercial zoning districts to a PD, Planned Development zoning district to include Multi-Family Residential and Retail/Commercial Use on approximately 24.616 acres located near the intersection of Village Creek Pkwy. and E. Renfro St. (Case 18-112) (First and Final Reading) *(Mandy Clark)*

**Council Action Requested:**

1. Open the public hearing; and
2. Close the public hearing; and
3. Approve an Ordinance for a zoning change request from I, Industrial and C, Commercial zoning districts to a PD, Planned Development zoning district for approximately 24.616 acres located near the intersection of Village Creek Pkwy. and E. Renfro St.

- M. Public Hearing and consideration of a request for a PD, Planned Development zoning district for approximately 80 acres located near the intersection of Candler Dr. and SW Alsbury Blvd. (Case 18-084) (First and Final Reading) *(Mandy Clark)*

**Council Action Requested:**

1. Open the Public Hearing; and
2. Close the Public Hearing; and
3. Approve a request for a PD, Planned Development zoning district for approximately 80 acres located near the intersection of Candler Dr. and SW Alsbury Blvd. (Case 18-084)

- N. Public Hearing and consideration of a waiver to Appendix A, Subdivision and Development Ordinance, as it relates to driveway connections to a major collector roadway for property located at the intersection of Hemphill St. and Easy St. (Case 18-131) *(Mandy Clark)*

**Council Action Requested:**

1. Open the Public Hearing; and
2. Close the Public Hearing; and
3. Approve the request for a waiver to Appendix A, Subdivision and Development Ordinance, as it relates to driveway connections to a major collector roadway for property located at the intersection of Hemphill St. and Easy St. (Case 18-131)

4. **General**

- A. Resolution Accepting the Petition and setting a Public Hearing Date for the Parks at Panchasarp Farms Public Improvement District JC-1 located west of SW Wilshire Blvd. at the termination of Lakewood Dr. *(Mandy Clark)*

**Council Action Requested:**

1. Adopt a resolution accepting the petition for the Parks at Panchasarp Farms Public Improvement District (PID) JC-1, finding that it meets the requirements of Chapter 372 of the Texas Local Government Code and the City's Public Improvement District Policy; and
2. Set a public hearing date of January 7, 2019 for the creation of the Parks at Panchasarp Farms PID JC-1; and
3. Authorize staff to send notices of the public hearing to owners located within the boundary of proposed Parks at Panchasarp Farms PID JC-1; and
4. Authorize staff to post notice of the public hearing in a newspaper of general circulation.

- B. City Participation with JC Panchasarp, LP (developer of Panchasarp Farms) for the Extension of Lakewood Drive to County Road 1021 *(Mandy Clark)*

**Council Action Requested:**

1. Approve Community Facilities Contract language for City participation in the design and construction of Lakewood Drive associated with the Parks at Panchasarp Farms with JC Panchasarp, LP in an amount not to exceed \$965,787.
2. Authorize the Mayor to sign the Community Facilities Contract with the participation language once approved by the City Attorney.

- C. Memorandum of Understanding (MOU) with RA Development for Sharing of Costs to Design Job Training Center. *(Paul Cain)*

**Council Action Requested:**

Approve the MOU at a cost of not to exceed \$15,000.

5. **Award of Contracts/Purchasing**

*No items for consideration.*

6. **Reports & Discussion Items**

A. Discuss and provide staff direction on the process for Planned Developments.  
(*Councilmember Katherine Reading*)

B. City Council Committees

This is a standing item on the agenda of every regular meeting of the Council so that the Staff and Council Committee Members may make a report to the full body of the City Council.

(The City Council has established committees of the Council that meet from time-to-time to consider recommendations to forward to the full body of the City Council regarding business of the City. The committees are as follows: Appointments & Council Policies Committee; Community & Intergovernmental Relations Committee; Community Services Committee; Finance & Internal Services Committee; Governance & Stewardship Committee; Infrastructure & Development Committee; Public Safety & Court Committee. Meetings of Council Committees are public meetings posted as required by the Texas Open Meetings Act).

7. **Executive Session**

A. **Executive Session:** Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sec. 551.071, Sec. 551.072, Sec. 551.073, Sec. 551.074, Sec. 551.076, Sec. 551.087 and Sec. 418.0183(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.**

Reconvene into open session for possible action resulting from any items posted and legally discussed in Executive Session.



## CERTIFICATE

I hereby certify that the above agenda was posted on this the **5th of Decembr 2018, by 5:00 p.m.**, on the official bulletin board at the Burleson City Hall, 141 W. Renfro, Burleson, Texas.

*Amanda Campos*

Amanda Campos  
City Secretary



### **ACCESSIBILITY STATEMENT**

The Burleson City Hall is wheelchair accessible. The entry ramp is located in the front of the building. Accessible parking spaces are also available in that area. Sign interpretative services for meetings must be made 48 hours in advance of the meeting. Call the A.D.A. Coordinator at 817-426-9600, or TDD 1-800-735-2989.

## **EXECUTIVE SESSION**

The City Council reserves the right to convene in Executive Session(s) during this meeting pursuant to the following Sections of the Government Code of the State of Texas: Pursuant to Sec. 551.071(1)a, (1)b, and (2), consultation with its Attorney:

1. The City Council may conduct private consultations with its attorneys when the City Council seeks the advice of its attorney concerning any item on this agenda, about pending and contemplated litigation, or a settlement offer; or a matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code. This consultation includes, but is not limited to, the following:
  - Pending litigation or claims by/against the City
  - Seek advice of city attorney on legal issues related to:
    - a. Expenditure of city funds
    - b. Public finance corporations
    - c. The City's authority to regulate location and construction of education facilities
    - d. Agreement with educational entities
    - e. Intergovernmental agreements for government services and related issues
    - f. Responsibility of HOAs, property owners, and the city for infrastructure and related issues
2. Pursuant to Sec. 551.072, deliberation regarding the purchase, exchange, lease, or value of real property.
  - Right of way acquisition for roadway, trails and utility line extension.
  - Purchase or lease of property for municipal and/or park use.
  - Purchase, lease, exchange or value of municipal property.
3. Pursuant to Sec. 551.073, deliberation regarding a negotiated contract for a prospective gift or donation to the state or the governmental body.
4. Pursuant to Sec. 551.074, personnel matters related to the appointment, employment, evaluation, contract and duties of a public officer or employee, municipal judge, associate judges, city secretary, and city manager.
5. Pursuant to Sec. 551.076, deliberation regarding (1) the deployment, or specific occasions for implementation of security personnel or devices; or (2) a security audit.
6. Pursuant to Sec. 551.087, to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations or to deliberate the offer of a financial or other incentive to said business prospect.
7. Pursuant to Sec. 418.0183(f), deliberation of information related to managing emergencies and disasters including those caused by terroristic acts (must be tape recorded).