

CITY OF BURTON

COUNCIL MEETING MINUTES

A Regular Meeting of the Burton City Council at 5:30 p.m. was held on
TUESDAY, April 9, 2024, in the Burton City Hall
at 12200 E. Mulberry Street Spur 125, Burton, Texas.

Members Present:

Mayor Karen Buck
Councilmember Jeff Eckhardt
Councilmember Paul McLaughlin

Councilmember Nathan Kalkhake
Councilmember Macey Tidwell

Members Absent: Councilmember Tommie Gilmon

Others Present: City Secretary Angela Harrington, Utility Clerk Rachel Belvin, & Utility Contractor Dustin Lozano.

Citizens Present: Sarah Forsythe (Banner Press) and Tiffany Eckhardt (Flown the Coop.)

Mayor Karen Buck called the meeting to order at 5:30 pm. A quorum was established and all in attendance were led in the Pledge of Allegiance.

Citizen Presentations

There were no comments made.

CONSENT AGENDA

- (1) Minutes of the March 19, 2024 Special Meeting
- (2) Financial Reports-Revenue & Expenditures
- (3) Mayor's Report – Attached
- (4) City Secretary's Report – None
- (5) Utility Report

a. Utility Clerk Rachel Belvin's Report is Attached

b. Contractor Dustin Lozano explained to Council that he is performing the required inspections and reported progress on the new water line installation taking place on S. Railroad, S. Main and S. Brazos Streets. The installation will take place one road at a time. He reported that the company doing to work is doing their best to not create any resident issues but a couple have been reported: a sheared off sewer clean-out and a broken fence post support will be corrected. He also explained an issue taking place at the wastewater treatment plant and the process to replace the part causing the problem.

A motion was made by Councilmember Eckhardt and seconded by Councilmember McLaughlin to **ACCEPT** the consent agenda.

FOR: Kalkhake, Tidwell

AGAINST: None

The motion passed.

CONSIDERATION AND/OR ACTION TO APPROVE, ACCEPT, DENY, REMOVE OR TABLE ON:

1. Approve a Proclamation of Appreciation of Burton Bridge Ministry Volunteers

Mayor Buck read the proclamation to council and explained the reason it is being considered. A motion was made by Councilmember McLaughlin and seconded by Councilmember Tidwell to **APPROVE**.

FOR: Eckhardt, Kalkhake

AGAINST: None

The motion passed.

2. Resolution 20240409 Approving a Municipal Maintenance Agreement (MMA) Between the State of Texas Department of Transportation and the City of Burton

The City Secretary told council that the last MMA was signed in 2009 and needs to be updated. A motion was made by Councilmember Eckhardt and seconded by Councilmember Tidwell to **ACCEPT**.

FOR: Kalkhake, McLaughlin

AGAINST: None

The motion passed.

3. Approve an Inter-local Agreement between the City of Burton and Washington County for Road Repairs to Complete During the 2024-2025 Fiscal Year

The City Secretary reminded council that no road repairs were completed last year. Those roads that were going to be repaired or improved in 2023 are also on the list to be completed in 2024 with the addition of Brandie Ln. There was discussion regarding the scheduling of the work to be done. A motion was made by Councilmember Tidwell and seconded by Councilmember McLaughlin to **APPROVE**.

FOR: Eckhardt, Kalkhake

AGAINST: None

The motion passed.

4. Approve Amended Budgets for Fiscal Year 2023-2024 Reflecting Actual Income and Expenses of the Fourth Quarter (Jan-Mar 2024) of the Fiscal Year

Council was told that this is the final budget for the 2023-2024 fiscal year and reflects actual expenses for that fiscal year. Mayor Buck addressed the revenue gained in the last fiscal year and reminded council that none of the road repairs approved for 23-24 were completed which explains some of the gain. She also pointed out that the Utility Fund ended the year with a negative. A motion was made by Councilmember McLaughlin and seconded by Councilmember Kalkhake to **APPROVE**.

FOR: Eckhardt, Tidwell

AGAINST: None

The motion passed.

5. Accept the Fiscal Year 2023-2024 Audit of the Seizure Funds Account as Required by the Code of Criminal Procedure

The City Secretary explained that this item is required by the Code of Criminal Procedure. These funds are not available for use due to the fact that they are legally required to only be included in a Police Department Budget. There is the possibility of transferring those funds in the future to the current law enforcement provider. A motion was made by Councilmember Kalkhake and seconded by Councilmember McLaughlin to **APPROVE**.

FOR: Eckhardt, Tidwell

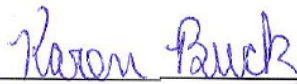
AGAINST: None

The motion passed.

The Meeting was adjourned at 6:17 pm.

FOR: Eckhardt, Kalkhake, McLaughlin, Tidwell

AGAINST: None



Mayor Karen Buck

ATTEST:



City Secretary Angela Harrington

Mayor's Report April 2024

This past month's list of activities included...

+ Followed up with JMendoza to complete work on WWTP Fenceline

+Sent letter to Burton ISD/Dr. Kennedy regarding the dumpsters and buzzard issues at the school district. Dr. Kennedy and I followed up with a phone call. (Since her retirement, we will be following up with the Interim Superintendent.) Dr. Kennedy had a visit scheduled with Texas Commercial Waste regarding the district's solid waste needs; meeting was cancelled and thus far has not been rescheduled.

+Met with Ron Schmidt with Texas Commercial Waste as follow up to items mentioned during the public hearing on Tuesday, February 27. I took notes and sent a summary of that meeting and its outcomes to Texas Commercial Waste, Rachel and Angela. These notes are on file as well.

+I had a previous engagement and missed the ribbon cutting for Bluebonnet Leather Shop's Grand Opening. I caught up with the owner afterwards and had an enjoyable visit with her.

+Had lunch with Linda Blacklock with Citizens State Bank (Burton) regarding ways the Bank can connect with the community.

+Positive feedback from business/citizens on the information included in the water bills that went out in March.

+Had follow up discussion with a business leader and received an email from a citizen on the possible moratorium due to the city near its water meter limit.

+Mulched the rose beds at City Hall

+Did further water meter research on "third" meter at Burton ISD.

+Worked with Angela and Rachel on identifying water meters that are "locked"/closed but need to be counted as taps in the system; reconciling data in RVS.

+Wrote letter for Mr. Mondragon for the Socio-Economic Survey. This letter will be shown/distributed at households to identify surveyors to citizens.

+Wrote the FOG (Fats, Oils, Grease) letter to be sent out to businesses/entities with food service.

+Received clarification from Dustin regarding state law and backflow preventors. Will be drafting that letter before the next Council meeting.

+Attended 3 FULL days of NIMS (National Incident Management System) training in Brenham with TEEXS (Texas A&M Engineering Extension Service).

+Assisted Burton Bridge Ministry & St. Paul's Evangelical Lutheran Church Brenham (Texas Ramp Project) with building a ramp at Tommie Gilmon's home.

+Attended the Texas General Land Office award ceremony where the City of Burton received a check for \$593,800!

+Sent research on "Why Water Well #5" and the picture of the check to KWHI and Banner Press.

Total volunteer hours for the month of March – 80.75

April Utility Report:

1. Finally got ahold of the water loss and its down to a WONDERFUL 2%!!
Great news!
2. Working on cleaning up our RVS system- we have a lot of old accounts that have not been deleted due to a balance on them or a deposit pending, some as early as 2010. This may take a while to get all done but we will have some for sure answers on meter and connections once I get it all cleaned up.
3. I've been back and forth with RVS on trying to better understand the software. As I was told- our "active" meters are the ones that are billed and have activity on their account. So we are sitting at 241 with 2 that will be put in the system and another 2 asking for connections.
4. Working with Karen on getting out FOG (Fats, oils & Grease) program for our commercial customers who cook with grease- this is to hold them accountable for getting rid of their grase properly. We are also working on backflow prevention with the commercial customers who have fountain drink machines.
5. Sent Dustin a new list of meter replacements. We are catching up on decades worth of old meters that need replaced. So every month, we send out a letter to our residents, giving them a heads up on the meter change-out and to maybe expect a change in their billing.
6. Working on a few annual reports that due soon!
7. Getting with TCW- Texas commercial waste, on which commercial dumpsters want a lock and which ones don't.
8. Went with Karen and Angela last week to get our funding towards are 2nd well- WOOOO HOOOOO! So excited for our city and my utility customers! Its been a LONG time coming and we finally can see the light at the end of the tunnel.

System Totals Report

City of Burton

Water Pumped This Month	1,262,000 Gallons
Water Sold This Month	1,195,130 Gallons
Water Used for Fire and Flushing Line	40,000 Gallons
Water Loss	26,870 Gallons
Water Loss (%)	2.00 %

Reprinted System Totals Report for 03-24

	Amount (\$)	# Of Accounts
Total Water	11,258.60	218
Total Sewage	7,586.20	191
Total GARBAGE	4,381.00	207
Total Adjustments	(117.83)	3
Total Other Charge	-9.00	1
Total Current Charges	23,098.97	229

Amount Past Due 1-30 Days	4,239.94	47
Amount Past Due 31-60 Days	1,489.33	18
Amount Past Due Over 60 Days	7,341.07	22
Amount Of Overpayments/Prepayments	(1,513.79)	38
Total Receivables	34,655.52	249

Total Receipts On Account	18,245.16	176
Net Change in Deposits	0.00	0
Amount of All Deposits	31,636.12	258
Amount of All Deposit 2	100.00	2
Turned Off Accounts (Amount Owed)	3,778.47	82
Collection Accounts (Amount Owed)	1,133.67	21
Number Of Unread (Turned On) Meters		7
Average Usage For Active Meters	5,107	241
Average Water Charge For Active Meters	46.72	218

Usage Groups	Gallons	# Of Accounts	Usage	Gallons	% Of Usage	% Of Sales
Over 50,000		5	429,600		35.95	4.44
40,001-50,000		0	0		0.00	0.00
30,001-40,000		1	36,200		3.03	1.36
20,001-30,000		1	22,600		1.89	0.97
10,001-20,000		14	183,800		15.38	9.78
8,001-10,000		7	63,300		5.30	3.54
6,001-8,000		7	47,500		3.97	3.70
4,001-6,000		30	152,470		12.76	14.41
2,001-4,000		63	178,280		14.92	26.83
1-2,000		83	81,380		6.81	30.44
Zero Usage		23	0		0.00	4.53
Total Meters		241	1,195,130		100.00	100.00

**PROCLAMATION OF APPRECIATION
FOR ALL BURTON BRIDGE MINISTRY VOLUNTEERS**

WHEREAS, volunteering one's time and resources has traditionally been, and continues to be, an elemental part of the essence and tradition of our country and is essential to its spirit and vitality; and

WHEREAS, the Burton Bridge Ministry and its volunteers have been instrumental in building bridges between racial, cultural, educational, and economic divisions within the Burton community; and

WHEREAS, many volunteers work tirelessly to lead the Burton Bridge Ministry and serve in its Thrift Store, Helping Hands Ministry, Client Choice Food Pantry, and the Children, Youth and Senior Ministries; and

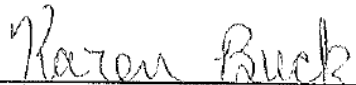
WHEREAS, these volunteers make it possible for the Ministry to assist, support and attend to fundamental needs of those lacking in the Burton area; and

WHEREAS, the City of Burton supports all those volunteers who exemplify the spirit of a dedicated citizen of the community in giving so freely of their valuable time, energy and abilities; and

NOW, THEREFORE, BE IT PROCLAIMED that the City of Burton City Council joins the community in expressing appreciation, honoring and recognizing the many faithful volunteers of Burton Bridge Ministry for their efforts and dedication to our community.

PROCLAIMED on this the 9th day of April, 2024.

SIGNED:



Karen Buck, Mayor

RESOLUTION NO. 20240409

A RESOLUTION APPROVING THE AGREEMENT DATED APRIL 9, 2024, BETWEEN THE STATE OF TEXAS AND THE CITY OF BURTON, FOR THE MAINTENANCE, CONTROL, SUPERVISION AND REGULATION OF CERTAIN STATE HIGHWAYS AND/OR PORTIONS OF STATE HIGHWAYS IN THE CITY OF BURTON; AND PROVIDING FOR THE EXECUTION OF SAID AGREEMENT; AND DECLARING AN EMERGENCY.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BURTON:

SECTION 1. That the certain agreement dated April 9, 2024, between the State of Texas and the City of Burton for the maintenance, control, supervision and regulation of certain State Highways and/or portions of State Highways in the City of Burton be and the same is, hereby approve; and that the City's Mayor is hereby authorized to execute said agreement on behalf of the City of Burton and to transmit the same to the State of Texas for appropriate action.

PASSED AND APPROVED THIS 9th DAY OF April 2024.

ATTEST:

Karen Buck
Mayor Karen Buck

Angela Harrington
City Secretary, Angela Harrington

APPROVED AS TO FORM:

N/A
City Attorney



MUNICIPAL MAINTENANCE AGREEMENT

This Municipal Maintenance Agreement ("Agreement") is made this _____ day of _____, 20____, by and between the State of Texas through the Texas Department of Transportation ("State"), and the City of _____ Burton _____ (population _____ 294 _____, 2020, latest Federal Census) acting by and through its duly authorized officers ("City").

RECITALS

A. Chapter 311 of the Transportation Code gives the City exclusive dominion, control, and jurisdiction over and under the public streets within its corporate limits and authorizes the City to enter agreements with the State to fix responsibilities for maintenance, control, supervision, and regulation of State highways within and through its corporate limits; and

B. Section 221.002 of the Transportation Code authorizes the State, at its discretion, to enter agreements with cities to fix responsibilities for maintenance, control, supervision, and regulation of State highways within and through the corporate limits of such cities; and

C. The Executive Director, acting for and on behalf of the Texas Transportation Commission, has made it known to the City that the State will assist the City in the maintenance and operation of State highways within the City, conditioned that the City will enter into agreements with the State for the purpose of determining the respective responsibilities of the parties; and

D. The City has requested the State to assist in the maintenance and operation of State highways within the City as described herein. The Municipal Ordinance or Resolution authorizing the undersigned City Official to execute this Agreement on behalf of the City is attached as Exhibit C.

AGREEMENT

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto, it is agreed as follows:

ARTICLE I. COVERAGE

1. State assumption of maintenance and operations described in this Agreement shall be effective on the date of execution of this agreement by the Texas Department of Transportation.
2. In this Agreement, the use of the words "State Highway" shall be construed to mean all numbered highways that are part of the State's Highway System.

INTER-LOCAL AGREEMENT

Between

WASHINGTON COUNTY, TEXAS and CITY OF BURTON, TEXAS
for Road Improvement Services 2024

WHEREAS, this Inter-local Agreement is entered into by and between the following parties: Washington County, Texas a political subdivision of the State of Texas, hereinafter referred to as "WASHINGTON COUNTY", and the CITY OF BURTON, Texas, a political subdivision of the State of Texas, hereinafter referred to as "CITY OF BURTON";

WHEREAS, the CITY OF BURTON hereby requests WASHINGTON COUNTY to perform road improvement services in the manner established in this Agreement;

WHEREAS, WASHINGTON COUNTY and CITY OF BURTON, have negotiated this Inter-local Agreement in order to promote clarity and ease of understanding;

WHEREAS, WASHINGTON COUNTY and CITY OF BURTON, are authorized to enter into this Agreement in all respects by Texas Government Code, Chapter 791; and

NOW, THEREFORE, in consideration of the mutual covenants expressed in this Agreement, the receipt and sufficiency of which are hereby acknowledged, WASHINGTON COUNTY and CITY OF BURTON, agree as follows:

1.0 Road Improvement Services

WASHINGTON COUNTY agrees to supply labor and equipment for the following projects:

- a) Live Oak Street (Main Street to Railroad Street) – Chip Seal Pavement Replacement
 - i. Scarify existing roadway material;
 - ii. Supply and install 6" compacted road base in project area;
 - iii. Supply and install two course chip seal pavement
- b) East Cedar Street (Main Street to N Brazos Street) – Chip Seal Pavement Replacement
 - i. Scarify existing roadway material;
 - ii. Supply and install 6" compacted road base in project area;
 - iii. Supply and install two course chip seal pavement
- c) Brandie Lane (FM 1697 to City Limits) – Chip Seal Pavement Replacement
 - i. Scarify existing roadway material;
 - ii. Supply and install 6" compacted road base in project area;
 - iii. Supply and install two course chip seal pavement
- d) W Washington Street – Patch and Level Up
 - i. Patch existing pot holes with DMS 9202 Cold Patch Asphalt;
 - ii. Apply Hot Mix Asphalt Level-up, TxDOT Type D Item 340 as a surface course over project area;
- e) San Marcos Street (N Washington Street – Hwy 290) – Chip Seal
 - i. Supply and install two course chip seal pavement
- f) South Main Street (W Branch Street to End of Pavement) – Ditch Digging
 - i. Shape ditches along South Main Street;
 - ii. Shall not include repair or maintenance of existing drainage infrastructure within the existing right-of-way outside of the earthen ditches.

CITY OF BURTON, agrees to reimburse Washington County for all materials for stated projects.
CITY OF BURTON, agrees to reimburse Washington County for all labor and equipment costs exceeding \$15,000.

2.0 Purpose

The purpose of this Agreement is to provide road improvement assistance to CITY OF BURTON, while benefiting both CITY OF BURTON and WASHINGTON COUNTY.