



**City Council
Regular Meeting Agenda**

City Hall
Council Chambers
141 W. Renfro
Burleson, TX 76028

Monday, October 19, 2020

Live Stream at
<https://www.burlesontx.com/880/Streaming-Video>

Council Chambers

5:00 P.M. REGULAR SESSION

1. **CALL TO ORDER**

Invocation - Tom Pickett, Grace Communion International

Pledge of Allegiance to the US Flag

Texas Pledge:

Honor the Texas Flag; I pledge allegiance to thee, Texas, one state under God; one and indivisible.

2. **REPORTS AND PRESENTATIONS**

- A. Receive a report to recognize the selected Employee of the Quarter for the 3rd quarter of 2020. *(Staff Presenter: Wanda Bullard, Director of Human Resources)*
- B. Receive a report, hold a discussion, and give staff direction regarding public participation activities and the final draft of the goals and actions related to placemaking, economic development, and sustainability and the future land use map for the update to the City's Comprehensive Plan: Imagine Burleson 2030. *(Staff Presenter: Mandy Clark, Development Services Director)*
- C. Receive a report, hold a discussion, and give staff direction on the city's website redesign and communication outreach plans. *(Staff Presenter: DeAnna Phillips, Marketing and Communications Director)*

3. **RECESS INTO EXECUTIVE SESSION**

Pursuant to Section 551.071, Texas Government Code, the Council reserves the right to convene in Executive Session(s), from time to time as deemed necessary during this meeting for any posted agenda item, to receive advice from its attorney as permitted by law.

- A. **Pending or Contemplated Litigation or to Seek the Advice of the City Attorney Pursuant to Section 551.071**
- B. **Discussion Regarding Possible Purchase, Exchange, Lease, or Value of Real Property Pursuant to Section 551.072**

- Discuss and receive direction regarding the real property located at 130 E Renfro St.
 - Discuss and receive direction regarding the real property located at 135 W Ellison St.
 - Discuss and receive direction regarding the real property located at 114 W Ellison St.
- C. **Deliberation Regarding Commercial or Financial Information Received from or the Offer of a Financial or Other Incentive made to a Business Prospect Seeking to Locate, Stay or Expand in or Near the Territory of the City and with which the City is conducting Economic Development Negotiations Pursuant to Section 551.087**
- Discuss and receive direction regarding a higher education facility in the city of Burleson.
 - Discuss and receive direction regarding MG Old Town LLC (Aiken/Wimberley) and the real property located at 114 W Ellison St.
 - Discuss and receive direction regarding RA Development Ltd and MG Old Town LLC (Bransom/Aiken) and the real property located at 135 W Ellison St.
- D. **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)**

4. PROCLAMATIONS, PRESENTATIONS, & COMMUNITY INFORMATION

- A. Proclamations
- B. Presentations
- C. Community Interest Items
This is a standing item on the agenda of every regular meeting of the City Council. 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. Changes to the City Council Agenda
At times the agenda order may be changed to better serve the public. This includes request for items to be withdrawn or moved to another meeting.

5. CITIZEN APPEARANCES

Other than public hearings, citizens in attendance who desire to speak to City Council may speak during this section.

Speakers in attendance: Each person will be allowed three (3) minutes to speak and will not be interrupted by City Council or staff. If you would like to speak, please fill out a speaker card and give the completed card to the City Secretary prior to addressing City Council.

Speakers not in attendance: Each person must fill out an online speaker card, each card will be read by the Mayor or City Secretary. Online speaker cards can be found on the city's website, www.burlesontx.com on the [agenda/notices page](#).

Please note that City Council may only take action on items posted on the agenda. The Texas Open Meetings Act prohibits the City Council from deliberating or taking action on an item not listed on the agenda. City Council may, however, receive your comments on the unlisted item, ask clarifying questions, respond with facts, and explain policy.

6. **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.

- A. Consider approval of minutes from the October 5, 2020 regular council meeting. *(Staff Contact: Amanda Campos, City Secretary)*
- B. Consider approval of a minute order authorizing payment to Johnson County pursuant to an interlocal agreement for the City radio system annual upgrade in the amount of \$33,266.68. *(Staff Contact: Stacy Singleton, Fire Marshal)*
- C. Consider a minute order for ratification of the COVID-19 Pandemic Policy Addendum revision effective October 1, 2020, which outlines provisions and considerations for City staff during an active pandemic period. *(Staff Contact: Wanda Bullard, Director of Human Resources)*
- D. Consider approval of a minute order authorizing payment of the annual fee under the Interlocal Agreement for Participation in Fort Worth's Environmental Collection Center Household Hazardous Waste Program to the City of Fort Worth in the amount not to exceed \$33,889. *(Staff Contact: Lisa Duello, Neighborhood Services Director)*
- E. Consider approval of the annual review of City Council Policy No. 30, the City's written investment policy. *(Staff Contact: Martin Avila, Finance Director)*

7. **DEVELOPMENT APPLICATIONS**

- A. **100 N Burleson Boulevard located northeast corner of the intersection of E Renfro and I-35 (Case 20-059):** Hold a public hearing and consider approval of an ordinance amending ordinance B-528, the zoning ordinance of the City of Burleson, Texas by amending the official zoning map and changing the zoning on approximately 0.79 acres being Lot 1R, Block 1, Wilbanks Park Addition located at 100 N Burleson Boulevard in the City of Burleson, Johnson County, Texas, from C, Commercial Zoning District to C Commercial Zoning District with a SUP, Specific Use Permit for a tattoo studio, making this ordinance cumulative of prior ordinances; providing a severability clause; providing a penalty clause; and providing for an effective date. *(First and Final Reading) (Staff Presenter: Mandy Clark, Development Services Director) (The Planning and Zoning Commission recommended approval by a*

unanimous vote.)

8. **GENERAL**

- A. Consider approval of a construction contract with Don Smith Concrete, LLC of Midlothian, Texas for the construction of the Elk Drive Pedestrian Mobility project in the amount of \$333,100. *(Staff Presenter: Aaron Russell P.E., Director of Public Works)*
- B. Consider approval of a professional services contract with Kimley-Horn and Associates, Inc. for concept design and construction of a splash pad adjacent to the Burleson Recreation Center in the amount not to exceed \$156,000. *(Staff presenter: Jen Basham, Parks and Recreation Director).*
- C. Consider approval of an insurance application and policy with Stealth Partner Group, managing general underwriter, and Berkshire Hathaway Specialty Insurance to be the City's stop-loss insurance providers for the City's partially self-funded insurance plan for plan year 2021 in the amount not to exceed \$669,000. *(Staff Presenter: Wanda Bullard, Director of Human Resources)*
- D. Consider approval of an ordinance approving the negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp, Mid-Tex division regarding the company's 2020 Rate Review Mechanism filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attached exhibit establishing a benchmark for pensions and retiree medical benefits; approving an exhibit regarding amortization of regulatory liability; requiring the company to reimburse ACSC's reasonable rate making expenses; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this ordinance to the company and the ACSC's legal counsel.(First Reading) *(Staff Contact: Martin Avila, Director of Finance)*
- E. Consider approval of a contract with Paymentus Corporation to provide payment processing solutions for Utility Billing in the amount not to exceed \$525,000 for 3 years *(Staff Presenter: Martin Avila, Director of Finance).*
- F. Consider approval of an amendment to the Mayor Vera Calvin Plaza Policy (CSO#1309-03-2020) to incorporate provisions allowing for reservation and rental of the stage alone. *(Staff Presenter: Joni Van Noy, Old Town Administrator)*
- G. Consider approval of an ordinance amending the City's fee schedule in Ordinance CSO#1495-09-2020 by adding fees associated with the Mayor Vera Calvin Plaza in Old Town; finding that the meeting at which this ordinance is passed is open to the public and that the recitals are true; containing a severability clause, cumulative clause, and an effective date. (First Reading) *(Staff Presenter: Joni Van Noy, Old Town Administrator)*

-
- H. Consider approval of a 380 economic development agreement with Burleson Independent School District and Hill College for a higher education facility to promote economic development. *(Staff Presenter: Bryan Langley, City Manager)*
- I. Receive a report on the City's response to the 2019 Coronavirus Disease (COVID-19) and consider approval, continuation, and/or renewal of a declaration of local disaster and public health emergency regarding COVID-19. *(Staff Presenter: K.T. Freeman, Fire Chief)*

9. **REPORTS & DISCUSSION ITEMS**

- A. Receive a report, hold a discussion, and provide staff direction regarding operations at the Burleson Recreation Center. *(Staff Presenter: Jen Basham, CPRE, Parks and Recreation Director).*

10. **CITY COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS OR REPORTS**

11. **RECESS INTO EXECUTIVE SESSION**

Pursuant to Section 551.071, Texas Government Code, the Council reserves the right to convene in Executive Session(s), from time to time as deemed necessary during this meeting for any posted agenda item, to receive advice from its attorney as permitted by law.

- A. **Pending or Contemplated Litigation or to Seek the Advice of the City Attorney Pursuant to Section 551.071**
- B. **Discussion Regarding Possible Purchase, Exchange, Lease, or Value of Real Property Pursuant to Section 551.072**
- Discuss and receive direction regarding the real property located at 130 E Renfro St.
 - Discuss and receive direction regarding the real property located at 135 W Ellison St.
 - Discuss and receive direction regarding the real property located at 114 W Ellison St.
- C. **Deliberation Regarding Commercial or Financial Information Received from or the Offer of a Financial or Other Incentive made to a Business Prospect Seeking to Locate, Stay or Expand in or Near the Territory of the City and with which the City is conducting Economic Development Negotiations Pursuant to Section 551.087**
- Discuss and receive direction regarding a higher education facility in the city of Burleson.
 - Discuss and receive direction regarding MG Old Town LLC (Aiken/Wimberley) and the real property located at 114 W Ellison St.
 - Discuss and receive direction regarding RA Development Ltd and MG Old Town LLC (Bransom/Aiken) and the real property located at 135 W Ellison St.
- D. **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)**

CERTIFICATE

I hereby certify that the above agenda was posted on this the **16th of October 2020, 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 from Warren St. Accessible parking spaces are also available in the Warren St. parking lot. 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.