

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

On this the 14th day of August, 2007, the City Council of the City of Burnet convened in Regular Session, 6:30 p.m., at the regular meeting place thereof with the following members present, to-wit:

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| Mayor | Alan Smith |
| Council Members | Paul Shell, Linda Turner, James Ritter, William DeLeon, Bill Flynn, Ken Graham |
| City Manager | Michael Steele |
| City Secretary | Christy Fath |

Guests: Joyce Laudenschlager, Colby VanGundy, David Vaughn, Paul Nelson, Danny Lester, Mark Ingram, Doug Fipps, Crista Bromley, Walterine Buckner, Cathy Hosman, Bettye Foulds, Bill Foulds, Jo Foulds, John Erskine, Alan Snider, B. Daugherty, W.C. Heffington, Mr. and Mrs. Thomas Hullum, LuAnne Alexander, Sunya Denton, Bitty Metzger.

WORKSHOP: The workshop was called to order by Mayor Smith at 5:00 p.m.

Discuss & Review: 2007-2008 Budget: City Manager Michael Steele introduced Stan Hemphill of the Burnet Central Appraisal District. Mr. Hemphill discussed the effective rate and the rollback rate. Michael Steele stated that the proposed budget was based on the effective rate.

The workshop was declared closed at 5:56 p.m.

Call to Order: The meeting was called to order by Mayor Smith, at 6:30 p.m.

Invocation: Councilman Ritter.

Pledge of Allegiance: (All) Led by Councilman DeLeon.

CONSENT AGENDA ITEMS: Consider Action Re:

Approval of the Minutes from the July 24, 2007 Special Workshop Meeting:

Approval of the Minutes from the July 24, 2007 Regular Meeting:

TCEQ On-site Activity Reporting System Designees:

END OF CONSENT AGENDA: Councilman Shell moved to approve the consent agenda, Councilwoman Turner seconded, motion carried unanimously.

Discuss & Consider Action Re: Items removed from the consent agenda, if any: No action taken.

Citizen Input: Thomas Hullum expressed his concerns with the Burnet Cemetery being disgraceful. He showed the Council pictures of the cemetery of tall weeds and the condition of the street leading into the cemetery. He referenced page ten of the cemetery ordinance which addresses the mowing and upkeep of the cemetery. He thanked the Council for giving him the opportunity to speak. Mayor Smith thanked Mr. Hullum.

Discuss & Consider Action Re: Ellen Halbert Facilities Use Agreement: J. Erskine: John Erskine discussed the agreement. Councilman Graham moved to approve the agreement, Councilman DeLeon seconded, motion carried unanimously.

Discuss & Consider Action Re: FIRST READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, CLOSING, VACATING, AND ABANDONING A 0.45 ACRE PORTION, MORE OR LESS, OF STREET RIGHT-OF-WAY COMMONLY KNOWN AS LEFFINGWELL LANE; CONDITIONALLY AUTHORIZING CONVEYANCE TO THE ABUTTING PROPERTY OWNERS IN PROPORTION TO ABUTTING OWNERSHIP; RESERVING A PUBLIC UTILITY EASEMENT; PROVIDING FOR THE DEDICATION AND CONSTRUCTION OF A STREET IN PLACE OF THE ABANDONED STREET AND ACCEPTANCE OF SAME BY THE CITY; PROVIDING FINDINGS OF FACT; AUTHORIZING CONVEYANCE OF SUCH ABANDONED STREET RIGHT-OF-WAY BY QUITCLAIM DEED; PROVIDING SEVERABILITY, EFFECTIVE DATE AND OPEN MEETINGS CLAUSES; AND PROVIDING FOR RELATED MATTERS: D. Vaughn: David Vaughn discussed the ordinance. Councilwoman Turner moved to adopt the first reading of the ordinance, Councilman Shell seconded, motion carried unanimously.

Discuss & Consider Action Re: Planning and Zoning Recommendations:

The first item on the agenda was a request by property owner Headwaters Properties, Inc. for approval of a Preliminary Subdivision Plat for a 57 lot subdivision (Headwaters of the San Gabriel) with variances.

located in the Extraterritorial Jurisdiction (ETJ) of the City of Burnet. This property is legally described as A0086 Samuel M. Bingham, acres 7.14; A0684 Henry Pearl, Tract 1, acres 3.29; A1372 H.M. Babcock, acres 65.9 and A1769 W.H. Carpenter, acres 3.43, Burnet County, TX. David Vaughn gave a brief overview of the request, indicating there were some minor changes to the preliminary plat to clear up possible conflicts within the plat and to better depict easements and setbacks. He also stated that these changes would have to be received prior to the City Council public hearing on August 14th, 2007. The P & Z Chair asked for public comment and neighboring landowner Mr. Larry Hocker expressed his concerns, followed by comments from Mr. Troy Hocker. Mr. Vaughn explained the concerns raised normally are addressed during the construction plan review of a subdivision. James Scott made a motion that the Preliminary Plat be approved subject to the revisions being made to the plat and new copies received prior to the City Council meeting. This motion was seconded by Jim Roberts. A vote of the Commission resulted in approval of this application (5 – For Approval; 1 – Abstain; 0 – For Denial): David Vaughn discussed the request. He stated that there were a couple of changes since the P & Z approval which were only clean up changes. Councilman Shell moved to approve the Planning and Zoning recommendation of approval of the request, Councilman Ritter seconded, motion carried unanimously.

Discuss & Consider Action Re: Vote for ad-valorem property tax and schedule public hearings for August 28, 2007 and September 4, 2007 at 6:30 p.m. for the proposed tax rate: C. Fath: Christy Fath stated that a vote for the ad-valorem property tax was needed and public hearings for August 28th and September 4th were scheduled if needed. Councilman Shell moved to set the proposed tax rate at the effective rate of .5819 and to set public hearings for August 28, 2007 and September 4, 2007, Councilman Flynn seconded, motion carried unanimously.

Discuss & Consider Action Re: FIRST READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING SECTION 4. FUNDING, OF ORDINANCE 2002-14 OF THE CODE ORDINANCES; PROVIDING FOR THE ADMINISTRATION OF BURNET TOURISM ALLIANCE FUNDS; AND PROVIDING FOR CERTAIN RELATED MATTERS: C. Bromley: Crista Bromley discussed the ordinance. Councilman Graham moved to adopt the first reading of the ordinance, Councilman Ritter seconded, motion carried unanimously.

Discuss & Consider Action Re: Galloway Hammond Recreation Center Standards of Care for After School Programs and Camps: C. VanGundy: Colby VanGundy discussed the standards of care for the after school programs and camps. He stated that if adopted it would exempt the City from licensing from the state. Councilman Shell moved to adopt the Galloway Hammond Recreation Center Standards of Care for After School Programs and Camps, Councilman Flynn seconded, motion carried unanimously.

Discuss & Consider Action Re: Award of Insurance Bids: J. Laudenschlager: Joyce Laudenschlager stated that only one bid was received for the health insurance which was from the current carrier, Scott and White. She stated that there would be a 14.9 percent per year increase with changes on the co-pay and prescription coverages. She stated that Dental Select, the current dental carrier, would be a three cent decrease. She stated that staff recommends changing from Shenandoah Life to Lincoln Financial for the life insurance. She stated that SBS would be the carrier for the Section 125 Care. Councilman Shell moved to award the insurance bids to Scott and White, Dental Select, Lincoln Financial and SBS, Councilman Graham seconded, motion carried with a six to zero vote with Councilman DeLeon abstaining.

Discuss & Consider Action Re: Cemetery Revenue Collections: J. Ritter: Councilman Ritter discussed putting the revenue funds from the cemeteries into a restricted account. He stated that he would like to see the roads in the cemeteries repaved. Thomas Hullum, Bill Foulds and Jo Foulds, citizens, gave input on the cemeteries. After much discussion, Councilman Graham moved to direct Councilman Ritter, a member of city staff, Thomus Hullum, Bill Foulds and Jo Foulds to come back to Council with an economic plan for the cemeteries and how to fund the plan, Councilman DeLeon seconded, motion carried unanimously.

Discuss & Consider Action Re: Presentation of the 2007-2008 Budget by the City Manager: M. Steele: City Manager Michael Steele presented the 2007-2008 Budget to the Council. He stated that the budget

was based on the effective tax rate of .5819. Councilman Flynn moved to approve the budget, Councilman Shell seconded, motion carried unanimously.

Discuss & Consider Action: Contract with Royal Vista, Inc. for the Hwy. 29 West Water Line Project: D. Vaughn: David Vaughn discussed the contract. He stated this was on the Patrick Miller property. Councilman Shell moved to approve the contract, Councilman Flynn seconded, motion carried unanimously.

Discuss & Consider Action: Contract with Dr. Laura Matherly for Strategic Planning: B. Flynn and K. Graham: David Vaughn referenced a memo included in the packet. He stated that staff talked to several firms. He stated that Dr. Laura Matherly has submitted a proposal which includes a follow up. After some discussion, Councilman Graham moved to accept the contract with Dr. Laura Matherly, Councilman Flynn seconded, motion carried with a six to one vote with Councilman Shell voting no.

Discuss & Consider Action: Proposal from staff concerning ice skating rink during the Trail of Lights: C. VanGundy: Colby VanGundy gave a slide show presentation on an outdoor ice skating rink. He stated the rink would hold up to 178 people at one time. He stated that the projected cost for the rink would be \$104,000 and the projected revenue from the rink would be \$104,000. He stated that staff requests Council's support and approval to go out for bid on the ice skating rink. After some discussion, Councilman Flynn moved to approve staff to go out for bid on the ice skating rink, Councilman Shell seconded, motion carried unanimously.

Council and Staff Reports: Michael Steele reminded Council of the Blood Drive for City employee, Lee Armour, for August 16th and 17th. David Vaughn stated that a day needed to be decided on for Council and management to have an appreciation lunch for the street department for their hard work during the flood.

Requests from Council for Future Reports: None.

Adjourn: There being no further business, Councilman Graham moved to adjourn at 8:22 p.m., Councilwoman Turner seconded, motion carried unanimously.

Alan Smith, Mayor

ATTEST:

Christy Fath, City Secretary