

BURLESON CITY COUNCIL REGULAR MEETING
MAY 6, 2024
DRAFT MINUTES

ROLL CALL

COUNCIL PRESENT:

Victoria Johnson
Phil Anderson
Ronnie Johnson
Chris Fletcher
Larry Scott
Dan McClendon
Adam Russell

COUNCIL ABSENT:

Staff present

Tommy Ludwig, City Manager
Eric Oscarson, Deputy City Manager
Harlan Jefferson, Deputy City Manager
Amanda Campos, City Secretary
Monica Solko, Deputy City Secretary
Lisandra Leal, Assistant City Secretary
Cara White, City Attorney
Matt Ribitzki, Deputy City Attorney

1. CALL TO ORDER – 5:30 p.m.

Mayor Fletcher called the meeting to order. **Time: 5:30 p.m.**

Invocation – Kevin Walkowiak, Pastor of Burleson Adventist Church.

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

- A Proclamation recognizing May 5 - 11, 2024, as "Public Service Recognition Week" in the City of Burleson. *(Recipient: City of Burleson Employee Events Committee)*
- A Proclamation recognizing May 5 - 11, 2024, as "Economic Development Week" in the City of Burleson. *(Recipient: Alex Philips, Director of Economic Development)*
- A Proclamation recognizing May 2024 as "Mental Health Month" with May 7, 2024 as "Mental Wellness Day" in the City of Burleson. *(Recipient: Veronica Sites, Burleson Rotary Club)*

B. Presentations

- Receive a report and recognize the graduating seniors on the Mayor's Youth Council. *(Presenter: Mayce Ball, Mayor's Youth Council Chair)*
- Receive a report and recognize Burlson Police Department's Chief of Police, Billy Cordell, on 40 years of law enforcement. *(Presenter: Mayor Chris Fletcher)*
- Receive a report, hold a discussion regarding the Regional Transportation Council. *(Presenter: Rick Bailey, Johnson County Commissioner Precinct 1)*

C. Community Interest Items

- Thank you to the Parks Department, Library, and everyone that participated in the Lunar Eclipse event.
- Thank you to the Burlson Police Department, for a great experience and their professionalism during a ride out.
- Thank you to the Burlson Fire Department for a great tour of their three fire stations, and appreciate their professionalism and interaction with all the fire fighters.
- Chisholm Trail 100 Club, provides life insurance for all first responders within Hood, Summerville, Johnson and Mansfield Counties (life policy for on and off duty).
- Congratulations to Council member Victoria Johnson on her re-election, and Alexa Boedeker newly elected and saying good bye to Council member Ronnie Johnson. Thank you to all the candidates for their campaigns.
- Thank you to Public Works, Police and Fire for protecting our city during the recent storms, flooding and lighting strikes.
- Thank you everyone that helped with the Hazardous Waste event, it was a great success.
- Thank you to the City Secretary's Office and all the election workers for all your hard work and professionalism during the election.
- National Day of Prayer was celebrated in the day Plaza but it was celebrated all over the community and state. There were beautiful prayers said over the community.
- Animal Shelter is having a supply drive and fundraiser, on May 11 from 9am-2pm at the Senior Activity Center, 216 SW Johnson Avenue.
- Mother's Day outing, Saturday, May 11, from 6-8pm, at the Mayor Vera Calvin Plaza, 141 W. Renfro Street.
- Super Safety Saturday, Saturday, May 18, from 9am-1pm, at Texas Health (Burlson) Neighborhood Care & Wellness, 2750 SW Wilshire Blvd.

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.

- 5D and 5O.

4. **CITIZEN APPEARANCES**

- Bill Janusch, 117 NE Clinton Street, came forward to speak on children safety during flooding.

5. **CONSENT AGENDA**

A. Minutes from the April 15, 2024 regular council meeting. (Staff Contact: Amanda Campos, City Secretary)

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

Motion passed 7-0.

B. Contract for the purchase of asphalt materials from Austin Asphalt Inc. and Texas Materials, Inc., through Inter-local Purchasing Agreement with Tarrant County for asphalt road surfacing products in the amount of \$100,000. (Staff Contact: Clinton Sumerall, Deputy Director of Public Works & Engineering)

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

Motion passed 7-0.

C. Contract for the purchase of one replacement Utility Response Vehicle for the Fire Department with Alternative Support Apparatus LLC (ASAP) in the amount of \$87,364 (Staff Contact: Clinton Sumerall, Deputy Director Public Works & Engineering)

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

Motion passed 7-0.

D. Cooperative Purchase Customer Agreement for the purchase of vehicle parts, supplies, and equipment with O'Reilly Auto Enterprises, LLC dba O'Reilly Auto Parts, through Sourcewell Cooperative Purchasing (Contract# 032521-ORA) for three years in the amount of \$225,000. (Staff Contact: Richard Abernethy, Administrative Services Director) - REMOVED

Item 5D was removed from the consent agenda for separate discussion and consideration.

E. CSO#5454-05-2024, minute order rejecting bids for ITB 2024-012 Lift Station Rehabilitations. (Staff Contact: Tiana Jackson, P.E., CFM, Capital Engineering Manager)

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

Motion passed 7-0.

- F. CSO#5455-05-2024, minute order rejecting the bid for ITB 2024-007 Bluebird Meadows Drainage Improvements. (Staff Contact: Tiana Jackson, P.E., CFM, Capital Engineering Manager)**

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

Motion passed 7-0.

- G. Three year contract with Metro Fire Apparatus Specialist, Inc. for the purchase of public safety & fire supplies, bunker gear and equipment in the amount of \$330,000. (Staff Contact: Casey Davis, Interim Fire Chief)**

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

Motion passed 7-0.

- H. CSO#5456-05-2024, resolution accepting the Quarterly Investment Report for December 31, 2023, as submitted in accordance with the Public Funds Investment Act (PFIA). (Staff Contact: Harlan Jefferson, Deputy City Manager)**

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

Motion passed 7-0.

- I. Two-year professional service agreement extension to CSO#1795-06-2021, in the amount of \$143,150 with Weaver LLC for audit services. (Staff Contact: Harlan Jefferson, Deputy City Manager)**

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

Motion passed 7-0.

- J. CSO#5457-05-2024, resolution authorizing the City Manager to execute all necessary documents to enter into and close on a real estate contract with the Texas Department of Transportation, as purchaser, to convey fee simple title to approximately 218 square feet of land out of the David Anderson Survey, Abstract No. 4 in the City of Burleson, Johnson County, Texas. (Staff Contact: Errick Thompson, Director of Public Works and Engineering)**

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

Motion passed 7-0.

- K. CSO#5458-05-2024, resolution authorizing the City Manager to execute all necessary documents to enter into and close on a real estate contract with the Texas Department of Transportation, as purchaser, to convey fee simple title to approximately 287 square feet of land out of the David Anderson Survey, Abstract No. 4 in the City of Burleson, Johnson County, Texas. (Staff Contact: *Erick Thompson, Director of Public Works & Engineering*)**

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

Motion passed 7-0.

- L. CSO#5459-05-2024, 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 Adam Russell and seconded by Larry Scott to approve the consent agenda.

Motion passed 7-0.

- M. CSO#5460-05-2024, 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 Adam Russell and seconded by Larry Scott to approve the consent agenda.

Motion passed 7-0.

- N. CSO#5461-05-2024, resolution authorizing a Local On-System Agreement with the Texas Department of Transportation (TxDOT) for the Lakewood Drive connection to FM 1902. (Staff Contact: *Michelle McCullough, Assistant Director/City Engineer*)**

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

Motion passed 7-0.

- O. CSO#5462-05-2024, resolution approving the nomination of Johnson County Judge Christopher Boedeker to the Executive Board of the North Central Texas Council of Governments. (Staff Contact: *Justin Scharnhorst, Assistant to the City Manager*) - REMOVED**

Item 50 was removed from the consent agenda for separate discussion and consideration.

5. CONSENT AGENDA – REMOVED ITEMS

- D. Cooperative Purchase Customer Agreement for the purchase of vehicle parts, supplies, and equipment with O’Reilly Auto Enterprises, LLC dba O’Reilly Auto Parts, through Sourcewell Cooperative Purchasing (Contract# 032521-ORA) for three years in the amount of \$225,000. (Staff Contact: Richard Abernethy, Administrative Services Director)**

Richard Abernethy, Administrative Services Director, presented an agreement to the city council.

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

Motion passed 7-0.

- O. CSO#5462-05-2024, resolution approving the nomination of Johnson County Judge Christopher Boedeker to the Executive Board of the North Central Texas Council of Governments. (Staff Contact: Justin Scharnhorst, Assistant to the City Manager)**

Council member Larry Scott, spoke on the NCTCOG Executive Board requirements and an endorsement of a candidate by a municipality could be influential. He spoke of Judge Boedeker’s qualifications and encouraged council to endorse Judge Boedeker.

Motion made by Larry Scott and seconded by Victoria Johnson to approve.

Motion passed 7-0.

6. DEVELOPMENT APPLICATIONS

- A. CSO#5463-05-2024, ordinance for voluntary annexation of approximately 88.471 acres of land located in the exclusive Extraterritorial Jurisdiction (ETJ) of the City of Burleson, related to a previously approved development agreement located at Chisholm Summit at 9825 CR 1016, Voluntary Annexation (Case 23-375). (First and Final Reading) (Staff Contact: Tony McIlwain, Development Services Director) (No Planning and Zoning Commission action was required for this item)**

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

Mayor Fletcher opened the public hearing. **Time: 6:35 p.m.**

Justin Bond, 236 E. Ellison, was available to answer any questions Council may have.

Mayor Fletcher closed the public hearing. **Time: 6:36 p.m.**

Motion made by Dan McClendon and seconded by Ronnie Johnson to approve.

Motion passed 7-0.

- B. CSO#5464-05-2024, ordinance for a zoning change request from defaulted “A”, Agriculture and “PD” Planned Development District to “PD” Planned Development District for the Chisholm Summit master planned community located at Chisholm Summit at 9517 CR 1016 (Case 23-229). (First and Final Reading) (Staff Contact: Tony McIlwain, Development Services Director) (The Planning and Zoning Commission recommended approval unanimously)**

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

Mayor Fletcher opened the public hearing. **Time: 6:41 p.m.**

Justin Bond, 236 E. Ellison, was available to answer any questions Council may have.

Mayor Fletcher closed the public hearing. **Time: 6:42 p.m.**

Motion made by Phil Anderson and seconded by Larry Scott to approve.

Motion passed 7-0.

7. GENERAL

- A. CSO#5465-05-2024, award of bid ITB 2024-010 to 2L Construction, LLC for the Service Center Drainage Improvements project in the amount of \$1,021,780 with a project contingency of \$100,000 for a total amount of \$1,121,780. (Staff Contact: Tiana Jackson, Engineering Manager - Capital)**

Tiana Jackson, Engineering Manager-Capital, presented a contract to the city council.

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

Motion passed 7-0.

8. REPORTS AND PRESENTATIONS

- A. Receive a report, hold a discussion, and provide staff direction on the City’s Newspaper Services for public and legal notices. (Staff Contact: Richard Abernethy, Administrative Services Director)**

Richard Abernethy, Administrative Services Director, presented the city’s newspaper services to the city council.

Cody O’Brien, 548 Thistle Monde Circle, with the Burlson Buzz, came forward requesting the city use his services.

Mayor Chris Fletcher left the meeting at 7:05 p.m. Mayor Pro Tem Dan McClendon presided over the meeting.

B. Receive a report, hold a discussion, and provide staff feedback regarding Public Improvement Districts (PIDs) and Municipal Utility Districts (MUDs). (Staff Contact: Tony D. McIlwain, AICP, CFM, Development Services Director)

Tony McIlwain, Development Services Director, presented the Public Improvement Districts (PIDs) and Municipal Utility Districts (MUDs) to the city council.

Discussion included: responsibility for maintenance after the PID is complete, if the improvement is a public feature or part of the neighborhood, types of MUDs, purpose, and pros and cons of each.

Council was in favor of additional input/discussion with the Council Policy and Valuation Council Committee and to bring back for further discussion.

C. Receive a report, hold a discussion, and provide staff feedback regarding the city's legislative initiatives in preparation for the upcoming 89th session of the Texas Legislature. (Presenter: Snapper Carr, Focused Advocacy)

Lynlie Hurd and Brandon Aghamalian, with Focused Advocacy, presented the city's legislative initiatives for 89th session, council input, and advocacy process to the city council.

Council was in favor of creating a council committee for legislative action.

9. CITY COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS OR 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.

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

- Receive a report and hold a discussion regarding the internal investigation into Human Resources Department Complaint No. 2023-0001 and No. 2023-0002

Motion was made by Larry Scott and seconded by Adam Russell to convene into executive session. **Time: 8:21 p.m.**

Motion passed 6-1; with Chris Fletcher absent.

Motion was made by Adam Russell and seconded by Ronnie Johnson to reconvene into open session. **Time: 8:28 p.m.**

Motion passed 6-1; with Chris Fletcher absent.

9. CITY COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS OR REPORTS

- Council member Adam Russell requested that a Legislative Action Council Committee be created and to appoint three council members to the committee.

11. ADJOURNMENT

Motion made by Victoria Johnson and seconded by Ronnie Johnson to adjourn.

Mayor Pro Tem Dan McClendon adjourned the meeting.

Time: 8:29 p.m.

Monica Solko
Deputy City Secretary