



City Council
City Council Regular Meeting Agenda

Monday, September 19,
2022
5:30 PM

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

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

1. **CALL TO ORDER**

Invocation - Kevin Walkeiak, 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

Proclamation recognizing the Week of September 19, 2022, the 235th anniversary of the framing of the constitution, as Constitution Week. *(Recipient: Betsy Ruffin, Daughters of the American Revolution, Nathaniel Winston Chapter)*

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A. Items to be continued or withdrawn.

B. Items to be withdrawn from the Consent Agenda for separate discussion by the City Council, staff, or members of the public in attendance.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 September 6, 2022 regular council meeting and September 12, 2022 special council meeting. (*Staff Contact: Amanda Campos, City Secretary*)
- B. Consider approval of a five year contract with B&W Wrecker serving as an approved operator in the city of Burleson's rotation pursuant to ordinance B-67B. (*Staff Contact: Justin Scharnhorst, Purchasing Manager*)
- C. Consider approval of a five year contract with Beard's Towing serving as an approved operator in the city of Burleson's rotation pursuant to ordinance B-67B. (*Staff Contact: Justin Scharnhorst, Purchasing Manager*)
- D. Consider approval of an ordinance authorizing a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the company's 2022 rate review mechanism filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attachment establishing a benchmark for pensions and retiree medical benefits; requiring the company to reimburse ACSC's reasonable ratemaking expenses; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of the ordinance to the company and ACSC's legal counsel. (Final Reading) (*Staff Contact: Matt Ribitzki, Deputy City Attorney/Compliance Manager*)
- E. Consider approval of a resolution approving and accepting the bid from Ferguson Enterprises, LLC. for pipe and appurtenances for one year in the amount not to exceed \$139,100. (*Staff Contact: Eric Oscarson, Director of Public Works*)
- F. Consider approval of a professional services contract with Brinkley Sargent Wiginton Architects for City Hall Renovation design in an amount not to exceed \$283,392. (*Staff Contact: Eric Oscarson, Director of Public Works*)

- G. Consider approval of resolution authorizing a real estate contract with Jerry L. Trimble, as seller, to purchase fee simple title to a 3.96 acre tract of land, more or less, situated in Johnson County, Texas, commonly known as 2413 SW Hulen Street; authorizing the City Manager to execute all documents necessary to close on the contract; authorizing the expenditure of funds; and providing an effective date. *(Staff Contact: Eric Oscarson, Public Works Director)*
- H. Approve a resolution authorizing staff to enter negotiations with CHC Development in response to their submission on RFP 2022-12, sale or long-term ground lease of real property located at 130 East Renfro Street, Burleson, Texas. *(Staff Contact: Alex Philips, Economic Development Director)*
- I. Consider approval of an ordinance readopting curfew hours for minors under Article IV of Chapter 54 "Curfew" of the Code of Ordinances. (Final Reading) *(Staff Contact: Tim Mabry, Criminal Investigations Sergeant)*
- J. Consider approval of a three year contract with Core and Main, L.P. for the purchase of water meters with a total not to exceed \$553,032. *(Staff Contact: Eric Oscarson, Director of Public Works)*
- K. Consider a resolution for the rejection of all proposals responsive to RFP 2022-015 for a near site clinic for City of Burleson employees. *(Staff Presenter: Rick DeOrdio, Director of Human Resources)*
- L. Consider approval of a change order to an existing contract with Luminare, Inc. to pay final invoicing for the COVID-19 vaccine scheduling software in the amount not to exceed \$13,220.90. *(Staff Contact: K.T. Freeman, Fire Chief)*
- M. Consider approval of a resolution authorizing the City Manager to execute all necessary documents and make necessary expenditures to enter into and close on a real estate contract with John and Linda Martindale, as seller, to purchase fee simple title to approximately 11,722 square feet of land out of the H.G. Catlett Survey Abstract No. 185 in Johnson County, Texas. *(Staff Contact: Michelle McCullough, Assistant Director of Public Works)*

6. DEVELOPMENT APPLICATIONS

- A. **200 S Dobson (Case 22-108):** Hold a public hearing and consider approval of an ordinance for a zoning change request from "SF7", Single-family dwelling district-7, to "SFA" Single-family attached dwelling district for future residential development. *(First and Final Reading) (Staff Presenter: Tony McIlwain, Director of Development Services) (The Planning and Zoning Commission motion for approval failed to pass 2-2).*

7. GENERAL

- A. Consider approval of a minute order appointing members to all the City of Burleson boards/commissions. *(Staff Presenter: Amanda Campos, City Secretary)*

8. REPORTS AND PRESENTATIONS

9. CITY COUNCIL REQUESTS AND FUTURE AGENDA ITEMS AND REPORTS

10. RECESS INTO EXECUTIVE SESSION

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**
- B. Discussion Regarding Possible Purchase, Exchange, Lease, or Value of Real Property Pursuant to Section 551.072**
- C. Deliberation regarding a negotiated contract for a prospective gift or donation to the state or the governmental body Pursuant to Section 551.073**
- D. Personnel Matters Pursuant to Section 551.074**
- E. Deliberation regarding (1) the deployment, or specific occasions for implementation of security personnel or devices; or (2) a security audit Pursuant to Sec. 551.076**
- F. 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**
- G. Pursuant to Sec 418.183(f), deliberation of information related to managing emergencies and disasters including those caused by terroristic acts (must be tape recorded)**

CERTIFICATE

I hereby certify that the above agenda was posted on this the **14th of September 2022, 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.