



AGENDA
BURLESON CITY COUNCIL
January 7, 2019

BURLESON CITY HALL
141 W. RENFRO
BURLESON, TX 76028

WORK SESSION – 5:00 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 Recognition
 - Employee of the 4th Quarter and Year (*Wanda Bullard*)
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 **Responses to Items Tabled or Withdrawn from Previous Meeting** - Dale Cheatham, City Manager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**
 - a. Old Town Parking Policy (*Drew Pennywell*)
 - b. Burleson Works (*Alex Philips*)
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 – 7:00 p.m.

Call to Order

Invocation

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 December 10, 2018 regular council meeting. (*Amanda Campos*)

Council Action Requested:

Approve Minutes from the December 10, 2018 regular council meeting.

- B. Minute Order appointing John Derinzy (Park Board Place 7), Chris Dyer (Planning & Zoning Board Place 7) and Pete McCaskill (Boren Property Advisory Council Place 3) to serve unexpired terms. (*Amanda Campos*)

Council Action Requested:

Approve Minute Order appointing John Derinzy (Park Board Place 7), Chris Dyer (Planning & Zoning Board Place 7) and Pete McCaskill (Boren Property Advisory Council Place 3) to serve unexpired terms.

- C. Minute order nominating Matt Aiken to serve as a voting board member on the Metropolitan Area EMS Authority Board. (*Chief Freeman*)

Council Action Requested:

Approve minute order nominating Matt Aiken to serve as a voting board member on the Metropolitan Area EMS Authority Board.

- D. Ordinance Amending the 2018-2019 City of Burleson Fee Schedule. (Final Reading) (*Rhett Clark*)

Council Action Requested:

Council is requested to approve the final reading of the ordinance amending the 2018-2019 City of Burleson Fee Schedule to include fees for small cell nodes. (Proponent: Staff)

- E. Renewal of Inter-local Agreement for Ladder Two deployment between City of Burleson and City of Alvarado. (*Chief Freeman*)

Council Action Requested:

Approve the proposed 2018-19 Inter-local agreement between the City of Burleson and City of Alvarado for the forward deployment of Ladder Two.

- F. Resolution adopting a list of qualified brokers that are authorized to engage in investment transactions with the City. (*Rhett Clark*)

Council Action Requested:

Council is requested to adopt the resolution adopting a list of qualified brokers that are authorized to engage in investment transactions with the City.

- G. Council Policy regarding Council Member BRiCk membership and use of Hidden Creek Golf Course (*Dale Cheatham*)

Council Action Requested:

Approve Council Policy #37 regarding Council Member BRiCk memberships and use of Hidden Creek Golf Course.

- H. Ordinance Directing the Allocation of Cemetery Revenue (Final Reading) (*Robert Ranc*)

Council Action Requested:

Approve an ordinance directing the allocation of cemetery revenue. (Final Reading)
(Proponent: Staff)

Development Applications

- I. Final Plat of Lot 2, Block 1, First Baptist Church, Joshua Addition, northeast of Lakewood Dr. and SW Wilshire Blvd. currently addressed as 2450 SW. Wilshire Blvd.(Case 18-104) (*Mandy Clark*)

Council Action Requested:

Approve a Final Plat of Lot 2, Block 1, First Baptist Church, Joshua Addition, northeast of Lakewood Dr. and SW Wilshire Blvd. currently addressed as 2450 SW. Wilshire Blvd.(Case 18-104)

Award of Contracts/Purchasing

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

3. Development Applications

- A. Public Hearing and Resolution authorizing and creating the Parks at Panchasarp Farms Public Improvement District JC-1 located west of SW Wilshire Blvd. at the termination of Lakewood Dr. (*Mandy Clark*)

This item will be continued to the January 22, 2019 City Council Meeting.

- B. Public hearing and consideration of a zoning change request from "A" Agricultural District and "SFR" Single Family Rural District to "PD" Planned Development District for single family residential development containing 7,000 – 10,000 minimum square foot lot sizes on approximately 29.51 acres located southeast of the intersection of CR 602 and E. Renfro St. (Case 17-007) (*Mandy Clark*)

A request has been received to table this item to a future meeting. Notices shall be sent to the adjoining property owners within 300 feet of each property boundary prior to the meeting.

- C. Commercial Site Plan for Joy Shopping Center addressed as 674 NE Alsbury Blvd. (Case 18-147) (*Mandy Clark*)

Council Action Requested:

Approve a Commercial Site Plan for Joy Shopping Center addressed as 674 NE Alsbury Blvd. (Case 18-147)

- D. Public Hearing and consideration of a Replat of Lot 3R, Block 1, Brown Manor, located at 685 E. Renfro St. (Case 18-143) (*Mandy Clark*)

Council Action Requested:

1. Open the Public Hearing; and
2. Close the Public Hearing; and
3. Approve a Replat of Lot 3R, Block 1, Brown Manor, located at 685 E. Renfro St. (Case 18-143)

- E. Public Hearing and consideration of a Replat of Lots 42R - 57R and 57XR, Block 7 of Mountain Valley Lake, Tract A, Phase 4 (Case 18-142) *(Mandy Clark)*

Council Action Requested:

1. Open the Public Hearing; and
2. Close the Public Hearing; and
3. Approve a Replat of Lots 42R - 57R and 57XR, Block 7 of Mountain Valley Lake, Tract A, Phase 4 (Case 18-142)

- F. Public Hearing and consideration of a Replat of Lot 2R, Block 11, Ridgecrest Estates Addition, Section 3 addressed as 1718 Rangeway Dr. within the City of Burleson's Extraterritorial Jurisdiction (ETJ). (Case 18-136) *(Mandy Clark)*

Council Action Requested:

1. Open the Public Hearing; and
2. Close the Public Hearing; and
3. Approve a Replat of Lot 2R, Block 11, Ridgecrest Estates Addition, Section 3 addressed as 1718 Rangeway Dr. within the City of Burleson's Extraterritorial Jurisdiction (ETJ). (Case 18-136)

- G. Public Hearing and consideration of a Final Plat of Lots 1-6, Block 1 of Hilltop Oak Estates, with a waiver to Appendix A, Subdivision and Development Ordinance as it relates to park requirements, for property located east of CR 805 and south of CR 805E located within the City of Burleson's Extraterritorial Jurisdiction (ETJ). (Case 18-133) *(Mandy Clark)*

Council Action Requested:

1. Open the Public Hearing; and
2. Close the Public Hearing; and
3. Approve a Final Plat of Lots 1-6, Block 1 of Hilltop Oak Estates located east of CR 805 and south of CR 805E located within the City of Burleson's ETJ. (Case 18-133)
4. Approve or deny a request for a waiver to Appendix A, Subdivision and Development Ordinance as it relates to Park Requirements, for property located east of CR 805 and south of CR 805E located within the City of Burleson's ETJ (Case 18-133)

- H. 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:

1. Remove item from table; and
2. Approve or deny a 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.

- I. Continuation of 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. Remove the item from the table;
2. Receive an updated presentation from Staff;
3. Continue the Public Hearing;
4. Close the Public Hearing; and
5. Approve a request for a Commercial Site Plan for Burleson AutoNation Ford addressed as 850 N. Burleson Blvd. (Case 18-117) with waivers to the following Chapters of the Burleson Code of Ordinances:
 - Chapter 10, Masonry Construction Standards, related to masonry percentages; and
 - Chapter 36, Fencing and Screening, related to screening of the dumpster and roof top mechanical equipment.

- J. Public Hearing and consideration of an Ordinance for a zoning change request from A, Agricultural zoning district to SP, Site Plan zoning district for property addressed as 3700 S. Burleson Blvd. (Case 18-132) (*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 A, Agricultural zoning district to SP, Site Plan zoning district for property addressed as 3700 S. Burleson Blvd. (Case 18-132)

- K. Public Hearing and consideration of a Specific Use Permit (SUP) to allow for an axe throwing venue at property located at 138 B North Wilson Street. (Case 18-137) (*Mandy Clark*)

Council Action Requested:

1. Open the Public Hearing; and
2. Close the Public Hearing; and
3. Approve or deny a Specific Use Permit (SUP) to allow for an axe throwing venue at property located at 138 B North Wilson Street (Case 18-137)

4. **General**

- A. Ordinance amending the 2018-2019 Budget (First Reading) and Minute Order authorizing the purchase of golf carts (*Rhett Clark*)

Council Action Requested:

Council is requested to:

1. Approve the ordinance amending the 2018-2019 budget as presented (First Reading)
2. Authorize purchase of golf carts from E-Z-GO in the amount of \$224,340 pending final approval of the budget amendment

5. **Award of Contracts/Purchasing**

- A. Minute Order authorizing negotiations for final contract for the Construction Manager at Risk for the Burleson Public Plaza (*Drew Pennywell*)

Council Action Requested:

Approve a minute order authorizing negotiations for final contract for Construction Manager at Risk for the Burleson Public Plaza.

6. **Reports & Discussion Items**

A. 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 **2nd of January 2019, 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).