

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

On this the 13th day of August 2024, the City Council of the City of Burnet convened in Regular Session, at 6:00 p.m. the City of Burnet Community Center located at 401 E. Jackson, Burnet, TX thereof with the following members present, to-wit:

Mayor Gary Wideman
Council Members Cindia Talamantez, Tommy Gaut, Philip Thurman, Tres Clinton Joyce
 Laudenschlager, Ricky Langley
City Manager David Vaughn
City Secretary Maria Gonzales

Guests: Haley Archer, Eric Belaj, Angie Beyer, Adrienne Field, Veronica Hernandez, Mark Ingram, Leslie Kimbler, Patricia Langford, Brian Lee, Keith McBurnett, Thad Mercer, Tony Nash, Madison Russell

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

INVOCATION: Led by Mayor Gary Wideman

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

Special Reports/Recognition

Commemorative Air Force Report, Tim Reynolds: Squadron Leader, Tim Reynolds, who took his position effective April 2024, provided a report on the CAF and its history. He also reported on museum information, historic aircraft, and the Bluebonnet Airshow. Mr. Reynolds detailed the CAF’s community involvement, including the Pancake Breakfast, hosting the Wright Brothers Award and the Austin Chapter of the 99s, an all-female pilot squadron.

CONSENT AGENDA:

Approval of the July 23, 2024, City Council Regular Meeting Minutes
Council Member Tommy Gaut moved to approve the consent agenda as presented. Council Member Ricky Langley seconded. The motion carried unanimously.

PUBLIC HEARINGS/ACTION:

3.1) Public Hearing and Action: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2012-09 AND THE OFFICIAL FUTURE LAND USE MAP OF THE CITY BY ASSIGNING THE PROPERTY KNOWN AS 400 N WEST STREET FROM ITS PRESENT DESIGNATION OF RESIDENTIAL TO A DESIGNATION OF GOVERNMENT; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: L. Kimbler: Leslie Kimbler, City Planner, presented the item to Council to conduct the public hearing, discuss, and take action on Ordinance 2024-24.

Public Hearing: Mayor Wideman opened the public hearing at 6:17 p.m. and asked if anyone was interested in speaking to approach the podium. There being no one wishing to speak, Mayor Wideman closed the public hearing at 6:17 p.m.

Consideration and action: Council Member Joyce Laudenschlager moved to approve Ordinance No. 2024-24 as presented. Council Member Tres Clinton seconded. The motion carried unanimously.

3.2) Public Hearing and Action: 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 205 S HILL ST., 307 S HILL ST., 309 S HILL ST., 1006 E LEAGUE ST., 303 LEAGUE CT., 304 LEAGUE CT., 305 LEAGUE CT., 306 LEAGUE CT., 307 LEAGUE CT., 308 LEAGUE CT., 309 LEAGUE CT., 310 LEAGUE CT., FROM THEIR PRESENT DESIGNATION OF MULTI-FAMILY RESIDENTIAL – DISTRICT “R-3” TO A DESIGNATION OF SINGLE-FAMILY

RESIDENTIAL – DISTRICT “R-1”; PROPERTY KNOWN AS 1001 E POLK ST FROM THE PRESENT DESIGNATION OF MULTI-FAMILY RESIDENTIAL – DISTRICT “R-3” TO A DESIGNATION OF MEDIUM COMMERCIAL – DISTRICT “C-2”; PROPERTY KNOWN AS 703 N MAIN ST FROM THE PRESENT DESIGNATION OF SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1” TO A DESIGNATION OF GOVERNMENT – DISTRICT “G”; AND PROPERTY KNOWN AS 400 N WEST ST FROM THE PRESENT DESIGNATIONS OF SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1”, LIGHT COMMERCIAL – DISTRICT “C-1” AND MEDIUM COMMERCIAL – DISTRICT “C-2” TO A DESIGNATION OF GOVERNMENT – DISTRICT “G”; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE : L. Kimbler: Leslie Kimbler, City Planner, presented the item to Council to conduct the public hearing, discuss, and take action on Ordinance 2024-22.

Public Hearing: Mayor Wideman opened the public hearing at 6:20 p.m. and asked if anyone was interested in speaking to approach the podium. There being no one wishing to speak, Mayor Wideman closed the public hearing at 6:20 p.m.

Consideration and action: Council Member Tommy Gaut moved to approve Ordinance No. 2024-22 as presented. Council Member Cindia Talamantez seconded. The motion carried unanimously.

3.3) Public Hearing and Action: 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 303 BLUEBONNET STREET FROM THE PRESENT DESIGNATIONS OF SINGLE-FAMILY – “R-1” AND LIGHT COMMERCIAL – DISTRICT “C-1” TO A DESIGNATION OF NEIGHBORHOOD COMMERCIAL – DISTRICT “NC”; PROPERTY KNOWN AS 3029 EAST STATE HIGHWAY 29 FROM THE PRESENT DESIGNATION OF SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1” TO A DESIGNATION OF GOVERNMENT – DISTRICT “G”; AND PROPERTY KNOWN AS 1958 COUNTY ROAD 340 FROM THE PRESENT DESIGNATION OF SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1” TO A DESIGNATION OF GOVERNMENT – DISTRICT “G”; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE : L. Kimbler: Leslie Kimbler, City Planner, presented the item to Council to conduct the public hearing, discuss, and take action on Ordinance 2024-23.

Public Hearing: Mayor Wideman opened the public hearing at 6:22 p.m. and asked if anyone was interested in speaking to approach the podium. There being no one wishing to speak, Mayor Wideman closed the public hearing at 6:22 p.m.

Consideration and action: Council Member Philip Thurman moved to approve Ordinance No. 2024-23 as presented. Council Member Tommy Gaut seconded. The motion carried unanimously.

3.4) Public Hearing and Action: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2012-09 AND THE OFFICIAL FUTURE LAND USE MAP OF THE CITY OF BURNET BY ASSIGNING THE PROPERTY KNOWN AS 104 COUNTY ROAD 108 FROM ITS PRESENT DESIGNATION OF RESIDENTIAL TO A DESIGNATION OF COMMERCIAL; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: L. Kimbler: Leslie Kimbler, City Planner, presented the item to Council to conduct the public hearing, discuss, and take action on Ordinance 2024-25.

Public Hearing: Mayor Wideman opened the public hearing at 6:24 p.m. and asked if anyone was interested in speaking to approach the podium. There being no one wishing to speak, Mayor Wideman closed the public hearing at 6:24 p.m.

Consideration and action: Council Member Philip Thurman moved to approve Ordinance No. 2024-25 as presented. Council Member Joyce Laudenschlager seconded. The motion carried unanimously.

3.5) Public Hearing and Action: 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 OF BURNET BY REZONING PROPERTY KNOWN AS 104 COUNTY ROAD 108 FROM ITS PRESENT DESIGNATION OF NEIGHBORHOOD COMMERCIAL – DISTRICT “NC” TO A DESIGNATION OF LIGHT COMMERCIAL – DISTRICT “C-1” WITH A CONDITIONAL USE PERMIT TO ALLOW “ASSISTED RETIREMENT LIVING”; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: L. Kimbler: Leslie Kimbler, City

Planner, presented the item to Council to conduct the public hearing, discuss, and take action on Ordinance 2024-26.

Public Hearing: Mayor Wideman opened the public hearing at 6:28 p.m. and asked if anyone was interested in speaking to approach the podium. There being no one wishing to speak, Mayor Wideman closed the public hearing at 6:28 p.m.

Consideration and action: Council Member Tommy Gaut moved to approve Ordinance No. 2024-26 as presented. Council Member Philip Thurman seconded. The motion carried unanimously.

3.6) Public Hearing and Action: 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 REZONING PROPERTY LOCATED AT THE NORTH CORNER OF COUNTY ROAD 108 AND NORTH WATER STREET FROM ITS CURRENT DESIGNATION OF AGRICULTURE – DISTRICT “A” TO A DESIGNATION OF LIGHT COMMERCIAL – DISTRICT “C-1” WITH A CONDITIONAL USE PERMIT TO ALLOW “GASOLINE SALES AND ALCOHOL SALES” AND A CONDITIONAL USE PERMIT TO ALLOW FOR “PACKAGED LIQUOR STORE FOR OFF PREMISE CONSUMPTION SALES”;

PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: L. Kimbler: Leslie Kimbler, City Planner, presented the item to Council to conduct the public hearing, discuss, and take action on Ordinance 2024-27.

Public Hearing: Mayor Wideman opened the public hearing at 6:32 p.m. and asked if anyone was interested in speaking to approach the podium. Alan Snider, a realtor, approached the podium and spoke in opposition of the ordinance due to concerns with the road conditions and unsafe access. Luis Granillo, representative from LRG Engineering, spoke in favor of the ordinance and answered questions from Council. There being no one else wishing to speak on the matter, Mayor Wideman closed the public hearing at 6:39 p.m.

Consideration and action: Council Member Tres Clinton moved to table Ordinance No. 2024-27 as presented. Council Member Philip Thurman seconded. The motion carried unanimously.

3.7) Public Hearing and Action: 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 REZONING PROPERTY KNOWN AS 402 AND 404 NORTH WATER STREET FROM ITS CURRENT DESIGNATIONS OF MEDIUM COMMERCIAL – DISTRICT “C-2” AND SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1” TO A DESIGNATION OF LIGHT COMMERCIAL – DISTRICT “C-1” WITH A CONDITIONAL USE PERMIT TO ALLOW “GASOLINE SALES AND ALCOHOL SALES”;

PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: L. Kimbler: Leslie Kimbler, City Planner, presented the item to Council to conduct the public hearing, discuss, and take action on Ordinance 2024-28.

Public Hearing: Mayor Wideman opened the public hearing at 6:48 p.m. and asked if anyone was interested in speaking to approach the podium. Mike Bearers, a representative of Sensate Development, spoke in favor of the ordinance. He did acknowledge the concerns of the citizens near the property and was willing to discuss them. Alan Snider, a realtor, also spoke in favor of the ordinance as part of the property is zoned commercial. Bill Foulds, a Burnet resident, spoke in opposition to the ordinance. He felt that the specified type of business would increase traffic and cause congestion within the neighborhood. Debbie Collins, also a Burnet resident, reiterated what Mr. Foulds stated and was also opposed to Ordinance 2024-28. Mrs. Collins stated that the small neighborhood wouldn't be able to handle the increased traffic. David McGuire, a Burnet resident, spoke in opposition to the ordinance due to traffic issues that would ensue in the adjacent neighborhood and problems with the roads as they currently are. Mary Jane Shanes, a Burnet resident, also spoke in opposition to Ordinance 2024-28 due to traffic concerns. Betty Foulds, a Burnet resident, who lives behind the property spoke against the ordinance. She voiced concerns about the traffic, large delivery trucks, and the bright lights that the business would have. There being no one else wishing to speak on the matter, Mayor Wideman closed the public hearing at 7:25 p.m.

Consideration and action: Council Member Tres Clinton made a motion to deny Ordinance No. 2024-28 as presented. Council Member Philip Thurman seconded. The motion carried with 5 ayes and 1 nay. Council Member Cindia Talamantez, Council Member Tommy Gaut, Council Member Philip Thurman, Mayor Gary Wideman, council Member Tres Clinton, and Council Member Joyce Laudenschlager voted in favor to deny Ordinance 2024-28. Council Member Ricky Langley voted against the motion to deny Ordinance 2024-28.

ACTION ITEMS:

4.1) Discuss and consider action: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING CODE OF ORDINANCE CHAPTER 22 (ENTITLED “BUILDING AND BUILDING REGULATIONS”) AND CHAPTER 46 (“ENTITLED FIRE PREVENTION AND PROTECTION”) TO RECODIFY THE INTERNATIONAL FIRE CODE, IN CHAPTER 46; REPEAL DUPLICATIVE AND CONFLICTING PROVISIONS OF CHAPTER 46, TO REPEAL, IN ITS ENTIRETY, ORDINANCE NO. 2001-26 AND REPLACE IT WITH THIS ORDINANCE, ADOPTING THE 2021 EDITION OF THE INTERNATIONAL FIRE CODE, INCLUDING AMENDMENTS A, B, C, D, E, F, G, H, I, K, AND L, AMEND SECTION 46-3 (OUTDOOR BURNING) AND AMEND THE TEXT RELATING TO THE FIRE MARSHAL TO COMPLY WITH THE CITY CHARTER: Mark Ingram: Council Member Philip Thurman moved to approve Ordinance 2024-19 as presented. Council Member Tommy Gaut seconded the motion. The motion carried unanimously.

4.2) Discuss and consider action: Approval of Burnet Economic Development Corporation Board appointments: M. Gonzales: Mayor Gary Wideman made a motion to re-appoint Philp Thurman (Position 6) and Keith McBurnett (Position 7), and appoint Josh Milam (Position 2) and Habib Erkan, Jr. (Position 5) to the Burnet Economic Board of Directors for a term of two years that will expire in June 2026. Council Member Joyce Laudenschlager seconded the motion. The motion carried unanimously.

4.3) Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AUTHORIZING AN AGREEMENT WITH NEWGEN STRATEGIES AND SOLUTIONS, LLC TO CONDUCT A REVIEW OF THE CITY'S WATER AND WASTEWATER IMPACT FEES: K. McBurnett: Council Member Ricky Langley made a motion to approve Resolution 2024-59 as presented. Council Member Philip Thurman seconded the motion. The motion carried unanimously.

4.4) Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AUTHORIZING THE APPROVAL OF THE EMPLOYEE BENEFITS PLAN FOR THE 2024-2025 FISCAL YEAR: H. Archer: Council Member Philip Thurmand made a motion to approve Resolution 2024-60 as presented. Council Member Cindia Talamantez seconded the motion. The motion passed unanimously.

4.5) Discuss and consider action: Appointment of up to two Council Members to serve on the Street Committee: E. Belaj: Council Member Philip Thurman made a motion to appoint Council Member Ricky Langley to the street committee. Council Member Tommy Gaut seconded the motion. The motion carried unanimously.

4.6) Discuss and consider action: AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, ORDERING THE ADOPTION OF THE DOCUMENT ENTITLED “CITY OF BURNET HOME RULE CHARTER AS AMENDED MAY 2024” TO COMPLETELY REPLACE THE CURRENTLY PUBLISHED CHARTER IN ORDER TO PROVIDE A CHARTER THAT ACCURATELY REFLECTS THE WILL OF THE VOTERS THROUGH THE AMENDMENTS APPROVED IN THE MAY 24, 2024 CHARTER AMENDMENT SPECIAL ELECTION: K. McBurnett: Council Member Philip Thurman made a motion to approve Ordinance 2024-21 with a review to ensure the correct version is posted appropriately. Council Member Joyce Laudenschlager seconded the motion. The motion passed unanimously.

4.7) Discuss and consider action: AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING CITY OF BURNET ORDINANCE NO. 2019-10 AND SECTION 110-40 DROUGHT CONTINGENCY PLAN; PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE: E. Belaj: Council Member Tres Clinton made a motion to approve Ordinance 2024-20 as presented. Council Member Philip Thurman seconded the motion. The motion carried unanimously.

4.8) Discuss and consider action: Approval and authorization to purchase 50 water filled barricades for the street department. B. Lee: Council Member Ricky Langley made a motion to approve and authorize the purchase of 50 water filled barricades. Council Member Tres Clinton seconded the motion. The motion passed unanimously.

4.9) Discuss and consider action: AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 106 (ENTITLED “TRAFFIC AND VEHICLES”) BY ADDING A NEW SECTION 106-67 RESTRICTING PARKING ON DELAWARE SPRINGS BOULEVARD; PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE

DATE: B. Lee: Council Member Philip Thurman made a motion to approve Ordinance 2024-29 as presented. Council Member Ricky Langley seconded the motion. The motion carried unanimously.

4.10) Discuss and consider action: AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 106 (ENTITLED "TRAFFIC AND VEHICLES") BY ADDING A NEW SECTION 106-68 RESTRICTING PARKING ON CERTAIN PORTIONS OF PIERCE STREET; PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE

DATE: B. Lee: Council Member Ricky Langley made a motion to approve Ordinance 2024-30 as presented. Council Member Joyce Laudenschlager seconded the motion. The motion passed unanimously.

4.11) Discuss and consider action: Approval and authorization to purchase TruNarc unlimited instrument for the identification of unknown substances: B. Lee: Council Member Cindia Talamantez made a motion to approve and authorize the purchase of TruNarc. Council Member Tommy Gaut seconded the motion. The motion carried unanimously.

4.12) Discuss and consider action: Vote on the maximum tax rate that would be considered for the fiscal year 2024-2025 budget and schedule the public tax rate hearing (if applicable) and meeting for final vote to adopt the tax rate: P. Langford: Council Member Ricky Langley made a motion to tentatively set the date for the final vote of the tax rate of \$0.6131/100 on September 10, 2024. Council Member Joyce Laudenschlager seconded the motion. The motion carried unanimously.

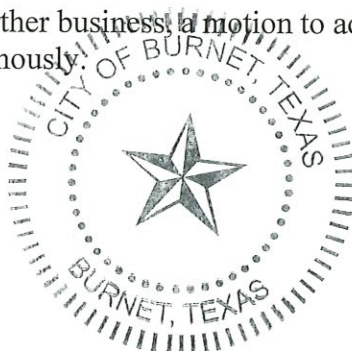
4.13) Discuss and consider action: Appointment of a City Council Strategic Planning and Service Level Subcommittee: P. Thurman: Council Member Philip Thurman made a motion to appoint Tommy Gaut, Tres Clinton, and Philip Thurman to the City Council Strategic Planning and Service Level Subcommittee. Mayor Gary Wideman seconded the motion. The motion carried unanimously.


4.14) Discuss and consider action: A resolution of the City Council of the City of Burnet, Texas restricting the proceeds from the sale of equipment to the Self-Funded reserve accounts; restricting the use of certain reserves for street projects, and depositing restricted funds in accordance with the City's Investment Policy: P. Langford: Council Member Tres Clinton made a motion to approve Resolution R2024-61 as presented. Council Member Joyce Laudenschlager seconded the motion. The motion passed unanimously.

4.15) Discuss and consider action: A resolution of the City Council of the City of Burnet, Texas authorizing the use of council restricted funds and restricted bond proceeds for the City Hall project; the use of restricted water impact fee funds for water plant generators; use of council restricted funds for the purchase of electric equipment; and the use of council restricted funds for Galloway Hammond capital maintenance projects: P. Langford: Council Member Tres Clinton made a motion to approve Resolution R2024-62 as presented. Council Member Joyce Laudenschlager seconded the motion. 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 Mayor Gary Wideman and 08:39 p.m. The motion carried unanimously.




Gary Wideman, Mayor

ATTEST:


Maria Gonzales, City Secretary