Roll Call:

Council present:
Stuart Gillaspie
Dan McClendon
Matt Aiken
Ronnie Johnson

Council Absent:
Rick Green

DanO Strong
Ken Shetter

Staff
Dale Cheatham, City Manager
Paul Cain, Deputy City Manager
Amanda McCrory, City Secretary
City Attorney

Work Session - Call to Order: 6:00pm

1. Annexation. (Paul Cain)

- Moved to 6A. Reports & Discussion Items.

4. Presentation of Items from the Regular Agenda:

3E. Annexation Petition and CSO#381-02-2016 Resolution setting the public hearings to be held for the voluntary annexation of approximately 44.293 acres situated in the Hall Neilson Survey, Abstract 658, Johnson County, Texas, and located in the Burleson Extraterritorial Jurisdiction (ETJ) off of CR 602. (Case 16-007) (Justin Bond)

Justin Bond, Director of Development Services presented to council annexation petition voluntary for 44.293 acres case#16-007

3F. Annexation Petition and CSO#382-02-2016 Resolution setting the public hearings to be held for the voluntary annexation of approximately 48.266 acres situated in the Isaac Saunders Survey, Abstract No. 800, and the W.G. Ray Survey, Abstract No. 731, and the T.W. Bundick Survey, Abstract 77, Johnson County, Texas, and located in the Burleson Extraterritorial Jurisdiction (ETJ) off of FM 917. (Case 16-010) (Justin Bond)

Justin Bond, Director of Development Services presented to council annexation petition voluntary for 48.266 acres case#16-010
• Item 3H and 3K presented together as they are related items.

3H. Preliminary Plat of Oak Hills subdivision, Phases 1 and 2, being 48.224 acres of land in the H.G. Catlett Survey, Abstract 185, located on CR 1016. (Case 15-020)

3K. Public Hearing and consideration of CSO#385-02-2016 Ordinance, zoning change request from Agricultural (A) zoning district to Planned Development (PD) zoning district on 48.224 acres of land in the H.G. Catlett Survey, Abstract 185, located on CR 1016, City of Burleson, Johnson County, Texas. (First and Final Reading) (15-019)

Justin Bond, Director of Development Services presented to council items 3H. Preliminary Plat of Oak Hills and 3K. Ordinance for PD on CR 1016.

3I. Masonry Waiver granted for a residential development at Lots 1-3, Block 1, Clark Street Addition (Case 14-082) (Justin Bond)

Mayor Ken Shetter abstains from item discussion. (Mayor leaves the council chambers)
Mayor Pro Tem McClendon takes over the meeting. 6:13pm

Justin Bond, Director of Development Services presents to council Masonry waiver for Lots 1-3 Block 1 Clark Street addition.

Discussion ends and Mayor Shetter returns to the council chambers. 6:22pm

3J. Amendment to CSO#067-09-2014 Chapter 380 Economic Development Agreement with Burleson Land Company, Inc. for property located in the McNairn Plaza Addition.

Justin Bond, Director of Development Services presented to council amendment to Chapter 380 Economic Development Agreement with Burleson Land Company.

2. Executive Session: Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sec. 551.071, Sec. 551.072, Sec. 551.073, Sec. 551.074, Sec. 551.076, Sec. 551.087 and Sec. 418.0183(f) of the Texas Government Code (Texas Disaster Act). Refer to posted list attached hereto and incorporated herein. Executive Session may be held, under these exceptions, at any time during the meeting that a need arises for the City Council to seek advice from the City Attorney as to the posted subject matter of this City Council meeting

Motion was made by Matt Aiken and seconded by DanO Strong to convene into executive session.

Motion passed 6-0. Rick Green absent. Time: 6:27pm
Motion was made by Dan McClendon and seconded by Matt Aiken to reconvene into open session.

Motion passed 6-0. Rick Green absent. **Time: 7:11pm**

3. **Reconvene into open session for possible action resulting from any items posted and legally discussed in Executive Session**

**REGULAR SESSION**

**Call to order – Time: 7:11pm**

**Invocation** – Veronica Sites

**Pledge of Allegiance**

**Presentations**

1A. **Proclamations**

None

1B. **Presentations**

- Comprehensive Annual Financial Report (CAFR) presented by Robert Schopshire from Pattillo, Brown, and Hill.

1C. **Community Interest Items**

None

1D. **Citizen Appearance**

None

**Items to be continued or withdrawn**

**Items to be withdrawn from the consent agenda for separate discussion.**

2C. Ordinance Amending Ordinance Amending Chapter 54 of the City Code Concerning Operation of Community Homes (Final Reading)

**Consent Agenda**

2A. **Minutes from the February 1, 2016 regular council meeting.**

Motion was made by Stuart Gillaspie and seconded by Dan McClendon to approve.
Motion passed 6-0. Rick Green absent.

2B. CSO#378-02-2016 Ratification of Burleson 4A Economic Development Corporation Resolution 4A021516BLC Purchase, actions for property located on State Highway 174 between McNairn Rd and Springtide Dr.

Motion was made by Stuart Gillaspie and seconded by Dan McClendon to approve.

Motion passed 6-0. Rick Green absent.

2C. CSO#386-02-2016 Ordinance Amending Ordinance Amending Chapter 54 of the City Code Concerning Operation of Community Homes (Final Reading)

*Item moved to the regular agenda to be considered after item 3D

2D. CSO#379-02-2016 Minute Order accepting the annual audit for the fiscal year ended September 30, 2015. (Rhett Clark)

Motion was made by Stuart Gillaspie and seconded by Dan McClendon to approve.

Motion passed 6-0. Rick Green absent.

2E. CSO#380-02-2016 Minute Order Cancelling March 7, 2016 Council Meeting Date. (Amanda McCrory)

Motion was made by Stuart Gillaspie and seconded by Dan McClendon to approve.

Motion passed 6-0. Rick Green absent.

2F. Minor Plat of Lot 1, Block 1, Weiss East Addition, being approximately 4.540 acres of land located off of County Road 707 within the City of Burleson's ETJ (Case 16-002) (Justin Bond)

Motion was made by Stuart Gillaspie and seconded by Dan McClendon to approve.

Motion passed 6-0. Rick Green absent.

2G. Final Plat of Lots 1 and 2, Block 1, Pool's Egan Addition, being approximately 12.75 acres of land located off of FM 917 and County Road 801 within the City of Burleson's ETJ (Case 15-126) (Justin Bond)

Motion was made by Stuart Gillaspie and seconded by Dan McClendon to approve.

Motion passed 6-0. Rick Green absent.

2H. Minor Plat of Lots 1 and 2, Hurricane Hill Addition, being approximately 14.377 acres of land located near the intersection of NE McAlister Rd and Hemphill St within the City of Burleson (Case 16-003) (Justin Bond)
Motion was made by Stuart Gillaspie and seconded by Dan McClendon to approve.

Motion passed 6-0. Rick Green absent.


Motion was made by Stuart Gillaspie and seconded by Dan McClendon to approve.

Motion passed 6-0. Rick Green absent.

Development Applications

3E. Receive and accept the voluntary annexation petition submitted by the Property Owner; and Adopt the attached CSO#381-02-2016 resolution setting the date, time and place of the public hearings to be held for the voluntary annexation of approximately 44.293 acres (the “Annexation Area”) out of the Hall Neilson Survey, Abstract No. 658, Johnson County, Texas, and Direct staff to publish annexation hearing notices and prepare a service plan for the Annexation Area.

Motion was made by Dan McClendon and seconded by Stuart Gillaspie to approve.

Motion passed 6-0. Rick Green absent.

3F. Receive and accept the voluntary annexation petition submitted by the Property Owner and Adopt the attached CSO#382-02-2016 resolution setting the date, time and place of the public hearings to be held for the voluntary annexation of approximately 48.266 acres (the “Annexation Area”) situated in the Isaac Saunders Survey, Abstract No. 800, and the W.G. Ray Survey, Abstract No. 731, and the T.W. Bundick Survey, Abstract 77, Johnson County, Texas, and Direct staff to publish annexation hearing notices and prepare a service plan for the Annexation Area.

Motion was made by Matt Aiken and seconded by Dan McClendon to approve.

Motion passed 6-0. Rick Green absent.

3H. Preliminary Plat of Oak Hills subdivision, Phases 1 and 2, being 48.224 acres of land in the H.G. Catlett Survey, Abstract 185, located on CR 1016. (Case 15-020)

Motion was made by Dan McClendon and seconded by Stuart Gillaspie to approve.

Motion passed 6-0. Rick Green absent.
3I. Masonry Waiver granted for a residential development at Lots 1-3, Block 1, Clark Street Addition (Case 14-082) (Justin Bond)

Mayor Ken Shetter abstains from item discussion. (Mayor leaves the council chambers)

Mayor Pro Tem McClendon takes over the meeting. 7:29pm

Kathy Volkman, 835 SW Alsbury Burleson, TX spoke in favor of the waiver stating that an attached garage would not fit on the lot.

Motion was made by Stuart Gillaspie and seconded by DanO Strong to approve.

Motion passed 3-2. Rick Green absent, Ken Shetter abstains, Matt Aiken and Dan McClendon against.

Mayor Shetter returns and resumes the meeting.

3J. CSO#067-09-2014 Amendment to Chapter 380 Economic Development Agreement with Burleson Land Company, Inc. for property located in the McNairn Plaza Addition.

Motion was made by Ronnie Johnson and seconded by DanO Strong to approve.

Motion passed 6-0. Rick Green absent.

3A. Public Hearing and consideration of a Request for Support for a Proposed Affordable Rental Housing Project known as The Ridge Stone at 746 & 749 Ridgehill Drive. (Justin Bond)

Justin Bond, Director of Development Services presents to council request for support of the proposal.

Janine Sisak, SVP for DMA Development, presents to council the proposed project.

Mayor Shetter opened the public hearing at 8:28pm

Jack Ahrend, 821 Crestmont Dr Burleson, TX spoke against the proposed project.

Katherine Reading, 911 Joshua Dr Burleson, TX spoke against the proposed project.

Karen Harding, 808 Joshua Burleson, TX spoke against the proposed project.

Susan Blassingame, 804 Ridgehill Ct Burleson, TX spoke against the proposed project.

Shirley Blex, 709 Ridgehill Dr Burleson, TX spoke against the proposed project.

Michael Kaiser, 724 NE Jayellen Ave Burleson, TX spoke against the proposed project.
Larry Hollenbeck, 938 White Marlin Dr Burleson, TX spoke against the proposed project.
Kevin Gardner, 825 Crestmont Dr Burleson, TX spoke against the proposed project.
Patti Taylor, 908 Joshua Dr Burleson, TX spoke against the proposed project.
Tom Fortner, 609 Ridgehill Dr Burleson, TX spoke against the proposed project.
Lisa Schmidt, 701 Crestmont Dr Burleson, TX spoke against the proposed project.
Mike Asmus, 721 Crestmont Dr Burleson, TX spoke against the proposed project.
Tom Dugan, 820 Joshua Dr Burleson, TX spoke against the proposed project.
Wade Elder, 701 Ridgehill Dr Burleson, TX spoke against the proposed project.
Bobby Killion, 951 Benjamin Dr Burleson, TX spoke against the proposed project.
Leslie Ahrend, 821 Crestmont Dr Burleson, TX spoke against the proposed project.

Janine Sisak, SVP for DMA Development, responded to public hearing comments and questions.
Mayor Shetter closed the public hearing at 9:41pm

Item failed for lack of motion.

Mayor Shetter recessed the meeting for break at 9:48pm

Mayor Shetter resumed the meeting at 9:55pm

**3B. Public Hearing and consideration of a Replat of Lots 27 and 28, Shannon Creek, Phase 3B, located off of Canadian Ln. and Yukon Dr. within the City of Burleson (Case 16-005)**

Justin Bond, Director of Development Services presented the replat to council.

Mayor Shetter opened the public hearing at 9:58pm

None

Mayor Shetter closed the public hearing at 9:58pm

Motion was made by Stuart Gillaspie and seconded by Dan McClendon to approve.

Motion passed 6-0. Rick Green absent.
3C. Public Hearing and consideration of a Replat of Lots 17-34, Block 3, Heritage Village, Phase 2, being approximately 1.581 acres of land located at the intersection of Pine St and Heritage Trl, City of Burleson, Johnson County, Texas (Case 16-006)

Justin Bond, Director of Development Services presented the replat to council.

Mayor Shetter opened the public hearing at 10:01pm

None

Mayor Shetter closed the public hearing at 10:01pm

Motion was made by Ronnie Johnson and seconded by Matt Aiken to approve.

Motion passed 6-0. Rick Green absent.

3D. Public Hearing and consideration of Ordinance for text amendments to City of Burleson Code of Ordinances, Appendix A – Subdivision and Development Regulations to allow for a staff approval process for certain plat types and to provide additions, deletions and modifications to text for the purpose of improving the clarity of the section. (First Reading) (Case 16-008)

Justin Bond, Director of Development Services presented the ordinance to council.

Mayor Shetter opened the public hearing at 10:09pm

None

Mayor Shetter closed the public hearing at 10:10pm

Motion was made by Matt Aiken and seconded by Dan McClendon to approve with council discussed changes to be written in second reading.

Motion passed 6-0. Rick Green absent.

2C. CSO#386-02-2016 Ordinance Amending Ordinance Amending Chapter 54 of the City Code Concerning Operation of Community Homes (Final Reading)

Kyle Hannah, 3804 Mattison Ave Fort Worth, TX 76107 spoke against the ordinance.

David Southern, 226 E Pearl St Granbury, TX spoke against the ordinance.

City Attorney Allen Taylor gave an explanation of the ordinance and its amending language.

Motion was made by Dan McClendon and seconded by Matt Aiken to approve.

Motion passed 6-0. Rick Green absent.
3G. **CSO#383-02-2016 Resolution adopting the Old Town Preservation and Development Plan update (Justin Bond).**

Justin Bond, Director of Development Services presented plan update to council.

Charles Williamson, 2727 Pinnace Dr Burleson, TX spoke in favor of expanding the plaza and opening the rail cars for public touring.

Ken Richardson, 1132 Hidden Glen Burleson, TX spoke regarding variances for old town business owners that do not fit the development plan guidelines.

Dale Dexheimer, 720 Carol Lane Burleson, TX spoke in favor of the development plan and pledged support and input of the heritage foundation.

Jim Bailey, 344 SW Warren Burleson, TX echoed Dale Dexheimer’s comments regarding the development staff and the heritage foundation.

Scott, 240 SE Newton Dr Burleson, TX spoke regarding a property in town and the possibility of preserving it as historical.

Motion was made by Stuart Gillaspie and seconded by Matt Aiken to approve.

Motion passed 6-0. Rick Green absent.

3K. **Public Hearing and consideration of CSO#385-02-2016 Ordinance, zoning change request from Agricultural (A) zoning district to Planned Development (PD) zoning district on 48.224 acres of land in the H.G. Catlett Survey, Abstract 185, located on CR 1016, City of Burleson, Johnson County, Texas. (First and Final Reading) (15-019)**

Justin Bond, Director of Development Services presented the ordinance to council.

Mayor Shetter opened the public hearing at 11:16pm

Mayor Shetter closed the public hearing at 11:16pm

Motion was made by Stuart Gillaspie and seconded by Dan McClendon to approve.

Motion passed 6-0. Rick Green absent.

**General**

4A. **CSO#384-02-2016 Resolution authorizing: the Texas Coalition for Affordable Power (TCAP) to negotiate an Electric Supply Agreement for five years effective January 1, 2018, TCAP to act as an agent on behalf of the City to enter into a contract for electricity, and Dale Cheatham, Rhett Clark, or Jay Doegey to execute an Electric Supply Agreement effective January 1, 2018 through 2022**
Rhett Clark, Director of Finance presented the resolution to council.

Motion was made by Dan McClendon and seconded by Ronnie Johnson to approve.

Motion passed 6-0. Rick Green absent.

4B. Accept the Unsolicited Proposal submitted by Realty Capital Management for the The Depot on Main to be located at 133 N. Main Street and Authorize Staff to proceed with the Conceptual Stage evaluation of the proposal.

Justin Bond, Director of Development Services presented the proposal to council.

Motion was made by Matt Aiken and seconded by DanO Strong to accept the proposal and authorize staff to proceed with the conceptual stage evaluation.

Motion passed 6-0. Rick Green absent.

**Award of Contracts/Purchasing**

5A. No items of consideration.

**Reports & Discussion Items**

6A. City Council Committees.

This is a standing item on the agenda of every regular meeting of the Council so that the Staff and Council Committee Members may make a report to the full body of the City Council.

(The City Council has established committees of the Council that meet from time-to-time to consider recommendations to forward to the full body of the City Council regarding business of the City. The committees are as follows: Appointments & Council Policies Committee; Community & Intergovernmental Relations Committee; Community Services Committee; Finance & Internal Services Committee; Infrastructure & Development Committee; Public Safety & Court Committee. Meetings of Council Committees are public meetings posted as required by the Texas Open Meetings Act.)

- Community Services Committee – discussed code updates for violations
- Finance and Internal Services Committee – CAFR audit

**1. Work Session Annexation. (Paul Cain)**

Paul Cain, Deputy City Manager gave a presentation on annexation.

**Executive Session**
7A. Executive Session: Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sec. 551.071, Sec. 551.072, Sec. 551.073, Sec. 551.074, Sec. 551.076, Sec. 551.087 and Sec. 418.0183(f) of the Texas Government Code (Texas Disaster Act). Refer to posted list attached hereto and incorporated herein. Executive Session may be held, under these exceptions, at any time during the meeting that a need arises for the City Council to seek advice from the City Attorney as to the posted subject matter of this City Council meeting.

There being no further discussion Mayor Shetter adjourned the meeting.

Time: 11:44pm

_____________________________
Amanda McCrory
City Secretary