

**BURLESON CITY COUNCIL REGULAR MEETING
DECEMBER 9, 2024
DRAFT MINUTES**

ROLL CALL

COUNCIL PRESENT:

Victoria Johnson
Phil Anderson

Chris Fletcher
Larry Scott
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:

Alexa Boedeker

1. CALL TO ORDER – 5:30 p.m.

Mayor Fletcher called the meeting to order. **Time: 5:34 p.m.**

Invocation – Frank Pace, Minister of Wings of Hope

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

- None.

C. Community Interest Items

- Council is looking forward to the new year.
- Great turnout at Santa's breakfast. Thank you to all the volunteers and the Parks Department for all their hard work on the event.

- Thank you to staff and all the volunteers that helped make Christmas at the Library so special. It was well attended and the children loved all the fun activities.
- Thank you to the volunteers from Police, Fire, and Public Works for their help and participation at the Christmas parade.
- Reminder to join us for the annual tree lighting/drone show at 6 p.m. in the Plaza.

3. **CHANGES TO POSTED AGENDA**

A. Items to be continued or withdrawn

- Item 8A withdrawn.

B. Items to be withdrawn from Consent Agenda for separate discussion or items to be added to the Consent Agenda.

- Add 9A, 9B and 9D to the consent agenda.

4. **CITIZEN APPEARANCES**

The following came forward with concerns regarding road changes that will affect CR 1020 and requested the city consider reducing the planned width from 120 feet to 90 feet:

- Patti Pace, 10321 CR 1020.
- Rebecca Fisher, 10305 CR 1020.
- Cassidy Chatman, 10413 CR 1020.
- Frank Pace, 10321 CR 1020.

5. **CONSENT AGENDA**

A. Minutes from the November 18, 2024 regular council meeting and the November 19, 2024 special council meeting. (Staff Contact: *Monica Solko, Deputy City Secretary*)

Motion made by Larry Scott and seconded by Adam Russell to approve the consent agenda.

Motion passed 6-0, with Alexa Boedeker absent.

B. CSO#5679-12-2024, minute order ratifying the Burleson 4A Economic Development Board's action on an amendment to the professional services contract CSO#5045-03-2023 for \$120,277.00 with Kimley-Horn and Associates, Inc. for a total contract amount of \$1,211,192.00 for the design of the extension of Lakewood Drive from FM 1902 to Chisholm Trail Parkway. (Staff Contact: *Michelle McCullough, City Engineer*)

Motion made by Larry Scott and seconded by Adam Russell to approve the consent agenda.

Motion passed 6-0, with Alexa Boedeker absent.

C. CSO#5680-12-2024, amendment to the professional services contract CSO#5045-03-2023 for \$120,277.00 with Kimley-Horn and Associates, Inc. for a total contract amount of \$1,211,192.00 for the design of the extension of

Lakewood Drive from FM 1902 to Chisholm Trail Parkway. (Staff Contact: Michelle McCullough, City Engineer)

Motion made by Larry Scott and seconded by Adam Russell to approve the consent agenda.

Motion passed 6-0, with Alexa Boedeker absent.

- D. CSO#5681-12-2024, minute order ratifying the 4A Economic Development Board's action taken on the Performance Agreement between the Burleson 4A Economic Development Corporation and the Bethesda Water Supply for infrastructure to support industrial development in the City of Burleson, Texas. (Staff Contact: Alex Philips, Economic Development)**

Motion made by Larry Scott and seconded by Adam Russell to approve the consent agenda.

Motion passed 6-0, with Alexa Boedeker absent.

- E. CSO#5682-12-2024, resolution authorizing sponsorship of proposed public events for calendar year 2025 in accordance to Chapter 70, "Streets, Sidewalks and Public Places," of the Code of Ordinances. (Staff Contact: Jen Basham, Director of Parks and Recreation)**

Motion made by Larry Scott and seconded by Adam Russell to approve the consent agenda.

Motion passed 6-0, with Alexa Boedeker absent.

- F. CSO#5683-12-2024, resolution authorizing street closures for the upcoming Honey Tour community event. (Staff Contact: Jen Basham, Director of Parks and Recreation)**

Motion made by Larry Scott and seconded by Adam Russell to approve the consent agenda.

Motion passed 6-0, with Alexa Boedeker absent.

- G. CSO#5684-12-2024, cooperative purchasing agreement with Stripe-A-Zone, LLC through Inter-local Purchasing Agreement with the City of Grand Prairie for pavement marking services in the amount of \$205,000. (Staff Contact: Errick Thompson, Director of Public Works)**

Motion made by Larry Scott and seconded by Adam Russell to approve the consent agenda.

Motion passed 6-0, with Alexa Boedeker absent.

- H. CSO#5685-12-2024, minute order authorizing the City Manager to implement accessibility improvements to Cedar Ridge Park in the vicinity of Cumberland Drive and Canyon Cove Drive with an estimated cost of \$16,500, in accordance**

with Council Policy 17. (Staff Contact: Errick Thompson, Director of Public Works)

Motion made by Larry Scott and seconded by Adam Russell to approve the consent agenda.

Motion passed 6-0, with Alexa Boedeker absent.

- I. CSO#5686-12-2024, minute order authorizing the City Manager to modify pavement markings and signage along S. Warren Street Pavement Marking and Signage Improvements with Enhanced Trail and Shared Use Path Connections at an estimated cost of \$8,500, in accordance with Council Policy 17. (Staff Contact: Errick Thompson, Director of Public Works)**

Motion made by Larry Scott and seconded by Adam Russell to approve the consent agenda.

Motion passed 6-0, with Alexa Boedeker absent.

- J. Ordinance appointing Terri Wilson for a two-year term ending December 31, 2026 to serve as Associate Judge for the City of Burleson. (First Reading) (Staff Contact: Amanda Campos, City Secretary)**

Motion made by Larry Scott and seconded by Adam Russell to approve the consent agenda.

Motion passed 6-0, with Alexa Boedeker absent.

- K. CSO#5687-12-2024, approval of a Union Pacific Railroad (UPRR) permit agreement for modifications to the Commerce Street/UPRR crossing and associated funding in the amount of \$72,186 in association with the Neighborhood Street Rebuilds FY22 project (ST2250). (Staff Contact: Eric Oscarson, Deputy City Manager)**

Motion made by Larry Scott and seconded by Adam Russell to approve the consent agenda.

Motion passed 6-0, with Alexa Boedeker absent.

- L. CSO#5688-12-2024, professional services agreement with Kimley-Horn and Associates, Inc. for \$70,000 to evaluate Alsbury Blvd. from FM 731 to the Union Pacific railroad crossing west of IH-35W. (Staff Contact: Michelle McCullough, City Engineer)**

Motion made by Larry Scott and seconded by Adam Russell to approve the consent agenda.

Motion passed 6-0, with Alexa Boedeker absent.

- M. CSO#5689-12-2024, professional services agreement with Kimley-Horn and Associates, Inc. for \$60,000.00 to evaluate alignment options for Lakewood**

Drive from County Road 1020 to County Road 1021. (Staff Contact: Michelle McCullough, City Engineer)

Motion made by Larry Scott and seconded by Adam Russell to approve the consent agenda.

Motion passed 6-0, with Alexa Boedeker absent.

- N. CSO#5690-12-2024, resolution authorizing an amendment to the city's authorized account representatives with the Local Government Investment Cooperative, TexSTAR, East West Bank, BOK Financial, InterBank, NexBank, U.S. Bank, and Wealth Management Group and listing the city's authorized account representatives with any banks or financial institutions that the city may use in the future. (Staff Contact: Matt Ribitzki, Sr. Deputy City Attorney/Director of Legal Services)**

Motion made by Larry Scott and seconded by Adam Russell to approve the consent agenda.

Motion passed 6-0, with Alexa Boedeker absent.

- O. CSO#5691-12-2024, resolution authorizing an amendment to the city's authorized account representatives with the Texas Local Government Investment Pool (TexPool). (Staff Contact: Matt Ribitzki, Sr. Deputy City Attorney/Director of Legal Services)**

Motion made by Larry Scott and seconded by Adam Russell to approve the consent agenda.

Motion passed 6-0, with Alexa Boedeker absent.

- P. CSO#5692-12-2024, professional services agreement with Garver, LLC for design of two 8-inch water lines crossing County Road 715 in the amount of \$126,727. (WA2403)(Staff Contact: Eric Oscarson, Deputy City Manager)**

Motion made by Larry Scott and seconded by Adam Russell to approve the consent agenda.

Motion passed 6-0, with Alexa Boedeker absent.

- Q. CSO#5693-12-2024, contract with Pyro Shows of TX procured through RFP #2024-024 for 4th of July Fireworks with two optional administrative one-year renewals at a total price of \$134,229. (Staff Contact: Jen Basham, Director of Parks and Recreation)**

Motion made by Larry Scott and seconded by Adam Russell to approve the consent agenda.

Motion passed 6-0, with Alexa Boedeker absent.

- R. **CSO#5694-12-2024, minute order excusing council member place 4 Larry Scott's absence from the January 6, 2025, January 21, 2025, and February 3, 2025 regular council meetings and the January 22, 2025 council committee meeting. (Staff Contact: Amanda Campos, City Secretary)**

Motion made by Larry Scott and seconded by Adam Russell to approve the consent agenda.

Motion passed 6-0, with Alexa Boedeker absent.

9. **GENERAL – ADDED TO CONSENT**

- A. **CSO#5700-12-2024, resolution authorizing an advanced funding agreement with the state of Texas for Green Ribbon improvements along Northwest John Jones Blvd in the amount of \$400,000. (Staff Contact: Jen Basham, Director of Parks and Recreation)**

Motion made by Larry Scott and seconded by Adam Russell to approve.

Motion passed 6-0, with Alexa Boedeker absent.

- B. **CSO#5701-12-2024, professional services agreement with Kimley-Horn for the design of Green Ribbon improvements along Northwest John Jones in the amount of \$90,000. (Staff Contact: Jen Basham, Director of Parks and Recreation)**

Motion made by Larry Scott and seconded by Adam Russell to approve.

Motion passed 6-0, with Alexa Boedeker absent.

- D. **CSO#5703-12-2024, amendment authorizing \$391,199.00 in funding with Symetra (CSO #5320-12-2023) for life and long-term disability plans for benefit plan year 2025. (Staff Contact: Cheryl Marthiljohni, Director of Human Resources)**

Motion made by Larry Scott and seconded by Adam Russell to approve.

Motion passed 6-0, with Alexa Boedeker absent.

6. **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**

-Case 3:23-CV-00948-K, *Mark Eder v. City of Burleson* in the U.S. District Court, Northern District of Texas, Dallas Division.

Motion was made by Victoria Johnson and seconded by Dan McClendon to convene into executive session. **Time: 5:52 p.m.**

Motion passed 6-0, with Alexa Boedeker absent.

Motion was made by Dan McClendon and seconded by Victoria Johnson to reconvene into open session. **Time: 6:35 p.m.**

Motion passed 6-0, with Alexa Boedeker absent.

7. ECONOMIC DEVELOPMENT

- A. 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. (First Reading) (Staff Contact: Alex Philips, Director of Economic Development)**

Alex Philips, Director of Economic Development, presented an ordinance to the city council.

Mayor Fletcher opened the public hearing. **Time: 6:38 p.m.**

No speakers.

Mayor Fletcher closed the public hearing. **Time: 6:39 p.m.**

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

Motion passed 6-0, with Alexa Boedeker absent.

Amanda Campos, City Secretary, announced that items 7B and 7C would be presented together but voted on separately.

- B. CSO#5695-12-2024, Tax Abatement Agreement between the City of Burleson and Paris Baguette U.S.A., Inc., for a food manufacturing facility located in Highpoint Business Park in Tax Abatement Reinvestment Zone Number 009, City of Burleson. (Staff Contact: Alex Philips, Director of Economic Development)**

Alex Philips, Director of Economic Development, presented items 7B and 7C to the city council.

Motion made by Victoria Johnson and seconded by Phil Anderson to approve.

Motion passed 6-0, with Alexa Boedeker absent.

- C. CSO#5696-12-2024, minute order ratifying the 4A Economic Development Corporations Board’s actions taken on the approval of a Performance Agreement between the Burleson 4A Economic Development Corporation and**

Paris Baguette U.S.A., Inc. for a 267,000 square foot food manufacturing facility located on Vantage Drive in Highpoint Business Park in Burleson, Texas. (Staff Contact: Alex Philips, Economic Development Director)

Motion made by Larry Scott and seconded by Adam Russell to approve.

Motion passed 6-0, with Alexa Boedeker absent.

RECESS AND BACK TO ORDER

Mayor Fletcher recessed for a short break at 6:48 p.m. and called the meeting back to order at 6:52 p.m. with all members present.

8. DEVELOPMENT APPLICATIONS

- A. CSO#5697-12-2024, ordinance for a zoning change request from “A”, Agriculture to “GR” General Retail located at 5933 FM 1902 (Case 24-297). (First & Final Reading) (Staff Contact: Tony McIlwain, Development Services Director) (The Planning and Zoning Commission recommended approval 8 to 0) - WITHDRAWN**

Item 8A was withdrawn by the applicant.

- B. CSO#5698-12-2024, ordinance for a zoning change request from “A” Agriculture to “SFE” Single-family estate district located at 2420 County Road 913 (Case 24-316). (First & Final Reading) (Staff Contact: Tony McIlwain, Development Services Director) (Planning and Zoning Commission recommended approval 8-0)**

Tony McIlwain, Development Services Director, presented an ordinance to the city council.

Mayor Fletcher opened the public hearing. **Time: 6:54 p.m.**

No speakers.

Mayor Fletcher closed the public hearing. **Time: 6:55 p.m.**

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

Motion passed 6-0, with Alexa Boedeker absent.

- C. CSO#5699-12-2024, ordinance for a zoning change request from “A”, Agriculture to “PD” Planned Development for Wilshire Urban Village; a townhome and retail development located at 2152 SW Wilshire (Case 23-370). (First & Final Reading) (Staff Contact: Tony McIlwain, Development Services Director) (The Planning and Zoning Commission recommended disapproval 5 to 3) - CONTINUED**

Mayor Fletcher opened the public hearing. **Time: 6:56 p.m.**

Mayor Fletcher announced that item 8C would be continued to the January 21, 2025 city council meeting.

9. GENERAL

- A. CSO#5700-12-2024, resolution authorizing an advanced funding agreement with the state of Texas for Green Ribbon improvements along Northwest John Jones Blvd in the amount of \$400,000. (Staff Contact: Jen Basham, Director of Parks and Recreation)**

Item 9A was added and voted on with the consent agenda above.

- B. CSO#5701-12-2024, professional services agreement with Kimley-Horn for the design of Green Ribbon improvements along Northwest John Jones in the amount of \$90,000. (Staff Contact: Jen Basham, Director of Parks and Recreation)**

Item 9B was added to the consent agenda above.

- C. CSO#5702-12-2024, minute order authorizing \$886,906.80 in funding to renew Stealth Partner Group, managing general underwriter, and Berkshire Hathaway Specialty Insurance for the city's stop-loss insurance providers for plan year 2025. (Staff Contact: Cheryl Marthiljohni, Director of Human Resources)**

Cheryl Marthiljohni, Director of Human Resources, presented a minute order to the city council.

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

Motion passed 6-0, with Alexa Boedeker absent.

- D. CSO#5703-12-2024, amendment authorizing \$391,199.00 in funding with Symetra (CSO #5320-12-2023) for life and long-term disability plans for benefit plan year 2025. (Staff Contact: Cheryl Marthiljohni, Director of Human Resources)**

Item 9D was added to the consent agenda above.

10. LEGISLATIVE - REPORTS AND RELATED ACTION ITEMS - MOVED

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.

- A. Receive an update and hold a discussion regarding the 89th legislative session. (Presenter: Brandon Aghamalian, Focused Advocacy) (Staff Contact: Janalea Hembree, Assistant to the City Manager)**

Brandon Aghamalian, Focused Advocacy, gave council tips and advice on how to plan a visit during the 89th legislative session.

There were no questions from council.

11. CITY COUNCIL REQUESTS AND FUTURE AGENDA ITEMS AND REPORTS

- None.

12. 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.**
- B. Discussion regarding possible purchase, exchange, lease, or value of real property pursuant to Section 551.072, Texas Government Code.**
- 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.**

13. ADJOURNMENT

Motion made by Adam Russell and seconded by Victoria Johnson to adjourn.

Mayor Chris Fletcher adjourned the meeting.

Time: 7:34 p.m.

Monica Solko
Deputy City Secretary