

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

On this the 8th day of December 2020, the City Council of the City of Burnet, TX convened in Regular Session, at 5:30 p.m., at the Burnet Community Center, 401 E. Jackson Street, Burnet, TX. In order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19), a Declaration of a Public Health Emergency was executed by Mayor Bromley on March 19, 2020. The Burnet Community Center was open to public attendance and the guidelines established by Governor Abbott in Executive Order 32 related to social gatherings and COVID-19 were adhered to.

Mayor	Crista Goble Bromley
Council Members:	Mary Jane Shanes, Cindia Talamantez, Tres Clinton, Danny Lester
Late Arrival	Paul Farmer, Philip Thurman
City Manager	David Vaughn
City Secretary	Kelly Dix

Guests: Kelli Sames, Sid Fuller, Mark Ingram, Doug Fipps, Jason Lutz, Patricia Langford, Gene Courtney, Habib Erkan, Merri Hall, Shirley Hall, Larry Redding, Michelle Fipps, Kathleen Fipps, Larry Courtney, Lynette Courtney, Shelley Floyd, Cory Courtney, Cortney Swift, Ginger Wilcox Riley, Jennifer Wind, Eric Wind, Dave Hargett

CALL TO ORDER: The meeting was called to order by Mayor Bromley, at 5:30 p.m.

ROLL CALL: City Secretary Kelly Dix called the roll. Mayor Bromley, Council Members Lester, Shanes, Clinton, and Talamantez were present in Chambers. Quorum was established. Council Member Farmer arrived at 5:34 p.m. and Council Member Thurman arrived at 5:56 p.m.

CONVENE TO EXECUTIVE SESSION: Council Member Mary Jane Shanes moved to convene to Executive Session at 5:33 p.m. Council Member Tres Clinton seconded, the motion carried unanimously.

Pursuant to Texas Government Code Section 551.071 (entitled “Consultation with Attorney”) City Council shall convene in executive session to receive legal advice on contemplated litigation, settlement offer, and/or matter in which the duty of the city attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Texas Government Code Chapter 551 related to the topics that follow:

- (a) City’s predecessors in title claims of a reversionary interest in the 42 acres of City land located west of the Burnet Municipal Golf Course, said land being the subject of a bid for purchase by Delaware Springs Ranch Investment LLC; and
- (b) The rezoning of all real property within the City of Burnet by the re-adoption of the official City of Burnet Zoning Map in its entirety as currently published for the purpose of alleviating any discrepancies between the City of Burnet Zoning Map and other City records and to cure any potential infirmities in prior rezoning actions.

RECONVENE TO REGULAR SESSION FOR POSSIBLE ACTION: Council Member Mary Jane Shanes moved to convene to Regular Session at 6:44 p.m. Council Member Cindia Talamantez seconded, the motion carried unanimously.

Discuss and consider action: Regarding 42 acres of City Land located west of the Burnet Municipal Golf Course, said land being the subject of a bid for purchase by Delaware Springs Ranch Investment LLC: No action taken.

Discuss and consider action: Regarding The rezoning of all real property within the City of Burnet by the re-adoption of the official City of Burnet Zoning Map in its entirety as currently published for the purpose of alleviating any discrepancies between the City of Burnet Zoning Map and other City records and to cure any potential infirmities in prior rezoning actions: No action taken.

SPECIAL REPORTS/RECOGNITION: None.

Addendum to the City Council Agenda: Department and Committee Reports/Briefings: The City Council may or may not receive a briefing dependent upon activity or change in status regarding the matter. The listing is provided to give notice to the public that a briefing to the Council on any or all subjects may occur.

PUBLIC HEARING:

Public Hearing: The City Council will conduct a public hearing to receive public testimony and comments on the merits of a proposed “Preliminary Plat” for approximately 25.954 acres out of the Eugenio Perez Survey, No.

41, Abstract No. 672, The Susano Hernandez Survey No. 40, Abstract 398 and Washington Anderson Survey 10, abstract 29, and located approximately 830 feet west of the intersection of US Hwy 281 and Delaware Springs Blvd. The proposed "Preliminary Plat" will establish Section 24 of the Delaware Springs Subdivision, consisting of approximately 51 residential lots: J. Lutz: Mayor Bromley opened the public hearing and asked if anyone was interested in speaking, if so to approach the podium. There being no one wishing to speak, Mayor Bromley closed the public hearing.

Public Hearing: The Burnet City Council shall conduct a public hearing to receive public testimony and comments on the merits of a proposed amendment to the City's Code of Ordinances Chapter 118 (entitled "Zoning") Section 118-64 (entitled "Conditional Use Permit"). The proposed amendment would expand City Council's authority to grant conditional use permits in all commercial and industrial districts and provide criteria for granting a conditional use permit: Mayor Bromley opened the public hearing and asked if anyone was interested in speaking, if so to approach the podium. There being no one wishing to speak, Mayor Bromley closed the public hearing.

CONSENT AGENDA ITEMS:

(All of the following items on the Consent Agenda are considered to be self-explanatory by the Council 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 10th, 2020 Regular City Council Meeting Minutes: Council Member Philip Thurman moved to approve the consent agenda as presented. Council Member Mary Jane Shanes seconded. The motion carried unanimously

ACTION ITEMS:

Discuss and consider action: Authorizing the City Manager to execute a letter of acceptance with the Commemorative Airforce (CAF) and the Army to allow A-10 aircraft to land at the airport for the 2021 airshow:

D. Vaughn: City Manager David Vaughn requested Council to move this item to the front of the agenda to accommodate attendees to the meeting. Council Member Tres Clinton moved to approve the City Manager to execute a letter of acceptance as presented. Council Member Paul Farmer seconded. The motion carried unanimously.

Discuss and consider action: City Council shall receive information from the City Manager on the status of the COVID-19 pandemic's impact on the City and may discuss, give direction, or take action to implement, extend, modify or terminate plans or programs in response to the pandemic: D. Vaughn: Fire Chief Mark Ingram updated Council that currently there are approximately 300 people currently tested positive with COVID-19 in Burnet County. Hospitals are still keeping up, but numbers are rising.

Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE 2019-24; THE ORIGINAL BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019, AND ENDING SEPTEMBER 30, 2020 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 Paul Farmer moved to approve and adopt Ordinance 2020-30 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, AMENDING PART 15, GRIEVANCES, OF THE PERSONNEL POLICY MANUAL BY UPDATING AND CLARIFYING POLICY REQUIREMENTS: K. Sames: Council Member Cindia Talamantez moved to approve Resolution R2020-58 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, AMENDING RESOLUTION NO. 2020-43 BY EXTENDING THE DATE BY WHICH A REAL ESTATE AGREEMENT WITH DELAWARE SPRINGS RANCH INVESTMENTS LLC, FOR THE SALE OF APPROXIMATELY 42 ACRES OF CITY LAND LOCATED WEST OF THE BURNET MUNICIPAL GOLF COURSE IS TO BE PRESENTED TO CITY COUNCIL AND AUTHORIZING AND DIRECTING THE CITY MANAGE TO NEGOTIATE THE REAL ESTATE AGREEMENT FOR FUTURE CITY COUNCIL

APPROVAL: H. Erkan: Council Member Paul Farmer moved to approve Resolution R2020-59 as presented Council Member Tres Clinton seconded. The motion carried unanimously.

Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF BURNET, TEXAS AMENDING RESOLUTION NO. R2020-32 BY EXTENDING THE DATE BY WHICH AN AGREEMENT TO LEASE AN AIRPORT HANGAR IS TO BE PRESENTED TO COUNCIL AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO NEGOTIATE THE LEASE AGREEMENT FOR FUTURE CITY COUNCIL

APPROVAL: H. Erkan: Council Member Philip Thurman moved to approve Resolution R2020-60 as presented Council Member Mary Jane Shanes seconded. Council Member Clinton abstained. Council Members Lester, Thurman, Shanes, Farmer, Talamantez and Mayor Bromley all voted in favor. The motion with six in favor and one abstention.

Discuss and consider action: The City Council will discuss and consider action regarding a proposed "Preliminary Plat" for approximately 25.954 acres out of the Eugenio Perez Survey, No. 41, Abstract No. 672, The Susano Hernandez Survey No. 40, Abstract 398 and Washington Anderson Survey 10, abstract 29, and located approximately 830 feet west of the intersection of US Hwy 281 and Delaware Springs Blvd. The proposed "Preliminary Plat" will establish Section 24 of the Delaware Springs Subdivision, consisting of approximately 51 residential lots: J. Lutz: Council Member Mary Jane Shanes moved to approve the preliminary plat as presented. Council Member Danny Lester 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 THE CODE OF ORDINANCES CHAPTER 118 (ENTITLED "ZONING") SECTION 118-64 (ENTITLED "CONDITIONAL USE PERMITS") BY EXPANDING CITY COUNCIL'S AUTHORITY TO GRANT A CONDITIONAL USE PERMIT IN COMMERCIAL AND INDUSTRIAL DISTRICTS AND PROVIDING A CRITERIA FOR GRANTS OF CONDITIONAL USE PERMITS; PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE: J. Lutz: Council Member Paul Farmer moved to approve the first reading of Ordinance 2020-31 as presented. Council Member Philip Thurman seconded. The motion carried unanimously.

Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS ("CITY"), EXPRESSING SUPPORT FOR HOUSE BILL NO. 233 BEING PROPOSED BY REPRESENTATIVE ANDREW MURR DURING THE 87TH LEGISLATIVE SESSION: D. Vaughn: Council Member Philip Thurman moved to approve Resolution R2020-61 as presented. Council Member Paul Farmer seconded. The motion carried unanimously.

Discuss and consider action: A RESOLUTION BY THE CITY OF BURNET, TEXAS DESIGNATING CERTAIN CITY OFFICIALS TO SIGN CHECKS AND OTHER DISBURSEMENTS FOR ANY AUTHORIZED DEPOSITORY OF THE CITY OF BURNET, TEXAS: P. Langford: Council Member Tres Clinton moved to approve Resolution R2020-62 as presented. Council Member Cindia Talamantez seconded. The motion carried unanimously.

Discuss and consider action: Regarding proposed regulations governing the use and operation of Mobile Food Establishments and providing feedback and direction to City staff regarding the proposed regulations: J. Lutz: No action taken.

Discuss and consider action: Appointment of the Burnet Airport Advisory board members to director positions one (1) through five (5): K. Dix: Council Member Danny Lester made a motion to assign position numbers re-appoint JoDean Perry, Robert Vossman and Charles Deitrich to the Burnet Airport Advisory Board for a term of two years ending in June of 2022. Council Member Mary Jane Shanes seconded. The Motion carried unanimously.

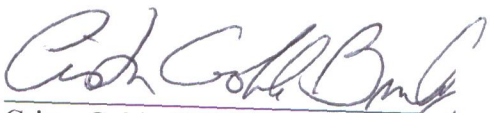
Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING SECTION 3.14 SEXUAL HARASSMENT POLICY, OF THE PERSONNEL POLICY MANUAL BY UPDATING AND CLARIFYING POLICY REQUIREMENTS: K. Sames: Council Member Mary Jane Shanes moved to approve Resolution R2020-63 as presented. Council Member Philip Thurman 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.

ADJOURN: There being no further business a motion to adjourn was made by Council Member Mary Janes Shanes at 7:56 p.m., seconded by Council Member Paul Farmer. The motion carried unanimously.

ATTEST:


Kelly Dix, City Secretary


Crista Goble Bromley, Mayor

