

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

On this the 14th day of September 2021, the City Council of the City of Burnet convened in Regular Session, at 6:00 p.m. at the Burnet Community Center, 401 E. Jackson Street, Burnet, TX thereof with the following members present, to-wit:

Mayor	Crista Goble Bromley
Council Members	Ricky Langley, Danny Lester, Joyce Laudenschlager, Mary Jane Shanes, Cindia Talamantez
Absent	Philip Thurman
City Manager	David Vaughn
Asst. City Secretary	Leslie Kimbler

Guests: Patricia Langford, Alan Burdell, Brian Lee, Tony Nash, Mark Miller, Mark Ingram, Kelli Sames, Matt Imrie, Pam Rodgers, Lottie McCorkle, Josh Godwin, Ron Bourque, Roger Borgert

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

INVOCATION: Led by Council Member Mary Jane Shanes

PLEDGE OF ALLEGIANCE:

PLEDGE TO TEXAS FLAG: Pledges led by Council Member Cindia Talamantez

SPECIAL REPORTS/RECOGNITION:

Development Services Monthly Report- August 2021: M. Imrie: Matt Imrie presented the August 2021 Development Services Report that included the month end permit numbers issued for all categories, review of building developments in progress, and the August Code Enforcement activity.

Proclamation: Hunger Awareness Month: Mayor Bromley: Mayor Bromley presented Lottie McCorkle, LaCare Manager, with a proclamation declaring September 2021 as Burnet County Hunger Awareness Month encouraging citizens to join the Burnet County Hunger Alliance in increasing awareness to eliminating hunger in Burnet County.

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 August 24th, 2021 Regular City Council Meeting Minutes:

Approval of the September 7th, 2021 Special City Council Meeting Minutes:

Approval of the September 8th, 2021 Special City Council 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 HEARING:

Public Hearing on a proposal to increase total tax revenues by 9.48 percent or approximately \$310,000, and of that amount approximately \$133,000 is tax revenue to be raised from new property added to the tax roll this year. Your individual taxes may increase at a greater or lesser rate, or even decrease, depending on the change in the taxable value of your property in relation to the change in taxable value of all other property and the tax rate that is adopted: P. Langford: 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: Public Hearing: The City Council of the City of Burnet shall conduct a public hearing to receive public testimony and comments on the merits of a request to rezone property located at 3401 S Water Street (Legal Description: 4.196 ACRES, OUT OF THE SAMUEL HAZLETT SURVEY NO. 6, ABS. NO. 401). The request is to rezone the property from its present designation of Light Commercial – District “C-1” and Agricultural District – District “A” to a designation of Heavy Commercial – District “C-3”: L. Kimbler: Mayor Bromley opened the public hearing and asked if anyone was interested in speaking, if so to approach the podium.

Roger Borgert, attorney, and representative for the property owners addressed the council and spoke in favor of the request to rezone. There being no one else wishing to speak, Mayor Bromley closed the public hearing.

Public Hearing: The City Council of the City of Burnet will conduct a public hearing to receive public testimony and comments on the merits of a request to rezone property located at 806 East League Street (Legal Description: PORTION OF 5 ACRE BLK. 8, KERR DONATION, 1.225 ACRES). The request is to rezone the property from its present designation of Light Commercial – District “C-1” to a designation of Single-family Residential – District “R-1”: M. Imrie: 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: City Council shall conduct a Public Hearing where all persons shall have the right to give testimony and comments on the proposed voluntary annexation of 75.87 acres of real property located west of the city limits and south of Texas Hwy. 29: H. Erkan: 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: City Council shall conduct a Public Hearing where all persons shall have the right to give testimony and comments on the proposed annexation of certain city owned land located near County Road 100 and Delaware Springs Golf Course: H. Erkan: 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.

ACTION ITEMS:

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 on the current status of the COVID 19 Pandemic. Chief Ingram reported that currently there are six hundred seventy-one (671) active cases, ninety-four (94) fatality cases in Burnet County. Currently, roughly twenty percent (20%) of the COVID-19 tests being conducted are positive and the hospitals are full. The fire department is continuing to do COVID testing as well as testing for Type A and/or B Flu. Chief Ingram reported that the Golf Course has had several staff out due to COVID; Public Works department has reported eleven staff that have either tested positive or have had to quarantine; the Police Department has had three staff out, the Fire Department has had eleven staff out and City Hall has had three staff out, all due to either testing positive or needing to quarantine.

Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AMENDING THE CODE OF ORDINANCES CHAPTER 1 (ENTITLED “GENERAL PROVISIONS”); SECTION 1-6 (ENTITLED GENERAL “PENALTY FOR VIOLATIONS OF THE CODE PROVIDING FOR PENALTY”) BY RENAMING AND RECODIFYING THE SECTION (TO BE ENTITLED “PENALTIES AND CREDIT CARD PROCESSING FEES”) AND ESTABLISHING A FEE FOR THE USE OF A CREDIT CARD FOR PAYMENT OF A FEE, FINE, PENALTY, UTILITY CHARGE, OR OTHER CHARGE, EXCEPT GOLF COURSE CHARGES; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE: D. Vaughn: Mayor Bromley moved to deny Ordinance No. 2021-27 as presented. Council Member Danny Lester seconded. The motion carried unanimously.

Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE ADOPTING THE OFFICIAL BUDGET FOR THE CITY OF BURNET, TEXAS, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021, AND ENDING SEPTEMBER 30, 2022, PROVIDING FOR THE INVESTMENT OF FUNDS; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE: P. Langford Mayor Bromley moved to approve the second reading of Ordinance 2021-31 as presented. Council Member Mary Jane Shanes seconded. Asst City Secretary Leslie Kimbler called a roll vote. Council Members Shanes, Talamantez, Laudenschlager, Langley and Mayor Bromley voted in favor. Council Member Lester voted against. The motion passed. The motion carried unanimously with five (5) in favor, one (1) opposed one (1) absent, and zero (0) abstentions.

A RESOLUTION RATIFYING THE CITY OF BURNET 2021-2022 FISCAL YEAR ADOPTED BUDGET THAT CONTAINS A PROPERTY TAX RATE THAT RAISES MORE TOTAL PROPERTY TAXES THAN THE PREVIOUS YEAR: P. Langford: Council Member Mary Jane Shanes moved to approve and adopt

Resolution No. 2021-45 as presented. Council Member Joyce Laudenschlager seconded. The motion carried unanimously.

SECOND AND FINAL READING OF AN ORDINANCE 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, 2021 AND TERMINATING SEPTEMBER 30, 2022; 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 Joyce Laudenschlager moved that the property tax rate be increased by the adoption of a tax rate of \$0.6131 on each \$100.00 valuation of property, which is effectively a 2.1 percent increase in the tax rate as presented in the first reading of Ordinance 2021-32. Council Member Cindia Talamantez seconded. Asst. City Secretary Leslie Kimbler called a roll vote. Council Members Lester, Shanes, Talamantez, Laudenschlager, Langley and Mayor Bromley all voted in favor. There were no votes against and no abstentions. The motion carried unanimously with six (6) in favor, zero (0) opposed and zero (0) abstentions.

Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET PROVIDING FOR THE VOLUNTARY EXTENSION OF THE CITY LIMITS THE CITY OF BURNET, TEXAS BY THE ANNEXATION OF; 75.87 ACRES OF REAL PROPERTY LOCATE WEST OF THE CITY LIMITS AND SOUTH OF TEXAS HWY 29; AMENDING THE OFFICIAL CITY LIMITS MAP OF THE CITY OF BURNET TO REFLECT THE VOLUNTARY ANNEXATION OF THE AREA DESCRIBED HEREIN; AND PRESCRIBING AN EFFECTIVE DATE: H. Erkan:

Council Member Mary Jane Shanes moved to approve the second and final reading of Ordinance No. 2021-33 as presented. Council Member Cindia Talamantez 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 AMENDING ORDINANCE NO. 2020-17 AND PROVIDING FOR THE VOLUNTARY EXTENSION OF THE CITY LIMITS THE CITY OF BURNET, TEXAS BY THE ANNEXATION OF CERTAIN CITY OWNED LAND LOCATED NEAR COUNTY ROAD 100 AND DELAWARE SPRINGS GOLF COURSE; AMENDING THE OFFICIAL CITY LIMITS MAP OF THE CITY OF BURNET TO REFLECT THE VOLUNTARY ANNEXATION OF THE AREA DESCRIBED HEREIN; AND PRESCRIBING AN EFFECTIVE DATE: H. Erkan:

Council Member Joyce Laudenschlager moved to approve the second and final reading of Ordinance No. 2021-34 as presented. Council Member Cindia Talamantez seconded. The motion carried unanimously.

Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING CODE OF ORDINANCE CHAPTER 2 (ENTITLED "ADMINISTRATION"), ARTICLE III, (ENTITLED "ADVISORY BODIES"); AND ADDING A NEW SECTION 2-49 (ENTITLED "POLICE DEPARTMENT CITIZEN ADVISORY BOARD"); PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE: B. Lee:

Council Member Cindia Talamantez moved to approve the first reading of Ordinance No. 2021-36 as presented. Council Member Danny Lester seconded. The motion carried unanimously.

Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, SELECTING THE FIRM FREESE AND NICHOLS TO PROVIDE PROFESSIONAL PLANNING SERVICES RELATED TO CREATING A NEW COMPREHENSIVE PLAN FOR THE CITY OF BURNET AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE A CONTRACT FOR FINAL CITY COUNCIL APPROVAL: D. Vaughn:

Council Member Joyce Laudenschlager moved to approve Resolution No. 2021-44 as presented. Council Member Cindia Talamantez seconded. The motion carried unanimously.

Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY DESCRIBED AS 3401 S WATER STREET (LEGAL DESCRIPTION: 4.196 ACRES, OUT OF THE SAMUEL HAZLETT SURVEY NO. 6, ABS. NO. 401) WITH HEAVY COMMERCIAL – DISTRICT "C-3": CLASSIFICATION; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: L. Kimbler:

Council

Member Danny Lester moved to approve the first reading of Ordinance No. 2021-37 as presented. Council Member Mary Jane Shanes seconded. The motion carried unanimously.

Discuss and consider action: FIRST READING AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY DESCRIBED AS AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY DESCRIBED AS 806 EAST LEAGUE STREET (LEGAL DESCRIPTION: PORTION OF 5 ACRE BLK. 8, KERR DONATION, 1.225 ACRES) WITH SINGLE FAMILY RESIDENTIAL "R-1" ZONING CLASSIFICATION; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE : M. Imrie: Council Member Mary Jane Shanes moved to approve the first reading of Ordinance No. 2021-38 as presented. Council Member Danny Lester seconded. The motion carried unanimously.

Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING AN AGREEMENT WITH DELAWARE SPRINGS RANCH INVESTMENTS LLC, RELATING TO THE DEVELOPMENT OF DELAWARE SPRINGS SECTION 24, AND AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT ON BEHALF OF THE CITY. H. Erkan: Council Member Danny Lester moved to approve Resolution No. 2021-46 as presented. Council Member Mary Jane Shanes seconded. The motion carried unanimously.

A RESOLUTION OF THE CITY COUNCIL OF BURNET, TEXAS APPROVING AN AGREEMENT WITH GRANITE PARTNERS LLC FOR THE PROVISION OF UP TO 75 LIVING UNIT EQUIVALENT OF WHOLESALE WATER TO SERVE REED RANCH; APPROVING A WHOLESALE WATER AGREEMENT; APPROVING THE CONVEYANCE OF 4.93 ACRES TO THE CITY AND APPROVING A PARTIAL RELEASE OF GRANITE PARTNERS LLC'S EASEMENT RIGHTS: H. Erkan: Council Member Danny Lester moved to approve Resolution No. 2021-47 as presented. Council Member Ricky Langley seconded. The motion carried unanimously.

CONVENE TO EXECUTIVE SESSION: Council Member Danny Lester moved to convene to Executive Session at 7:09 p.m. Council Member Mary Jane Shanes seconded. The motion carried unanimously.

Pursuant to Texas Government Section 551.074 (entitled *deliberations to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee*) City Council shall convene in executive session to discuss the possible appointment of a Presiding Municipal Court Judge: D. Vaughn

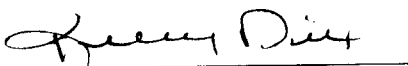
RECONVENE TO REGULAR SESSION FOR POSSIBLE ACTION: Council Member Danny Lester moved to convene to Regular Session at 7:26 p.m. Council Member Joyce Laudenschlager seconded. The motion carried unanimously.

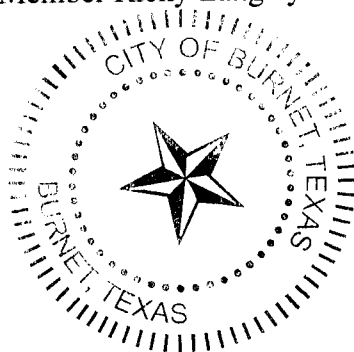
Discuss and consider action: City Council shall reconvene to regular session and may take appropriate action on matters discussed in Executive Session. Mayor Bromley moved to appoint Tamara Tinney as Presiding Municipal Court Judge. Council Member Danny Lester seconded. The motion carried unanimously.

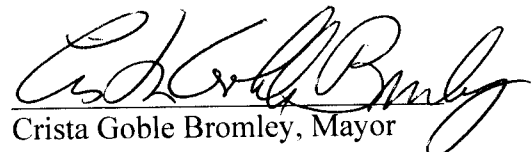
REQUESTS FROM COUNCIL FOR FUTURE REPORTS: In accordance with Resolution R2020-28 councilmembers may request the City Manager to prepare and present future report on matters of public interest: None.

ADJOURN: There being no further business a motion to adjourn was made by Council Member Mary Jane Shanes at 7:28 p.m. Seconded by Council Member Ricky Langley. The motion carried unanimously.

ATTEST:






Crista Goble Bromley, Mayor

Kelly Dix, City Secretary