

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

On this the 12th day of December, 2023, the City Council of the City of Burnet convened in Regular Session, at 6:00 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, Philip Thurman, Philip Thurman, Mary Jane Shanes, Joyce
 Laudenschlager, Tres Clinton

Absent Ricky Langley
City Manager David Vaughn
City Secretary Kelly Dix

Guests: Eric Belaj, Maria Gonzales, Carly Pearson, Mark Ingram, Tony Nash, Adrienne Feild, Brian Lee, Habib Erkan, Jr., Haley Archer, Mitch and Teresa Pearson, Florence Reeves, Ed Holley

Call to Order: Mayor Wideman 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:

City Manager Presentation: City Manager David Vaughn presented the City Manager’s Award for Excellence to Patricia Langford, Director of Finance. Mr. Vaughn shared the many attributes that Ms. Langford displays as well as awards and accolades that the City has received due to Ms. Langford’s dedicated service to the City as the Chief Financial Officer.

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 November 14th, 2023 City Council Regular Meeting Minutes:

Council Member Joyce Laudenschlager moved to approve the consent agenda as presented. Council Member Mary Jane Shanes seconded. The motion carried unanimously.

PUBLIC HEARINGS/ACTION:

FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 2 (ENTITLED “ADMINISTRATION”) BY AMENDING SECTION 2-100 EMERGENCY MEDICAL SERVICE FEES: M. Ingram: Fire Chief Mark Ingram presented the item explain to Council that this Ordinance is to update and align the Code with current practices of the Fire Department.

Public Hearing: Mayor Gary Wideman opened the public hearing at 6:09 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 6:10 p.m.

Consideration and action: Council Member Joyce Laudenschlager moved to approve the first reading of Ordinance No. 2023-49 as presented. Council Member Tres Clinton seconded. The motion carried unanimously.

ACTION ITEMS:

Discuss and consider action: SECOND AND FINAL 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 PROPERTY KNOWN AS 111 SHADY GROVE RD., SHADY GROVE ELEMENTARY SCHOOL, FROM ITS PRESENT DESIGNATION OF MEDIUM COMMERCIAL – DISTRICT “C-2” TO A DESIGNATION OF GOVERNMENT – DISTRICT “G”;
PROPERTY KNOWN AS 500 E GRAVES STREET, RJ RICHEY ELEMENTARY SCHOOL, FROM ITS PRESENT DESIGNATION OF MEDIUM COMMERCIAL – DISTRICT “C-2” TO A DESIGNATION OF GOVERNMENT – DISTRICT “G”;
PROPERTY KNOWN AS 1401 N. MAIN STREET, BURNET MIDDLE SCHOOL, FROM ITS PRESENT DESIGNATION OF MEDIUM COMMERCIAL – DISTRICT “C-2” TO A DESIGNATION OF GOVERNMENT – DISTRICT “G”;
PROPERTY KNOWN AS 1000 GREEN MILE,

A DESIGNATION OF GOVERNMENT – DISTRICT “G”; PROPERTY KNOWN AS 607 N VANDERVEER, BURNET ELEMENTARY SCHOOL, FROM ITS PRESENT DESIGNATION OF MEDIUM COMMERCIAL – DISTRICT “C-2” TO A DESIGNATION OF GOVERNMENT – DISTRICT “G”; PROPERTY KNOWN AS 801 N WOOD STREET, BCISD BUS BARN, FROM ITS PRESENT DESIGNATION OF SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1” TO A DESIGNATION OF GOVERNMENT – DISTRICT “G”; PROPERTY KNOWN AS 208 E BRIER STREET, BCISD ADMINISTRATION OFFICES, FROM ITS PRESENT DESIGNATION OF MEDIUM COMMERCIAL – DISTRICT “C-2” TO A DESIGNATION OF GOVERNMENT – DISTRICT “G”; AND PROPERTY KNOWN AS 401 E THIRD STREET, BCISD ATHLETICS COMPLEX, FROM ITS PRESENT DESIGNATION OF MEDIUM COMMERCIAL – DISTRICT “C-2” TO A DESIGNATION OF GOVERNMENT – DISTRICT “G”: L. Kimbler: Council Member Joyce Laudenschlager moved to approve and adopt Ordinance 2023-47 as presented. Council Member Philip Thurman seconded. The motion carried unanimously.

Discuss and consider action: SECOND AND FINAL 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 PROPERTY KNOWN AS 600 DELAWARE SPRINGS BLVD., DELAWARE SPRINGS GOLF COURSE, FROM ITS PRESENT DESIGNATION OF SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1” AND MEDIUM COMMERCIAL – DISTRICT “C-2” TO A DESIGNATION OF GOVERNMENT – DISTRICT “G”: L. Kimbler: Council Member Philip Thurman moved to approve and adopt Ordinance 2023-48 as presented. Council Member Tres Clinton seconded. The motion carried unanimously.

Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE 2022-38; THE ORIGINAL BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022, AND ENDING SEPTEMBER 30, 2023 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 Mary Jane Shanes moved to approve and adopt Ordinance 2023-46 as presented. Council Member Joyce Laudenschlager seconded. The motion carried unanimously.

Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS APPROVING THE EXTENSION OF THE PAYMENT DATE FOR THE PROMISSORY NOTE FOR THE SALE OF THE BEALLS PROPERTY TO THE BURNET ECONOMIC DEVELOPMENT CORPORATION: H. Erkan, Jr.: Council Member Philip Thurman moved to approve and adopt Resolution No. R2023-82 as presented. Council Member Tres Clinton seconded. The motion carried unanimously.

Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TX, APPROVING A SECOND AMENDMENT TO THE COMMERCIAL LEASE AGREEMENT BETWEEN THE CITY OF BURNET AND DANFORTH HOLDINGS, LTD., A TEXAS LIMITED PARTNERSHIP FOR THE PROPERTY KNOWN AS BURNET CITY HALL LOCATED AT 1001 BUCHANAN DRIVE, BURNET, TX: D. Vaughn: Council Member Joyce Laudenschlager moved to approve and adopt Resolution No. R2023-83 as presented. Council Member Philip Thurman seconded. The motion carried unanimously.

Discuss and consider action: Award Contract for Request for Proposal (RFP) 2023-011 YMCA Building Remodeling Project bid and authorize the City Manager to execute the contract: E. Belaj: Council Member Tres Clinton moved to award the contract for RFP2023-011 YMCA Building Remodeling Project bid to Calvary Contracting, Inc. as presented. Council Member Mary Jane Shanes seconded. The motion carried unanimously.

Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS APPROVING AMENDMENTS TO THE CONFERENCE CENTER HOT FUNDING AGREEMENT BETWEEN THE CITY OF BURNET AND TEKMAK BURNET QOZB HOTEL, LP; AND AUTHORIZING THE MAYOR TO EXECUTE NECESSARY INSTRUMENTS: D. Vaughn: Council Member Philip Thurman moved to approve and adopt Resolution No. R2023-84 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, APPROVING THE PURCHASE OF A 2025 FREIGHTLINER M2106 DUMP TRUCK FOR THE BURNET WATER/WASTEWATER DEPARTMENT AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE PURCHASE AGREEMENT ON BEHALF OF THE CITY: C. Pearson: Council Member Philip

Thurman moved to approve and adopt Resolution No. R2023-85 as presented. Council Member Dennis Langley seconded. The motion carried unanimously.

Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING THE EXPENDITURE OF \$30,000 IN ADDITIONAL SPONSOR SHARE AND DIRECTING THE CITY MANAGER TO SIGN APPROPRIATE PAPERWORK, WITH THE STATE OF TEXAS, REPRESENTED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, FOR THE AIRPORT PAVING PROJECT CSJ-2314BRNET: A. Field: Council Member Tres Clinton moved to approve and adopt Resolution No. R2023-86 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 APPROVING AN AIRPORT HANGAR FACILITY USE AGREEMENT WITH THE HIGHLAND LAKES SQUADRON OF THE COMMEMORATIVE AIR FORCE, INC.(CAF): A. Field: Council Member Tres Clinton moved to approve and adopt Resolution No. R2023-88 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 HOTEL OCCUPANCY TAX FUNDS TO BE EXPENDED FOR THE HIGHLAND LAKES SQUADRON OF THE COMMEMORATIVE AIR FORCE, INC.(CAF) PROGRAM OPERATION: A. Field: Council Member Philip Thurman moved to approve and adopt Resolution No. R2023-87 as presented. Council Member Joyce Laudenschlager seconded. The motion carried unanimously.

Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS ADOPTING THE BURNET MUNICIPAL AIRPORT LAYOUT PLAN WITH NARRATIVE: A. FIELD: Council Member Mary Jane Shanes moved to approve and adopt Resolution No. R2023-89 as presented. Council Member Dennis Langley seconded. The motion carried unanimously.

EXECUTIVE SESSION: Council Member Mary Jane Shanes moved to convene to Executive Session at 6:55 p.m. Council Member Joyce Laudenschlager seconded. The motion carried unanimously.

Executive Session: Pursuant to Government Code 551.071, the City Council will convene is executive session to consult with its attorney on matters in which the duty of the attorney to the City under the Texas Disciplinary Rules of Professional Conduct clearly conflicts with Chapter 551, and to discuss the following threatened/pending litigation and possible settlement thereof: Cause Number 56179, styled Kenneth Reagor v. The City Council of the City of Burnet and filed in the 424th District Court, Burnet County: Scott Tschirhart, Assistant City Attorney

RECONVENE TO REGULAR SESSION: Council Member Mary Jane Shanes moved to reconvene to Regular Session at 7:17 p.m. Council Member Joyce Laudenschlager seconded. The motion carried unanimously.

Discuss and consider action: Pending litigation and possible settlement pertaining to Cause Number 56179, styled Kenneth Reagor v. The City Council of the City of Burnet; filed in the 424th District Court, Burnet County:
No action taken.

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 Mary Jane Shanes at 7:18 p.m. seconded by Council Member Joyce Laudenschlager. The motion carried unanimously.

ATTEST:



Kelly Dix, City Secretary





Gary Wideman, Mayor