

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

On this the 12<sup>th</sup> day of February, 2019, the City Council of the City of Burnet convened in Regular Session, at 6:00 p.m., at the regular meeting place thereof with the following members present, to-wit:

Mayor	Crista Goble Bromley
Council Members	Mary Jane Shanes, Danny Lester, Cindia Talamantez, Tres Clinton Paul Farmer, Joyce Laudenschlager
City Manager	David Vaughn
City Secretary	Kelly Dix

Guests: Mark Lewis, Gene Courtney, Mark Ingram, Patricia Langford, Alan Burdell, Adrienne Feild, Wallis Meshier, Evan Milliorn, Leslie Baugh, James Wilson, Alan Smith, Darlene Hargett, Cecil Bowen, Dave Hargett, Jeff King, Jonny Simons, Larry Morrison, Peg Field, Wanda Kuffman, Leslie Scarborough, Young Scarborough, John Kise, Bette Kise, Mark Pack, Cesar Arreaza, Kenneth Andy, Tom Collins, Randall Scoggins, Claire Harrah, Reece Carter, Kat Carter, Richard Brummel, Diane Brummel, Jan Robins, Bill Schultze Craig Lindholm, Bettye Foulds, Tommy Gaut, Doug Fipps

CALL TO ORDER: The meeting was called to order by Mayor Bromley, at 6:00 p.m.

INVOCATION: Council Member Mary Jane Shanes

PLEDGE OF ALLEGIANCE: Council Member Paul Farmer

PLEDGE TO TEXAS FLAG: Council Member Paul Farmer

PUBLIC RECOGNITION/SPECIAL REPORTS:

Proclamation: Veteran's Suicide Prevention Month: Mayor Crista Bromley:

Mayor Bromley presented the proclamation declaring February 2019, Veteran's Suicide Prevention Month in the City of Burnet. Commander Reese Carter from VFW Post 6974 received the proclamation.

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 January 22<sup>nd</sup>, 2019 Regular 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 HEARINGS:

Public Hearing: The City Council of the City of Burnet, Texas will hold a public hearing regarding the proposed Eagle's Nest Section 3 Preliminary Plat, a 13-lot single-family subdivision, which is approximately 17.45 acres described as being a replat of lot 76R out of Eagle's Nest Section 2, and further described as being generally located on the east side of Eagle Ridge, approximately 1,100 feet north of the intersection with Buchanan Drive (State Hwy. 29): W. Meshier: Mayor Bromley opened the public hearing and asked if anyone cared to speak to this item, if so to approach the podium. The following meeting attendees spoke:

Lynn Nobles: Stated his opposition to the planned construction in Eagle Nest, Section 3 as the

planned sites are one acre lots that are not consistent with the two acre lots in sections one and two of the Eagle Nest Subdivision. Respectfully requested Council to deny acceptance of the preliminary plat as presented.

**Steve Gardner:** Stated his opposition due to concerns with the septic tank systems design as the one acre lots will be long and narrow and in his opinion not able to function properly.

**Cesar Arreaza:** Concerned with water pressure issues that will be caused by adding thirteen more homes to the water delivery system. Mr. Arreaza also stated his concern for the safety of the exit from the planned construction area to Highway 29 with the additional traffic flow.

**Larry Morrison:** Stated his opposition due to non-compliance with the covenants and restrictions of the subdivision.

**Jeff King:** Concerned with diminished property values of the current homes with two acre lots if homes are built on one acre lots.

**Claire Harrah:** Concerned property values will be diminished in existing homes due to smaller lot sizes and emphasized that larger homes are built on larger lot sizes.

**Wanda Kaufman:** Stated opposition and reiterated concerns of lot sizes, diminished property value, water issues and ingress and egress.

**Cecil Brown:** Stated that there are other areas in the City with one acre lots to build on and that Eagle's Nest should remain two acre lots.

There being no one else wishing to speak, Mayor Bromley closed the public hearing.

**Public Hearing:** The City Council of the City of Burnet, Texas will hold a public hearing regarding a request to rezone approximately 1.00 acre, having a legal description of S4345 F.O.C. Subdivision, Lot 1, from its present designation of Heavy Industrial—District "I-2" to a designation of Light Commercial—District "C-1," said tract being generally located on the north side of Ellen Halbert Drive, approximately 884 feet west of the intersection with Houston Clinton Drive: W. Meshier: Mayor Bromley opened the Public Hearing. Director of Development Services Wallis Meshier presented a map of the area that the rezone request encompassed. Mayor Bromley asked if anyone cared to speak to this item. There being no one wishing to speak, Mayor Bromley closed the Public Hearing.

**Public Hearing:** The City Council of the City of Burnet, Texas will hold a public hearing regarding a request to rezone approximately 2.76 acres out of the B.B. Castleberry Survey, Abstract Number 187, from its present designation of Agricultural—District "A" to a designation of Single-Family Residential—District "R-1," said tract being known as 1139 Mormon Mill Road, generally located on the north side of Mormon Mill Road and south of the railroad: W. Meshier: Mayor Bromley opened the Public Hearing. Director of Development Services Wallis Meshier presented a map of the area that the rezone request encompassed. Mayor Bromley asked if anyone cared to speak to this item. There being no one wishing to speak, Mayor Bromley closed the Public Hearing.

**Public Hearing:** The City Council of the City of Burnet, Texas will hold a public hearing regarding an ordinance amending the City's tree preservation, mitigation and removal standards: W. Meshier: Mayor Bromley opened the Public Hearing. Director of Development Services Wallis Meshier reviewed the changes to the proposed Tree Ordinance since the first reading, which added a third category. Mayor Bromley asked if anyone cared to speak to this item. There being no one wishing to speak, Mayor Bromley closed the Public Hearing.

#### **ACTION ITEMS:**

**Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF BURNET, TEXAS, CHAPTER 98 – SUBDIVISIONS, SECTIONS 98-7, 98-22, 98-23, AND APPENDIX B, ADOPTING**

CHAPTER 98, ARTICLE IX – TREE PRESERVATION, MITIGATION, AND REMOVAL, AND AMENDING CHAPTER 118 – ZONING, SECTIONS 118-61 AND 118-62; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; FINDING PROPER NOTICE OF MEETING; AND PROVIDING AN EFFECTIVE DATE: W. Meshier: Council Member Danny Lester made a motion to pass and take no action on this item. Council member Tres Clinton seconded, the motion carried unanimously.

Discuss and consider action: Request for a variance to Code of Ordinances, Chapter 98, Section 98-42 for the proposed Preliminary Plat of Eagle's Nest, Section 3, for the purpose of exceeding the maximum length of a cul-de-sac: W. Meshier: Developer Coe Pratt addressed Council and clarified some of the areas of concern raised during the Public Hearing on this item. Council Member Mary Jane Shanes made a motion to approve the variance as presented. Council Member Joyce Laudenschlager seconded, the motion carried unanimously.

Discuss and consider action: Eagle's Nest Section 3 Preliminary Plat, a 13-lot single-family subdivision, which is approximately 17.45 acres described as being a replat of lot 76R out of Eagle's Nest Section 2, and further described as being generally located on the east side of Eagle Ridge, approximately 1,100 feet north of the intersection with Buchanan Drive (State Hwy. 29): W. Meshier: Council Member Paul Farmer made a motion to approve and accept Eagle's Nest Section 3 Preliminary Plat, a 13-lot single-family subdivision, which is approximately 17.45 acres described as being a replat of lot 76R out of Eagle's Nest Section 2, and further described as being generally located on the east side of Eagle Ridge, approximately 1,100 feet north of the intersection with Buchanan Drive (State Hwy. 29), as presented. Council Member Cindia Talamantez seconded, the motion carried unanimously.

Discuss and consider action: FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 TO REZONE APPROXIMATELY 1.00 ACRE, HAVING A LEGAL DESCRIPTION OF S4345 F.O.C. SUBDIVISION, LOT 1, FROM ITS PRESENT DESIGNATION OF HEAVY INDUSTRIAL—DISTRICT "I-2" TO A DESIGNATION OF LIGHT COMMERCIAL—DISTRICT "C-1," SAID TRACT BEING GENERALLY LOCATED ON THE NORTH SIDE OF ELLEN HALBERT DRIVE, APPROXIMATELY 884 FEET WEST OF THE INTERSECTION WITH HOUSTON CLINTON DRIVE: W. Meshier: Council Member Tres Clinton made a motion to approve the first reading of Ordinance 2019-05 as presented. Council Member Paul Farmer seconded the motion carried unanimously.

Discuss and consider action: FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 TO REZONE APPROXIMATELY 2.76 ACRES OUT OF THE B.B. CASTLEBERRY SURVEY, ABSTRACT NUMBER 187, FROM ITS PRESENT DESIGNATION OF AGRICULTURAL—DISTRICT "A" TO A DESIGNATION OF SINGLE-FAMILY RESIDENTIAL—DISTRICT "R-1," SAID TRACT, KNOWN AS 1139 MORMON MILL ROAD BEING GENERALLY LOCATED ON THE NORTH SIDE OF MORMON MILL ROAD AND SOUTH OF THE RAILROAD; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: W. Meshier: Council Member Joyce Laudenschlager made a motion to approve the first reading of Ordinance 2019-06 as presented. Council Member Mary Jane Shanes seconded the motion carried unanimously.

Discuss and consider action: Authorize and approve the purchase of four (4) Level IIIA Ballistic Vests for the Police Department patrol officers: P. Nelson: Council Member Paul Farmer made a motion to authorize and approve the purchase of four (4), Level IIIA Ballistic Vests for the Police Department patrol officers. Council Member Cindia Talamantez seconded, the motion carried unanimously.

REPORTS:

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.

Annual Racial Profiling Report: P. Nelson: Police Chief Paul Nelson reviewed the annual Police Department Racial Profiling Report with Council.

EXECUTIVE SESSION:

Council Member Danny Lester made a motion to convene to Executive Session at 7:17 p.m. Council Member Joyce Laudenschlager seconded, the motion carried.

Executive Session: The City of Burnet City Council shall meet in Executive Session in accordance to the provision of the Open Meetings Act, Texas Government Code, Chapter 551, and Sub-section §551.072 – deliberations regarding real property, commonly known as the Ward property, Lot 2A: L. Baugh:

Executive Session: The City of Burnet City Council shall meet in Executive Session in accordance to the provision of the Open Meetings Act, Texas Government Code, Chapter 551, and Sub-section §551.072 – deliberations regarding real property, commonly known as the Fox property, Lot 30,: L. Baugh

RECONVENE TO REGULAR SESSION FOR POSSIBLE ACTION:

Council Member Danny Lester made a motion to re-convene to regular session at 7:41 p.m. Council Member Joyce Laudenschlager seconded, the motion carried unanimously.

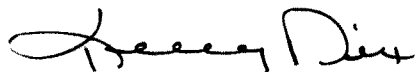
Discuss and consider action: Regarding the Ward property, Lot 2A: L. Baugh: Mayor Bromley made a motion to proceed as discussed in Executive Session regarding the Ward Property. Council Member Joyce Laudenschlager seconded, the motion carried unanimously.

Discuss and consider action: Regarding the Fox property, Lot 30: L. Baugh: Mayor Bromley made a motion to proceed as discussed in Executive Session regarding the Fox Property. Council Member Mary Jane Shanes seconded, the motion carried unanimously.

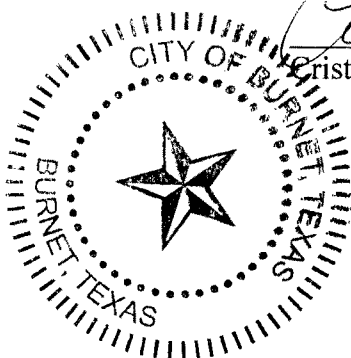
REQUESTS FROM COUNCIL FOR FUTURE REPORTS: None.

ADJOURN: There being no further business a motion to adjourn was made by Council Member Mary Jane Shanes at 7:43 p.m., seconded by Council Member Paul Farmer. The motion carried unanimously.

ATTEST:



Kelly Dix, City Secretary



Crista Goble Bromley, Mayor