

CITY OF BURTON

COUNCIL MEETING MINUTES

A Regular Meeting of the Burton City Council at 5:30 p.m. was held on

TUESDAY, JUNE 10, 2025, in the Burton City Hall
at 12200 E. Mulberry Street Spur 125, Burton, Texas.

Members Present:

Mayor Karen Buck

Councilmember Jeff Eckhardt

Councilmember Nathan Kalkhake

Councilmember Macey Tidwell

Councilmember Paul McLaughlin

Members Absent: Councilmember Tommie Gilmon

Others Present: City Secretary Angela Harrington, Utility Clerk Rachel Belvin, and Dustin Lozano (HDU Services).

Citizens Present: Sarah Forsythe (Banner Press), Josh Blaschke (KWHI), Chuck & Debra Johnson, Susie Tommaney, Larry Winkelmann, Ned Ross, Emily Cash, Tonya Guelker Jones and J. Kevin Jones.

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 Comments:

Susie Tommaney addressed Council regarding her disapproval of Council revisiting the subdivision ordinance topic. Her belief is that a subdivision ordinance would prevent 10% of residents from building on their land. She respectfully requested that it not be considered and her opinion is that, if formed, the committee should include a real estate expert.

CONSENT AGENDA

- (1) **Minutes of the May 13, 2025 Regular Meeting & June 3, 2025 Special Meeting**
- (2) **Financial Reports-Revenue & Expenditures**
- (3) **Mayor's Report – Attached**
- (4) **City Secretary's Report – Attached**
- (5) **Utility Report – Attached.** Contractor Dustin told council that the new Jaster meter is in place but the old one has not been disconnected yet; there was a problem regarding the lift station at City Hall and that issue has been taken care of; and, Lead and Copper testing will need to take place before September 30, 2025.

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

FOR: Eckhardt, Tidwell

AGAINST: None

The motion passed.

UPDATES:

2021-2022 TDA CDBG – Only 1 thing left to complete but that has been held up by TxDOT requiring a permit. Should be complete soon.

GLO Water Well #5 – C. Miller Drilling has started bringing in equipment.

2025 Texas Water Development Board DWSRF Project Information Form (PIF) – No news.

2023-2024 TDA CDBG – Attorneys are still negotiating the easement for the Knittel Lift Station in order to move forward with the use of grant funds to rehab the lift station.

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

NOTE: A Zoom meeting to include Jerry Guelker and Jeff Rengert was scheduled to begin at 6:00pm. Items 2 and 3 of the Consideration and/or action agenda were addressed prior to Item 1 to make use of the gap in time.

1. Future of ETJ Water Line Under FM 2780

Mayor Buck gave a Timeline Synopsis. There are two houses approximately 4/10th of a mile north of FM 2780 on FM 1697 in the Burton ETJ. Both homes are connected by separate private lines to a city water line on the south side of FM 2780. Mayor Buck can find no mention of one of the lines that appears to have been connected prior to the city acquiring the Burton Water Supply Company. In the 1990's, another private line was installed to service the house next door.

On May 15, 2025, City Hall was contacted by a TxDOT Engineer who had received a report of the line's existence from a contractor in the area due to construction on FM 2780 north of town. The construction includes the replacement of the culverts that the water line is laid through. No TxDOT permit was ever applied for or received in order for the water line to legally run through or on TxDOT property. Property owners were sent certified letters by Express Mail. Cash received hers on June 3 and USPS indicated that Guelker had received theirs but reported that they had not.

Jerri Guelker and son Jeff Rengert joined the meeting via Zoom. Emily Cash (owner of one of the homes) and J. Kevin & Tonya Guelker Jones (representing the owner of the other home & an adjacent landowner) joined in the conversation with council trying to understand the issue, talking about the effect this issue has on the property owners and the city, and any possible solution to remedy.

On June 3, 2025, council met in closed session with the city attorney's seeking counsel on this situation. Council was given two (2) plausible options by the attorneys.

The options were discussed and it was determined to allow the property owners time to make a decision on their solution to the problem.

A motion was made by Councilmember Eckhardt and seconded by Councilmember Kalkhake to **TABLE** this item until the July meeting.

FOR: McLaughlin, Tidwell

AGAINST: None

The motion passed.

2. A Contract between the City and J. Mendoza Tree Services

The City Secretary explained that this contract will speed up response time and guarantee lower pricing when the need arises to have trees removed within the city's easements and right-of-ways. A motion was made by Councilmember McLaughlin and seconded by Councilmember Eckhardt to **APPROVE** the contract.

FOR: Kalkhake, Tidwell

AGAINST: None

The motion passed.

3. Hiring a Southern Roots Fencing and Supply to put a 16' Gate in the Water Well Fencing

The mayor told council of the water well contractor's (C.Miller Drilling) request to provide an entrance onto the water well fenced property. Adding a gate would make it easier to move equipment to location it needs to be for drilling. A motion was made by Councilmember Eckhardt and seconded by

Councilmember Kalkhake to **APPROVE** hiring Southern Roots Fencing and Supply to remove three (3) fence post and replace them with two (2) gate post and install a sixteen (16') foot double gate.

FOR: McLaughlin, Tidwell

AGAINST: None

The motion passed.

4. The creation of a Four (4) Person Committee to be led by Councilmember McLaughlin and including Sheila Ripple, Chuck Johnson, and Joan Rogers with the Purpose of Making Recommendations Regarding an Acceptable Land Division / Subdivision Ordinance

The City Secretary read a written statement explaining the reason this committee is being considered. The members will be tasked with looking over other small city (Fayetteville, Carmine, and Round Top), ordinances that are currently in effect. The rejected City of Burton ordinance and the DeLuane Estates (Brandie Lane) covenants and restrictions will also be included in the examples. The committee is to compile recommendations on what they see in these example ordinances that could and/or would benefit Burton to have in its own ordinance; as well as, items they think would be unnecessary to include in a Burton ordinance. A motion was made by Councilmember McLaughlin and seconded by Councilmember Kalkhake to **APPROVE** the creation of the committee.

FOR: Eckhardt, Tidwell

AGAINST: None

The motion passed.

Council Meeting Adjourned at 6:28pm.

FOR: Eckhardt, Kalkhake, McLaughlin, Tidwell

AGAINST: None



Karen Buck

Mayor Karen Buck

ATTEST:

Angela Harrington

City Secretary Angela Harrington

Mayor's Report
June 3, 2025

Activities for the month of May included...

- +Completed dog catching at Burton ISD; Educated ISD Maintenance Worker about how to connect with Brenham Animal Shelter
- +With Rachel's assistance, posted information on the City of Burton's Facebook page regarding stray/feral dogs and cats in town.
- +Multiple trips to utility easement between Burton and Texas streets; meetings, markings, photos; prepared information for council.
- +Cleared rosebush bed at city hall. (already regrown, ugh)
- +Attended monthly BVCAP meeting in Bryan.
- +Invited to/Attended meeting with Burton Bridge Ministry regarding possible health care option in area.
- +ETJ Water Line Issue – met with TXDOT, Knife River, city staff/contractor; continued to pursue legal counsel advice; prep for executive session of council
- +Received question from local business regarding opening second business here in town. Researched and answered questions regarding tax abatement.
- +Visited with resident regarding concerns for feral cats and unkept properties
- +Invited/attended Memorial Day service at American Legion in Brenham; gave remarks.
- +Completed Texas Muincipal League's Cyber Training
- +Completed Public Information Act Training
- +Completed Open Meeting Act Training
- +Zoomed with Texas Target Communities at Texas A&M. Good News!

The City of Burton has been matched with TWO classes/programs. More information/details will be coming as we move through the summer. One program/class can assist the city with drainage, sewer, and water. It is an engineering capstone class; comprised of 3 students...with supervision of at least 2 professors. The second program is a planning class that can assist the city with components of a comprehensive plan. This is a class project led by a professor with about 30 students.

The discussions with Texas Target Communities continue to move forward as we seek more clarification about how the partnership would work as well as what costs there would be to the city. Initial costs floated in the spring were \$50,000. Since that time, costs have decreased significantly to under \$8,000 - for both class projects.

Students are required to present the projects to their peers. An example of one presented this past spring was given on Fort Stockton, Texas.

*Paper

*Link example on laptop

Question – Is council okay with the Mayor continuing the conversations with Texas Target Communities? Note: No formal agreement can be signed until specifics are worked out; monetary values assigned; council given opportunity to vote to approve.

Total number of volunteer hours in May – 79 hours

Secretary's Report

June 10, 2025

1. On May 21, 2025, I spoke to Jeremy at ABIP Certified Public Accountant Firm. (CONTACT INFO -210-962-6842 & jbarbato@abipcpa.com. They do a lot of work with municipalities, school districts, taxing entities, etc.

My concern has been that we would need to complete a Single Audit regarding the grant funds expended in the 2025-2026 fiscal year.

He told me that if the money is federal and passed through a state agency. The grant documents would tell me whether the state or federal will expect a Single Audit. The Grant paperwork should give an ALN# for a federal or state single audit.

The best news is that the federal government has changed its criteria for who needs to complete the audit. Now, if you spend less than 1 million in grant funds, you do not have to complete the Single Audit.

The state, however, has not changed its standards yet and still remains at \$750K grant expenditures to require a Single Audit.

\$50K of the GLO funds have been expended prior to March 31, 2025. We know that the City will expend the remainder of \$543 in GLO (HUD) grant funds in this fiscal year. That leaves \$207K. Our issue is how much of the CDV21 and CDV23 funds will also be expended. Should we go ahead and get a Letter of Intent?

I verified with Angela SiFuentes that the remainder of the funds for the CDV21 is \$79,228.40. The CDV21 will be closed out in 2025 so that now leaves \$127,700.

At this time, it is a complete guess if and/or how much of the CDV23 we will expend during the 2025-2026 FY. I will probably not know for sure if we DO or DO NOT have to perform a Single Audit. I am unsure what it will cost IF we do have to complete. I have heard several things regarding the costs and I've been told anywhere from \$5000 to \$30,000.

2. Lisveth Galvan, owner of Los Patrones, came into the office to ask about the property between the restaurant and the creek. She has had a lot of problems with snakes coming up from the creek and is concerned for the safety of children who play in the area off of the deck while parents eat and socialize. She has hired a man to clean up the trees, shrubs and high grass to help the situation but isn't happy with the idea of continuing to pay someone to take care of property that doesn't belong to her. She asked the city to clean up the creek property. She also approached the topic of having it transferred to her so she can keep it cleaned out. Would the Council like me to look into "conveying" that property to her? At this time, the creek bed between W. Washington and the W. Texas Bridge is a no-mans land. Note: the "cleanup of Indian creek to allow for proper drainage of floodwaters" has been a mitigation goal item for years. It currently sits at Goal #2. Conveyance would remove the expense of keeping it cleaned out from the City's responsibility.

3. A mobile home located at 302 S. Main St. was destroyed when the Derecho hit town. A large tree was blown over onto it. I was notified on June 3, 2025 by the land owner that a new mobile home was being delivered sometime between June 4-6. It is to be placed in the exact same place as the destroyed home. If I had spoken to the land owner before about this, I have no recollection of the conversation or phone call.

JUNE UTILITY REPORT:

1. NO TRASH COMPLAINTS
2. WATER LOSS AT 3.64%- GREAT
3. HAD WATER WELL #5 PRE- CONSTRUCTION MEETING WITH C. MILLER DRILLING
4. WORKING ON THE CCR- CONSUMER CONFIDENCE REPORT DUE JULY 1ST

**** THE CITY WILL BE SENDING OUT NOTIFICATIONS/ALERTS ON THE WATER WELL #5 PROJECT ONCE WE RECEIVE THEM FROM THE SOURCE- C. MILLER DRILLING. I'VE HAD SEVERAL PEOPLE FRETTERING ABOUT THE SITUATION AND AS SOME INFORMATION IS OUT THERE ALREADY, WE DO NOT HAVE THE DETAILED SCHEDULE AS OF NOW.
REST ASSURED- THE CITY WILL BE IN CONTACT WITH RESIDENTS ONCE WE GET THAT INFORMATION****

System Totals Report

City of Burton

Water Pumped This Month	1,539,800 Gallons
Water Sold This Month	1,333,760 Gallons
Water Used for Fire and Flushing Line	150,000 Gallons
Water Loss	56,040 Gallons
Water Loss (%)	3.64 %

	Amount (\$)	# Of Accounts
Total Water	11,162.61	214
Total Sewage	8,551.63	185
Total GARBAGE	2,656.00	185
Total Late Charge	225.35	25
Total Adjustments	(227.84)	4
Total Current Charges	22,367.75	222
Amount Past Due 1-30 Days	2,879.10	32
Amount Past Due 31-60 Days	788.66	10
Amount Past Due Over 60 Days	5,028.32	10
Amount Of Overpayments/Prepayments	(2,025.03)	41
Total Receivables	29,038.80	231

Total Receipts On Account	19,843.39	184
Net Change in Deposits	150.00	1
Amount of All Deposits	29,633.15	230
Amount of All Deposit 2	100.00	2
Turned Off Accounts (Amount Owed)	1,980.44	60
Collection Accounts (Amount Owed)	1,686.68	26
Number Of Unread (Turned On) Meters		10
Average Usage For Active Meters	5,799	230
Average Water Charge For Active Meters	52.16	214

Usage Groups	Gallons	# Of Accounts	Usage	Gallons	% Of Usage	% Of Sales
Over 50,000		3	608,100		45.59	6.39
40,001-50,000		0	0		0.00	0.00
30,001-40,000		1	33,200		2.49	1.29
20,001-30,000		1	28,300		2.12	1.24
10,001-20,000		9	130,730		9.80	5.88
8,001-10,000		8	70,220		5.26	4.70
6,001-8,000		12	82,160		6.16	6.18
4,001-6,000		34	167,070		12.53	16.43
2,001-4,000		48	140,460		10.53	20.27
1-2,000		85	73,520		5.51	30.78
Zero Usage		29	0		0.00	6.84
Total Meters		230	1,333,760		100.00	100.00

ETJ Waterline Timeline

Background

*The "Cash Waterline" was installed pre-1990 when Burton Water Supply maintained the water lines. It was probably closer to early or mid-80s when it was installed. The original landowner died, as did his wife and both daughters. Either the grandson or his mother (before her death) sold the land to Cash.

*The "Guelker Waterline" was installed in 1990 by the landowners. (Husband now deceased).

*These water lines serve two homes on FM 1697. They have been illegally located (running through) a TXDOT culvert on FM 2780 for more than 35 years. Both homes are located .4 mile from the physical connection to the city water supply.

*Previous "city" involvement in fixing these water lines –

+Winter Storm Uri – 2021 – water line under the culvert froze. As the lines thawed, water leak/gusher appeared. Emergency fix by the city.

+Fall of 2024 when water line in the ETJ (in a pasture) cracked and filled a stock tank. Emergency fix by the city.

*Plans were to install a meter and shut off valve at the city limits so that the city could turn off the water and/or bill for water usage when the line broke again.

*City does not have easements for either water line serving Guelker or Cash. Again, they are private lines on private property. To fix the water line break in the fall of 2024, the city had to have written permission from the property owner to enter the property.

*City does have written permission to work on property owned by Kelm within the city limits to be able to work to locate lines in that area.

Current Situation

*TXDOT is installing a new culvert and widening FM 2780.

*Water lines were found by subcontractor Knife River when they delivered the materials to install a new culvert. Demo/work was halted until city was contacted.

*On Thursday, May 15, the city received a phone call from TXDOT asking questions about the water lines. It sounded like TXDOT was on site and ready to cut the line. Further exploration found that they were not; later phone call indicated that wanted to meet with the city regarding those lines. First email was sent to the attorney-on-call & city attorney regarding assistance with the complexity of this issue.

*Monday, May 19 – 9:30am – Meeting at FM 1697 & FM 2780 included TXDOT (2 reps); Knife River (2 reps); Water Contractor; Utility Manager; Mayor. We learned TXDOT's plans for the area – widening the road & install new culvert. Apparently, the surveyors/engineers did not get out of the truck when they did the culvert design, so they did not know about the water line. Knife River agreed to work further outside of the city limits on other culverts/roads, giving the city some time to sort this out. Dustin & TXDOT talked about where a bore might work.

Email to city attorney (x2); Utility Contractor; BEFCO Engineers (x2); City Secretary; and Utility Manager was sent by Mayor to inform the entire group about the results of the morning meeting and that the city needed legal to weigh in on this matter.

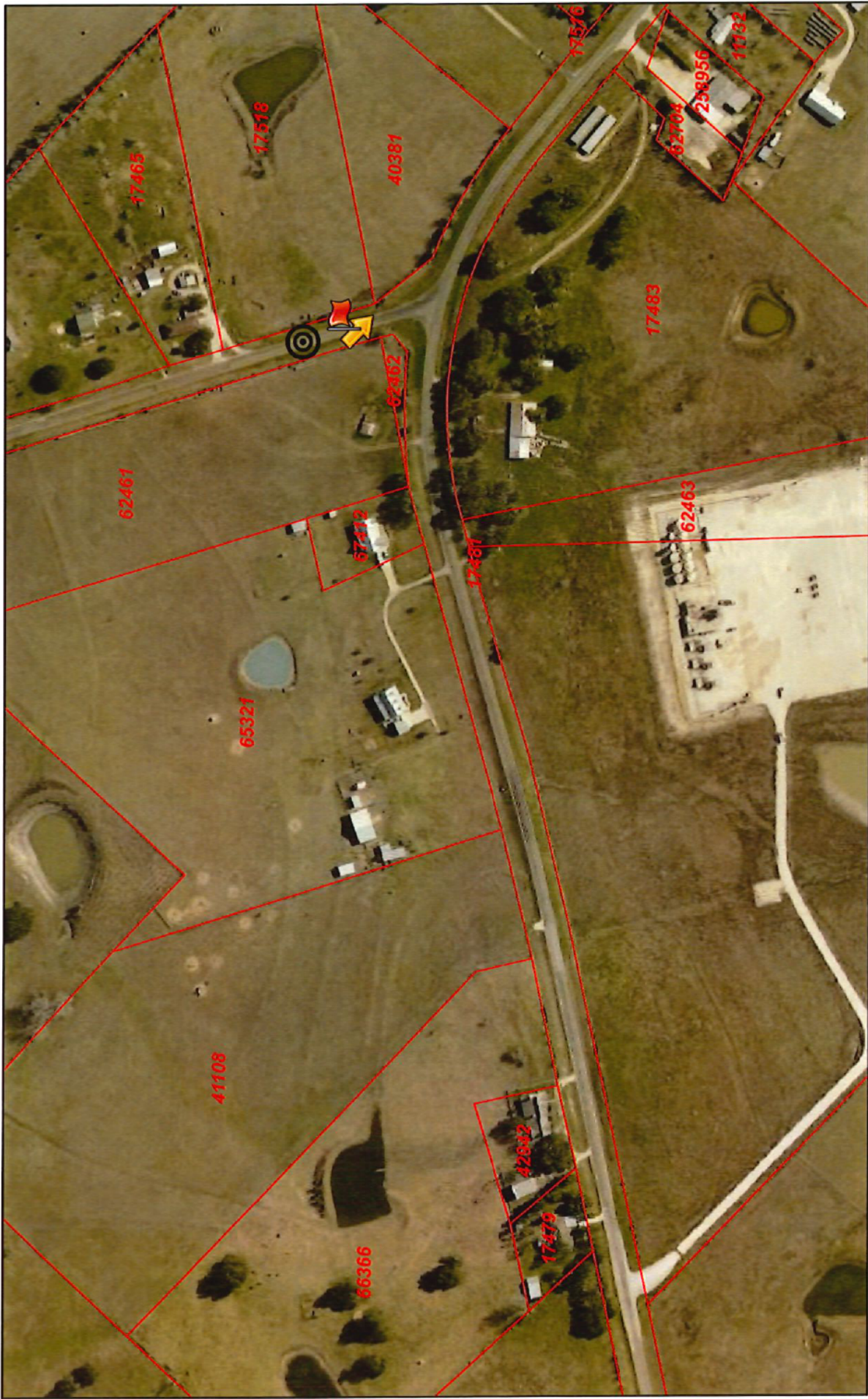
*Tuesday, May 27 – City Attorney returns from vacation; emails; sets up Zoom to meet Wednesday.

*Wednesday, May 28 – Zoom meeting – City Secretary, Mayor, City Attorney +1. Meeting was to clarify all things "in person". Advised to set Executive Session of Council to consult with legal. Executive Session set for June 3.

*Friday, May 30 – Mayor receives initial memo from City Attorney; informs City Secretary and Utility Manager that will get "spitball" quotes on costs of TXDOT bore and engineering before executive session on June 3.

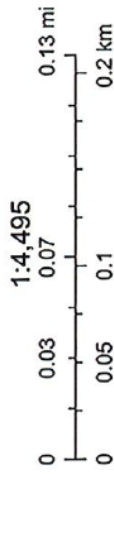
*Tuesday, June 3 – Zoom meeting with City Attorney +1; clarification of information for Executive Session; receiving cost estimates for TXDOT bore and engineering services. Certified/Overnight letters posted to Cash & Guelker regarding private water lines in TXDOT culvert.

Washington CAD Web Map



6/3/2025, 1:08:20 PM

 Parcels

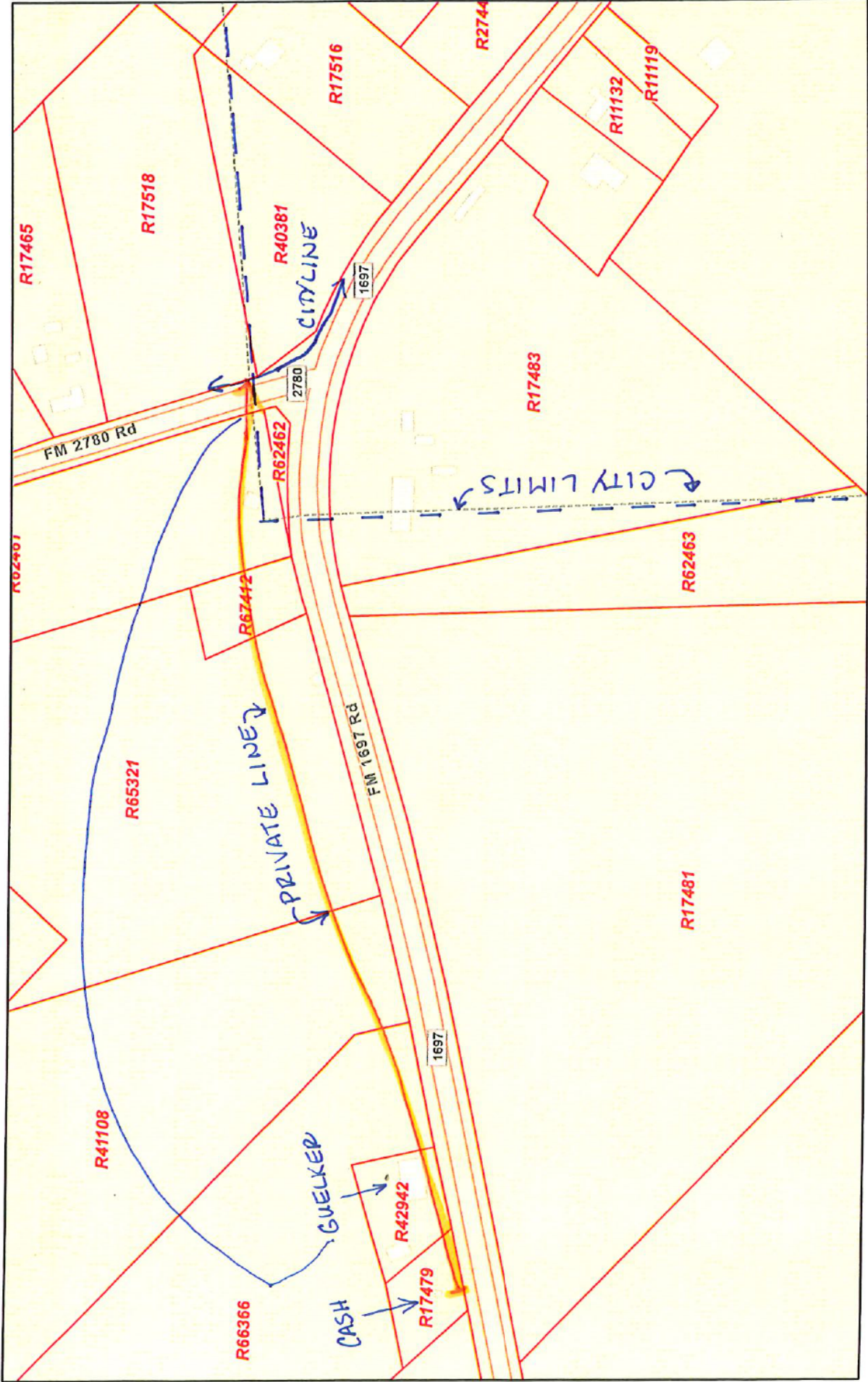


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Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries.

Washington County Appraisal District, BIS Consulting -

Washington CAD Web Map



9/28/2022, 9:40:19 AM

 Parcels

 Washington County Boundary

1:4,514

0 0.03 0.07 0.13 mi
0 0.05 0.1 0.2 km

Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries.
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City of Burton, Texas
P.O. Box 255
12200 E. Mulberry St.
Burton, Texas 77835
979-289-3402

TREE & LIMB REMOVAL CONTRACT

WHEREAS, the City of Burton wishes to Contract with a tree service to expedite the remediation of any dangerous or dying trees on the city Right-of-ways or easements; and

WHEREAS, the City Council of the City of Burton, as the governing body, did on June 10, 2025 award and approve a Contract with J Mendoza Tree Services for furnishing the materials, equipment, supplies and/or services in quantities and at prices set forth in "Exhibit A"; and

Description of Service

The Contractor will perform:

1. Removal of trees that may be uprooted, dead, or encroaching into the public Right-of way and/or easements;
2. Removal of dangerous hanging limbs over public Right-of-way and/or easements; and
3. Clearing and/or removing debris from city Right-of-ways and/or easements

as requested by the City Secretary, Mayor or other approved City Official and the City agrees to make payment for such items or services as set forth in "Exhibit A."

Payment for Services

Contractor may submit invoices via email or in person and the City must submit payment within 30 days.

Amendments

No amendment, modification or alteration of the terms of this Contract shall be binding unless same is in writing, dated subsequent to the date of this contract, and duly executed by authorization representatives of each party.

Indemnification

The Contractor shall defend, indemnify, and save harmless the City and all its officers, agents, and employees from all suits, actions, or claims of any character, name, and description, including attorney's fees expenses, brought for or on account of any injuries or damages received or sustained by any person or persons or property, by or from the said Contractor or his employees by or on account of any act of omission, neglect, or misconduct to the said Contractor, or by or on account of any claims of amounts recovered under Worker's Compensation Law or any other law, ordinance, order or decree. CONTRACTOR SHALL DEFEND, INDEMNIFY AND SAVE HARMLESS THE CITY, ITS OFFICERS, AGENTS AND EMPLOYEES IN ACCORDANCE WITH THIS INDEMNIFICATION CLAUSE REGARDLESS OF WHETHER THE INJURY OR DAMAGE IS CAUSED IN A PART BY THE CITY, ITS OFFICERS, AGENTS OR EMPLOYEES.

Insurance

The Contractor, before starting work for the City, must furnish to the City Certificates of Insurance or other acceptable evidences from a reputable insurance company.

This contract, rights and obligations may not be assigned by Contractor without specific approval of the City.

Terms and Termination

The terms of this Contract shall be for a period of two (2) years beginning on the date of execution of this Contract by City and will be automatically renewed for successive two (2) year terms unless notice to cancel is given in writing by either party ninety (90) days prior to the expiration date of the Contract.

EXECUTED and Effective as of this date, the 10th day of June, 2025.

CITY OF BURTON:



Mayor Karen Buck

ATTEST:


City Secretary Angela Harrington

AGREED AND ACCEPTED:

CONTRACTOR

J. MENDOZA TREE SERVICES


Juan Mendoza

"EXHIBIT A"

TREE REMOVAL

DIAMETER EACH

0 to 6"	\$120.00
6.1" to 12"	\$260.00
12.1" to 18"	\$460.00
13.1" to 24"	\$600.00
24.1" to 30"	\$900.00
30.1" to 36"	\$1200.00
36.1" to 42"	\$1300.00
>42"	\$1600.00

LIMB REMOVAL <15' IN LENGTH

DIAMETER EACH

0' to 4"	\$120.00
4.1" to 6"	\$140.00
6.1" to 8"	\$180.00
8.1" to 10"	\$190.00
10.1" to 12"	\$210.00
>12"	\$230.00

LIMB REMOVAL >15' IN LENGTH

DIAMETER EACH

0' to 4"	\$260.00
4.1" to 6"	\$260.00
6.1" to 8"	\$260.00
8.1" to 10"	\$260.00
10.1" to 12"	\$260.00
>12"	\$280.00 - \$380.00

EMERGENCY DEBRIS REMOVAL

PER TON

VARIOUS SIZES	\$235.00
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5217 Meadowlark Ln
Katy, TX 77493
(832) 604-2563
info@txsouthernroots.com

Estimate Number:
3400
Estimate Prepared By:

5/27/2025

Sub-Total

Estimate Total

Estimate for:
Angela Harrington City of Burton
Job #2396 - 12200 E. Mulberry St
12200 E. Mulberry St
Burton, TX 77835

\$2,339.88

\$2,339.88

Estimate

About Us

Line Items

Product	Description	Amount
Chainlink Double Drive Gate	Double Drive Gate 16' GALV 4" x 11' x SPS40-BULLDOG HINGE 4in PS IND DD GATE 16Wx6+1 1-5/8" SPS20 9ga *Fab: 1.2 HD 2x9 KT	\$2,339.88

SPECIAL INSTRUCTIONS

Thank you for considering Southern Roots Fencing & Supply for your project. We appreciate the opportunity and look forward to potentially working together. Should you have any questions, feel free to reach out. Thank you again for your interest. **Due to fluctuating material prices, quotes are only valid for 10 days.**

Please note the following:

We will not be liable for anything attached to your existing fence or gates.

Dirt from post holes will be spread at the base of the rot board.

Our quotes do not include staining, painting, or sealing.

We will not be responsible for HOA permits and approvals.

All new fences will be built back exactly the way they were prior to demolition unless quoted differently and signed by the customer.

We will call 811 for all utilities to be marked.

REGARDING ITEM #4

4. The creation of a Four (4) Person Committee to be led by Councilmember McLaughlin and including Sheila Ripple, Chuck Johnson, and Joan Rogers with the Purpose of Making Recommendations Regarding an Acceptable Land Division / Subdivision Ordinance

This committee, if approved, will be given copies of the Subdivision Ordinances currently in effect in small cities comparable to Burton. These cities are Carmine, Fayetteville, & Round Top. I will also include a copy of the De Laune Estates (Brandie Lane) Covenants & Restrictions that is located within the Burton city limits and a copy of the ordinance that was rejected by council in January and February.

The members of this committee will be given no longer than 90 days to read through the ordinances provided and indicate what they think is most important for the small town of Burton. They will then meet together under the leadership of Councilmember McLaughlin to compile their various opinions and recommendations. These opinions and recommendations will then be put in front of Council to review. If needed, the Council will then direct the City Secretary to construct a document or contact the attorney to create a new ordinance.

City staff hopes that doing this will eventually create a Land Division / Subdivision Ordinance that contains what a panel of residents feels is most important to include and that a majority of councilmembers can support.