

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

On this the 10<sup>th</sup> day of September 2024, the City Council of the City of Burnet convened in Regular Session, at 6:00 p.m. in the City of Burnet Council Chambers, located at 2402 S. Water, 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 Feild, Mark Ingram, Leslie Kimbler, Patricia Langford, Brian Lee, Keith McBurnett, Thad Mercer, Tony Nash, Andrew Scott, Elizabeth De Los Santos, Ken & Beverly Graham, Bill Foulds, Bettye Foulds, Zac Neely, Rachel Jones, Darlene Denton, Jay Folia, Marilyn LeGault

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  
None.

CONSENT AGENDA:

Approval of the August 27, 2024, City Council Workshop Minutes

Approval of the August 27, 2024, City Council Regular Meeting Minutes

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

PUBLIC HEARINGS/ACTION:

3.1) Public Hearing and Action: 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 PROPERTY KNOWN AS 102 E VALLEY STREET FROM ITS PRESENT DESIGNATION OF RESIDENTIAL TO A DESIGNATION OF GOVERNMENT; 1005 S MAIN STREET FROM THE PRESENT DESIGNATION OF RESIDENTIAL TO A DESIGNATION OF GOVERNMENT; 904 S MAIN STREET FROM THE PRESENT DESIGNATION OF RESIDENTIAL TO A DESIGNATION OF GOVERNMENT; PROPERTY DESCRIBED AS ABS. A0187 BB CASTLEBERRY, TRACT IN CREEK BED 3.03 ACRES FROM THE PRESENT DESIGNATION OF RESIDENTIAL TO A DESIGNATION OF GOVERNMENT; PROPERTY DESCRIBED AS EAST JOHNSON STREET DRAINAGE EASEMENTS FROM THE PRESENT DESIGNATION OF RESIDENTIAL TO A DESIGNATION OF GOVERNMENT; AND HIGHLAND ACRES EAST LOT PARK, SEC. 3 AND HIGHLAND ACRES EAST SEC. 3 DRAINAGE AND UTILITY EASEMENT FROM THEIR 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 2024-38.

Public Hearing: Mayor Wideman opened the public hearing at 6:08 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 6:08 p.m.

Consideration and action: Council Member Ricky Langley made a motion to approve Ordinance No. 2024-38 as presented. Council Member Joyce Laudenschlager 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 REZONING PROPERTY KNOWN AS 102 E VALLEY STREET FROM THE PRESENT DESIGNATION OF SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1” TO A DESIGNATION OF GOVERNMENT – DISTRICT “G”; 1005 S MAIN STREET FROM THE PRESENT DESIGNATION OF SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1” TO A DESIGNATION OF GOVERNMENT – DISTRICT “G”; 904 S MAIN STREET FROM THE PRESENT DESIGNATION OF SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1” TO A DESIGNATION OF GOVERNMENT – DISTRICT “G”; PROPERTY DESCRIBED AS ABS. A0187 BB CASTLEBERRY, TRACT IN CREEK BED 3.03 ACRES FROM THE PRESENT DESIGNATION OF SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1” TO A DESIGNATION OF GOVERNMENT – DISTRICT “G”; PROPERTY DESCRIBED AS EAST SIDE WATER TANK LOT FROM THE PRESENT DESIGNATION OF SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1” TO A DESIGNATION OF GOVERNMENT – DISTRICT “G”; PROPERTY DESCRIBED AS EAST JOHNSON STREET DRAINAGE EASEMENTS FROM THE PRESENT DESIGNATION OF SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1” TO A DESIGNATION OF GOVERNMENT – DISTRICT “G”; AND HIGHLAND ACRES EAST LOT PARK, SEC. 3 AND HIGHLAND ACRES EAST SEC. 3 DRAINAGE EASEMENT FROM THEIR 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 2024-39.

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

Consideration and action: Council Member Philip Thurman moved to approve Ordinance 2024-39 as presented. Council Member Tommy Gaut seconded. The motion carried unanimously.

3.3) Public Hearing and Action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS APPROVING THE “REPLAT” OF PETER KERR PORTION SUBDIVISION, LOT 1-B, BLOCK 17: L. Kimbler: Leslie Kimbler, City Planner, presented the item to Council to conduct the public hearing, discuss, and take action on Resolution 2024-65.

Public Hearing: Mayor Wideman opened the public hearing at 6:12 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 6:12 p.m.

Consideration and action: Council Member Joyce Laudenschlager moved to approve Ordinance 2024-65 as presented. Council Member Cindia Talamantez seconded. The motion carried unanimously.

3.4) Public hearing and action: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING CITY CODE OF ORDINANCES SECTION 98-23 (ENTITLED “CONSTRUCTION PLANS”); AND AMENDING CHAPTER 98, APPENDIX “A” TO AMEND THE FEE “CONSTRUCTION PLANS INSPECTION AND TESTING”; PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; AND PROVIDING AN EFFECTIVE DATE: L. Kimbler: Mrs. Kimbler, City Planner, presented the item to Council to conduct the public hearing, discuss, and take action on Ordinance 2024-41.

Public Hearing: Mayor Wideman opened the public hearing at 6:15 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 6:15 p.m.

Consideration and action: Council Member Tommy Gaut moved to approve Ordinance 2024-41 as presented. Council Member Tres Clinton 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 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”; 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 2024-37.

Public Hearing: Mayor Wideman opened the public hearing at 6:23 p.m. and asked if anyone was interested in speaking to approach the podium. Bill Foulds, a resident in the surrounding neighborhood, spoke in favor of the ordinance. There being no one further wishing to speak, Mayor Wideman closed the public hearing at 6:25 p.m.

Consideration and action: Council Member Philip Thurman moved to approve Ordinance 2024-37 as presented. Council Member Tommy Gaut seconded. The motion carried unanimously.

#### ACTION ITEMS:

8.1) Discuss and consider action: Approval and authorization to station Free Little Libraries within City Parks: Darlene Denton: Darlene Denton, BCISD Staff, presented her Free Little Library program to Council. Mrs. Denton would like to place the libraries in City parks. Council Member Cindia Talamantez moved to approve the request as presented. Council Member Joyce Laudenschlager seconded the motion. The motion carried unanimously.

8.2) Discuss and consider action: Cancellation of the October 8, 2024, November 26, 2024, and December 24, 2024, Regular Council meetings: M. Gonzales: Cancellation of these meetings is due to conferences and upcoming holidays. Council Member Joyce Laudenschlager made a motion to approve the meeting cancellations as presented. Council Member Philip Thurman seconded. The motion carried unanimously.

8.3) Discuss and consider action: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING SECTION 110-36 (ENTITLED “BULK WATER SALES”) OF THE CODE OF ORDINANCES; INCREASING THE FEE FOR BULK WATER SALES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE: K. McBurnett: Council Member Philip Thurman made a motion to approve Ordinance 2024-34 as presented. Council Member Tres Clinton seconded the motion. The motion carried unanimously.

8.4) Discuss and consider action: Approval and authorization to purchase a precast concrete accessible flush-restroom structure: T. Mercer: Council Member Ricky Langley made a motion to approve and authorize the purchase of a precast concrete restroom structure as presented. Council Member Joyce Laudenschlager seconded the motion. The motion carried unanimously.

8.5) 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: K. McBurnett: Council Member Joyce Laudenschlager made a motion to approve Resolution R2024-63 as presented. Council Member Philip Thurman seconded. The motion carried unanimously.

8.6) Discuss and consider action: AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING THE CITY CODE OF ORDINANCES SECTION 74-38 ENTITLED “GOLF COURSE RATES”; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE: T. Nash: Resident Ken Graham spoke on behalf of the ordinance. He stated his support of the ordinance but also asked Council to consider a discounted rate for Burnet citizens. Council Member Joyce Laudenschlager made a motion to approve Ordinance 2024-33 as presented. Council Member Cindia Talamantez seconded the motion. The motion carried unanimously.

8.7) Discuss and consider action: Appointment of up to Three Council Members to a Committee to Conduct a Comprehensive Review of the Appointments, Policies, and Practices for the Planning and Zoning Commission and the Board of Adjustments: T. Gaut: Mayor Gary Wideman made a motion to approve Tommy Gaut and Philip Thurman to a committee to conduct a comprehensive review of the Appointments, Policies, and Practices for the Planning And Zoning Commission and the Board of Adjustments. Council Member Joyce Laudenschlager seconded. The motion carried unanimously.

8.8) Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING A MONUMENT SIGN RIGHTS-OF-WAY LICENSE AGREEMENT WITH THE CREEKFALL SUBDIVISION PHASES ONE AND TWO HOMEOWNERS’ ASSOCIATION AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT ON BEHALF OF THE CITY: L. Kimbler: Council Member Ricky Langley made a motion to approve R2024-66 as presented. Council Member Tres Clinton seconded the motion. The motion carried unanimously.

8.9) Discuss and consider action: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, ADOPTING THE OFFICIAL BUDGET FOR THE CITY OF BURNET, TEXAS, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024, AND ENDING

SEPTEMBER 30, 2025, PROVIDING FOR THE INVESTMENT OF FUNDS; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE: P. Langford: Council Member Joyce Laudenschlager made a motion to approve Ordinance 2024-35 as presented. The motion was seconded by Council Member Philip Thurman. The motion passed unanimously.

8.10) Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, RATIFYING THE CITY OF BURNET FISCAL YEAR 2024-2025

BUDGET: P. Langford: Council Member Tres Clinton made a motion to approve Resolution R2024-64 as presented. Council Member Joyce Laudenschlager seconded the motion. The motion carried unanimously.

8.11) Discuss and consider action: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, LEVYING AD VALOREM TAXES FOR USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024 AND TERMINATING SEPTEMBER 30, 2025; PROVIDING FOR APPORTIONING EACH LEVY FOR SPECIFIC PURPOSES; AND PROVIDING WHEN TAXES SHALL BECOME DUE AND WHEN SAME SHALL BECOME DELINQUENT IF NOT PAID; PROVIDING OPEN MEETINGS CLAUSES AND PROVIDING FOR AN EFFECTIVE DATE: P. Langford: Council Member Philip Thurman made a motion to approve Ordinance 2024-36 as presented. The motion was seconded by Council Member Joyce Laudenschlager. The motion passed unanimously.

8.12) Discuss and consider action: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, CLOSING, VACATING, AND ABANDONING PORTIONS OF TATE STREET LOCATED WITHIN THE PETER KERR DONATION ADJACENT TO NORTH HALF OF 10 ACRE BLOCK 8 AND PORTION OF 10 ACRE BLOCK 14; CONDITIONALLY AUTHORIZING CONVEYANCE TO THE ABUTTING PROPERTY OWNERS; AND MAKING SAID ABANDONMENT AND VACATION SUBJECT TO RESERVATION AND DEDICATION OF PUBLIC UTILITY AND DRAINAGE EASEMENTS; DIRECTING THE CITY SECRETARY TO CAUSE AN INSTRUMENT OF ABANDONMENT TO BE RECORDED IN THE DEED RECORDS OF BURNET COUNTY AND PROVIDING AN EFFECTIVE DATE: L. Kimbler: Council Member Tommy Gaut moved to approve Ordinance 2024-40 as presented. The motion was seconded by Council Member Philip Thurman. The motion carried unanimously.

8.13) Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF CITY OF BURNET, TEXAS, OBJECTING TO THE ISSUANCE OF A TCEQ AIR QUALITY STANDARDS PERMIT FOR A ROCK AND CONCRETE CRUSHER FACILITY PROPOSED TO BE LOCATED AT 3221 FM 3509, BURNET COUNTY, TEXAS: D. Vaughn: Citizen Zac Neely spoke against the TCEQ Permit with concerns in regard to how the quarry would affect the surrounding citizens. Council Member Joyce Laudenschlager made a motion to approve Resolution R2024-68 as presented. The motion was seconded by Council Member Cindia Talamantez. Council Member Tres Clinton abstained from voting. The motion carried with 5 ayes and 1 abstain. Council Member Cindia Talamantez, Council Member Tommy Gaut, Council Member Philip Thurman, Mayor Gary Wideman, Council Member Joyce Laudenschlager, and Council Member Ricky Langley voted in favor of Resolution R2024-68 as presented. The motion carried.

8.14) Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING AN EXCEPTION TO THE CODE OF ORDINANCES, SECTION 118-62 – LANDSCAPING, FOR THE TRACTOR SUPPLY COMPANY STORE LOCATED AT 115 RICHARD SANDERS PARKWAY: L. Kimbler: Mayor Gary Wideman made a motion to approve Resolution R2024-67, granting Tractor Supply Company an exception to the landscaping requirements, reducing the minimum number of trees to 30 and the minimum number of shrubs to 200. Council Member Tommy Gaut seconded the motion, and it passed unanimously.

EXECUTIVE SESSION:

9.1) Pursuant to Section 551.072 Texas Government Code to deliberate the purchase, exchange, lease, or value of real property in order to minimize the detrimental effect of such discussion in open session on the position of the Council in negotiations with third parties for property located in the City limits of Burnet, Texas: D. Vaughn: Mayor Gary Wideman made a motion to convene to Executive Session at 7:31 p.m. Council Member Tommy Gaut seconded. The motion carried unanimously.

The City Council may take action on any of the matters considered in executive session once the City Council reconvenes in open session:

RECONVENE TO REGULAR SESSION FOR POSSIBLE ACTION:

10.1) Discuss and consider action: Regarding deliberations of the purchase, exchange, lease, or value of real property located in the City limits of Burnet, Texas: D. Vaughn

Discuss and consider action: Regarding deliberations of the purchase, exchange, lease, or value of real property located in the City limits of Burnet, Texas: D. Vaughn: Mayor Gary Wideman made a motion to reconvene to regular session. Council Member Philip Thurman seconded the motion. The motion carried unanimously.

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 Mayor Gary Wideman at 7:42 p.m. Council Member Philip Thurman seconded. The motion carried unanimously.

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Gary Wideman, Mayor

**ATTEST:**

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Maria Gonzales, City Secretary