

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

On this the 28th day of September, 2010, the City Council of the City of Burnet convened in Regular Session, at 6:30 p.m., at the regular meeting place thereof with the following members present, to-wit:

Mayor Pro Tem Paul Shell
Council Members Milton Phair, William DeLeon, Gary Wideman, Pat Riddell
Absent Mayor Alan Smith, Christy Fath
City Manager Michael Steele
City Secretary Kelly Dix

Guests: Crista Bromley, James Walker, David Vaughn, Mark Ingram, Paul Nelson, Joyce Laudenschlager, Randy Hartford, B.J. Wagner, Deborah Page, Brenda Goble, Bill Lacher, Bill Hussey

CALL TO ORDER: The meeting was called to order by Mayor Pro Tem Paul Shell, at 6:30 p.m.

INVOCATION: Council Member Pat Riddell

PLEDGE OF ALLEGIANCE: Council Member Gary Wideman

ACTION ITEMS:

Discuss and consider action: Proclamation: Lawsuit Abuse Awareness Week: Mayor Pro Tem Paul Shell: Mayor Pro Tem Paul Shell opted to present the proclamation declaring October 5th-9th, 2010 as Lawsuit Abuse Awareness Week for the City of Burnet. Council Member Milton Phair made a motion to approve the proclamation as presented. Council Member William DeLeon seconded, the motion carried unanimously.

PUBLIC RECOGNITION/SPECIAL REPORTS:

Chamber of Commerce Report: Deborah Page addressed the Council. The vacant Chamber Board positions have been filled, the Chamber directory is completed, and the website will be completed in January. Upcoming events the Chamber is working on are the Day out with Thomas, Christmas on the Square, excursion tours of Lake LBJ State Park and a Highland Lakes area promotion weekend. The next mixer will be held at the Canyon of the Eagles. Ms. Page recapped the number of distributed visitor/relocation packets, chamber website hits; telephone contacts, and walk-ins for the past month.

PUBLIC HEARINGS: None.

CONSENT AGENDA:

Approval of the September 14th, 2010 Regular Council Meeting Minutes.

Council Member Milton Phair made a motion to approve the consent agenda as presented. Council Member Pat Riddell seconded, the motion carried unanimously.

ACTION ITEMS:

Discuss and consider action: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS (“CITY”) APPROVING NEW RATES FOR ATMOS ENERGY CORP., MID-TEX DIVISION (“ATMOS MID-TEX” OR “COMPANY”) IN RESPONSE TO THE COMPANY’S THIRD RATE REVIEW MECHANISM (“RRM”) FILING IN ALL CITIES EXERCISING ORIGINAL JURISDICTION; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT JUST AND REASONABLE RATES; EXTENDING THE RRM PROCESS FOR TWO CYCLES AND ADOPTING A NEW RRM TARIFF, INCLUDING COST RECOVERY FOR A STEEL SERVICE LINE

REPLACEMENT PROGRAM; ADOPTING A SAVINGS CLAUSE; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY: D. Vaughn:

Randy Hartford, Atmos Energy, reviewed the proposed ordinance for the Council. Gas customers can expect a \$1.40 increase per month for residential customers and a \$3.82 increase per month for commercial customers. The revenue generated by the increase in rates will assist funding of the steel line replacement projects. Mr. Hartford stated that the increase was based on capital expenditures and a comparative rate basis. Mr. Hartford also stated that cities have jurisdiction over natural gas resources, requiring approval of rate changes by the governing body. Council Member Pat Riddell made a motion to approve and adopt the ordinance as presented. Council Member William DeLeon seconded, the motion carried unanimously.

Discuss and consider action: Letter Agreement with USI Southwest Austin for Insurance Broker/Consulting Services: D. Vaughn: Council Member William DeLeon made a motion to approve the agreement with USI Southwest Austin for Insurance Broker/Consulting Services. Council Member Pat Riddell seconded the motion carried unanimously.

Discuss and consider action: Water and wastewater retail cost of service and rate design study with J Stowe & Company: D. Vaughn: Council Member Pat Riddell made a motion to approve the Water and Wastewater retail cost of service and rate design study with J. Stowe & Company. Council Member Gary Wideman seconded, the motion carried unanimously

Discuss and consider action: OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING CHAPTER 34, CEMETERIES, OF THE BURNET CODE OF ORDINANCES, CITY OF BURNET, TEXAS, PROVIDING SEVERABILITY, OPEN MEETINGS AND EFFECTIVE DATE CLAUSES; PROVIDING PENALTIES; AND PROVIDING FOR RELATED MATTERS: R. Fyffe: The Council was informed that this was the second and final reading of the ordinance. Council Member Milton Phair made a motion to approve and adopt the ordinance as presented. Council Member Gary Wideman seconded, the motion carried unanimously.

Discuss and consider action: Lease agreement with Danforth-Holdings, Ltd. for City Hall: D. Vaughn: Council Member Gary Wideman made a motion to approve the lease agreement with Danforth-Holdings, Ltd. for the City Hall Building. Council Member Milton Phair seconded, the motion carried unanimously.

Discuss and consider action: Authorize a waiver of fees for the use of the Galloway Hammond Recreation Center for the Hill County 100 Club's annual banquet to be held on January 11, 2011: M. Steele, B. Goble: Council Member Pat Riddell made a motion to approve the waiver of fees for the use of the Community Center instead of Galloway Hammond Recreation Center, for the Hill Country 100 Club's annual banquet to be held in January 2011. Council Member Milton Phair seconded, Mayor Pro Tem Paul Shell called for a roll call vote. Council Members DeLeon, Riddell, Wideman, and Phair voted in favor, Mayor Pro Tem Shell voted against, Council Member Christy Fath and Mayor Alan Smith were absent. The motion carried.

Discuss and consider action: Authorization to negotiate with Vanir Construction Management, Inc. for project management services for a public safety facility: M. Ingram: Council Member William DeLeon made a motion to authorize negotiations with Vanir Construction Management, Inc., for project management services for a public safety facility. Council Member Pat Riddell seconded, the motion carried unanimously.

Discuss and consider action: Approve and execute Lower Colorado River Authority License

Agreement for storage of composting equipment: M. Steele: Mayor Pro Tem Paul Shell made a motion to approve and execute a license agreement with the Lower Colorado River Authority for storage of composting equipment. Council Member Gary Wideman seconded, the motion carried unanimously.

REPORTS:

August 2010 Financial Report: J. Laudenschlager: Director of Finance, Joyce Laudenschlager, briefed the Council on the August 2010 financial report to include a review of revenues and expenditures for the individual funds. It was reported that transfers were down 22% and all funds were doing well.

REQUESTS FROM COUNCIL FOR FUTURE REPORTS:

City Manager Mike Steele briefed the Council on the meeting with foreign dignitaries from countries such as Yemen, Egypt and Saudi Arabia that was requested by the State Department with the city's executive staff. The dignitaries were interested in the operations of the Police Department, Fire Department, Municipal Court and other administrative areas of municipal government. The City Manager presented the Council with framed and unframed prints representing each of the countries in attendance that were provided by the dignitaries.

ADJOURN:

There being no further business a motion to adjourn was made by Council Member William DeLeon at 7:15 p.m., seconded by Council Member Pat Riddell, the motion carried unanimously.

Paul Shell, Mayor Pro Tem

ATTEST:

Kelly Dix, City Secretary