BURLESON CITY COUNCIL REGULAR MEETING
OCTOBER 19, 2026
DRAFT MINUTES

ROLL CALL

COUNCIL PRESENT:
Victoria Johnson
Phil Anderson
Alexa Boedeker
Chris Fletcher
Larry H. Scott
Dan McClendon
Adam Russell

COUNCIL ABSENT:

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

1. CALL TO ORDER - Time 5:30 p.m.

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

Invocation led by Chris Wigley, Pastor at First Baptist Church Burleson

Pledge of Allegiance to the US Flag

2. PUBLIC PRESENTATIONS

A. Proclamations

- None.

B. Presentations

- **Adoptable pet of the quarter *(Staff Contact: DeAnna Phillips, Director of Community Services)***

- **Receive a report to recognize the communication division for national marketing awards. *(Staff Contact: DeAnna Phillips, Director of Community Services)***

- **2026 National Procurement Institute's Achievement of Excellence in Procurement Award *(Presenter: Andrea Anderson, Purchasing Manager)***

- **Recognize the Parks and Recreation team for receiving the National Recreation and Parks Association CAPRA Accreditation. *(Presenter: Allison Smith, Deputy Director of Parks and Recreation)* - MOVED**
    - The Parks and Recreation recognition was moved to the November 9th Council meeting.

C. Community Interest Items

- Keep Burleson Beautiful received the Gold Leaf Landscape Improvement Award for the City's no-mow areas and pollinator gardens.
- Join us for Texas Arbor Day, November 6 at Russell Farm, with 10 trees planted
- Join us for a Plant Swap, December 9, at Burleson Library.
- Join us for Boo Bash, October 24, at Chisholm Hall.
- The Economic Development team was recognized for providing an update at the Chamber's Fall Quarterly Luncheon, highlighting economic development efforts and business growth in Burleson. The team was also recognized for supporting local businesses and achieving Film-Friendly City certification to help promote tourism.
- Thank you to the Parks and Recreation for a successful Dogs and Donuts.
- Encouraged residents to participate in the free Fire and Police Citizens Academies.
- Encouraged residents to support local vendors at the Farmers Market, held every Saturday from 9:00 a.m. to 2:00 p.m.
- Join us for Zumba Nights, October 28, at Mayor Vera Calvin Plaza.

3. CHANGES TO POSTED AGENDA

- **Items to be continued or withdrawn**
    - Removed item 7E from the agenda, to be placed on a future agenda.

- **Items to be withdrawn from Consent Agenda for separate discussion or items to be added to the Consent Agenda.**
    - Change the dollar amount on item 5I from $260,950.04 to $270,950.04.

4. CITIZEN APPEARANCES

- Kim Jones, 1508 Surry Place Drive, addressed concerns regarding the Johnson County Appraisal District and encouraged council members to attend board meetings and provide oversight of its operations and use of taxpayer funds.

5. CONSENT AGENDA

A. Minutes from the October 5, 2026 regular council meeting. *(Staff Contact: Monica Solko, Deputy City Secretary)*

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

Motion passed 7-0.

B. CSO#6302-10-2026, Interlocal Cooperative Purchasing Agreement (ILA) with the City of Forney, Texas, allowing each city to utilize the other's competitively bid contracts pursuant to Subchapter F, Chapter 271 of the Texas Local Government Code. *(Staff Contact: Andrea Anderson, Purchasing Manager)*

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

Motion passed 7-0.

C. CSO#6303-10-2026, ordinance establishing Standards of Care for childcare programs operated by the Parks and Recreation Department. (Final Reading) *(Staff Contact: Eric Oscarson, Deputy City Manager)*

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

Motion passed 7-0.

D. CSO#6304-10-2026, (1) Temporary Access Agreement, CSO#6305-10-2026, (2) Encroachment on Easement Agreement, and CSO#6306-10-2026, (3) Permanent Easement and Right of Way Agreement in the amount of $14,388.00 with Oncor Electric Delivery Company LLC for the Stone Rd. / Village Creek Parkway Widening and Reconstruction Project (ST2309). *(Staff Contact: Randy Morrison, PE, Director of Capital Engineering)*

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

Motion passed 7-0.

E. CSO#6307-10-2026, resolution approving the 2026 tax rolls; and declaring an effective date. *(Staff Contact: Kevin Hennessey, Director of Finance)*

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

Motion passed 7-0.

F. CSO#6308-10-2026, three-year contract with Holiday Design Sisters for holiday lighting in the Old Town district for the 2026-2028 holiday seasons in the

amount of $89,991. *(Staff Contact: Alex Philips, Director of Economic Development)*

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

Motion passed 7-0.

G. CSO#6309-10-2026, interlocal agreement (ILA) for public improvement district assessment collection between Johnson County, Texas and the City of Burleson, Texas. *(Staff Contact: Tony D. McIlwain, Development Services Director)*

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

Motion passed 7-0.

H. CSO#6310-10-2026, resolution authorizing the City's 2027 membership application to the Electric Reliability Council of Texas (ERCOT); and authorizing the City Manager to vote on behalf of the City in all ERCOT elections. *(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.

I. CSO#6311-10-2026, contract with Earthworks Landscape and Maintenance, LLC for Mowing Services in the amount of ~~$260,950.04~~ $270,950.04. (Staff Contact: Eric Oscarson, Deputy City Manager)

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

Motion passed 7-0.

J. CSO#6312-10-2026, contract with Perfect Finish for Landscaping Services in the amount of $156.000. (Staff Contact: Eric Oscarson, Deputy City Manager)

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

Motion passed 7-0.

K. CSO#6313-10-2026, contract with Earthworks Landscape and Maintenance, LLC for Litter Services in the amount of $208,532.79. (Staff Contact: Eric Oscarson, Deputy City Manager)

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

Motion passed 7-0.

L. CSO#6295-10-2026, ordinance amending the text of the city's zoning ordinance codified in Appendix B of the City of Burleson Code of Ordinances. (Final Reading) ***(Staff Contact: Tony D. McIlwain, Development Services Director) (The Planning and Zoning Commission recommended approval by a vote of 7 to 0)***

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

Motion passed 7-0.

M. CSO#6314-10-2026, ordinance amending the text of the city's zoning ordinance codified in Appendix B, Zoning, Article V, Supplemental Regulations of the City of Burleson Code of Ordinances. ***(Final Reading) (Staff Contact: Tony D. McIlwain, Development Services Director) (The Planning and Zoning Commission recommended approval by a vote of 7 to 0)***

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

Motion passed 7-0.

N. CSO#6315-10-2026, resolution granting a petition for release from the City of Burleson extraterritorial jurisdiction (ETJ) for approximately 115.00 acres of land addressed 8137 FM 1902. ***(Staff Contact: Tony McIlwain, Development Services Director)*** **(No Planning and Zoning Commission action was required for this item)**

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

Motion passed 7-0.

O. CSO#6316-10-2026, ordinance amending Chapter 58 "Parks and Recreation" by adding electric motorcycles to the list of prohibited motor vehicles in city parks, by adding electric bicycles to the list of wheeled equipment that may be prohibited at city parks if designated by proper signage, and amending Chapter 78 "Traffic and Vehicles" by adding a prohibition of operating an electric

motorcycle, pocket bike, mini-motorbike, and ATVs on city property, by adding a prohibition of any child to operate certain wheeled devices without a helmet, and by adding the prohibition for any parent or guardian to permit a child to operate certain wheeled devices. (Final Reading) ***(Staff Contact: Wes Routson, Deputy Chief of Police)***

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

Motion passed 7-0.

6. DEVELOPMENT APPLICATIONS

A. CSO#6317-10-2026, resolution for a Commercial Site Plan with a variance to fencing materials allowed in the Business Park Design Standards located at 5500 Vantage Drive (CSP26-019): ***(Staff Contact: Tony D. McIlwain, Development Services Director*****) (*****The Planning and Zoning Commission recommended approval by a vote of 6 to 0)***

Tony McIlwain, Development Services Director, presented the commercial site plan for KMP Plumbing, located at 5500 Vantage Drive, requesting a variance to the Business Park District security fencing requirements to allow vinyl-coated chain-link fencing instead of wrought iron or decorative metal around the rear laydown yard used to store plumbing materials. City staff reviewed the proposed site plan, building elevations, parking, and landscaping, confirming that the project meets minimum parking standards and exceeds the required landscaping by more than double. Staff supports the request due to the fencing's location at the rear of the property, and the Planning and Zoning Commission recommended approval by a 6-0 vote.

There were no questions from council.

Motion made by Alexa Boedeker and seconded by Larry Scott to approve.

Motion passed 7-0.

B. CSO#6318-10-2026, resolution for a Commercial Site Plan with a variance to the number of minimum parking spaces required for the change of use of the existing commercial building to include a physical therapy clinic, retail and restaurant approximately 725 SW Wilshire BLVD (CSP26-020): Consider and take possible action on a. ***(Staff Contact: Tony D. McIlwain, Development Services Director*****) (*****The Planning and Zoning Commission recommended approval by a vote of 5 to 1).***

Tony McIlwain, Development Services Director, presented a request for approval of a commercial site plan with a parking variance to accommodate a Wonder dining concept and a physical therapy clinic within an existing building. Wonder offers meals

from celebrity chefs primarily through takeout and delivery, with limited seating and extended evening hours. The proposed uses would occupy a site with 10 existing parking spaces, compared to the 42 spaces typically required for a restaurant, resulting in a deficiency of 32 spaces. Staff supported the variance based on the anticipated takeout-focused business model and the differing operating hours of the two tenants. The Planning and Zoning Commission recommended approval by a 5-1 vote, subject to a condition requiring a new parking variance if a change in use or new certificate of occupancy results in a combined parking requirement exceeding 25 spaces.

Mayor Pro Tem Dan McClendon questioned how the 10 parking spaces were determined and raised concerns that a previously approved shared parking agreement had never been formally filed, potentially creating future conflicts among tenants over parking access. Staff confirmed the agreement was not filed and stated that additional information regarding any private agreements or property owner notifications would need to be verified. Mayor Pro Tem McClendon expressed support for the concept but concerned about potential future disputes. Mayor Chris Fletcher also supported the request and asked whether parking complaints would become a police enforcement issue. Staff explained that the city could address violations such as blocked fire lanes or illegal parking but would not intervene in disputes over parking in front of individual businesses. Staff noted that the businesses' differing operating hours could help manage parking demand.

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

Motion passed 7-0.

7. GENERAL

A. CSO#6301-10-2026, resolution authorizing the commencement of negotiations and, if necessary, the filing of eminent domain proceedings for the purpose of acquiring property interests for use by the City for the construction of the Hulen Street Widening Project (ST2306) and for other public purposes permitted by law. *(Staff Contact: Randy Morrison, PE, Director of Capital Engineering)*

Randy Morrison, Director of Capital Engineering, presented a resolution authorizing the acquisition of necessary property interests and, if needed, eminent domain proceedings for the Hulen Street widening project from SH 174 (Wilshire Boulevard) to Candler Drive. The project will expand the roadway to four lanes, add shared-use paths and utility infrastructure, and install a new traffic signal at Hulen Street and Candler Drive. The project requires eleven right-of-way acquisitions, six drainage easements, three water line easements, two sidewalk easements, and eleven temporary grading easements. Staff and the project team are currently negotiating with property owners to obtain the necessary property interests. The presentation included maps identifying the proposed acquisition locations and explained how

adjustments to the roadway alignment would minimize impacts to an existing bank near the Hulen Street and Wilshire Boulevard intersection.

There were no questions from council.

Motion made by Dan McClendon and seconded by Adam Russell to approve that the City Council of the City of Burleson authorize the use of the power of eminent domain to acquire the right-of-way, permanent water line easements, permanent drainage easements, sidewalk easements, and temporary grading easements described in Resolution Number CSO#6301-10-2026, as presented, specifically:

- a 0.298 acre (12,962square foot) water line easement on property described in Instrument Number 2018-33461, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 1 Water Line Easement to the Resolution;
- a 0.750 acre (32,661square foot) right-of-way on property described in Instrument Number 2021-6701, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 2 Right-of-Way to the Resolution;
- a 0.792 acre (34,515 square foot) right-of-way on property described in Instrument Number 2021-6701, Deed Records of Johnson County, Texas (D.R.J.C.T.) , as more fully described in Exhibit A – Parcel 3 Right-of-Way to the Resolution;
- a 25 square foot permanent sidewalk easement on property described as Lot 1, Block 2, Shannon Creek Phase I, on the plat recorded in Volume 009, Page 0647, Plat Records of Johnson County, Texas (P.R.J.C.T.) and in Instrument Number 2007-38044, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 19 Sidewalk Easement to the Resolution;
- a 0.228 acre (9,950 square foot) variable width right-of-way on property described in Instrument Number 2016-7339, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 28 Right-of-Way to the Resolution;
- a 1.140 acre (49,675 square foot) variable width right-of-way on property described in Instrument Number 20120001440, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 29 Right-of-Way to the Resolution;
- a 0.343 acre (14,929 square foot) temporary grading easement on property described in Instrument Number 20120001440, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 29 Temporary Grading Easement to the Resolution;
- a 0.077 acre (3,370 square foot) sidewalk easement on property described in Instrument Number 20120001440, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 29 Sidewalk Easement to the Resolution;
- a 0.029 acre (1,275 square foot) temporary grading easement on property described as Lot 1, Block 1, Tantara Estates on the plat recorded in Volume 008, Page 368 Plat Records of Johnson County, Texas (P.R.J.C.T.), as more fully described in Exhibit A – Parcel 34 Temporary Grading Easement to the Resolution;

- a 0.105 acre (4,585 square foot) variable width right-of-way on property described as Lot 1, Bock 3, Tantara Estates on the plat recorded in Volume 008, Page 368, Plat Records of Johnson County, Texas (P.R.J.C.T.), as more fully described in Exhibit A – Parcel 35A Right-of-Way to the Resolution;
- a 0.124 acre (5,400 square foot) temporary grading easement on property described as Lot 1, Bock 3 on the plat recorded in Volume 008, Page 368, Plat Records of Johnson County, Texas (P.R.J.C.T.), as more fully described in Exhibit A – Parcel 35A Temporary Grading Easement to the Resolution;
- a 0.029 acre (1,264 square foot) drainage easement on property described as Lot 1, Bock 3, Tantara Estates on the plat recorded in Volume 008, Page 368, Plat Records of Johnson County, Texas (P.R.J.C.T.), as more fully described in Exhibit A – Parcel 35A Drainage Easement to the Resolution;
- a 0.038 acre (1,635 square foot) variable width right-of-way on property described in Instrument Number 2019-12861, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 35B Right-of-Way to the Resolution;
- a 0.037 acre (1,618 square foot) temporary grading easement on property described in Instrument Number 2019-12861, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 35B Temporary Grading Easement to the Resolution;
- a 0.014 acre (618 square foot) water line easement on property described in Instrument Number 2019-12861, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 35B Water Line Easement to the Resolution;
- a 0.513 acre (22,336 square foot) variable width right-of-way on property described in deed filed in Volume 3610, Page 114, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 36 Right-of-Way to the Resolution;
- a 0.125 acre (5,464 square foot) temporary grading easement on property described in deed filed in Volume 3610, Page 114, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 36 Temporary Grading Easement to the Resolution;
- a 0.201 acre (8,747 square foot) water line easement on property described in deed filed in Volume 3610, Page 114, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 36 Water Line Easement to the Resolution;
- a 0.662 acre (28,849 square foot) variable width right-of-way on property described in deed filed in Volume 2811, Page 404, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 37 Right-of-Way to the Resolution;
- a 0.212 acre (9,231 square foot) temporary grading easement on property described in deed filed in Volume 2811, Page 404, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 37 Temporary Grading Easement to the Resolution;
- a 0.10 acre (450 square foot) drainage easement on property described in deed filed in Volume 2811, Page 404, Deed Records of Johnson County, Texas

(D.R.J.C.T.), as more fully described in Exhibit A – Parcel 37 Drainage Easement to the Resolution;

- a 0.033 acre (1,457 square foot) variable width right-of-way on property described in deed filed in Volume 010, Page 388, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 38 Right-of-Way to the Resolution;
- a 0.031 acre (1,361 square foot) temporary grading easement on property described in deed filed in Volume 010, Page 388, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 38 Temporary Grading Easement to the Resolution;
- a 2.081 acre (90,649 square foot) variable width right-of-way on property described in Instrument Number 2023-22161, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 39 Right-of-Way to the Resolution;
- a 0.438 acre (19,054 square foot) temporary grading easement on property described in Instrument Number 2023-22161, Deed Records of Johnson County, Texas (D.R.J.C.T.) , as more fully described in Exhibit A – Parcel 39 Temporary Grading Easement to the Resolution;
- a 0.532 acre (23,175 square foot) drainage easement on property described in Instrument Number 2023-22161, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 39 Drainage Easement to the Resolution;
- a 0.005 acre (225 square foot) drainage easement on property described in Instrument Number 2023-22161, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 39 Drainage Easement to the Resolution;
- a 0.041 acre (1,779 square foot) variable width right-of-way on property described in Instrument Number 2011-16721, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 40 Right-of-Way to the Resolution;
- a 0.034 acre (1,467 square foot) temporary grading easement on property described in Instrument Number 2011-16721, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 40 Temporary Grading Easement to the Resolution;
- a 400 square foot temporary grading easement on property described as Lot 1-R-2, Bock 1, Southcliff Addition on the plat recorded in Volume 008, Page 381, Plat Records of Johnson County, Texas (P.R.J.C.T.), and described in Instrument Number 2025-35458, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 62 Temporary Grading Easement to the Resolution;
- a 0.007 acre (300 square foot) drainage easement on property described as Lot 1-R-2, Bock 1, Southcliff Addition on the plat recorded in Volume 008, Page 381, Plat Records of Johnson County, Texas (P.R.J.C.T.), and described in Instrument Number 2025-35438, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 62 Drainage Easement to the Resolution;

- a 840 square foot temporary grading easement on property described as Lot 1-R, Bock 1, Southcliff Addition on the plat recorded in Volume 008, Page 381, Plat Records of Johnson County, Texas (P.R.J.C.T.), and described in deed recorded in Volume 2138, Page 193, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 63 Temporary Grading Easement to the Resolution;
- a 0.017 acre (750 square foot) drainage easement on property described as Lot 1-R, Bock 1, Southcliff Addition on the plat recorded in Volume 008, Page 381, Plat Records of Johnson County, Texas (P.R.J.C.T.), and described in deed recorded in Volume 2138, Page 193, Deed Records of Johnson County, Texas (D.R.J.C.T.), as more fully described in Exhibit A – Parcel 63 Drainage Easement to the Resolution; and

for the purpose of construction, operation, and maintenance of the Hulen Street Widening Project to serve existing and new development in the City and for other public purposes as permitted by law, and I further move to adopt Resolution Number CSO#6301-10-2026, as presented. The first record vote will apply to all units of property to be condemned.

Motion passed 7-0.

B. Ordinance amending Chapter 14, "Businesses", of the Code of the Ordinances by amending various sections of Article XII "Short -Term Rental Registration" to provide for new definitions, to provide that the hotel occupancy tax ordinance be satisfied to receive a short-term rental permit or any renewal, to provide that any short-term rental permit may be denied or revoked for failure to comply with the hotel occupancy ordinance, and to provide that short-term rentals must collect and remit tax pursuant to the City's hotel occupancy tax ordinance. *(First Reading) (Staff Contact: Tony D. McIlwain, Development Services Director)*

Tony McIlwain, Development Services Director, presented proposed amendments to Chapter 14 of the Code of Ordinances to clarify hotel occupancy tax requirements for short-term rentals. The amendments would require short-term rental operators to remit the applicable hotel occupancy tax to the City and establish failure to comply with the tax ordinance as grounds for permit revocation. Staff reported 36 approved short-term rentals, with six or seven additional applications under review, and recommended that Development Services and Finance continue working together to collect taxes without third-party assistance or an electronic tax administration system. If approved, staff would notify permitted operators of the changes and revise the permit to clearly identify their tax obligations.

Council discussed when the tax collection requirements should take effect, including concerns about customers who had already booked and paid for reservations at rates that did not include the tax. The City Attorney explained that the tax would be imposed

in addition to the agreed rental fee and suggested delaying the effective date to allow operators sufficient time to notify customers.

Motion made by Dan McClendon and seconded by Alexa Boedeker to approve collecting the tax effective January 1, 2027, and to notify all permitted short-term rental operators so they could inform their customers.

Motion passed 7-0.

C. Ordinance amending Article II, "Hotel Occupancy Tax" of Chapter 74, "Taxation", of the Code of Ordinances by amending the definitions in the chapter, to provide additional language regarding remittance, to provide that the city manager may request additional documentation for reports, to provide additional remedies to the city for violations and imposing interest and penalties for late payments, to provide language making it a misdemeanor offense to violate the chapter, to provide language specifying the city's use of tax monies received and requiring the city maintain certain books and accounts, and to provide collection procedures upon the sale of a hotel. ***(First Reading) (Staff Contact: Tony D. McIlwain, Development Services Director)***

Tony McIlwain, Development Services Director, presented proposed amendments to Chapter 74, Taxation, of the Code of Ordinances to update regulations related to short-term rentals and hotels and maintain compliance with state law. The amendments revise definitions to include short-term rentals and exclude oil field portable units, establish definitions for owner, short-term rental, and tax assessor-collector, and authorize the City Manager to request additional documentation verifying tax reports. Additional provisions address delinquent taxes, including a 15% penalty when taxes remain delinquent for at least one municipal fiscal quarter, a $500 criminal fine, and procedures for tax collection, recordkeeping, and hotel purchases. Staff supported the amendments to update the ordinance and fulfill Council's direction to bring the City's tax regulations into compliance with current state law.

There were no questions from council.

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

Motion passed 7-0.

D. CSO#6319-10-2026, resolution approving the city's Americans with Disabilities Act Self-Evaluation and Transition Plan prepared by engineering planning and design consultants, Kimley-Horn. ***(Staff Contact: Cheryl Marthiljohni, Director of Human Resources/ADA Coordinator)***

Cheryl Marthiljohni, Director of Human Resources, introduced Brian Shamburger, with Kimley Horn. Mr. Shamburger presented the City's ADA Self-Evaluation and Transition Plan, developed over the past year to identify barriers and improve

accessibility to City programs, services, buildings, parks, and public rights-of-way. The evaluation included 17 public buildings, 21 parks, and 235 miles of sidewalks, along with a review of City policies and programs, staff training, and public outreach. The plan identifies barriers, recommended solutions, estimated costs, and priorities for corrective actions. The total estimated cost to address identified barriers is approximately $86 million, with more than $60 million associated with sidewalks. Following feedback from the Advisory Council on People with Disabilities, the public, and the Infrastructure and Development Committee, a 40-year implementation schedule was recommended to spread costs over time. The plan is intended to serve as a living document to guide future capital projects, budgeting, and funding opportunities.

There were no questions from council.

Bill Wilson, 457 Irene Street, spoke in support of addressing ADA accessibility needs throughout the city, describing challenges he experiences using a wheelchair, including inaccessible business entrances, steep curb ramps, damaged sidewalks, blocked pedestrian routes, and safety concerns with fast-moving bicycles and e-bikes in parks.

Council members emphasized the importance of addressing accessibility barriers while recognizing the significant long-term financial commitment and the need to prioritize improvements based on severity, usage, and available funding. Members supported addressing smaller, permanent improvements inside public buildings first, followed by sidewalk and other infrastructure improvements as funding allows. Council also discussed the need for stronger enforcement against vehicles blocking sidewalks and requested continued updates on project priorities and funding opportunities.

Motion made by Dan McClendon and seconded by Larry Scott to approve with a 40-year implementation plan.

Motion passed 7-0.

E. ~~**CSO#6320-10-2026, resolution determining the costs of certain authorized improvements to be financed by Chisholm Summit Public Improvement District for Improvement Area #1 thereof; approving a Preliminary Service and Assessment plan, including the proposed assessment roll for Improvement Area #1; calling a regular meeting and noticing a public hearing for November 9, 2026 to consider an ordinance levying assessments on property located within Improvement Area #1 of said District; directing the filing of the proposed assessment roll with the city secretary to make available for public inspection; directing city staff to publish and mail notice of said public hearing; and resolving other matters incident and related thereto.** ***(Staff Contact: Tony D. McIlwain, Development Services Director)*** **- REMOVED**

Item 7E was removed from the agenda.

8. REPORTS AND PRESENTATIONS

A. Receive a report, hold a discussion, and provide staff direction on a proposed project for FY27 Community Development Block Grant (CDBG) funds. *(Staff Contact: Janalea Hembree, Director of Strategy and Innovation)*

Janalea Hembree, Director of Strategy and Innovation, presented an overview of the FY 2027–2029 Community Development Block Grant (CDBG) agreement with Tarrant County, which provides approximately $355,000 annually, with 80% (estimated at $285,000) available for eligible City projects and 20% retained by the County for administration. Eligible projects must meet HUD requirements, including low- to moderate-income benefit criteria. Staff recommended the Senior Activity Center as the FY 2027 project due to its extensive interior and exterior ADA improvement needs, including restrooms, signage, flooring, parking, striping, and sidewalks. Additional potential improvements include energy-efficient lighting and solar panels. Staff emphasized the 14-month project completion deadline and the importance of fully expending the allocated funds to maintain future grant eligibility. The proposed timeline includes submitting draft proposals in December, Council consideration in February, and construction completion by April or May of the following year.

Council discussed whether the Senior Activity Center improvements would use the full grant allocation. Staff confirmed that preliminary estimates for interior and exterior ADA improvements total approximately $300,000. Council also suggested considering protective bollards in front of the building due to vehicles striking the structure. The committee recommended moving forward with the Senior Activity Center for FY 2027, beginning discussions early in the new year regarding projects for FY 2028 and FY 2029, and budgeting approximately 15% above the anticipated CDBG allocation for engineering and design to allow work to begin sooner. Council was in favor of the project and asked staff to move forward.

B. Receive a report, hold a discussion, and provide staff direction regarding winter-quarter averaging for utility billing. *(Staff Contact: Lauren Seay, Deputy Director of Administrative Services)*

Lauren Seay, Deputy Director of administrative Services, presented a review of the City's winter quarter averaging methodology for wastewater billing following concerns raised by a resident regarding its impact on new customers. Staff reviewed the City's practices and compared them with peer cities, finding that winter averaging remains the predominant approach. The City calculates the average water consumption for January, February, and March, applying a 12,000-gallon cap, and uses that amount to establish monthly wastewater charges for the year. Customers without an established winter average are billed using the citywide residential average rather than the previous occupant's usage. Staff explained the advantages and limitations of winter averaging compared with billing based on actual consumption, noting that the latter may include outdoor water use that does not enter the sewer system. The review

found that the existing methodology is consistent with practices used by other cities and resulted in lower wastewater charges for the residents who raised the concern.

Council expressed support for the staff's recommendation to continue the current methodology, acknowledging that no billing approach is perfect given the challenges of accurately measuring residential wastewater. There were no questions from council.

9. CITY COUNCIL REQUEST FOR 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

- Receive a report and hold a discussion regarding a Rule 11 agreement and abatement plan for the property located at 393 S Warren St in Burleson, Johnson County, Texas
- Negotiations and potential eminent domain action for the acquisition of real property interests for the construction, operation, and maintenance of the Hulen Street Widening Project to serve existing and new development in the City and for other public purposes permitted by law

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

- Deliberation regarding the purchase, exchange, lease, or value of real property to be acquired for the construction, operation, and maintenance of the Hulen Street Widening Project to serve existing and new development in the City

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

Mayor Fletcher announced that the Council would convene into Executive Session.
Time: 7:35 p.m.

Mayor Fletcher announced that the Council would reconvene into open session.
Time: 7:48 p.m.

11. ADJOURNMENT

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

Motion passed 7-0.

Mayor Chris Fletcher adjourned the meeting.

Time: 7:48 p.m.

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Monica Solko
Deputy City Secretary