



City Council  
City Council Regular Meeting Agenda

Monday, September 18,  
2023  
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 - Stacy Singleton

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 September 17 - September 23, 2023 as "Constitution Week" in the City of Burleson. (Recipient: Nathaniel Winston Chapter, National Society Daughters of the American Revolution)

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A. Items to be continued or withdrawn.

B. Items to be withdrawn from the Consent Agenda for separate discussion by the City Council, staff, or members of the public in attendance.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 5, 2023 regular council meeting and September 11, 2023 special council meeting. (*Staff Contact: Amanda Campos, City Secretary*)
- B. Consider approval of an ordinance amending Article III "Flood Damage Prevention" of Chapter 42 "Floods" of the City of Burleson Code of Ordinances. (*Final Reading*) (*Staff Contact: Errick Thompson, Deputy Public Works Director*)
- C. Consider approval of a minute order authorizing the proposed rate increase from Waste Connections Lone Star, Inc. permissible to the terms and conditions of the existing contract to be effective October 1, 2023. (*Staff Contact: Eric Oscarson, Director of Public Works*)
- D. Consider approval of an estoppel certificate acknowledging Burleson Cold Storage, LP and Burleson Cold Storage II, LP's Tax Abatement Agreement on the subject property in HighPoint Business Park. (*Staff Contact: Alex Philips, Economic Development Director*)
- E. Consider approval of an Assignment of Tax Abatement between Burleson Cold Storage, LP, a Delaware Limited Partnership and TMV Highpoint Owner, 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 Philips, Economic Development Director*)
- F. Consider approval of an ordinance amending the city's utility customer service leak adjustment policy in Section 82-11 of Division 1 "Utility Charges and Fees" of Article 1 "General" of Chapter 82 "Utilities" of the City of Burleson Code of Ordinances. (*Final Reading*) (*Staff Contact: Jesse Elizondo, Director of Customer Service*)
- G. Consider approval of an amendment to contract CSO#5135-06-2023 for three years with ImageTrend, LLC for the purchase of a master software and services agreement for the Fire/EMS department records management system in the amount of \$26,528. (*Staff Contact: Casey Davis, Assistant Fire Chief*)

- H. Consider approval of amended City Council Policy #40 – City Boards, Commissions, Committees Appointment Process by adding new sections VI. Member Responsibilities, VII. Process to address concerns, and VIII. Burleson Rules of Order. (*Staff Contact: Amanda Campos, City Secretary*)
- I. Consider approval of an ordinance amending CSO#660-08-2017, adopting the Official City Map. (Final Reading) (*Staff Contact: Amanda Campos, City Secretary*)
- J. Consider approval of a minute order seeking spending authorization for the purchase of products and services from Amazon Marketplace through the cooperative contract with Omnia Partners in an amount not to exceed \$150,000.00 for the fiscal year 2023-2024. (*Staff Contact: Justin Scharnhorst, Assistant to the City Manager*)
- K. Consider approval of a minute order adopting the 2024 Council Calendar. (*Staff Contact: Amanda Campos, City Secretary*)

## 6. **GENERAL**

- A. Hold a public hearing and consider approval of an ordinance amending Article VIII “International Property Maintenance Code” of Chapter 10 “Buildings and Building Regulations” of the City of Burleson Code of Ordinances by adopting the 2021 Edition of the of the International Property Maintenance Code and providing for modifications of the code to incorporate local amendments. (First Reading) (*Staff Presenter: Lisa Duello, Neighborhood Services Director*)
- B. Hold a public hearing and consider approval of an ordinance adopting the 2021 editions of the International Building Code, the International Residential Code, the International Plumbing Code, the International Mechanical Code, the International Fuel Gas Code, the International Energy Conservation Code, the International Swimming Pool and Spa Code, the International existing Building Code and local amendments thereto; adopting the 2020 edition of the National Electric Code and local amendments. (First Reading) (*Staff Presenter: Tony D. McIlwain, Development Services Director*)
- C. Hold a public hearing and consider approval of an ordinance amending Article V “International Fire Code” of Chapter 38 “Fire Prevention and Protection” of the City of Burleson Code of Ordinances by adopting the 2021 edition of the International Fire Code and providing for modifications of the code to incorporate local amendments. (First Reading) (*Staff Presenter: Rob Moore, Battalion Chief*)
- D. Hold a public hearing and consider approval of an ordinance abandoning and vacating a certain portion of a thirty (30) foot right-of-way and drainage easement located northeast of N Wilson St in the City of Burleson, Johnson County, Texas. (*Staff Presenter: Errick Thompson, Deputy Public Works Director*)
- E. Hold a public hearing and consider approval of an ordinance abandoning the public alley in Block 33, Original Town of Burleson, according to the plat recorded in Volume 59, Page 638, Deed Records, Johnson County, Texas, authorizing the City Manager to execute a Deed Without Warranty to the adjacent landowners. ( First and Final Reading) (*Staff Presenter: Errick Thompson, Deputy Public Works Director*)
- F. Hold a public hearing and consider approval of an ordinance abandoning the public right-of-way known as Pearl Street in the Original Town of Burleson, according to the plat recorded in Volume

59, Page 638, Deed Records, Johnson County, Texas, authorizing the City Manager to execute a Deed Without Warranty to the adjacent landowners. (First and Final Reading) *(Staff Presenter: Errick Thompson, Deputy Public Works Director)*

- G. Consider a Resolution adopting the City employee pay plans, benefit programs and updates to the employee handbook for Fiscal Year 2023-24. *(Staff Presenter: Rick DeOrdio, Director of Human Resources)*
- H. Consider approval of a resolution authorizing a five-year contract with Bureau Veritas as the primary contractor and Instant Inspections as the secondary contractor for third-party inspection services related to Environmental Services, Residential and Commercial Inspections and Fire Services Inspections pursuant to all applicable codes outlined in RFP 2023-011. *(Staff Presenter: Justin Scharnhorst, Assistant to the City Manager)*
- I. Consider approval of a resolution authorizing a five-year professional services contract with Independent Financial for depository services for the City of Burleson. *(Staff Presenter: John Butkus, Assistant Finance Director)*

## **7. REPORTS AND PRESENTATIONS**

- A. Receive a report, hold a discussion and provide staff direction regarding realignment of the Parks and Recreation Capital Improvement Plan. *(Staff Presenter: Jen Basham, Director of Parks and Recreation)*

## **8. CITY COUNCIL REQUESTS AND FUTURE AGENDA ITEMS AND REPORTS**

## **9. 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**
  - Right-of-Way use agreements with Baker Foundation of Burleson, Inc., Daltons Corner, LLC, Grumps, Ltd, Old Texas Brewing Co., Paradigms for Success, and Spice Rack Grill
- B. Discussion regarding possible purchase, exchange, lease, or value of real property pursuant to Section 551.072, Texas Government Code**
  - Approximately 30.76 acres of land in Burleson, Johnson County, Texas near the intersection of SW Hulen St and SW Alsbury Blvd, commonly known as 2140 SW Hulen St, 2410 SW Hulen St, 2250 SW Hulen St, and 1303 SW Hulen St
  - 130 E Renfro St in Burleson, Johnson County, Texas
- 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**
  - CHC Development
  - Project Frosty

## **CERTIFICATE**

I hereby certify that the above agenda was posted on this the 13th of September 2023, by 6:00 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.