

STATE OF TEXAS {}
COUNTY OF BURNET {}
CITY OF BURNET {}

On this the 8th day of February, 2022, the City Council of the City of Burnet convened in Regular Session, at 6:00 p.m. at the Burnet Community Center, 401 E. Jackson Street, Burnet, TX thereof with the following members present, to-wit:

Mayor Crista Goble Bromley
Council Members Ricky Langley, Philip Thurman, Cindia Talamantez, Joyce Laudenschlager, Danny Lester, Mary Jane Shanes
City Manager David Vaughn
City Secretary Kelly Dix

Guests: Adrienne Feild, Habib Erkan, Kelli Sames, Mark Ingram, Alan Burdell, Tony Nash, Mark Miller, Patricia Langford, Andrew Scott, Leslie Kimbler, Phil Reynolds, Stacey McGuire, Dennis Langley, Wade Langley, Mark Clury, Ray Ragland, Jodi Perry, Holly Diemer, Cathy Flowers, Steven Hinds, Ken Graham, Read Frymire, Glen Morris

Call to Order: Mayor Bromley called the meeting to order at 6:00 p.m.

INVOCATION: Led by Council Member Mary Jane Shanes

PLEDGES (US & TEXAS): Led by Council Member Philip Thurman

SPECIAL REPORTS/RECOGNITION:

Development Services Quarterly Report: L. Kimbler: Leslie Kimbler, Planner, presented the Development Services Quarterly update report to include a review of residential and commercial permits that have been issued for the quarter.

Delaware Springs Golf Course Quarterly Report: T. Nash: Tony Nash, General Manager of Delaware Springs Golf Course updated all present on the remodeling project at the Golf Course club house and parking lots. Mr. Nash explained the new processes implemented for Golf Tournaments and the changes in the GolfNow contract which have all contributed to the increase in revenues to date.

CONSENT AGENDA ITEMS:

(All of the following items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member, staff member or citizen requests removal of the item from the consent agenda for the purpose of discussion. For removal of an item, a request must be made to the Council when the Consent Agenda is opened for Council Action.)

Approval of the January 25th, 2022 City Council Workshop Meeting Minutes

Approval of the January 25th, 2022 Regular City Council Meeting Minutes: Council Member Mary Jane Shanes moved to approve the consent agenda as presented. Council Member Joyce Laudenschlager seconded. The motion carried unanimously.

PUBLIC HEARINGS/ACTION:

Public Hearing and Consideration of the following: Preliminary Plat Applications, Adoption and Amendments of the Zoning Ordinance, Future Land Use Plan and Zoning Classifications presented by Habib Erkan Jr., Assistant City Manager and Leslie Kimbler, City Planner:

FIRST READING OF AN ORDINANCE AMENDING CITY CODE OF ORDINANCES CHAPTER 118 (ENTITLED "ZONING") FOR THE PURPOSE OF AMENDING THE SINGLE-FAMILY RESIDENTIAL — DISTRICT "R-1" BY INCREASING THE MINIMUM LOT WIDTH REQUIREMENT TO 75-FEET AND INCREASING THE MINIMUM LOT SIZE TO 9000 SQUARE FEET; AND ESTABLISHING A NEW SINGLE-FAMILY RESIDENTIAL —DISTRICT "R-6" WITH MINIMUM LOT WIDTH REQUIREMENT OF 60-FEET AND MINIMUM LOT SIZE REQUIREMENT OF 7600 SQUARE FEET:

Staff Presentation – H. Erkan Jr.: Assistant City Manager Habib Erkan presented the item to Council to conduct the public hearing, discuss and take action on the first reading of Ordinance 2022-15.

Public Hearing: Mayor Bromley opened the public hearing at 6:14 p.m. and asked if anyone was interested in speaking, if so to approach the podium. Mr. Steven Hines approached and requested clarification that the platted properties would remain the same. Mr. Erkan provided clarification per Local Government Code 211. *There*

being no one else wishing to speak, Mayor Bromley closed the public hearing.

Consideration and action: Council Member Mary Jane Shanes moved to approve the first reading of Ordinance No. 2022-15 as presented. Council Member Joyce Laudenschlager seconded. The motion carried unanimously.

FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 118 (ENTITLED "ZONING"); FOR THE PURPOSE OF ESTABLISHING A NEW SINGLE-FAMILY RESIDENTIAL —DISTRICT "R-5" WITH MINIMUM LOT WIDTH REQUIREMENT OF 50-FEET AND INCREASING THE MINIMUM LOT SIZE TO 6000 SQUARE FEET PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE:

Staff Presentation – H. Erkan Jr.: Assistant City Manager Habib Erkan presented the item to Council to conduct the public hearing, discuss and take action on the first reading of Ordinance 2022-15.

Public Hearing: Mayor Bromley opened the public hearing at 6:21 p.m. and asked if anyone was interested in speaking, if so to approach the podium. Dennis Langley approached and stated he was opposed to the zoning change as it takes away the beauty of the area and that properties would be too close. There being no one else wishing to speak, Mayor Bromley closed the public hearing.

Consideration and action: Council Member Philip Thurman moved to not approve the first reading of Ordinance No. 2022-16 as presented. Council Member Ricky Langley seconded. The motion carried unanimously. The Ordinance failed.

FIRST READING OF AN ORDINANCE AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 118 (ENTITLED "ZONING") BY AMENDING SECTION 118-35 (ENTITLED "MULTI-FAMILY RESIDENTIAL—DISTRICT 'R-3'") BY INCREASING THE MAXIMUM STORIES TO THREE, CLARIFYING THE MAXIMUM UNITS PER ACRE ARE 20, AND AMENDING THE OPEN SPACES REQUIREMENTS:

Staff Presentation – H. Erkan Jr.: Assistant City Manager Habib Erkan presented the item to Council to conduct the public hearing, discuss and take action on the first reading of Ordinance 2022-07.

Public Hearing: Mayor Bromley opened the public hearing at 6:34 p.m. and asked if anyone was interested in speaking, if so to approach the podium. There being no one wishing to speak, Mayor Bromley closed the public hearing.

Consideration and action: Council Member Mary Jane Shanes moved to approve the first reading of Ordinance No. 2022-07 as presented. Council Member Danny Lester seconded. The motion carried unanimously.

FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 118 (ENTITLED "ZONING") FOR THE PURPOSE OF ADOPTING A NEW SECTION 118-63 (ENTITLED "MUNICIPAL GOLF COURSE VEGETATIVE BUFFER REQUIREMENTS") THAT SHALL ESTABLISH A 25 FOOT BUFFER ZONE ON CERTAIN PROPERTIES ABUTTING THE MUNICIPAL GOLF COURSE; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE:

Staff Presentation – H. Erkan Jr.: Assistant City Manager Habib Erkan presented the item to Council to conduct the public hearing, discuss and take action on the first reading of Ordinance 2022-12.

Public Hearing: Mayor Bromley opened the public hearing at 6:41 p.m. and asked if anyone was interested in speaking, if so to approach the podium. There being no one wishing to speak, Mayor Bromley closed the public hearing.

Consideration and action: Council Member Philip Thurman moved to approve the first reading of Ordinance No. 2022-12 as presented. Council Member Ricky Langley seconded. The motion carried unanimously.

FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY GRANTING A CONDITIONAL USE PERMIT TO ALLOW THE USE OF AN "AIRPLANE HANGAR" IN A LIGHT COMMERCIAL – DISTRICT "C-1" FOR PROPERTY DESCRIBED AS 2802 S WATER STREET (LEGALLY DESCRIBED AS HIGHERPOWER SUBDIVISION, UNIT 1) PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

Staff Presentation – H. Erkan Jr.: Assistant City Manager Habib Erkan presented the item to Council to conduct the public hearing, discuss and take action on the first reading of Ordinance 2022-10.

Public Hearing: Mayor Bromley opened the public hearing at 6:48 p.m. and asked if anyone was interested in speaking, if so to approach the podium. There being no one wishing to speak, Mayor Bromley closed the public hearing.

Consideration and action: Council Member Cindia Talamantez moved to approve the first reading of Ordinance No. 2022-10 as presented. Council Member Mary Jane Shanes seconded. The motion carried unanimously.

FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY GRANTING A CONDITIONAL USE PERMIT TO ALLOW THE USE OF AN "AIRPLANE HANGAR" IN A LIGHT COMMERCIAL – DISTRICT "C-1" FOR PROPERTY DESCRIBED AS 3242 S WATER STREET (LEGALLY DESCRIBED AS FLIGHT LINE BOULEVARD SUBDIVISION, LOT 1D) PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE:

Staff Presentation – H. Erkan Jr.: Assistant City Manager Habib Erkan presented the item to Council to conduct the public hearing, discuss and take action on the first reading of Ordinance 2022-11.

Public Hearing: Mayor Bromley opened the public hearing at 6:51 p.m. and asked if anyone was interested in speaking, if so to approach the podium. There being no one wishing to speak, Mayor Bromley closed the public hearing.

Consideration and action: Council Member Mary Jane Shanes moved to approve the first reading of Ordinance No. 2022-11 as presented. Council Member Cindia Talamantez seconded. The motion carried unanimously.

FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY GRANTING A CONDITIONAL USE PERMIT TO ALLOW THE USE OF AN "AIRPLANE HANGAR" IN A LIGHT COMMERCIAL – DISTRICT "C-1" FOR PROPERTY DESCRIBED AS 3214 S WATER STREET (LEGALLY DESCRIBED AS FLIGHT LINE BOULEVARD SUBDIVISION, LOT 1C) PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE:

Staff Presentation – H. Erkan Jr.: Assistant City Manager Habib Erkan presented the item to Council to conduct the public hearing, discuss and take action on the first reading of Ordinance 2022-13.

Public Hearing: Mayor Bromley opened the public hearing at 6:57 p.m. and asked if anyone was interested in speaking, if so to approach the podium. There being no one wishing to speak, Mayor Bromley closed the public hearing.

Consideration and action: Council Member Mary Jane Shanes moved to approve the first reading of Ordinance No. 2022-13 as presented. Council Member Cindia Talamantez seconded. The motion carried unanimously.

FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY GRANTING A CONDITIONAL USE PERMIT TO ALLOW THE USE OF A "HELIPORT" IN A LIGHT COMMERCIAL – DISTRICT "C-1" FOR PROPERTY DESCRIBED AS 3214 S WATER STREET (LEGALLY DESCRIBED AS FLIGHT LINE BOULEVARD SUBDIVISION, LOT 1C) PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: City Council passed on this item.

Staff Presentation – L. Kimbler: No presentation

Public Hearing: No Public Hearing

Consideration and action: No action taken.

Public Hearing: The Planning & Zoning Commission will conduct a public hearing to receive public testimony and comments on the merits of a proposed "Preliminary Plat" for approximately 11.35 acres out of the Susano Hernandez Survey, No .40, Abs. No. 398. The proposed "Preliminary Plat" will establish The Ranch at Delaware Creek Subdivision, Phase Two, consisting of approximately 29 residential lots: L. Kimbler:

Clarification was made to City Council that this was a Public Hearing of the City Council and not the Planning and Zoning Commission as stated in the item. Mayor Bromley opened the public hearing at 7:03 p.m. and asked if anyone was interested in speaking, if so to approach the podium. There being no one wishing to speak, Mayor Bromley closed the public hearing.

ACTION ITEMS:

Discuss and consider action: City Council shall receive information from the City Manager on the status of the COVID-19 pandemic's impact on the City and may discuss, give direction, or take action to implement, extend, modify, or terminate plans or programs in response to the pandemic: D. Vaughn: Fire Chief Mark Ingram updated all present on the current COVID-19 pandemic. The Fire Department is still conducting COVID testing by appointment Monday through Friday. Positivity rates have dropped to eighteen percent. The hospitals are still full. Chief Ingram agreed that it would be fine to move the City Council Meetings back to Council Chambers.

Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 50 (ENTITLED "FLOOD DAMAGE PREVENTION") BY AMENDING SECTION 50-56 (ENTITLED ELEVATION AND LOT GRADING FOR STRUCTURES LOCATED IN ZONE X"); PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE: H. Erkan: Council Member Philip Thurman moved to approve and adopt Ordinance 2022-06 as presented. Council Member Ricky Langley seconded. The motion carried unanimously.

Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, CONDITIONALLY APPROVING THE PRELIMINARY PLAT ESTABLISHING THE RANCH AT DELAWARE CREEK, PHASE TWO, CONSISTING OF APPROXIMATELY 29 RESIDENTIAL LOTS ON APPROXIMATELY 11.35 ACRES OUT OF THE SUSANO HERNANDEZ SURVEY, NO. 40, ABS. NO. 398: L. Kimbler: Council Member Joyce Laudenschlager moved to approve Resolution No. R2022-16 as presented. Council Member Mary Jane Shanes seconded. The motion carried unanimously.

Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, CHANGING THE NAME OF A SEGMENT OF ROAD BETWEEN US ROUTE 290 AND ITS INTERSECTION OF DELAWARE SPRINGS BOULEVARD FROM OAK VISTA DRIVE TO DELAWARE SPRINGS BOULEVARD; AND PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES AND PROVIDING AN EFFECTIVE DATE: H. Erkan: Assistant City Manager Habib Erkan addressed the Council and requested that the record reflect there was a typo on the ordinance caption; it should read U.S. Route 281 instead of U.S. Route 290. Council Member Danny Lester moved to approve the first reading of Ordinance 2022-08 as presented. Council Member Philip Thurman seconded. The motion carried unanimously.

Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AMENDING THE CODE OF ORDINANCES CHAPTER 1 (ENTITLED "GENERAL PROVISIONS"); SECTION 1-6 (ENTITLED "PENALTIES AND CREDIT CARD PROCESSING FEES") BY RENAMING AND RECODIFYING THE SECTION (TO BE ENTITLED "PENALTIES, CREDIT CARD PROCESSING FEES AND BAD CHECK FEES") AND ESTABLISHING A BAD CHECK FEE; PROVIDING FOR PENALTY, CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE: H. Erkan: Council Member Mary Jane Shanes moved to approve the first reading of Ordinance No. 2022-09 as presented. Council Member Joyce Laudenschlager seconded. The motion carried unanimously.

Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE 2021-31; THE ORIGINAL BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021, AND ENDING SEPTEMBER 30, 2022, FOR THE CITY OF BURNET, TEXAS, FUNDING ACCOUNTS IN BUDGET DUE TO UNFORESEEN SITUATIONS; CONTAINING FINDINGS; PROVIDING FOR SAVINGS AND SEVERABILITY: P. Langford: Council Member Philip Thurman moved to approve the first reading of Ordinance No. 2022-14 as presented. Council Member Mary Jane Shanes seconded. The motion carried unanimously.

Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AUTHORIZING ADOPTION OF A REVISED PAY SCALE FOR WATER/WASTEWATER SERVICES PERSONNEL; AND AUTHORIZE THE CITY MANAGER TO ADOPT RULES AND REGULATIONS FOR THE EFFICIENT IMPLEMENTATION OF THE SCALES: K. Sames: Council Member Mary Jane Shanes

moved to approve Resolution No. R2022-18 as presented. Council Member Joyce Laudenschlager seconded. The motion carried unanimously.

Discuss and consider action: Changing the City of Burnet's Health Insurance Contribution Strategy: K. Sames: Council Member Danny Lester moved to approve the changes to the City of Burnet's Health Insurance Contribution as presented. Council Member Mary Jane Shanes seconded. The motion carried unanimously.

Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING THE CODE OF ORDINANCES SECTION 110-148 (ENTITLED "ELECTRIC LINE EXTENSION POLICIES") AND SECTION 110-149 (ENTITLED "RELOCATING FACILITIES AND LINE CLEARANCE"); PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE: H. Erkan: Council Member Danny Lester moved to approve the first reading of Ordinance No. 2022-17 to be effective immediately on final approval and with the removal of language in Section Ten "saving and excepting applications that have construction plans approved before the effective date" and I further move to instruct the City Manager not to provide quotes for electric line extensions until February 23, 2022. Council Member Mary Jane Shanes seconded. The motion carried unanimously.

Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS ACCEPTING THE RESIGNATION OF FAULKNER'S AIR SHOP INC. AS BURNET MUNICIPAL AIRPORT FIXED BASE OPERATOR: A. Field: Council Member Danny Lester moved to approve Resolution No. R2022-19 as presented. Council Member Philip Thurman seconded. The motion carried unanimously.

Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AUTHORIZING THE CITY MANAGER TO NEGOTIATE A CONTRACT WITH THE CREEKFALL SUBDIVISION PLAT APPLICANT FOR THE OVERSIZING OF A WATER MAIN PROPOSED TO SERVE THE SUBDIVISION: D. Vaughn: Council Member Joyce Laudenschlager moved to approve Resolution No. R2022-17 as presented. Council Member Cindia Talamantez seconded. The motion carried unanimously.

REQUESTS FROM COUNCIL FOR FUTURE REPORTS: In accordance with Resolution R2020-28 councilmembers may request the City Manager to prepare and present future report on matters of public interest: City Manager David Vaughn informed all present that Adrienne Field would be presenting the Burnet Economic Development Corporation update report requested by Council Member Mary Jane Shanes, at the next Council meeting on February 22, 2022

ADJOURN: There being no further business a motion to adjourn was made by Council Member Mary Jane Shanes at 7:33 p.m. Seconded by Council Member Cindia Talamantez. The motion carried unanimously.


Crista Goble Bromley, Mayor

ATTEST:


Kelly Dix, City Secretary

