

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

On this the 8th day of January, 2008, 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:

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

Workshop Guests: Joyce Laudenschlager, Connie Fowlkes, Mark Ingram, Doug Fipps, Paul Nelson, Danny Lester.

WORKSHOP: The workshop was called to order by Mayor Smith at 5:30 p.m.

Discuss & Review: Planning and Goal Setting: M. Steele: City Manager Michael Steele reviewed objectives. He stated that if the previously set goals were still relevant to the Council then the Council could decide on which goal to work on next. The Council chose to work on employee satisfaction, pay plan and benefits together as one group. Measurable realistic objectives were set such as: Employee Survey with questions relating to training, tools, time to do job, being fairly paid, being treated equally, benefits and do workers feel appreciated. He discussed the option of doing the survey on-line. Other objectives discussed included: researching salary/benefits regionally, steps, incrementally, measure productivity, benefits (cafeteria plan). He stated he would report to the Council in one month and then meet at the end of the quarter to discuss the progress of the goals and objectives. Mayor Smith declared the workshop closed at 6:14 p.m.

Guests: David Vaughn, Roy Fyffe, Joyce Laudenschlager, Connie Fowlkes, Danny Lester, Paul Nelson, John P. Erskine, Doug Fipps, Mark Ingram, Jo Foulds, Mary Ann Stubbs, Crista Bromley, Teresa Smith, Conny Steele, Ann Riddell, Pat Riddell, Pat Bass, B. Daugherty, M. Davis.

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

Invocation: Mayor Smith.

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

CONSENT AGENDA ITEMS: Consider Action Re:

Approval of the Minutes from the December 11, 2007 Regular Meeting:

END OF CONSENT AGENDA: Councilman DeLeon moved to approve the consent agenda, Councilman Ritter seconded, motion carried unanimously.

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

Police Chief Paul Nelson introduced his new Investigator/Captain, Steven Vollmar. Steven Vollmar gave a brief history on himself to the Council. Mayor Smith welcomed Mr. Vollmar.

Executive Session: The City Council will convene into Executive Session to consult with City Attorney pursuant to §551.071, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct, to consult with legal counsel regarding Attorney General Inquiry regarding alleged violations of the Open Meetings Act. The City Council reserves the right to conduct the discussion in public: Mayor Smith introduced City Attorney, Sheila Limon. Sheila Limon stated that she had brought an article out of a magazine for Municipal Attorneys that she would like for the Council to read. She stated that she works for the Council not individuals and it is up to the Council to decide and waive the Attorney/Client privilege which was the purpose for the executive session. Mayor Smith stated that he had called the Attorney General's office and was told that the investigation was over. Councilman Graham moved to follow legal advice and enter into executive session at 6:44 p.m., Councilman Ritter seconded, motion carried with a six to one vote with Mayor Smith voting no. Councilman Shell moved to reconvene into regular session at 8:27 p.m., Councilwoman Turner seconded, motion carried unanimously.

Discuss & Consider Action Re: Reconvene into open session to direct the city staff, and city attorney, with regard to the item identified above: Councilman Graham moved to pass this item, Councilman DeLeon seconded, motion carried unanimously.

Discuss & Consider Action Re: Consider authorizing waiver of executive session privilege for meeting held regarding the City Manager in September 2007 for the purpose of cooperating with the Attorney General investigation: K. Graham: Councilman Graham moved to pass this item, Councilman Ritter seconded, motion carried unanimously.

Discuss & Consider Action Re: Consider and direct the City Attorney regarding attorney client privilege possible waiver related to any communications with staff and/or members of the governing body regarding the Open Meetings Act allegations in the last calendar year, including authorization to respond to the Attorney General: K. Graham: Councilman Graham moved to pass this item, Councilman Ritter seconded, motion carried unanimously.

Discuss & Consider Action Re: Planning and Zoning Recommendations:

SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING THE ZONING ORDINANCE, #2007-28, REZONING PROPERTY FROM C-1 LIGHT COMMERCIAL TO C-3 HEAVY COMMERCIAL; AND PROVIDING FOR RELATED MATTERS (101 N. Water St.): Roy Fyffe discussed the ordinance. Councilman Shell moved to adopt the second and final reading of the ordinance, Councilwoman Turner seconded, motion carried unanimously.

SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING THE ZONING ORDINANCE, #2007-28, REZONING PROPERTY FROM M-2 HEAVY INDUSTRIAL TO I-2 HEAVY INDUSTRIAL; AND PROVIDING FOR RELATED MATTERS (307 Industrial Park Blvd.): Roy Fyffe discussed the ordinance. Councilman DeLeon moved to adopt the second and final reading of the ordinance, Councilman Ritter seconded, motion carried unanimously.

SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING THE ZONING ORDINANCE, #2007-28, REZONING PROPERTY FROM R-1 SINGLE FAMILY RESIDENTIAL TO M-1 MANUFACTURED HOME DISTRICT; AND PROVIDING FOR RELATED MATTERS (902 S. Boundary St.): Roy Fyffe discussed the ordinance. Councilman Shell moved to adopt the second and final reading of the ordinance, Councilwoman Turner seconded, motion carried unanimously.

Discuss & Consider Action Re: FIRST READING OF AN ORDINANCE ORDERING A SPECIAL ELECTION TO BE HELD IN THE CITY OF BURNET, TEXAS, TO SUBMIT A PROPOSITION ON THE COMBINED QUESTION OF THE ABOLITION OF THE ADDITIONAL SALES AND USE TAX AT THE RATE OF ONE-HALF OF ONE PERCENT FOR ECONOMIC DEVELOPMENT AUTHORIZED UNDER SECTION 4A OF THE DEVELOPMENT CORPORATION ACT OF 1979 (THE "ACT") AND THE ADOPTION OF AN ADDITIONAL SALES AND USE TAX AT THE RATE OF ONE-HALF OF ONE PERCENT FOR ECONOMIC DEVELOPMENT UNDER SECTION 4B OF THE ACT; PROVIDING FOR THE CONDUCT OF THE ELECTION; PROVIDING FOR EARLY VOTING; PROVIDING FOR POLLING PLACES; PROVIDING FOR ELECTION JUDGES; PROVIDING FOR NOTICE OF ELECTIONS; PROVIDING FOR THE METHOD OF VOTING; PROVIDING AN EFFECTIVE DATE; PROVIDING SEVERABILITY AND OPEN MEETINGS CLAUSES; AND PROVIDING FOR RELATED MATTERS: C. Bromley: Crista Bromley discussed the ordinance. She stated that changing to the Section 4B allows more flexibility on the use of taxes collected and there would be no increase in taxes due to the change. Councilman Graham moved to adopt the first reading of the ordinance, Councilman Flynn seconded, motion carried unanimously.

Discuss & Consider Action Re: Memorandum of Understanding and Burnet County Transportation Plan: C. Bromley: Crista Bromley discussed the memorandum of understanding. She stated this was only an agreement to participate in the transportation plan. Councilman Flynn moved to approve the Memorandum of Understanding, Councilman Shell seconded, motion carried unanimously.

Discuss & Consider Action Re: Permission to submit the Fiscal Year 2009 CWSRF IUP Solicitation Packet and other related funding documents to the Texas Water Development Board: D. Vaughn: David Vaughn discussed the solicitation packet and funding documents. He discussed different funding options. He stated that in order to apply the City has to apply by February 1st. He stated that the City should apply for the maximum amount available even though the maximum amount would most likely not be used and the engineer would not be paid as much as what was submitted. After much discussion, Councilman Shell moved to approve staff to submit the solicitation packet and funding documents to the Texas Water Development Board, Councilman Flynn seconded, motion carried unanimously.

Discuss & Consider Action Re: Direction to staff concerning wastewater treatment plant project: D. Vaughn: David Vaughn discussed the wastewater treatment plant project. He discussed the design capacity and growth rate. He stated that either a 1.5 MGD or 1.7 MGD plant has to be built and staff needed direction from the council. After much discussion, Councilman Shell moved to approve staff to move forward with the 1.7 MGD wastewater treatment plant, Councilman DeLeon seconded, motion carried unanimously.

Discuss & Consider Action Re: Development Agreement for the HVM Shady Grove, Ltd. Project: D. Vaughn: (Tabled): No action taken.

Council and Staff Reports:

Status on Proposed County Jail: D. Vaughn: David Vaughn referenced report included in the packet. He stated that this report was requested by Councilman Graham. Councilman Graham stated that he had citizens inquiring about what it would cost the City and if the City could handle the utilities for the new jail if built. David Vaughn stated that staff is not predicting much cost or burden with the project. Danny Lester reported that the City will be taking over the power lines for Honey Creek Ranch next Monday or Tuesday.

Requests from Council for Future Reports: Councilman Graham inquired about the automated electric meters. David Vaughn stated that staff has received bids on the meters and are still working on deciding on the best bid. Councilman Ritter commended Danny Lester on how well the cemeteries look since he had taken them over. Councilman Flynn inquired about a letter sent to Mr. Camm Lary from the City Manager.

Adjourn: There being no further business, Councilman Ritter moved to adjourn at 9:25 p.m., Councilman DeLeon seconded, motion carried unanimously.

Alan Smith, Mayor

ATTEST:

Christy Fath, City Secretary