

BURLESON CITY COUNCIL REGULAR MEETING

May 1, 2023
DRAFT MINUTES

ROLL CALL

COUNCIL PRESENT:

Victoria Johnson
Rick Green

Chris Fletcher
Tamara Payne
Dan McClendon
Ronnie Johnson

COUNCIL ABSENT:

Jimmy Stanford

Staff present

Bryan Langley, City Manager
Tommy Ludwig, 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 – 5:33 p.m.

Invocation – Mayor Pro Tem Dan McClendon gave the invocation.

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 7-May13 as "Public Service Week" in the City of Burleson. (*Recipient: Rick DeOrdio, Director of Human Resources*)

- A Proclamation recognizing "Cinco de Mayo" in the City of Burleson. (*Victoria Johnson, Councilmember, Place 1; Recipient: Parks and Recreation Department*)

B. Presentations

- Receive a report to recognize the selected Employee of the Quarter for the 1st quarter of 2023. (*Staff Presenter: Rick DeOrdio, Director of Human Resources*)

C. Community Interest Items

- Great turnout celebrating Arbor Day by planting 10 trees at Centennial Park on Friday, April 28.
- Reminder to go vote, General Election is going on, Early Voting ends on Tuesday, May 2 and Election Day is Saturday, May 6. Johnson County voters,

Ron Harmon Sub-Courthouse, 247 Elk Drive, Room 212 and Tarrant County voters, Crouch Event Center in Bicentennial Park, 900 E. Glendale Street, Crowley. Please check Johnson County and Tarrant County websites for the most current election information on voting locations.

- Thank you to Bryan Langley and best of luck at the City of Kyle.
- Best of luck to the new Council coming in and thank you to staff for all their support.
- Burleson Animal Shelter is full, please consider adopting.
- National Small Business week, shop and support local businesses.
- Thursday, May 11, 6 a.m. to 3 p.m., shop local at City Market for Tip a Cop fundraising event for our police foundation.
- Library, Origami Art Installation during the month of May, the library is asking the community to help by making an origami animal at the library or bring your own.
- Join us, Mother's Day Outing, May 13, 6-8pm, Mayor Vera Calvin Plaza; enjoy an evening out in our town.
- Kudos to Keep Burleson Beautiful for the Governor's Achievement Award, \$250,000 to be completed by TxDOT.

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.

- None.

4. REPORTS AND PRESENTATIONS

A. Receive a report, hold a discuss and possible request for future agenda item concerning the Burleson Better Together Committee. (*Presenter: Tamara Payne, Council Place 4*).

Council member Tamara Payne presented the Burleson Better Together Committee report to city council.

9. RECESS INTO EXECUTIVE SESSION - MOVED

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, Texas Government Code

- Hold a discussion regarding the appointment and duties of an interim city manager and permanent city manager.
- Hold a discussion regarding Section 2-31 "Appointments; terms; removal; exceptions" of Article II "Board, Commissions and Committees," Chapter 2 "Administration" of the City of Burleson Code of Ordinances (2005).

- B. Discussion regarding possible purchase, exchange, lease, or value of real property pursuant to Section 551.072, Texas Government Code**
- C. Personnel matters pursuant to Section 551.074, Texas Government Code**
 - Hold a discussion and give direction regarding the process and procedure to select and appoint an interim city manager.
 - Hold a discussion and give direction regarding the goals and duties of the interim city manager.
 - Hold a discussion and give direction regarding the process and procedure to select and appoint a permanent city manager.
 - Hold a discussion and give direction regarding Planning and Zoning Commissioner Place 5.

Motion was made by Dan McClendon and seconded by Victoria Johnson to convene into executive session. **Time: 6:05 p.m.**

Motion passed 6-0, with Jimmy Stanford absent.

Motion was made by Dan McClendon and seconded by Tamara Payne to reconvene into open session. **Time: 6:43 p.m.**

Motion passed 6-0, with Jimmy Stanford absent.

5. CITIZEN APPEARANCES

- Robert Payne, 1125 Windy Meadows Drive, came forward to express his appreciation for Council member Payne's leadership, service and dedication to the city.

6. CONSENT AGENDA

- A. Minutes from the April 17, 2023 regular council meeting. (Staff contact: Amanda Campos, City Secretary).**

Motion made by Tamara Payne and seconded by Rick Green to approve.

Motion passed 6-0, with Jimmy Stanford absent.

- B. CSO#5085-05-2023, contract with MHSC Energy Management for the purchase of LED lighting and fixtures for the interior of the Burleson Recreation Center in the amount of \$64,105.99. (Staff Presenter: Jen Basham, Director of Parks and Recreation)**

Motion made by Tamara Payne and seconded by Rick Green to approve.

Motion passed 6-0, with Jimmy Stanford absent.

- C. CSO#5086-05-2023, change order with The Brandt Companies LLC through a cooperative purchasing agreement with Buyboard in the amount of \$10,015 for additional repairs to the Burleson Recreation Center HVAC system. (Staff Presenter: Jen Basham, Director of Parks and Recreation)**

Motion made by Tamara Payne and seconded by Rick Green to approve.

Motion passed 6-0, with Jimmy Stanford absent.

- D. CSO#5087-05-2023, minute order for repair services and replacement parts for a fire apparatus from Metro Fire, using the H-GAC Cooperative Contract, in the amount of \$100,000. (Staff Presenter: Eric Oscarson, Director of Public Works)**

Motion made by Tamara Payne and seconded by Rick Green to approve.

Motion passed 6-0, with Jimmy Stanford absent.

- E. CSO#5088-05-2023, minute order for repair services and replacement parts for a fire apparatus from Siddons-Martin, using the H-GAC Cooperative Contract, in the amount of \$100,000. (Staff Presenter: Eric Oscarson, Director of Public Works)**

Motion made by Tamara Payne and seconded by Rick Green to approve.

Motion passed 6-0, with Jimmy Stanford absent.

- F. CSO#5089-05-2023, resolution authorizing payment of five years of subscription fees to Upland Software for document imaging and electronic file storage services in the amount not to exceed \$144,375. (Staff Contract: Hugo Rodriguez, Deputy Director, IT)**

Motion made by Tamara Payne and seconded by Rick Green to approve.

Motion passed 6-0, with Jimmy Stanford absent.

- G. CSO#5090-05-2023, community facilities contract with 225 W. Ellison, LLC, for City cash participation for the construction of 18 parking stalls along Bransom Street for \$56,217.75. (Staff Contact: Errick Thompson, Deputy Director of Public Works)**

Motion made by Tamara Payne and seconded by Rick Green to approve.

Motion passed 6-0, with Jimmy Stanford absent.

- H. CSO#5091-05-2023, interlocal agreement with the City of North Richland Hills for cooperative purchasing between the cities that will allow among other cooperative purchases, utilization of an existing City of North Richland Hills agreement with Intermountain Slurry Seal, Inc. (Staff Contact: Justin Scharnhorst, Assistant to the City Manager)**

Motion made by Tamara Payne and seconded by Rick Green to approve.

Motion passed 6-0, with Jimmy Stanford absent.

- I. CSO#5092-05-2023, ordinance amending Chapter 14, "Businesses" of the Code of Ordinances of the City of Burleson, Texas (2005), as amended, by adding article XII, entitled "Registration of Short Term Rentals" and establishing**

general standards and a registration process for short-term rentals, establishing fees, and providing definitions. (Final Reading)(Staff Contact: Tony McIlwain, Development Services Director)

Motion made by Tamara Payne and seconded by Rick Green to approve.

Motion passed 6-0, with Jimmy Stanford absent.

- J. CSO#5093-05-2023, ordinance amending the City's fee schedule in Ordinance CSO# 3069-09-2022 by adding fees associated with the registration of short term rental properties; finding that the meeting at which this ordinance is passed was open to the public and that the recitals are true; containing a severability clause, cumulative clause, and effective date. (Final Reading)(Staff Contact: Tony McIlwain, Development Services Director)**

Motion made by Tamara Payne and seconded by Rick Green to approve.

Motion passed 6-0, with Jimmy Stanford absent.

- K. CSO#5094-05-2023, two-year contract extension for CSO#1229-01-2020 with Bentek for online benefit enrollment software services in the amount not to exceed \$46,000. (Staff Presenter: Rick DeOrdio, Director of Human Resources)**

Motion made by Tamara Payne and seconded by Rick Green to approve.

Motion passed 6-0, with Jimmy Stanford absent.

- L. Ordinance appointing Cass Callaway for a two-year term ending May 15, 2025 to serve as Associate Judge for the City of Burleson. (First Reading). (Staff contact: Amanda Campos, City Secretary).**

Motion made by Tamara Payne and seconded by Rick Green to approve.

Motion passed 6-0, with Jimmy Stanford absent.

- M. CSO#5095-05-2023, Memorandum of Agreement with Tommy Ludwig to serve as Interim City Manager. (Staff Contact: Allen Taylor, City Attorney)**

Motion made by Tamara Payne and seconded by Rick Green to approve.

Motion passed 6-0, with Jimmy Stanford absent.

7. GENERAL

- A. CSO#5096-05-2023, amendment to the Engineering Services Contract (CSO#1408-06-2020) with Kimley-Horn and Associates for design of the SH174 Widening project in the amount of \$449,985.00 for a total contract amount of \$1,335,485.00. (Staff Presenter: Errick Thompson, Deputy Director of Public Works - Engineering)**

Errick Thompson, Deputy Director of Public Works-Engineering, presented an amended engineering services contract to the city council.

Motion made by Dan McClendon and seconded by Tamara Payne to approve.

Motion passed 6-0, with Jimmy Stanford absent.

- B. CSO#5097-05-2023, resolution authorizing an application for TxDOT's 2023 Transportation Alternatives (TA) Call for Projects for a Citywide project to complete the 10-mile pedestrian and bicycle loop with City of Burleson matching contributions not to exceed \$3,200,000. (Staff Presenter: Errick Thompson, Deputy Director of Public Works - Engineering)**

Errick Thompson, Deputy Director of Public Works-Engineering, presented a resolution to the city council.

Motion made by Victoria Johnson and seconded by Rick Green to approve.

Motion passed 6-0, with Jimmy Stanford absent.

- C. CSO#5098-05-2023, ordinance granting a franchise to Waste Connections Lone Star, Inc. for residential solid waste and recycling collection services in the City, authorizing an amendment CSO#5099-05-2023, to an existing solid waste franchise agreement with Waste Connections Lone Star, Inc. by amending the renewal date and extending the term five years pursuant to renewal terms under the current contract in the amount of \$23,731,155.34, and finding that this ordinance may be considered and approved at only one meeting of the City Council. (First and Final Reading) (Staff Presenter - Eric Oscarson, Director of Public Works)**

Eric Oscarson, Director of Public Works, presented an ordinance and an amendment to the existing agreement to the city council.

Motion made by Dan McClendon and seconded by Tamara Payne to approve.

Motion passed 6-0, with Jimmy Stanford absent.

- D. CSO#5100-05-2023, contract with Siddons Martin Emergency Group to purchase two Pierce-Custom Velocity PUC engines, and communication components through a cooperative purchasing agreement with Houston Galveston Area Council in the amount not to exceed \$2,600,000. (Staff Presenter: Josh Jacobs, Assistant Chief)**

Josh Jacobs, Assistant Fire Chief, presented a contract to the city council.

Motion made by Tamara Payne and seconded by Dan McClendon to approve.

Motion passed 6-0, with Jimmy Stanford absent.

E. Professional services contract with Komatsu/Rangel, Inc. dba Komatsu Architecture for design of the Burleson Fire Station 1 Renovation project in the amount of \$219,831. (Staff Presenters: Errick Thompson, Deputy Director of Public Works, K.T. Freeman, Fire Chief) - TABLED

Errick Thompson, Deputy Director of Public Works – Engineering and K.T. Freeman, Fire Chief, presented a professional services contract to the city council.

Mike Jones, Burleson Firefighters Association, came forward requesting the Council consider all the needs of the whole station.

Motion made by Victoria Johnson and seconded by Tamara Payne to table item to the June 5, 2023 council meeting.

Motion passed 4-2, with Chris Fletcher and Dan McClendon voting against and Jimmy Stanford absent.

8. CITY COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS OR REPORTS

- None.

9. RECESS INTO EXECUTIVE SESSION

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- Hold a discussion and give direction regarding Planning and Zoning Commissioner Place 5.

No need for a second executive session.

ADJOURNMENT

Motion made by Dan McClendon and seconded by Rick Green to adjourn.

Mayor Fletcher adjourned the meeting.

Time: 8:36 p.m.

Monica Solko
Deputy City Secretary