

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

On this the 9<sup>th</sup> day of January, 2024, 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, Ricky Langley, Philip Thurman, Philip Thurman, Mary Jane Shanes, Joyce Laudenschlager, Tres Clinton  
  
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, Sarah Ray, Leslie Ray, Rachel Bryson, Tommy Gaut, Ken Graham, Nicole Westhoff, Patrick Lawson, Nathan Bush, Stephen Cox, Rhonda Martin, Kenneth Reagor, Richard Snook, Jeremy Stewart

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:

Delaware Springs Quarterly Report: Tony Nash, Delaware Springs General Manager, updated all present on current projects underway at the Golf Course to include; cutting down trees and raising the canopies, drainage and cart path repairs, replacement of fencing, and addressing erosion issues in the creek areas. Winterization is in process as well. Mr. Nash reported that the new Promotional software has been highly effective to date.

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 December 12<sup>th</sup>, 2023 City Council Workshop Meeting Minutes:

Approval of the December 12<sup>th</sup>, 2023 City Council Regular Meeting Minutes:

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

PUBLIC HEARINGS/ACTION:

FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AMENDING THE CODE OF ORDINANCES, CHAPTER 118 (ENTITLED "ZONING"), SEC.118-5 & 118-68 PROVIDING FOR DEFINITIONS AND REGULATIONS FOR SHORT TERM RENTAL USES; PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE: C. Kehoe

Pearson: Public Works/Development Services Director Carly Pearson presented the item.

Public Hearing: Mayor Gary Wideman opened the public hearing at 6:06 p.m. and asked if anyone was interested in speaking, if so to approach the podium. The following citizen's spoke:

- Kenneth Graham approached the podium and presented his support of the Council establishing the ordinance to regulate Short Term Rentals.
- Richard Lawson requested clarification of the effect on his property. Ms. Pearson established that his property is not in the City limits of Burnet and that this ordinance would not apply.

There being no one else wishing to speak, Mayor Wideman closed the public hearing at 6:10 p.m.

Consideration and action: Council Member Mary Jane Shanes moved to approve the first reading of Ordinance No. 2024-01 as presented. Council Member Philip Thurman seconded. Mayor Gary Wideman called for a roll vote. Council Members Dennis Langley, Tres Clinton and Ricky Langley voted against. Council Members Philip Thurman, Mary Jane Shanes, Joyce Laudenschlager and Mayor Gary Wideman voted in favor. The motion carried with four in favor and three opposed.

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 PROPERTY KNOWN 506 E LEAGUE ST. AND 410 S SILVER ST. FROM ITS PRESENT DESIGNATION OF LIGHT INDUSTRIAL – “I-1” TO A DESIGNATION OF NEIGHBORHOOD COMMERCIAL – “NC”; PROPERTY KNOWN AS 801 NORTHINGTON FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – “C-1” TO A DESIGNATION OF SINGLE-FAMILY RESIDENTIAL – “R-1”; PROPERTY KNOWN AS 303 S BOUNDARY FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – “C-1” TO A DESIGNATION OF GOVERNMENT – “G”; PROPERTY KNOWN AS 208 S VANDEVEER ST. FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – “C-1” TO A DESIGNATION OF GOVERNMENT – “G”; PROPERTY KNOWN AS 403 S SILVER ST FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – “C-1” TO A DESIGNATION OF NEIGHBORHOOD COMMERCIAL – “NC”; PROPERTY KNOWN AS THE RANDY LONGORIA PARK FROM ITS PRESENT DESIGNATION OF AGRICULTURE – “A” TO A DESIGNATION OF GOVERNMENT – “G”; PROPERTY KNOWN AS 800 AND 802 S VANDEVEER ST FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – “C-1” TO A DESIGNATION OF DUPLEX – “R-2”; AND PROPERTY KNOWN AS 808 S BOUNDARY ST FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – “C-1” TO A DESIGNATION OF SINGLE-FAMILY RESIDENTIAL – “R-1”; L. Kimbler: Planning Manager Leslie Kimbler presented the item. This is a City initiated rezone to clarify the city zoning maps.

Public Hearing: Mayor Gary Wideman opened the public hearing at 6:28 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 6:29 p.m.

Consideration and action: Council Member Philip Thurman moved to approve the first reading of Ordinance No. 2024-02 as presented. Council Member Joyce Laudenschlager 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 KNOWN AS 611 S WATER STREET FROM SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1” TO LIGHT COMMERCIAL – DISTRICT “C-1”; L. Kimbler: Planning Manager Leslie Kimbler presented the item.

Public Hearing: Mayor Gary Wideman opened the public hearing at 6:32 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 6:33 p.m.

Consideration and action: Council Member Tres Clinton moved to approve the first reading of Ordinance No. 2024-03 as presented. Council Member Ricky Langley seconded. The motion carried unanimously.

The City Council shall conduct a public hearing to receive public testimony and comments on the merits of a proposed “Preliminary Plat” for approximately 25.88 acres out of Abstract A0398 Susano Hernandez Tract and Abstract 1018 & 29. The proposed “Preliminary Plat” will establish The Ranch at Delaware Creek, Phase 5, consisting of 52 residential lots; L. Kimbler: Planning Manager Leslie Kimbler presented the item.

Public Hearing: Mayor Gary Wideman 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 Wideman closed the public hearing at 6:35 p.m.

CITY COUNCIL SHALL CONVENE AS THE DANGEROUS BUILDINGS BOARD OF APPEALS TO CONDUCT A PUBLIC HEARING TO DELIBERATE AND TAKE ACTION ON A PROPOSED ORDER FINDING THE STRUCTURE LOCATED AT 300 N. WATER STREET TO BE A DANGEROUS STRUCTURE AND ORDERING THE DEMOLITION OF SAID STRUCTURE. B. Lee: Council Member Mary Jane Shanes made a motion for Council to convene as the Dangerous Building Board of Appeals at 6:35 p.m. Council Member Philip Thurman seconded. The motion carried unanimously.

Public Hearing: Mayor Gary Wideman opened the public hearing at 6:43 p.m. and asked if anyone was interested in speaking, if so to approach the podium. The following citizens approached the podium to speak:

- Kenneth Reagor stated he and his sister are the owners of the building located at 300 N. Water Street and due to his health Ms. Rhonda Martin would be presenting for him.
- Rhonda Martin approached the podium and presented Council with her findings and her plan to secure and obtain historic preservation on the building in question.
- Rachel Bryson with the Burnet County Historic Commission stated her support for the historic

preservation of the building and requested the Council to consider extending the period ninety days to allow time for the historic preservation process to be evaluated.

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 approve and execute Order No. 2024-01-09-001 as presented. Council Member Philip Thurman seconded. The motion carried unanimously.

RECONVENE TO REGULAR SESSION:

Council Member Mary Jane Shanes move to reconvene to regular session at 7:57 p.m. Council Member Dennis Langley seconded. The motion carried unanimously.

ACTION ITEMS:

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 2 (ENTITLED "ADMINISTRATION") BY AMENDING SECTION 2-100 EMERGENCY MEDICAL SERVICE FEES: M. Ingram: Council Member Philip Thurman moved to approve and adopt Ordinance 2023-49 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 AUTHORIZING THE ACCEPTANCE OF THE DONATION OF 18 BALLISTIC HELMETS, FOUR IFAK KITS, AND 24 TOURNIQUETS FROM MARILIE WALKER: B. Lee: Council Member Tres Clinton moved to approve and adopt Resolution No. R2024-01 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 VARIANCES TO THE CODE OF ORDINANCES, SECTION 98-48 – BLOCKS FOR THE PROPOSED PRELIMINARY PLAT OF THE RANCH AT DELAWARE CREEK, PHASE 5 SUBDIVISION: L. Kimbler: Council Member Tres Clinton moved to approve and adopt Resolution No. R2024-02 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 PRELIMINARY PLAT OF THE RANCH AT DELAWARE CREEK, PHASE 5 SUBDIVISION, A PROPOSED 52-LOT RESIDENTIAL SUBDIVISION CONSISTING OF APPROXIMATELY 25.88 ACRES: L. Kimbler: Council Member Ricky Langley moved to approve and adopt Resolution No. R2024-03 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 PURCHASE OF A NEW SST15-832 VON UNIT FOR THE BURNET ELECTRIC DEPARTMENT AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE PURCHASE AGREEMENT ON BEHALF OF THE CITY: C. Pearson: Council Member Mary Jane Shanes moved to approve and adopt Resolution No. R2024-04 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 2023-36; THE ORIGINAL BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024, 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 Tres Clinton moved to dis-approve Ordinance 2024-04 as presented. For lack of a second, the motion failed. Council Member Philip Thurman moved to approve the first reading of Ordinance 2024-04 as presented. Council Member Mary Jane Shanes seconded. Mayor Gary Wideman called for a roll vote. Council Members Dennis Langley, Philip Thurman, Mary Jane Shanes, Joyce Laudenschlager, Ricky Langley, and Mayor Gary Wideman voted in favor. Council Member Tres Clinton voted against. The motion carried with a vote of six in favor and one opposed.

Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS SELECTING THE PROPOSAL OF DON JACKSON CONSTRUCTION UNDER REQUEST FOR PROPOSAL 2023-007 AIRPORT BOX HANGAR PROJECT; AWARDED A CONTRACT TO SAID CONTRACTOR IN THE AMOUNT OF \$1,782,970.00; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT ON BEHALF OF THE CITY ON OR AFTER JANUARY 25, 2024: E. Belaj:

Council Member Joyce Laudenschlager moved to approve and adopt Resolution No. R2024-05 as presented. Council Member Mary Jane Shanes seconded. The motion carried unanimously.

Discuss and consider action: Golf Course Advisory Committee Appointments: D. Vaughn: Council Member Ricky Langley move to approve the appointments of Martha Underwood, Joe Cava, Lance Gunn, Robert Musselman and Matt Kelley to the Delaware Springs Golf Course Advisory Committee as presented. Council Member Joyce Laudenschlager seconded. The motion carried unanimously.

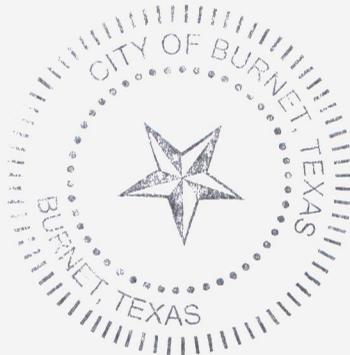
Discuss and consider action: Acceptance of proposed Charter Commission Report for the May 2024 Election Ballot: D. Vaughn: Council Member Joyce Laudenschlager moved to accept the proposed Charter Commission Report for the May 2024 Election Ballot as presented. Council Member Mary Jane Shanes seconded. The motion carried unanimously.

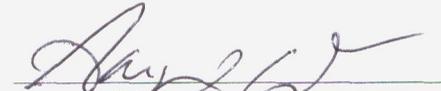
REQUESTS FROM COUNCIL FOR FUTURE REPORTS: In accordance with Resolution R2020-28 councilmembers may request the City Manager to prepare and present future report on matters of public interest: None.

ADJOURN: There being no further business a motion to adjourn was made by Council Member Mary Jane Shanes at 8:24 p.m. seconded by Mayor Gary Wideman. The motion carried unanimously.

**ATTEST:**

  
Kelly Dix, City Secretary



  
Gary Wideman, Mayor