

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

On this the 13th day of June, 2023, the City Council of the City of Burnet convened in Special Session, at 5:00 p.m. the City of Burnet Council Chambers located at 2402 S. Water Street (Hwy 281 South, Burnet Municipal Airport) Burnet, Tx. thereof with the following members present, to-wit:

Mayor Gary Wideman
Council Members Dennis Langley, Mary Jane Shanes, Ricky Langley, Philip Thurman, Tres Clinton
Absent Joyce Laudenschlager
City Manager David Vaughn
City Secretary Kelly Dix

Guests: Patricia Langford, Eric Belaj, Maria Gonzales, Leslie Kimbler, Carly Pearson, Mark Ingram, Tony Nash, Adrienne Feild, Rita Gooch, Judy Humphrey, Anthony Murango, Darrell & Sam Greco, Brent Standerford, Kenny Adaif, Rod & Carol Griffin, Joy Biscotto, Mark Miller, Betha Kent, Gerardo Moline, Wade Langley

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

INVOCATION: Led by Mayor Wideman

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

SPECIAL REPORTS/RECOGNITION:

Police Department Quarterly Report B. Lee: Police Chief Brian Lee presented the Police Department Quarterly Report that consisted of an overview of the Criminal Investigation Department, Patrol, Safety Resource Officers, current training the officers are doing and Code Enforcement.

CONSENT AGENDA: *(All of the following items on the Consent Agenda are considered to be self-explanatory 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 May 23, 2023 Council Regular Meeting minutes

Approval of the May 23, 2023 Council Workshop Meeting minutes

Approval of the May 31, 2023 Council Workshop Meeting minutes

Member Philip Thurman moved to approve the consent agenda as presented. Council Member Tres Clinton seconded. The motion carried unanimously.

PUBLIC HEARINGS/ACTION:

Public Hearing and consideration of the following items:

FIRST READING OF AN ORDINANCE OF THE CITY COUCIL OF THE CITY OF BURNET, TEXAS, AMENDING CODE OF ORDINANCES, CHAPTER 118 (ENTITLED "ZONING") FOR THE PURPOSE OF ESTABLISHING THE FOLLOWING NEW RESIDENTIAL SINGLE-FAMILY ZONING CLASSIFICATIONS: "R-1-17"; "R-1-10"; "R-1-4"; "R-1-4E"; "R-1-3"; "R-1-3E"; "R-1-2"; AND "R-1-2E: D.

Vaughn: David Vaughn, City Manager, presented the item to Council to conduct the public hearing, discuss, and take action on the first reading of Ordinance 2023-17.

Public Hearing: Mayor Wideman opened the public hearing at 6:38 p.m. and asked if anyone was interested in speaking, if so to approach the podium. There being no one wishing to speak, Mayor Wideman closed the public hearing at 6:39 p.m.

Consideration and action: Council Member Philip Thurman moved to approve the first reading of Ordinance No. 2023-17 as presented. Council Member Dennis Langley seconded. The motion carried unanimously.

FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING THE CODE OF ORDINANCE TO RECODIFY HISTORIC PRESERVATION REGULATIONS IN CHAPTER 118 (ENTITLED "ZONING") AND MAKING SUBSTANTIVE REVISIONS TO ESTABLISH THE POSITION OF HISTORIC PRESERVATION OFFICER TO ADMINISTER THE REGULATIONS AND ESTABLISHING A CERTIFICATE OF APPROPRIATENESS PERMIT FEE; MAKING REVISIONS TO CITY CODE CHAPTERS 2 (ENTITLED "ADMINISTRATION") AND CHAPTER 22 (ENTITLED "SIGNS") TO COMPORT WITH THE RECODIFICATION; PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND

PROVIDING AN EFFECTIVE DATE: H. Erkan, Jr.: Habib Erkan, Assistant City Manager, presented the item to Council to conduct the public hearing, discuss and take action on the first reading of Ordinance 2023-18.

Public Hearing: Mayor Wideman opened the public hearing at 6:50 p.m. and asked if anyone was interested in speaking, if so to approach the podium. There being no one else wishing to speak, Mayor Wideman closed the public hearing at 6:51 p.m.

Consideration and action: Council Member Mary Jane Shanes moved to approve the first reading of Ordinance No. 2023-18 as presented. Council Member Philip Thurman seconded. The motion carried unanimously.

FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY 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 "MINI STORAGE WAREHOUSE" IN A LIGHT COMMERCIAL – DISTRICT "C-1" FOR PROPERTY LOCATED AT THE CORNER OF NORTH US HIGHWAY 281 AND TAMI DRIVE, LEGALLY DESCRIBED AS: LOT NO. 1, BLOCK NO. 10, PHASE ONE, HIGHLAND OAKS:

L. Kimbler: Leslie Kimbler, City Planner, presented the item to Council to conduct the public hearing, discuss and take action on the first reading of Ordinance 2023-19.

Public Hearing: Mayor Wideman opened the public hearing at 7:06 p.m. and asked if anyone was interested in speaking, if so to approach the podium. Betha Kemp, Highland Oaks resident spoke in opposition of a storage unit facility being built on the proposed site due to concerns with increase traffic, interference with power lines and the affect it would have on the aesthetics of the Highland Oaks subdivision. Judy Humphrey also expressed opposition due to traffic concerns and aesthetics of the subdivision. There being no one else wishing to speak, Mayor Wideman closed the public hearing at 7:12 p.m.

Consideration and action: Council Member Ricky Langley moved to deny Ordinance No. 2023-19 as presented. Council Member Mary Jane Shanes seconded. The motion carried unanimously.

FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY CURRENTLY ZONED SINGLE-FAMILY RESIDENTIAL – DISTRICT "R-1", LOCATED AT THE CORNER OF EAST BRIER LANE AND NORTH WOOD STREET, LEGALLY DESCRIBED AS: LOT 3-A, BLOCK 11, PETER KERR DONATION, WITH DUPLEX – DISTRICT "R-2":

L. Kimbler: Leslie Kimbler, City Planner, presented the item to Council to conduct the public hearing, discuss and take action on the first reading of Ordinance 2023-20.

Public Hearing: Mayor Wideman opened the public hearing at 6:53 p.m. and asked if anyone was interested in speaking, if so to approach the podium. There being no one wishing to speak, Mayor Wideman closed the public hearing at 6:54 p.m.

Consideration and action: Council Member Ricky Langley moved to approve the first reading of Ordinance No. 2023-20 as presented. Council Member Philip Thurman seconded. The motion carried unanimously.

FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY CURRENTLY ZONED HEAVY COMMERCIAL – DISTRICT "C-3", LEGALLY DESCRIBED AS: LOT 2B, BLOCK B, THE CROSSINGS AT 281 SUBDIVISION, WITH LIGHT COMMERCIAL – DISTRICT "C-1":

L. Kimbler: Leslie Kimbler, City Planner, presented the item to Council to conduct the public hearing, discuss and take action on the first reading of Ordinance 2023-21.

Public Hearing: Mayor Wideman opened the public hearing at 6:55 p.m. and asked if anyone was interested in speaking, if so to approach the podium. There being no one wishing to speak, Mayor Wideman closed the public hearing at 6:56 p.m.

Consideration and action: Council Member Tres Clinton moved to approve the first reading of Ordinance No. 2023-21 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. 2012-09 AND THE OFFICIAL FUTURE LAND USE MAP OF THE CITY BY ASSIGNING THE PROPERTY LEGALLY DESCRIBED AS: S4150 KERR DONATION, BLOCKS 2 AND 7, 8.75 ACRES FROM ITS' CURRENT DESIGNATION OF "AGRIGULTURE" TO A DESIGNATION OF "GOVERNMENT":

L. Kimbler: Leslie Kimbler, City Planner, presented the item to Council to conduct the public hearing, discuss and take action on the first reading of Ordinance 2023-22.

Public Hearing: Mayor Wideman 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 Wideman closed the public hearing at 6:58 p.m.

Consideration and action: Council Member Tres Clinton moved to approve the first reading of Ordinance No. 2023-22 as presented. Council Member Philip Thurman seconded. The motion carried unanimously.

FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY CURRENTLY ZONED LIGHT COMMERCIAL – DISTRICT “C-1” AND AGRICULTURE – DISTRICT “A” LEGALLY DESCRIBED AS: S4150 KERR DONATION, BLOCKS 2 AND 7, 8.75 ACRES WITH GOVERNMENT – DISTRICT “G”: L. Kimbler: Leslie Kimbler, City Planner, presented the item to Council to conduct the public hearing, discuss and take action on the first reading of Ordinance 2023-23.

Public Hearing: Mayor Wideman opened the public hearing at 7:01 p.m. and asked if anyone was interested in speaking, if so to approach the podium. There being no one wishing to speak, Mayor Wideman closed the public hearing at 7:02 p.m.

Consideration and action: Council Member Mary Jane Shanes moved to approve the first reading of Ordinance No. 2023-23 as presented. Council Member Tres Clinton 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 98 (ENTITLED “SUBDIVISIONS”), BY AMENDING THE REQUIREMENT FOR BUILDING SETBACK LINES ON PLATS: L. Kimbler: Leslie Kimbler, City Planner, presented the item to Council to conduct the public hearing, discuss and take action on the first reading of Ordinance 2023-24.

Public Hearing: Mayor Wideman 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 Wideman closed the public hearing at 7:04 p.m.

Consideration and action: Council Member Ricky Langley moved to approve the first reading of Ordinance No. 2023-24 as presented. Council Member Mary Jane Shanes seconded. The motion carried unanimously.

Public Hearing and consider action: The City Council of the City of Burnet shall conduct a public hearing to receive public testimony and comments on the merits of a proposed “Preliminary Plat” for approximately 32.31 acres out of John Hamilton Survey No. 1503, Abs. No. 405. The proposed “Preliminary Plat” will establish Patriot Oaks Subdivision, consisting of 12 residential lots: L. Kimbler: Leslie Kimbler, City Planner, presented the item to Council to conduct the public hearing, discuss and take action on merits of a proposed “Preliminary Plat” for approximately 32.31 acres out of John Hamilton Survey No. 1503, Abs. No. 405. The proposed “Preliminary Plat” will establish Patriot Oaks Subdivision, consisting of 12 residential lots.

Public Hearing: Mayor Wideman opened the public hearing at 7:05 p.m. and asked if anyone was interested in speaking, if so to approach the podium. There being no one wishing to speak, Mayor Wideman closed the public hearing at 7:06 p.m.

Consideration and action: Council Member Philip Thurman moved to approve the preliminary plat to establish Patriot Oaks Subdivision as presented. Council Member Mary Jane Shanes seconded. The motion carried unanimously.

Public Hearing and consider action: FIRST READING OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET TEXAS APPROVING THE CONSTRUCTION OF PUBLIC RESTROOMS ON THE PUBLIC PARKING LOT OWNED BY THE BURNET ECONOMIC DEVELOPMENT CORPORATION AS A PROJECT UNDER THE TEXAS ECONOMIC DEVELOPMENT ACT AND APPROVING A CHAPTER 380 AGREEMENT WITH SAID CORPORATION TO PROVIDE THE FUNDING FROM HOTEL OCCUPANCY TAX REVENUE AND THE GENERAL FUND REVENUE TO COMPLETE THE PROJECT TO PROMOTE THE CREATION OF JOBS AND NEW AND EXPANDED BUSINESS OPPORTUNITIES IN THE CITY OF BURNET: D. Vaughn: David Vaughn, City Manager, presented the item to Council to conduct the public hearing, discuss and take action on the first reading of Resolution R2023-40 as presented.

Public Hearing: Mayor Wideman opened the public hearing at 7:12 p.m. and asked if anyone was interested in speaking, if so to approach the podium. Joy Biscotto approached and stated that she was glad to see this project coming to fruition and was also pleased by the location of the new facility in the parking lot. There being no one wishing to speak, Mayor Wideman closed the public hearing at 7:15 p.m.

Consideration and action: Council Member Philip Thurman moved to approve the first reading of Resolution No. R2023-40 as presented. Council Member Ricky Langley seconded. The motion carried unanimously.

Public Hearing and consider action. FIRST READING OF A RESOLUTION BY THE CITY COUNCIL AUTHORIZING THE CONSTRUCTION OF A HOTEL AT THE CROSSING AT 281 SUBDIVISION AS A PROJECT THE BURNET ECONOMIC DEVELOPMENT CORPORATION MAY INCENTIVIZE THROUGH A PERFORMANCE AGREEMENT WITH THE HOTEL DEVELOPER: D. Vaughn: David Vaughn, City Manager, presented the item to Council to conduct the public hearing, discuss and take action on the first reading of Resolution R2023-42 as presented.

Public Hearing: Mayor Wideman opened the public hearing at 7:18 p.m. and asked if anyone was interested in speaking, if so to approach the podium. There being no one wishing to speak, Mayor Wideman closed the public hearing at 7:19 p.m.

Consideration and action: Council Member Ricky Langley moved to approve the first reading of Resolution No. R2023-42 as presented. Council Member Philip Thurman seconded. The motion carried unanimously.

ACTION ITEMS:

Discuss and consider action: Appointment of three Commissioners to the Housing Authority of the City of Burnet: K. Dix: Council Member Tres Clinton moved to approve the appointments of James Herbort, Louise Lary and Roy Hallmark to the Burnet Housing Authority Board of Directors for a term of two years ending in June of 2025, 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, APPROVING VARIANCES TO THE CODE OF ORDINANCES, SECTION 98-48 – BLOCKS AND LOTS AND SECTION 98-42 – TRANSPORTATION IMPROVEMENTS FOR THE PROPOSED PRELIMINARY PLAT OF PATRIOT OAKS SUBDIVISION: L. Kimbler: Council Member Philip Thurman moved to approve and adopt Resolution No. R2023-37 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, APPROVING THE PRELIMINARY PLAT ESTABLISHING PATRIOT OAKS SUBDIVISION, CONSISTING OF 12 RESIDENTIAL LOTS ON APPROXIMATELY 32.31 ACRES OUT OF THE JOHN HAMILTON SURVEY, ABS. NO. 405: L. Kimbler: Council Member Mary Jane Shanes moved to approve and adopt Resolution No. R2023-38 as presented. Council Member Tres Clinton seconded. The motion carried unanimously.

Discuss and consider action: Direction to Staff on issuance of bids and funding source for the Delaware Springs Boulevard Reconstruction: E. Belaj: Council Member Philip Thurman moved to direct staff to proceed with the issuance of bids for the Delaware Springs Boulevard Reconstruction, with funding from the 2023 Street Bonds. Council Member Mary Jane Shanes seconded. The motion carried unanimously.

Discuss and consider action: Proposed contract with Burnet County for 2023/2024 Election Services: K. Dix: Council Member Tres Clinton moved to approve the contract with Burnet County for the 2023/2024 Election Services 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 AWARDED BID (RFP2023-004) TO GRECO CONSTRUCTION, INC., AS THE CONTRACTOR FOR THE TDHCA CDBG-CV PROJECT #70800001002 FOR THE HILL COUNTRY ADVOCACY CENTER PROJECT; AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE A CONSTRUCTION CONTRACT WITH SAID CONTRACTOR FOR FUTURE COUNCIL CONSIDERATION: A. Field: Council Member Philip Thurman moved to approve and adopt Resolution No. R2023-39 as presented. Council Member Mary Jane Shanes seconded. The motion carried unanimously.

Discuss and consider action: Authorization and approval to purchase one (1) 2023 FORD RESPONDER 4WD for the Fire Department: B. Lee: Council Member Philip Thurman moved to authorize and approve the purchase of the 2023 Ford Responder 4WD for the Fire Department as presented. Council Member Tres Clinton seconded. The motion carried unanimously.

Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS ESTABLISHING A COMMITTEE TO MAKE RECOMMENDATIONS RELATING TO THE HIGHLAND LAKES SQUADRON COMMEMORATIVE AIR FORCE PROPOSED LEASE RENEWAL; AND

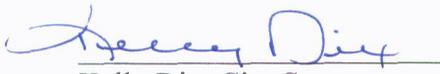
APPOINTING UP TO THREE CITY COUNCIL MEMBERS TO THE COMMITTEE: A. Field: Council Member Mary Jane Shanes moved to approve and adopt Resolution No. R2023-41 appointing Council Members Philip Thurman, Dennis Langley and Tres Clinton to the CAF Lease Renewal Committee, as presented. Council Member Ricky Langley seconded. The motion carried unanimously.

Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS REGARDING THE DEVELOPMENT OF DELAWARE SPRINGS SECTION 19 PHASE 4: L. Kimbler: Council Member Philip Thurman moved to approve and adopt Resolution No. R2023-43 as presented. Council Member Dennis Langley seconded. Council Member Ricky Langley filed an Affidavit of Conflict of Interest with the City Secretary and recused himself from the vote. The motion carried with five in favor, one absent and one abstention.

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: None.

ADJOURN: There being no further business a motion to adjourn was made by Council Member Philip Thurman at 7:54 p.m. seconded by Council Member Dennis Langley. The motion carried unanimously.

ATTEST:


Kelly Dix, City Secretary




Gary Wideman, Mayor