

**BURLESON CITY COUNCIL REGULAR MEETING
MARCH 4, 2024
DRAFT MINUTES**

ROLL CALL

COUNCIL PRESENT:

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

COUNCIL ABSENT:

Victoria Johnson

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
Allen Taylor, Jr., City Attorney
Matt Ribitzki, Deputy City Attorney

1. CALL TO ORDER – 5:30 p.m.

Mayor Fletcher called the meeting to order. **Time: 6:48 p.m.**

Invocation – Ron Williams, Pastor of Faith to Faith Ministries, Burleson.

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 "Procurement Professional Day" on March 13, 2024. (Recipient: Lauren Seay, Assistant Director of Administrative Services)

B. Presentations – None.

C. Community Interest Items

- Honored to attend the Burleson Police Awards banquet, it was a great turnout and congratulations to all of the officers. Council is so proud of all that they do for our community.
- Congratulations to Joe Laster our Emergency Operations Manager and the CERT Program who were nominated and selected as an award recipient for the Emergency Management Association of Texas Public Service Awards.

- Council member Victoria Johnson is under the weather, please keep her in your thoughts and prayers.

3. CHANGES TO POSTED AGENDA

A. Items to be continued or withdrawn

- 6A withdrawn by applicant.

B. Items to be withdrawn from Consent Agenda for separate discussion or items to be added to the Consent Agenda.

- None.

4. CITIZEN APPEARANCES

- None.

8. REPORTS AND PRESENTATIONS - MOVED

A. Receive a report, hold a discussion, and provide staff feedback regarding the Wayside Horn project planned for the Union Pacific Railroad (UPRR) crossing of CR 714. (Staff Contact: Errick Thompson, Director of Public Works & Engineering)

Errick Thompson, Director of Public Works and Engineering, gave an update on the Wayside Horn project to the city council.

Rusty Scott, 1449 Valley Crest Ct., Valley Crest HOA, came forward to discuss timeline of project.

Gary Gilliland, 100 Oakview Ct., came forward in favor of the Wayside Horn.

Cassandra Havas, 1440 Valley Crest Drive, came forward to request a commitment from Council on the project.

Bob Grennart, 133 Stelias Drive, came forward and commented that the railroad effects multiple residential properties in Burluson.

Ruben Gonzales, 1444 Valley Crest Drive, came forward in favor of a quiet zone but would settle for wayside horn if a quiet zone could not be done.

Cleveland Swan, 1113 Rushmore Drive, came forward in favor of a quiet zone.

After a brief discussion and questions, council consensus was to move forward with budgeting process for a quiet zone at CR 714 and work with Johnson County on CR 713.

5. CONSENT AGENDA

A. Minutes from the February 13, 2024 special council meeting, February 20, 2024 regular council meeting and February 23, 2024 special 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 6-0, with Victoria Johnson absent.

- B. CSO#5418-03-2024, change order for professional services with Brinkley Sargent Wiginton Architects for City Hall Renovations in the amount of \$92,661.86. (Staff Contact: Eric Oscarson, Deputy City Manager)**

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

Motion passed 6-0, with Victoria Johnson absent.

- C. CSO#5419-03-2024, facility use agreement with Burleson Farmer's Market for the use of the Mayor Vera Calvin Plaza in Old Town for the upcoming season. (Staff Contact: Joni Van Noy, Economic Development Coordinator)**

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

Motion passed 6-0, with Victoria Johnson absent.

- D. CSO#5420-03-2024, ETJ Release Petition for 1709 CR 807 (Case 24-033): Consider denial of a petition for release from the City of Burleson extraterritorial jurisdiction (ETJ) for approximately 14 acres of land addressed as 1709 CR 807. (Staff Contact: Tony McIlwain, Development Services Director) (No Planning and Zoning Commission action was required for this item) - DENIED**

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

Motion passed 6-0, with Victoria Johnson absent.

- E. CSO#5421-03-2024, ETJ Release Petition for 102 Black Jack Ln (Case 24-054): Consider denial of a petition for release from the City of Burleson extraterritorial jurisdiction (ETJ) for approximately 0.8584 acres of land addressed as 102 Black Jack Ln. (Staff Contact: Tony McIlwain, Development Services Director) (No Planning and Zoning Commission action was required for this item) - DENIED**

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

Motion passed 6-0, with Victoria Johnson absent.

6. DEVELOPMENT APPLICATIONS

- A. CSO#5422-03-2024, resolution for a waiver to Section 5.1.a "Street and Right of Way Basic Policies" of the Design Standards Manual for the design criteria for Streets within the Cliffwood Phase 3 (Case 23-327). (Staff Contact: Michelle McCullough, Assistant Director/City Engineer) (Planning and Zoning Commission recommended disapproval unanimously) - WITHDRAWN**

Item 6A has been withdrawn by the applicant.

7. GENERAL

- A. CSO#5423-03-2024, awarding RFP 2024-003 Artificial Turf Baseball & Softball Fields with TGS Sports LLC in the amount of \$1,741,400 with a project contingency of \$174,400 for the conversion of Clydesdale, Shire, Paint, Appaloosa, Roan, Pasofina and Quarter fields at Chisenhall Fields to synthetic turf. (Staff Contact: Allison Smith, Recreation Manager)**

Allison Smith, Recreation Manager, presented an award RFP to the city council.

Motion made by Adam Russell and seconded by Larry Scott to approve pending attorney review of the agreement.

Motion passed 6-0, with Victoria Johnson absent.

- B. CSO#5424-03-2024, contract with Club Car for the purchase of new golf carts through Sourcewell cooperative purchasing agreement #12220-CCR in the amount of \$544,800. (Staff Contact: Jen Basham, Director of Parks and Recreation)**

Jen Basham, Parks and Recreation Director, presented items 7B and 7C as one presentation to the city council but voted on items separately.

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

Motion passed 6-0, with Victoria Johnson absent.

- C. CSO#5425-03-2024, four-year contract with Club Car for GPS in golf carts at Hidden Creek Golf Course through Sourcewell cooperative purchasing agreement #12220-CCR with Club Car in the amount of \$180,000. (Staff Contact: Jen Basham, Director of Parks and Recreation)**

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

Motion passed 6-0, with Victoria Johnson absent.

- D. CSO#5426-03-2024, City Council Policy 43, formally adopting the City of Burleson Asset Management Policy and Corporate Risk Matrix. (Staff Contact: Eric Oscarson, Deputy City Manager)**

Eric Oscarson, Deputy City Manager, presented City Council Policy 43 Asset Management to the city council.

Motion made by Dan McClendon and seconded by Larry Scott to approve.

Motion passed 6-0, with Victoria Johnson absent.

- E. CSO#5427-03-2024, resolution stating and accepting the results of the local option petition for the legal sale of all alcoholic beverages for off-premise consumption only. (Staff Contact: Amanda Campos, City Secretary)**

Amanda Campos, City Secretary, presented items 7E and 7F as one presentation to the city council but voted on the items separately.

Motion made by Dan McClendon and seconded by Larry Scott to approve.

Motion passed 6-0, with Victoria Johnson absent.

- F. CSO#5428-03-2024, Resolution Ordering a Special Election – Local Option, legalize the legal sale of all alcoholic beverages for off-premise consumption only. (Staff Contact: Amanda Campos, City Secretary)**

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

Motion passed 6-0, with Victoria Johnson absent.

8. REPORTS AND PRESENTATIONS

- A. Receive a report, hold a discussion, and provide staff feedback regarding the Wayside Horn project planned for the Union Pacific Railroad (UPRR) crossing of CR 714. (Staff Contact: Errick Thompson, Director of Public Works & Engineering)**

Item 8A was presented above.

- B. Receive a report, hold a discussion and provide staff feedback regarding easement and right-of-use agreements. (Staff Contact: Tony D. McIlwain, AICP, CFM, Development Services Director)**

Tony McIlwain, Development Services Director, gave a presentation on easement and right-of-use agreements to the city council.

After a brief discussion and questions by council, consensus was to move forward with:

- One-time application fee of \$525, unless significant changes would trigger another application fee.
- Old Town Design Standards Review Committee (OTDSRC) to review use agreements.
- Grandfather current agreements.
- Brief council each year with findings then bring back an item for council consideration.
- No escrow account.
- Add a consultant with an architect credentials to the OTDSRC to help with review process and budget to pay for consultant expenses.

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

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

- Approximately 287 square feet near the intersection of E Renfro St and Cardinal Ridge Road in Burleson, Johnson County, Texas
- Approximately 218 square feet near the intersection of E Renfro St and Memorial Plaza in Burleson, Johnson County, Texas
- Approximately 5.79 acres in the HighPoint Business Park near the intersection of Vantage Drive and Cirrus Drive in Burleson, Johnson County, Texas
- Discuss and receive direction on certain parcels of real property in Johnson County, Texas for fire and public safety purposes where deliberation in open session would have a detrimental effect on the position of negotiations with third parties.

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 Verdad
- Project Dough

Motion was made by Adam Russell and seconded by Larry Scott to convene into executive session. **Time: 9:04 p.m.**

Motion passed 6-0, with Victoria Johnson absent.

Motion was made by Adam Russell and seconded by Larry Scott to reconvene into open session. **Time: 10:10 p.m.**

Motion passed 6-0, with Victoria Johnson absent.

11. ADJOURNMENT

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

Mayor Fletcher adjourned the meeting. **Time: 10:10 p.m.**

Monica Solko
Deputy City Secretary