



City Council  
City Council Regular Meeting Agenda

Monday, February 05,  
2024  
5:30 PM

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Live Stream at <https://www.burlesontx.com/watchlive>

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City Hall Council Chambers, 141 W. Renfro, Burleson, TX 76028

1. **CALL TO ORDER**

Invocation - Rusty Gilliam, Pastor Cross Timbers Baptist 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

B. Presentations

C. Community Interest Items

This is a standing item on the agenda of every regular meeting of the City Council. An "item of community interest" includes the following:

- Expression of thanks, congratulations, or condolence;
- Information regarding holiday schedules;
- Honorary recognitions of city officials, employees, or other citizens;
- Reminders about upcoming events sponsored by the city or other entity that is scheduled to be attended by city official or city employee; and
- Announcements involving imminent public health and safety threats to the city.

3. **CHANGES TO POSTED AGENDA**

A. Items to be continued or withdrawn.

B. Items to be withdrawn from the Consent Agenda for separate discussion by the City Council, staff, or members of the public in attendance. Items to be added to the Consent Agenda require an official vote by the City Council.

4. **CITIZENS APPEARANCES**

Each person in attendance who desires to speak to the City Council on an item NOT posted on the agenda, shall speak during this section.

A speaker card must be filled out and turned in to the City Secretary prior to addressing the City Council. Each speaker will be allowed three (3) minutes.

Please note that City Council may only take action on items posted on the agenda. The Texas Open Meetings Act prohibits the City Council from deliberating or taking action on an item not listed on the agenda. City Council may, however, receive your comments on the unlisted item, ask clarifying questions, respond with facts, and explain policy.

Each person in attendance who desires to speak to the City Council on an item posted on the agenda, shall speak when the item is called forward for consideration.

## **5. CONSENT AGENDA**

All items listed below are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of the items. Approval of the consent agenda authorizes the City Manager to implement each item in accordance with staff recommendations.

- A. Consider approval of the minutes from the January 22, 2024 regular council meeting. *(Staff Contact: Amanda Campos, City Secretary)*
- B. Consider approval of a purchasing agreement for dredging services by American Underwater Services LLC for Bailey Lake Park via an interlocal agreement with the City of Southlake in the amount of \$72,450.00. *(Staff Contact: Jen Basham, Parks and Recreation Director)*
- C. Consider approval of an estoppel certificate concerning Burleson Cold Storage, LP and Burleson Cold Storage II, LP Tax Abatement Agreement and an Assignment of Tax Abatement between Burleson Cold Storage, LP, a Delaware Limited Partnership and VCS Burleson Property I, LLC, a Delaware Limited Liability Company, and the City of Burleson, Texas, Johnson, County on the subject property in HighPoint Business Park. *(Staff Contact: Alex Phillips, Economic Development Director)*
- D. Consider approval of a request for a permanent aerial easement and right-of-way to Oncor Electric Delivery Company, LLC, located at 2321 SW Wilshire Blvd. *(Staff Contact: Michelle McCullough, Assistant Director/City Engineer)*
- E. Consider approval of a Resolution for the City of Burleson's Equal Employment Opportunity Plan (EEO). *(Staff Contact: Wanda Bullard, Interim Director of Human Resources)*
- F. ETJ Release Petition for 2825 Bryan St (Case 24-002): Consider denial of a petition for release from the City of Burleson extraterritorial jurisdiction (ETJ) for approximately 3.99 acres of land addressed as 2825 Bryan St. *(Staff Contact: Tony McIlwain, Development Services Director)*  
*(No Planning and Zoning Commission action was required for this item)*

## **6. DEVELOPMENT APPLICATIONS**

- A. 1560 Broad Valley Court (Case 23-345): Hold a public hearing and consider approval of an ordinance for a zoning change request from "SFR", Single-family rural district to "SFE", Single-family estate district for 4.619 acres of property. *(First and Final Reading)* *(Staff Presenter: Tony McIlwain, Development Services Director)* *(The Planning and Zoning Commission recommended approval by unanimous vote)*
- B. Alley Cats at 1258 SW Alsbury Blvd. (Case 23-399): Consider approval of a resolution for a variance to Chapter 63, Sign Regulations, relating to the number of poster signs per elevation. *(Staff Presenter: Tony McIlwain, Development Services Director)*

**7. GENERAL**

- A. Consider approval of a Resolution ordering the May 4, 2024 General Election. *(Staff Presenter: Amanda Campos, City Secretary)*
- B. Consider approval of a Joint Election Resolution with the Burleson Independent School District for the May 4, 2024 General Election. *(Staff Presenter: Amanda Campos, City Secretary)*
- C. Consider approval of a bid award to 2L Construction for the Ellison Street and Parking Improvements project in the amount of \$2,911,727.40 with a project contingency of \$60,000. *(Staff Presenter: Tiana Jackson, Engineering Manager – Capital)*
- D. Consider an ordinance altering the Speed Limit along Hemphill Street between NE Alsbury Boulevard and Burleson City Limits from 45 miles per hour to 40 miles per hour; directing the City Manager or designee to erect the appropriate signage; incorporating the recitals into the body of the ordinance; finding and determining that the meeting at which this ordinance is passed is open to the public as required by law; providing a cumulative clause, a severability clause, a savings clause, a penalty clause, and an effective date. *(First and Final Reading)* *(Staff Presenter: Errick Thompson, Director of Public Works & Engineering)*
- E. Consider approval of a resolution authorizing a right-of-way use agreement for a removable metal canopy with removable decorative metal and wood fence and bollards for an existing outdoor seating patio at 112 W. Ellison Street, Old Texas Brewing Company. *(Staff Presenter: Tony McIlwain, Development Services Director)*
- F. Consider approval of a resolution setting a public hearing to be held jointly by the City Council and the Planning and Zoning Commission on March 4, 2024, to consider an ordinance amending the City of Burleson Zoning Ordinance codified in Appendix B of the City of Burleson Code of Ordinances relating to liquor sales. *(Staff Presenter: Tony McIlwain, Development Services Director)*
- G. Consider approval of a resolution setting the method by which notice shall be given of the joint public hearing to be held jointly by the City Council and the Planning and Zoning Commission on March 4, 2024 to consider an ordinance amending the City of Burleson Zoning Ordinance codified in Appendix B of the City of Burleson Code of Ordinances relating to liquor sales. *(Staff Presenter: Tony McIlwain, Development Services Director)*

**8. REPORTS AND PRESENTATIONS**

- A. Hold a discussion and receive a report regarding the Burleson Public Library master plan and facility study. *(Staff Presenter: DeAnna Phillips, Community Services Director)*
- B. Receive a report, hold a discussion and provide staff feedback regarding Burleson Fire/EMS delivery of ambulance transportation services *(Staff Presenter: Casey Davis, Assistant Fire Chief)*
- C. Receive a report and hold a discussion regarding the city's contract with Focused Advocacy. *(Staff Presenter: Matt Ribitzki, Senior Deputy City Attorney)*

**9. CITY COUNCIL REQUESTS AND FUTURE AGENDA ITEMS AND REPORTS****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 Subchapter D of Chapter 42 of the Local Government Code and existing development agreements
- Receive a report and hold a discussion regarding the internal investigation into Human Resources Department Complaint No. 2023-0001 and No. 2023-0002
- Receive a report and hold a discussion regarding U.S. Equal Employment Opportunity Commission Charge No. 450-2024-03370
- Receive a report and hold a discussion regarding City liability under the Texas Tort Claims Act and Recreational Use Statute for City parks and recreational areas
- Receive a report and hold a discussion regarding the City's interlocal agreement with Johnson County regarding platting in the City's extraterritorial jurisdiction pursuant to Chapter 242 of the Texas Local Government Code
- Receive a report and hold a discussion regarding the Mockingbird Lane to CR 914A sanitary sewer, the Chapter 380 and Economic Development and Performance Agreement between the City of Burleson, the Burleson 4A Economic Development Corporation, R.A. Development, Ltd., et al. for Chisholm Summit, and the construction contract between R.A. Development, Ltd., and Dagger Construction

**B. 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 Ducky's Revenge

**11. ADJOURNMENT**

**CERTIFICATE**

I hereby certify that the above agenda was posted on this the 31st of January 2024, by 5:00 p.m., on the official bulletin board at the Burleson City Hall, 141 W. Renfro, Burleson, Texas.



Amanda Campos

City Secretary

**ACCESSIBILITY STATEMENT**

The Burleson City Hall is wheelchair accessible. The entry ramp is located in the front of the building, accessible from Warren St. Accessible parking spaces are also available in the Warren St. parking lot. Sign interpretative services for meetings must be made 48 hours in advance of the meeting. Call the A.D.A. Coordinator at 817-426-9600, or TDD 1-800-735-2989.