

CITY OF BURTON

COUNCIL MEETING MINUTES

A Regular Meeting of the Burton City Council at 5:30 p.m. was held on
TUESDAY, January 13, 2026, in the Burton City Hall
at 12200 E. Mulberry Street Spur 125, Burton, Texas.

Members Present:

Mayor Karen Buck
Councilmember Jeff Eckhardt
Councilmember Macey Tidwell

Councilmember Tommie Gilmon
Councilmember Paul McLaughlin
Councilmember Nathan Kalkhake

Members Absent: None

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

Citizens Present: Josh Blaschke (KWHI), Jason May (Banner Press), Tiffany Eckhardt, Ned & Lauren Ross, Alicia Shepard, Barbee Gonzales, David Zajicek, Ande Bostain, Larry Winkelmann, Dale & Sue Schwartz, Berneake Gantt, Cathy Liles, Jessica Teufel, Suzie Tommaney, Barbara Saunders, Sherri Osborne, Chuck & Debra Johnson, John Hohlt, Bryan Wawarosky, Keith & Denise Withington (Burton Bulletin), Stacey & Braden Roehling, Linda Burroughs, Micheal Melick, Steph Jarvis, Susan Kiel, Vikki Curry (Burton ISD) and Rocky Rodriguez & Luis Nuner of AOKA Engineering.

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.

At this time, a statement was read regarding an incident of Mail Fraud regarding the City Hall mailing address.

Citizen Presentations

Many in attendance spoke of their concern regarding the Subdivision Ordinance and the consideration of AOKA to provide code enforcement and building code services to the city. Many also spoke on their concern regarding an updated Noise ordinance that would replace the prior noise ordinance from 1999.

It was also shared that the recently held Small Town Summit on Experiential Tourism was a success for those in attendance.

CONSENT AGENDA

- (1) **Minutes of the December 9, 2025 Regular Meeting**
- (2) **Financial Reports-Revenue & Expenditures**
- (3) **Mayor's Report – Attached**
- (4) **City Secretary's Report – Attached**
- (5) **Utility Report – Attached.** Contractor Dustin Lozano brought council up to date on recent work on the city's water and wastewater systems: a gear box was replaced at the WWTP; a sewer leak happened near the Lucherk (near FM 2780) lift station due to another utility (gas or oil) line repair; and his meeting with the Washington County EMS and other officials regarding the Medical Pod placement on the Burton EMS property.

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

FOR: Gilmon, Eckhardt, Tidwell

AGAINST: None

The motion passed.

UPDATES:

1. **General Land Office Contract #24-065-042-E534 – Water Well #5** – The only thing left to be completed is TCEQ's required testing and response to a sanitary easement variance.

2. **2023-2024 TDA CDBG – Knittel Lift Station Improvement Project** – Engineer Chad Emmel has inquired as to an acceptable date to hold the Pre-Construction Meeting for this project.

3. **Texas Target Communities** – Due to the Holiday break between semesters at A&M, there has been a lag in the tasks that the students have been working on. A close look at the Mayor's Report explains more regarding the students work within the city.

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

1. **A Contract with AOKA Engineering for Scope of Services including, but not limited to, Building Plan Review, Building Inspection, Public Works/Civil Plan Review & Inspection, Fire Protection Plan Review & Inspection, ICC Certified Training Services, Facility Assessments, and Code Enforcement Services & Training**

Much conversation between the council and those in attendance took place regarding this and many questions were posed on the reasons for and necessity of Code Enforcement within the city. Rocky Rodriquez of AOKA tried to explain what they do and how they can help this city as it moves forward to address city services and functions beyond the scope of city staff. A motion was made by Councilmember Eckhardt and seconded by Councilmember Gilmon to **TABLE** this agenda item.

FOR: Kalkhake, McLaughlin, Tidwell

AGAINST: None

The motion passed.

2. **Ordinance 20260113B Repealing Ord. 99-10-03, and Adopting a New Ordinance with Provisions Related to Noise and Sound Regulation in the City Limits of the City of Burton**

Many attending the meeting did not realize that Burton already had a "Noise Ordinance." One attendee had some specialty in the sound business and offered practical advice on rational limits of decibel levels of noise. It was also suggested to add text stating that if any decibel readings should be taken, it should be at the property line of the place where it is heard. A motion was made by Councilmember McLaughlin and seconded by Councilmember Tidwell to **APPROVE** the ordinance with the requested changes.

FOR: Eckhardt, Gilmon, Kalkhake

AGAINST: None

The motion passed.

3. **Resolution 20260113R Authorizing the Closure of N. Railroad St. from FM 390 (W. Washington St.) to the Post Office Drop Box and a Portion of W. Texas St. for Ranger Day on March 21, 2026**

It was explained that this is an annual item on the council agenda. The mayor also pointed out that there should be a plan of action in place in the event of any emergency happening. A motion was made by Councilmember Tidwell and seconded by Councilmember McLaughlin to **APPROVE**.

FOR: Eckhardt, Gilmon, Kalkhake

AGAINST: None

The motion passed.

4. Amended Budgets for Fiscal Year 2025-2026 Reflecting Actual Income and Expenses for the Third Quarter of the 2025-2026 Fiscal Year

The mayor walked council through the Budget to Actual Income and Expenses for the third quarter of fiscal year 2025-2026. The city secretary explained that amending the annual budget to reflect actual numbers was suggested by the city's current auditor. A motion was made by Councilmember McLaughlin and seconded by Councilmember Kalkhake to **APPROVE** the amended budgets.

FOR: Eckhardt, Gilmon, Tidwell

AGAINST: None

The motion passed.

The Regular Council Meeting was Adjourned at 8:50pm.

At 9:00pm, **Council Reconvened into a Workshop** on an Ordinance Providing Rules and Regulations Governing any New Division of Land within the City (otherwise, known as the Subdivision Ordinance (SDO).) Several attendees remained including Sheila Ripple (Subdivision Committee Member), Susan Kiel (Realtor) and Ned Ross (Resident). Councilmember Tommie Gilmon left prior to this discussion. The document was examined page by page and suggested edits were recorded. Prior to the workshop, the mayor had contracted with AOKA to review the draft of the SDO. Corin Hooper, a planner at AOKA offered both an in-depth description (*) of the purpose of a SDO as well as a constructive critique (*) of the SDO to include items of importance that had not been included in the Carmine SDO which had been used as a template for this SDO. (* included with these minutes)

The Workshop was adjourned at 10:20pm.

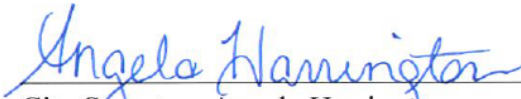
FOR: Eckhardt, Kalkhake, McLaughlin, Tidwell

AGAINST: None



Mayor Karen Buck

ATTEST:



City Secretary Angela Harrington

City Hall Statement Regarding Mail Fraud

On the morning of Saturday, January 3, the Mayor received a text from a resident regarding an unsigned letter she received with a return address of City Hall. I let her know that the letter writer was using the City Hall address illegally.

The resident shared photos that she took of the unsigned letter as well as the envelope.

Mayor notified the City Secretary and Utility Manager regarding this event. Plans were made to address the issue when we were all back in office on Monday.

On Monday morning, January 5, City Hall received a phone call from a resident made on behalf of his elderly neighbors regarding an unsigned letter they had received at a physical address outside of town for property they had not owned in years (over a decade).

Mayor spoke with the elderly resident and confirmed that it was the same letter that had been sent to the first resident to notify the city about such a letter.

On that afternoon, Mayor went to the Burton Post Office to speak with Postmaster Lydia regarding this mail. She and Brett had noticed the issue of mislabeled mail as well. (Physical addresses were being used; not PO Boxes; resulting in a high volume of "dead mail" returned to the Post Office.) Because the return address was Burton City Hall, I asked for the stack of Dead Mail.

Mayor spoke with Postmaster regarding the proper procedure to deal with Mail Fraud, as this is a Federal Offense. Postmaster was to file report with her boss regarding the Fraud. Mayor would contact the City Attorney as well as the FBI.

On this same afternoon, when Utility Manager Rachel was making a deposit at Citizens State Bank, the Bank surrendered three more of the letters which had been mailed to their physical address.

Mayor has filed a report with the FBI who in turn also asked her to file reports with both the Postal Inspection Service as well as the Washington County Sheriff's Office.

City Hall has since learned that people who live outside the city limits are receiving this letter as well. A post was made to Facebook on Monday, January 12 regarding the fact that Burton City Hall did not write, authorize, or send this unsigned letter.

Contents of the letter will not be addressed as the letter is unsigned.

Mayor's Report January 2026

Activities during the month of December included...

+Attended County Commissioners' Court Meetings on – December 2, December 9, December 16, December 30.

+Attended the required monthly GLO Teams meeting regarding Water Well #5. This meeting includes a representative from Langford Community Grant Management, the BEFCO engineer, 1-2 staff with the Texas General Land Office, the City Secretary and myself.

+Attended the monthly board meeting at the Brazos Valley Council of Governments' Community Action Programs.

+Compiled end of year review of progress in the city of Burton. Sat for interview with KWHI. Sent article to Banner Press for "Burton Matters"

+Texas Target Communities

BAEN A&M Students (Fall 2025/Spring 2026) – Wastewater Line Mapping & wastewater line near Burton ISD

+Utility Manager Rachel and I met with the students via Team to listen to updates.

+Students still on break between semesters.

URPN (Spring 2026) – Urban Planning Class – Met with TTC and the Professor of the class which will be coming out to Burton in the Spring. A list of potential projects/areas was given to councilmember at the December council meeting; asked council what projects they would like to see the group focus on for the town.

+Economic Development Updates

+ Dec 1, 2025 - Met with Dr. Tina Henderson, Washington County Extension Agent regarding Economic & Community Development. Handouts from that meeting were given to council members at the December council meeting.

+Dec 2, 2025 – Email sent to County Judge and Commissioners asking to amend the ILA regarding Economic Development agreement that the county has with city of Brenham as city of Burton's elected leadership is locked out of that process/relationship.

+Will be attending the County's workshop on Economic Development on Monday, January 12, 2026.

+BEFCO Chad, City Secretary, and Mayor interviewed the lowest bidder on the Knittel Lift Station project.

+Attended the Subdivision Ordinance (SDO) at County Commissioner's Court listening for ways in which Burton could incorporate some of the proposed changes to the County's SDO that will impact the city of Burton's ETJ.

+Sent a DRAFT of the city's SDO to AOKA Engineering for their SDO engineer to proof. The DRAFT was also reviewed by the council appointed committee of residents and Councilmember Paul McLaughlin.

+Set up a meeting with Stephanie Rudolph, County Agriculture Extension Agent, as we are seeking opportunities to partner and offer workshops to residents in this area of the county.

+Utility Manager Rachel and I attended a Texas Water Development Board Workshop in Brenham.

+Worked with 2 residents regarding the pilot program with stray animals and Burton Veterinary Clinic.

+Utility Manager Rachel and I responded to a phone call to city hall to check on a dog tied up on North Colorado.

+ Wrote the second letter to resident with RV hooked to water and sewer. Person living in the RV called City Hall and agreed to disconnect from water and sewer per the city ordinance. I thanked him for following the ordinance.

Total volunteer hours for the month of December – 72 hours

Texas Target Communities – Spring Semester 2026

(In Fort Stockton), over the semester, they explored Seven Core Themes -

- 1 – **Historic Preservation, Heritage Tourism, and Adaptive Reuse** – identifying redevelopment opportunities tied to cultural heritage
- 2 – **Mixed-Use Development, Housing, and Real Estate Innovation** – analyzing zoning barriers and proposing real estate innovations
- 3 – **Streetscapes and Connectivity for Multimodal Transportation** – assessing walkability and streetscape improvements
- 4 – **Transportation Networks, Infrastructure, and Parking Strategies** – evaluating traffic patterns and infrastructure needs
- 5 – **Public Spaces and Cultural Placemaking** – proposing ways to activate parks and civic areas through cultural programming
- 6 – **Economic Development, Local Business Support, and Community Collaboration** – mapping income disparities and supporting local businesses
- 7 – **Sustainability, Resilience, and Environmental Design** – creating a master plan for green infrastructure and climate resilience

Other areas of a Comp Plan that they could explore –

Population Study

✓ **Wastewater System Study**

Housing Study

Storm Drainage System Study

Land Use Study

Street System Study

Water System Study

Secretary's Report

January 13, 2026

1. I will be attending a webinar on February 3 & 4 to learn more about the Floodplain Management within the city.
2. I will also be attending a Texas Municipal Clerks Association seminar covering the most recent changes in law regarding Elections on January 21-23 in Round Rock. This was recommended by the Round Top Town Clerk and Carol Jackson, Washington County Election Administrator.
3. Also, on January 29, Karen and I will be attending the Olson & Olson 22nd Local Government Seminar.

JANUARY UTILITY REPORT 1/13/26

1. No trash complaints
2. Water loss at 4.84%
3. Water use survey is due March 1st and will be working on it.
4. Water loss survey is due May 1st.
5. Attended a meeting on the new medical pod coming next door

System Totals Report

City of Burton

Water Pumped This Month	2,142,700 Gallons
Water Sold This Month	1,464,040 Gallons
Water Used for Fire and Flushing Line	575,000 Gallons
Water Loss	103,660 Gallons
Water Loss (%)	4.84 %

	Amount (\$)	# Of Accounts
Total Water	11,545.31	215
Total Sewage	8,566.55	187
Total GARBAGE	2,686.00	186
Total Adjustments	(1,589.47)	9
Total Other Charge	-67.76	3
Total Current Charges	21,140.63	225
Amount Past Due 1-30 Days	4,702.57	34
Amount Past Due 31-60 Days	1,084.34	14
Amount Past Due Over 60 Days	2,876.00	9
Amount Of Overpayments/Prepayments	(1,391.18)	33
Total Receivables	28,412.36	227

Total Receipts On Account	22,383.67	194
Net Change in Deposits	150.00	1
Amount of All Deposits	29,812.05	234
Amount of All Deposit 2	100.00	2
Turned Off Accounts (Amount Owed)	-229.14	63
Collection Accounts (Amount Owed)	-78.50	21
Number Of Unread (Turned On) Meters		11
Average Usage For Active Meters	6,311	232
Average Water Charge For Active Meters	53.70	215

Usage Groups	Gallons	# Of Accounts	Usage	Gallons	% Of Usage	% Of Sales
Over 50,000		4	621,200		42.43	7.26
40,001-50,000		1	48,100		3.29	0.00
30,001-40,000		0	0		0.00	0.00
20,001-30,000		3	70,260		4.80	2.91
10,001-20,000		20	251,780		17.20	12.81
8,001-10,000		9	84,000		5.74	5.24
6,001-8,000		4	28,200		1.93	2.09
4,001-6,000		27	133,880		9.14	12.65
2,001-4,000		57	163,840		11.19	22.78
1-2,000		76	62,780		4.29	27.38
Zero Usage		31	0		0.00	6.89
Total Meters		232	1,464,040		100.00	100.00

ORDINANCE 20260113B
CITY OF BURTON NOISE ORDINANCE

AN ORDINANCE OF THE CITY OF BURTON, TEXAS, REPEALING ORDINANCE 99-10-03, AND ADOPTING A NEW ORDINANCE WITH PROVISIONS RELATING TO NOISE AND SOUND REGULATION IN THE CITY LIMITS OF THE CITY OF BURTON, AND PROVIDING A PENALTY, AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Burton, Texas, previously adopted Ordinances of the City of Burton, which established controls for noise regulation; and

WHEREAS, the City of Burton recognizes that previous noise Ordinances lack objective standards of noise measurement and it would be beneficial to add said standards to clarify terminology and aid in enforcement; and

WHEREAS, the City of Burton has investigated and determined that it is the best interest of the public to repeal any other past ordinances or resolutions in conflict with this Ordinance, and adopt an updated Noise Ordinance as set forth below; and

WHEREAS, the City Council of Burton has found that the following regulations will promote the health, safety, and welfare of the citizens and persons within the City; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURTON, TEXAS THAT THE FOLLOWING REGULATIONS ARE HEREBY ADOPTED, AND HEREINAFTER EFFECTIVE WITHIN THE CITY LIMITS OF THE CITY OF BURTON:

SHORT TITLE

This Ordinance may be cited as "Noise Ordinance."

PREVIOUS ORDINANCES REPEALED

Ordinance No. 99-10-03, or any other existing ordinances in conflict with the regulations herein contained, are repealed in its entirety, to the extent this subsection does not conflict with the severability section of this Ordinance.

NEW ORDINANCE ADOPTED

A new Noise Ordinance is hereby adopted to read as follows:

SECTION 1.0 DEFINITIONS

Unless otherwise expressly stated, the following words, terms, and phrases shall have the following meanings when used in this article:

1. *Commercial* shall mean, for the purposes of this article, all non-residential properties.
2. *Construction* shall mean any phase of the on-site erection or removal, including, but not limited to, excavation, demolition, alteration, repair, or maintenance, of any building or structure, or associated landscaping or paving activities conducted on that site.

3. *Day or daytime* shall mean from 7:00 AM to 10:00 PM.
4. *Night or nighttime* shall mean from 10:01 PM to 6:59 AM.
5. *Noise level* shall mean the A-weighted sound pressure level in decibels (dBA).
6. *Noise nuisance* shall mean any specific noise that is likely to cause unreasonable discomfort or distress to a reasonable person or to unreasonably interfere with the use or enjoyment of property.
7. *Owner* shall mean any person, corporation, association, firm, partnership or other entity with ownership, care, custody, or control over property.
8. *Person* shall mean any individual, corporation, association, firm, partnership or other entity with ownership, care, custody, or control over property.
9. *Residential* shall mean, for the purposes of this article, residential properties.

SECTION 2.0 OFFENSES

1. It shall be an offense for any person to intentionally, knowingly, or recklessly make or cause to be made an unreasonable noise
 - a. in a public place; or
 - b. on private property that the person has no right to occupy; or
 - c. on private property and the noise is perceivable from a public vantage point (including but not limited to commercial establishments).
2. It shall be an offense for an owner of property to intentionally, knowingly, or recklessly make, cause to be made, or allow a noise nuisance on property owned by him or subject to his care, custody or control (including but not limited to commercial establishments).
3. The issuance of a certificate of occupancy, land occupancy permit, multiple pet permit, or permit issued by City of Burton shall not be a defense to prosecution under this Article.

SECTION 3.0 UNREASONABLE NOISES

1. A noise is unreasonable and declared to be a noise nuisance if it meets any of the following criteria:
 - a. The noise continuously (for a period of 60 seconds or more) exceeds a decibel level of 85 after the person responsible for, or making, the noise receives notice from a City employee or peace officer that the noise is a public nuisance; OR
 - b. The noise, because of its loudness or intensity, disturbs, injures, or endangers the comfort, repose, health, peace, or safety of reasonable persons of ordinary auditory sensitivity, within the jurisdictional limits of the City, after the person responsible for, or making, the noise receives notice from a City employee, elected official or peace officer that the noise is a public nuisance.
 - c. The noise is made between 10:01 p.m. and 6:59 a.m. and continuously exceeds a decibel level of 85 as metered from the property line for a period of 60 seconds or more .

SECTION 4.0 PENALTY

Any person who shall violate the terms and provisions of this Ordinance shall, upon conviction thereof, be punished by a fine of not less than \$1.00 and not more than \$250.00. Each day this Ordinance is violated shall constitute a separate offense. The Court hearing a case under this Ordinance shall order abatement of the nuisance upon conviction.

SECTION 5.0 ENFORCEMENT

The City Mayor, City Secretary, Law Enforcement Officer or their designee shall have authority to enforce this article.

SECTION 6.0 HEARING

A person who has received a citation for violation of this ordinance may request a hearing to contest the charge/s. Hearing requests must be made within 30 days of receiving the citation and in writing to be submitted to the City Secretary for placement on the next regularly scheduled City Council meeting for consideration and/or action.

SECTION 7.0 DEFENSES

It shall be an affirmative defense to prosecution under this article that:

1. The noise is immediately and reasonably necessary to prevent imminent threat of bodily injury, death, or loss of property.
2. The noise is a reasonable result from a lawfully scheduled event in full compliance with all permits issued by the City and all other local, state, and federal laws, including, but not limited to:
 - a. A stadium or sporting event;
 - b. School-sponsored event;
 - c. A parade;
 - d. A musical performance;
 - e. An event using a real or simulated cannon, firearm, gunfire, explosive, or pyrotechnic item;
 - f. An event, fun run, race, festival, fiesta, or concert that was sponsored or co-sponsored by the City; or
 - g. The noise is produced by reasonably necessary construction-related activities on real or personal property, conducted at any point from 7:00 a.m. through 9:00 p.m., and the activity is in compliance with all other State and Federal laws and the City of Burton Ordinances, and the noise does not directly or indirectly result in a specific noise level exceeding 85 dBA.
 - h. The noise is produced by the operation of any heating, refrigeration, ventilation, air conditioning equipment or system, or pool equipment, and the noise does not directly or indirectly result in a specific noise level exceeding 75 dBA on residential property or 85 dBA on commercial or industrial property.
 - i. The noise is produced as part of a religious observance or service, provided the sound does not cumulatively exceed five minutes duration in any three-hour period.
 - j. The noise is produced by reasonable activities conducted in public parks, public playgrounds, or public or private school grounds, at any point from 7:00 a.m. through 10:00 p.m.
 - k. The noise is produced by the transportation, placement, filling, collection, or removal of a waste or recycling receptacle or container at any point from 7:00 a.m. through 10:00 p.m. in an area zoned for residential use or within three hundred (300) feet of an area zoned for residential use.

- l. The noise is produced by construction-related activity outside of the designated hours set forth in this article and said activity has received written approval from the City, has been approved by a State or Federal authority, or is reasonably necessary due to an emergency.
- m. The noise is produced by a property that has received a variance from the City allowing the noise that would otherwise be prohibited.

SECTION 8.0 VARIANCES

A person may request a noise variance by submitting a written variance request to the City at least 10 days prior to the date/s for which the variance is sought. The City may designate an employee to review and approve/deny variance requests. Variances may not be granted for more than 30 days at a time unless the City finds good reason to extend the period allowed for the variance. No Variance shall be issued for noise taking place between the hours of 11:00pm and 7:00am on any day of the week.

SECTION 9.0 SEVERABILITY & SAVINGS

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph or section of this Ordinance.

SECTION 10.0 GRANDFATHER EFFECT

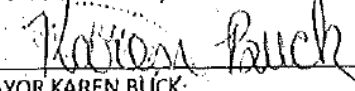
The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under by virtue of such Ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this ordinance.

SECTION 11.0 EFFECTIVE DATE

This Ordinance shall become effective immediately upon its passage and publication as required by law.

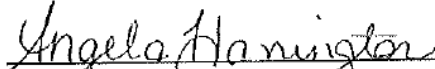
PASSED AND APPROVED this 13th day of January, 2026.

CITY OF BURTON, TEXAS



MAYOR KAREN BUCK

ATTEST:



CITY SECRETARY, ANGELA HARRINGTON



RESOLUTION NUMBER 20260113R

**A RESOLUTION AUTHORIZING THE CLOSURE OF A PORTION
OF A CITY STREET FOR A TWELVE (12) HOUR DURATION FOR
THE ANNUAL BURTON HERITAGE SOCIETY'S RANGER DAY
ON MARCH 21, 2026**

WHEREAS, the City Council of the City of Burton has previously granted approval for the annual Burton Heritage Society's Ranger Day being a special event celebration on March 21, 2026; and

WHEREAS, Ranger Day promotes tourism and has a positive economic effect, thereby serving a public purpose; and

WHEREAS, given that Ranger Day activities require more space than the Burton Depot property can offer, the City of Burton authorizes the temporary closure of N. Railroad St. between W. Washington St. and the Burton US Post Office outdoor drop box, as well as, W. Texas St. from N. Railroad St. to the Los Patrones driveway; and

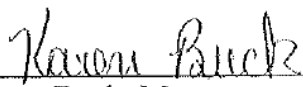
WHEREAS, the City Council of the City of Burton, Texas has determined that it is necessary for the preservation of the health, safety, welfare and good order of the city;

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF
THE CITY OF BURTON, TEXAS**

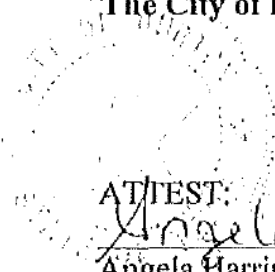
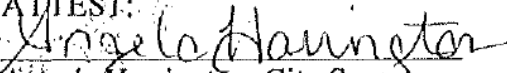
That the city has authorized the twelve (12) hour closure of roads from 8:00am to 8:00pm as shown in the attached Exhibit A which provides the location of the road closures and will be indicated with signs and/or barricades.

**PASSED, APPROVED AND ADOPTED THIS
THE 13th DAY OF January, 2025.**

The City of Burton, Texas



Karen Buck, Mayor


ATTEST:

Angela Harrington, City Secretary

SCHOOL

EXHIBIT "A"

CENDAR ST.



Street Closure for:

RANGER DAY

MAIN ST.

* SPIES

*ECKHARDT

LIVE OAK ST

* MARKET
REALTY

N. RAILROAD

FM 390

WASHINGTON ST

* BANK

* CITY
PARK

TEXAS ST.

* POST
OFFICE

* DEPOT

* LOS
PATRONES

9:39 AM

01/06/26

Accrual Basis

City of Burton, Texas

Profit & Loss Budget Overview

April 2025 through March 2026

	Apr - Jun 25	Jul - Sep 25	Oct - Dec 25	Jan - Mar 26	TOTAL Apr '25 - Mar ...
Postage	146.00	78.00	88.77	94.40	407.17
Reconciliation Discrepancies					
Repair & Maintenance					
Weeren Park	225.00	190.00	225.00	225.00	865.00
Repair & Maintenance - Other	1,684.99	8,719.08	1,200.00	750.00	12,354.07
Total Repair & Maintenance	1,909.99	8,909.08	1,425.00	975.00	13,219.07
Security Expense	105.00	105.00		105.00	315.00
Street Light Expense	1,551.03	1,551.03	1,551.03	1,551.03	6,204.12
Street Repair			29,263.06		29,263.06
Supplies - Office	157.11	226.47	162.72	207.98	754.28
Supplies - Operating & Other	81.61	198.26	137.32	1,228.38	1,645.57
Tax Collection Fees	1,007.16	561.66	441.79	561.66	2,572.27
Telephone & Communications	269.55	269.55	269.55	269.55	1,078.20
TMRS Contributions	12.00	12.00	12.00	12.00	48.00
Travel & Mileage	93.80			225.82	319.62
Utilities	479.15	619.37	658.30	535.52	2,292.34
Wages & Payroll Taxes	8,336.54	7,237.14	8,859.33	7,606.22	32,039.23
Total Expense	28,946.24	35,978.94	68,199.38	27,407.18	160,531.74
Net Ordinary Income	40,816.91	-1,265.37	-12,654.75	64,843.42	91,740.21
Other Income/Expense					
Other Income					
Debt Service Fund Revenues					
Property Tax Revenues (DSF)	7,278.05	1,305.06	90,374.42	38,476.93	137,434.46
Interest Income (DSF)	414.13	398.98	253.09	487.69	1,553.89

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Accrual Basis

City of Burton, Texas

Profit & Loss Budget Overview

April 2025 through March 2026

	Apr - Jun 25	Jul - Sep 25	Oct - Dec 25	Jan - Mar 26	TOTAL Apr '25 - Mar ...
Total Debt Service Fund Revenues	7,692.18	1,704.04	90,627.51	38,964.62	138,988.35
Total Other Income	7,692.18	1,704.04	90,627.51	38,964.62	138,988.35
Other Expense					
TRANSFER OUT					
Debt Service Expenditures		54,000.00		41,000.00	95,000.00
Bond Payment		15,734.86		14,694.00	30,428.86
Interest on Bond Payment					
Total Debt Service Expenditures		69,734.86		55,694.00	125,428.86
Total Other Expense		69,734.86		55,694.00	125,428.86
Net Other Income	7,692.18	-68,030.82	90,627.51	-16,729.38	13,559.49
Net Income	48,509.09	-69,296.19	77,972.76	48,114.04	105,299.70

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Accrual Basis

CITY OF BURTON WATER & SEWER

Profit & Loss Budget Overview

April 2025 through March 2026

	Apr - Ju...	Jul - Se...	Oct - De...	Jan - M...	TOTAL Apr '25 - Mar ...
Ordinary Income/Expense					
Income					
DEPOSIT FOR WATER & SEWER	450.00	150.00	400.00	150.00	1,150.00
GARBAGE REVENUES	7,858.40	9,662.55	7,509.15	8,487.00	33,517.10
Transfer In			9,500.00		9,500.00
WATER & SEWER REVENUES	55,548.12	57,380.82	59,079.81	57,314.64	229,323.39
Total Income	63,856.52	67,193.37	76,488.96	65,951.64	273,490.49
Gross Profit	63,856.52	67,193.37	76,488.96	65,951.64	273,490.49
Expense					
CONTRACT LABOR	13,350.00	13,350.00	13,350.00	13,350.00	53,400.00
DUES & SUBSCRIPTIONS		365.00		1,175.00	1,540.00
FEES & PERMITS			1,803.70		1,803.70
GARBAGE & COLLECTION COST	7,503.00	7,503.00	7,503.00	7,503.00	30,012.00
INSURANCE & PROPERTY LIABILI...	1,361.75	1,361.75	1,334.00	1,488.75	5,546.25
LAB TESTING FEES	1,949.00	1,955.00	1,585.00	1,711.67	7,200.67
LEGAL & PROFESSIONAL FEES	14.30	6.00	11.50	12.60	44.40
POSTAGE	370.00	350.06	377.90	380.00	1,477.96
REPAIR & MAINTENANCE	20,852.63	20,892.50	47,318.58	20,583.42	109,647.13
SUPPLIES - OFFICE	27.53	118.41		32.35	178.29
SUPPLIES - OPERATING & OTHER	4,824.44	11,455.98	1,680.85	4,334.44	22,295.71
Telephone	144.66	144.66	141.66	144.66	575.64
Texas A & M University			4,150.00		4,150.00
UTILITIES EXPENSE	3,084.01	4,929.77	5,281.93	5,088.06	18,383.77

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Accrual Basis

CITY OF BURTON WATER & SEWER

Profit & Loss Budget Overview

April 2025 through March 2026

	Apr - Ju...	Jul - Se...	Oct - De...	Jan - M...	TOTAL Apr '25 - Mar ...
WAGES & PAYROLL TAXES	6,039.36	5,688.98	6,429.62	5,321.93	23,479.89
WATER&SEWER DEPOSIT REFUND	218.92	352.08	188.90	339.84	1,099.74
Total Expense	59,739.60	68,473.19	91,156.64	61,465.72	280,835.15
Net Ordinary Income	4,116.92	-1,279.82	-14,667.68	4,485.92	-7,344.66
Net Income	4,116.92	-1,279.82	-14,667.68	4,485.92	-7,344.66

Purpose

In addition to reviewing the assigned document, the team assessed the climate in which the document exists based on newspaper reports of city council meetings. At this time, it is reported that there have been at least two iterations for the subdivision to pass which have not been carried forward. As a result, the city council has determined on a three to two split vote, towards not adopting the proposal. It is likely that there have been two purposes for rejection based on comments presented. First, a lack of clarity. In addressing this subject matter, it is feasible to acknowledge an understanding that regulation complicates the speculative rights of a landowner. The second reason for plausible denial is the perceived infringement of property rights upon the landowner. These two items shall be addressed in the paragraphs below:

In addressing the lack of clarity, a subdivision ordinance, such as the one reviewed is a commonality amongst cities. Because of the size of Burton, less than 5,000 people, it was classify under Dillons Rule as opposed to Home Rule. This means that the power of the city is that which is granted by the state. As the subdivision ordinance ties to Chapter 212, this would follow the format. Not only does the Republic of Texas provide the regulation framework, but this also ties into other regulation existing in the city.

While a subdivision ordinance may seem like introducing a new concept to Burton, it should be viewed as a continuation brought on as a rational nexus from similar existing ordinances. In the same way that Euclid v. Ambler Realty upheld land regulation through of zoning, nuisance related ordinances currently exist for Burton (i.e. manufactured homes, yard maintenance, etc). The purpose of creating this subdivision ordinance is in part to prepare and prevent future nuisances through regulation.

The second concern to address, is the argument around the perceived infringement upon ownership rights. While the immediate hesitation may be valid, having a better-defined framework for land development would be beneficial long term. Having a subdivision ordinance in place would include a legal framework in a similar that having a road would create a logistical framework of circulating transportation through town. The inclusion of this would be viewed as a solution to congestion, facilitating the movement of vehicles and transportation rather than simply limiting the ability to drive off road.

In terms of ameliorating the concerns of the individual landowner, a familial exception has been included within the text of the document: "An owner subdividing land where the subdivided parcel is transferred to someone within the third degree of consanguinity or affinity and the parcel is to be used for a homestead single-family dwelling." This is not intended to limit the ability for family to divide land accordingly, it is about further development within the boundaries of the city.

A subdivision ordinance is about fulfillment rather than deprivation. As with everyone, we want to see the city be prosperous. While many love the city as it currently exists, change is

the one constant inevitability. This subdivision ordinance provides the framework if larger scale development does happen, the city would be protected, and infrastructure would be in place. Infrastructure is a concept that most people may not think of unless it is needed. This subdivision ordinance outlines the applicable process in addition to including engineering specifications related to drainage. The opportunity to create a subdivision ordinance promotes quality control of land along with infrastructure limiting the likelihood for nuisance.

Respectfully,
Corin Hooper
Planner, Aoka Engineering

Initial Assessment

Overall, the Subdivision Ordinance is comprehensive. As the primary goal of planning is the preservation and protection of the public health, safety, and general welfare, this clearly outlines the adequate intention of the Subdivision Ordinance. The proposed outlines Chapter 212, the municipal subdivision regulation, aligning with Dillons Rule.

Areas for Improvement

While well written, there are certain items that could be further clarified:

- *Grammar:* However, there are certain administrative and substantive elements that have the ability for improvement. As much of the text is borrowed or inspired from the City of Carmine, TX, which may be in one or more counties, the term respectively is used. This can be used to adequately between the two options.
- *Boundary:* Under the definitions, there is also a time where ETJ is crossed out and other times when ETJ is not. Based on external research this could be likely tied to similar recommendations existing in the county, where they would need to be further included in the city.
- *Phasing:* The term phasing is not mentioned within context of the subdivision ordinance. This is something that would be necessary. Should there be a sizeable subdivision, it is important that the development can be built in phases rather than all at once. Should there be market volatility when it comes to housing, there may not be a guarantee that development would continue. Phasing allows the developer to provide the necessary improvements as they go along in stages. This provides an insurance clause for city's should the development not be seen to fruition, there would not be empty infrastructure not corresponding to a property.
- *Bonds:* While the terms of the bond are stated, this could also be developed in a further capacity. Different types of bonds need to be specified (i.e. performance, plat, site, etc.)
- *Power:* There is also a mention of approval by mayor or designee compared to that by city council. I would recommend either providing the reason for the difference in executive decision compared to judicial or legislative.
- *Storm Drainage:* Storm drainage could also be expanded/specified. For example, in nowhere in the description is the term 100-year storm used. I would make certain that adequate drainage is considered. Please consult further in terms of inclusion in discussing stormwater drainage.
- *Re-platting:* Also, while the concept of a re-plat is mentioned a handful of times within the document, the steps toward this process should also be outlined. At this time, I would recommend further inclusion after discussing final plat.