

BURLESON CITY COUNCIL REGULAR MEETING
JANUARY 6, 2025
DRAFT MINUTES

ROLL CALL

COUNCIL PRESENT:

Victoria Johnson
Phil Anderson
Alexa Boedeker
Chris Fletcher

Dan McClendon
Adam Russell

Staff present

Tommy Ludwig, City Manager
Harlan Jefferson, Deputy City Manager
Eric Oscarson, Deputy City Manager
Amanda Campos, City Secretary
Monica Solko, Deputy City Secretary
Allen Taylor, City Attorney
Matt Ribitzki, Deputy City Attorney

COUNCIL ABSENT:

Larry Scott

1. CALL TO ORDER – 5:30 p.m.

Mayor Fletcher called the meeting to order. **Time: 5:31 p.m.**

Invocation – Bob Massey, Retired Pastor and Secretary of the Burleson Christian Ministerial Alliance

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. PUBLIC PRESENTATIONS

A. Proclamations

- None.

B. Presentations

- Receive a report to recognize the selected Employee of the Quarter for the 4th Quarter of 2024 and Employee of the Year 2024. (*Staff Contact: Cheryl Marthiljohni, Director of Human Resources*).

C. Community Interest Items

- Join us, City Fest, Thursday, February 6 from 4:30-7:00 p.m. at the Brick.

- Winter weather preparations
 - Public Works, TxDOT, Police, and Fire are on standby.
 - City facilities have operational generators if needed.
 - Emergency response vehicles are ready.
 - Warming facilities: Brick, Library and Senior Center
 - Staff will work from home Thursday and Friday.
- Condolences to the family of Brandon Bennett, prayers to his family.
- BTX Off Road Rally, Saturday, March 1, 8 a.m., Chisenhall Sports Complex, register is open.

3. **CHANGES TO POSTED AGENDA**

A. Items to be continued or withdrawn

- None.

B. Items to be withdrawn from Consent Agenda for separate discussion or items to be added to the Consent Agenda.

- 5F withdrawn.

4. **CITIZEN APPEARANCES**

- Wanda Bray, 340 Bowden Circle, came forward with concerns of harassment and vandalism at her home and requested help.
- Patti Pace, 10321 CR 1020, came forward with concerns for construction on CR 1020 requesting compromise on the road from 120 feet to 90 feet.
- Frank Pace, 10324 CR 1020, came forward with concerns with construction on CR 1020.
- Bob Massey was in favor of all speakers.

5. **CONSENT AGENDA**

A. Minutes from the December 9, 2024 regular council meeting. (*Staff Contact: Monica Solko, Deputy City Secretary*)

Motion made by Adam Russell and seconded by Victoria Johnson to approve the consent agenda.

Motion passed 6-0, with Larry Scott absent.

B. CSO#5704-01-2025, ordinance designating an approximately 7-acre tract of land (the property is generally described as near the northeast corner of the Vantage Dr. and Conveyor Dr. (FM 917) intersection located in Highpoint Business Park, City of Burleson, Johnson County, Texas) as “Tax Abatement Reinvestment Zone Number 010, City of Burleson” under Chapter 312 of the Texas Tax Code. (*Final Reading*) (*Staff Contact: Alex Philips, Director of Economic Development*)

Motion made by Adam Russell and seconded by Victoria Johnson to approve the consent agenda.

Motion passed 6-0, with Larry Scott absent.

- C. CSO#5705-01-2025, contract for the purchase of eight outdoor warning sirens, Commander One software, and annual maintenance with two one-year optional administrative renewals from Joe Goddard, LLC through a cooperative purchasing agreement with the City of Denton in the amount of \$353,415.35. (Staff Contact: Joe Laster, Emergency Operations Manager)**

Motion made by Adam Russell and seconded by Victoria Johnson to approve the consent agenda.

Motion passed 6-0, with Larry Scott absent.

- D. CSO#5706-01-2025, ordinance appointing Terri Wilson for a two-year term ending December 31, 2026 to serve as Associate Judge for the City of Burleson. (Final Reading) (Staff Contact: Amanda Campos, City Secretary)**

Motion made by Adam Russell and seconded by Victoria Johnson to approve the consent agenda.

Motion passed 6-0, with Larry Scott absent.

- E. CSO#5707-01-2025, resolution supporting grant funding from the Office of the Governor, State of Texas, for a full-time victims' assistance coordinator and execute the CEO/Law Enforcement Certifications and Assurances form. (Staff Contact: Wes Routson, Support Bureau Captain).**

Motion made by Adam Russell and seconded by Victoria Johnson to approve the consent agenda.

Motion passed 6-0, with Larry Scott absent.

- F. CSO#5708-01-2025, interlocal agreement for the operation of the Stop the Offender Program (S.T.O.P.) Special Crimes Unit (SCU) with the County of Johnson and the participating cities of Alvarado, Burleson, Cleburne, and Joshua. (Staff Contact: Billy Cordell, Chief of Police) - REMOVED**

Item 5F was withdrawn.

- G. CSO#5709-01-2025, Cooperative Purchasing Agreement with Mansfield Oil Company of Gainesville through an Inter-local Purchasing Agreement with City of Fort Worth for motor fuel in the amount of \$350,000.00. (Staff Contact: Errick Thompson, Director of Public Works)**

Motion made by Adam Russell and seconded by Victoria Johnson to approve the consent agenda.

Motion passed 6-0, with Larry Scott absent.

- H. CSO#5710-01-2025, settlement and release agreement with Mark Eder. (Staff Contact: Matt Ribitzki, Sr. Deputy City Attorney/Director of Legal Services)**

Motion made by Adam Russell and seconded by Victoria Johnson to approve the consent agenda.

Motion passed 6-0, with Larry Scott absent.

- I. CSO#5711-01-2025, settlement and release agreement with Demetria Wiley. (Staff Contact: Matt Ribitzki, Sr. Deputy City Attorney/Director of Legal Services)**

Motion made by Adam Russell and seconded by Victoria Johnson to approve the consent agenda.

Motion passed 6-0, with Larry Scott absent.

- J. CSO#5712-01-2025, resolution approving a settlement participation form to participate in the settlement of the State of Texas opioid litigation through the Texas Attorney General's Office with retailer Kroger and authorizing the City Manager to execute all necessary documents in connection with the same. (Staff Contact: Matt Ribitzki, Sr. Deputy City Attorney/Director of Legal Services)**

Motion made by Adam Russell and seconded by Victoria Johnson to approve the consent agenda.

Motion passed 6-0, with Larry Scott absent.

- K. CSO#5713-01-2025, construction contract with Northstar Construction LLC for Sidewalk Program FY23 at Pleasant Manor Ave in the amount of \$72,593.00. (ST2360) (Staff Presenter: Eric Oscarson, Deputy City Manager)**

Motion made by Adam Russell and seconded by Victoria Johnson to approve the consent agenda.

Motion passed 6-0, with Larry Scott absent.

- L. CSO#5714-01-2025, contract amendment with Tyler Technologies for maintenance and support of their Incode software for 3 years in the amount of \$125,594. (Staff Contact: Hugo Rodriguez, Deputy Chief Technology Officer)**

Motion made by Adam Russell and seconded by Victoria Johnson to approve the consent agenda.

Motion passed 6-0, with Larry Scott absent.

5. CONSENT AGENDA - REMOVED

- F. CSO#5708-01-2025, interlocal agreement for the operation of the Stop the Offender Program (S.T.O.P.) Special Crimes Unit (SCU) with the County of Johnson and the participating cities of Alvarado, Burleson, Cleburne, and Joshua. (Staff Contact: Billy Cordell, Chief of Police) - REMOVED**

Item 5F was withdrawn.

District Attorney Good, came forward and expressed concern that the bylaws were changed to remove the District Attorney as Chair of the Stop the Offender Program (S.T.O.P.) Special Crime Unit (SCU).

6. REPORTS AND PRESENTATIONS

A. Receive a report, hold a discussion, and provide staff direction regarding proposed fees and service changes associated with the solid waste program. (Staff Contact: *Richard Abernethy, Administrative Services Director*)

Richard Abernethy, Administrative Services Director, presented the proposed fees and service changes associated with the solid waste program (Waste Connections) to the city council.

Discussion included current services, procurement process, rate comparisons, carts to replace bag collection, advantages of closed commercial market, advantage of at-home household hazardous waste program and options.

Option 1 - Make no changes and keep the current service.

- Annual rate adjustments have no “cap”.
- Contract language contains no penalties for service lapses.

Option 2 - Accept the Amended Contract and leave garbage collection as is; no change to Commercial Market.

- Amended Extension Agreement goes into effect immediately.

Option 3 - Change to Cart Options (Open or Closed Market)

- Residential changes and new rates take effect in Q4 2025.

- If the City selects a closed commercial market, it has the franchise authority to require businesses to transition from their current vendor contracts to Waste Connections. To mitigate this and ensure a smooth transition, businesses will have 12 months to fulfill their existing contracts. Waste Connections will assume full market service in Q1 2026.

Phillip Sanders, 900 Warbler Court, came forward and was against moving to carts from bags.

After a brief discussion and questions from Council, they were in favor of changing to carts, once a week service and incorporating hazardous waste to price. Council also requested to look into the cost difference on recycling size bins.

7. GENERAL

A. CSO#5715-01-2025, professional service contract with Freese and Nichols, Inc. for the development and analysis of a street maintenance fee. (Staff Contact: *Justin Scharnhorst, Deputy Director of Public Works*)

Justin Scharnhorst, Deputy Director of Public Works, presented items 7A and 7B as on one presentation but voted on separately to the city council.

Motion made by Adam Russell and seconded by Dan McClendon to approve combining both.

Motion passed 6-0, with Larry Scott absent.

B. CSO#5716-01-2025, professional service contract with Freese and Nichols, Inc. for the development and analysis of a stormwater utility fee. (Staff Contact: Justin Scharnhorst, Deputy Director of Public Works)

Motion made by Phil Anderson and seconded by Alexa Boedeker to approve.

Motion passed 6-0, with Larry Scott absent.

C. CSO#5717-01-2025, 12-month sole source purchasing agreement with Asterra USA for water and wastewater leak detection in the amount of \$73,500.00. (Staff Contact: Errick Thompson, Director of Public Works)

Errick Thompson, Director of Public Works, presented a professional service contract to the city council.

Motion made by Alexa Boedeker and seconded by Dan McClendon to approve.

Motion passed 6-0, with Larry Scott absent.

8. LEGISLATIVE - REPORTS AND RELATED ACTION ITEMS

This is a standing item on the agenda of every regular meeting of the City Council that allows the City Council to receive reports, hold discussions, and give staff direction regarding any legislative matters pertaining to the 89th Texas legislative session. Additional action items may be specifically listed below when required.

- None.

9. CITY COUNCIL REQUESTS AND FUTURE AGENDA ITEMS AND REPORTS

- None.

10. RECESS INTO EXECUTIVE SESSION

In accordance with Chapter 551 of the Texas Government Code, the City Council may convene in Executive Session in the City Council Workroom in City Hall to conduct a closed meeting to discuss any item listed on this Agenda. The City Council may reconvene into open session and take action on posted items.

A. Pending or contemplated litigation or to seek the advice of the City Attorney pursuant to Section 551.071, Texas Government Code

- Chapter 380 and Economic Development and Performance Agreement for Public and Private Improvements in Tax Increment Financing Reinvestment Zone Number Two dated on or about December 14, 2020, between the city of Burleson, the Burleson 4A Economic Development Corporation, the Tax Increment Financing Reinvestment Zone Number Two, and BTX Old Town, LLC

- Interlocal Agreement with Johnson County regarding the jurisdiction of plat approval in the City's extraterritorial jurisdiction dated on or about November 15, 2019
- Petition for Water Service and Sanitary Sewer Service for the proposed Southard Farms Municipal Utility District No. 2 of Johnson County, being 284.317 acres in the extraterritorial jurisdiction of the City of Burleson
- Resolution R-1162-09, Policy for Naming Municipal Property, including City facilities, real property, and streets

B. Discussion regarding possible purchase, exchange, lease, or value of real property pursuant to Section 551.072, Texas Government Code

- Certain parcels of real property for the expansion of the intersection of Alsbury Boulevard and SW Hulen St in Johnson County, Texas where deliberation in open session would have a detrimental effect on the position of negotiations with third parties
- Certain parcels of real property for the expansion of County Road 1020 in Johnson County, Texas where deliberation in open session would have a detrimental effect on the position of negotiations with third parties
- Certain parcels of real property necessary for a 12" waterline extension to the Mountain Valley Lakes Subdivision generally near such subdivision in Johnson County, Texas where deliberation in open session would have a detrimental effect on the position of negotiations with third parties
- Certain parcels of real property necessary for drainage and water detention on and around County Road 1019 near its intersection with FM 1902 in Johnson County, Texas where deliberation in open session would have a detrimental effect on the position of negotiations with third parties
- Certain parcel of real property being commonly known as 113 S Wilson St, 106 S Wilson St, 116 W Ellison St, and 114 W Ellison St in Burleson, Johnson County, Texas
- Certain parcel of real property being an approximately ninety-acre tract of real property commonly known as 295 E Hidden Creek Pkwy and 555 E Hidden Creek Pkwy, Burleson, Johnson County, Texas
- Certain parcel of real property being commonly known as 2140 SW Hulen Street in Burleson, Johnson County, Texas
- Certain parcel of real property being commonly known as 2270 SW Hulen Street in Burleson, Johnson County, Texas
- Certain parcel of real property being commonly known as 1303 SW Alsbury Blvd in Burleson, Johnson County, Texas

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, Texas Government Code

- Project Mario Brothers
- Project Birdie
- Project Jump
- Project Facelift

Motion was made by Adam Russell and seconded by Victoria Johnson to convene into executive session. **Time: 7:21 p.m.**

Motion passed 6-0, with Larry Scott absent.

Motion was made by Adam Russell and seconded by Victoria Johnson to reconvene into open session. **Time: 9:28 p.m.**

Motion passed 6-0, with Larry Scott absent.

11. **ADJOURNMENT**

Motion made by Alexa Boedeker and seconded by Dan McClendon to adjourn.

Mayor Chris Fletcher adjourned the meeting.

Time: 9:29 p.m.

Monica Solko
Deputy City Secretary