

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

On this the 11th day of January, 2011, 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
Absent	Alan Smith, Christy Fath
Council Members	Milton Phair, Gary Wideman, Pat Riddell, William DeLeon
Interim City Manager	David Vaughn
City Secretary	Kelly Dix

Guests: David Vaughn, Crista Bromley, Joyce Laudenschlager, Paul Nelson, Mark Ingram, Danny Lester, Roy Fyffe, James Walker, Ken Graham, Marvin Davis, Jim Roberts, Bob Springs, Bill Flynn, Bobby A. Jones, Phil Worley, Roseanne Hayman

CALL TO ORDER: The meeting was called to order by Mayor Pro Tem Paul Shell, at 6:43 p.m.

INVOCATION: Council Member Pat Riddell

PLEDGE OF ALLEGIANCE: Council Member Milton Phair

PUBLIC HEARING: None

CONSENT AGENDA:

Approval of the December 14, 2010 regular Council Meeting minutes: Council Member William DeLeon 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: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING THE ZONING ORDINANCE, #2008-14, REZONING PROPERTY FROM “R-1” SINGLE FAMILY RESIDENTIAL TO “R-2” DUPLEX ZONING DISTRICT; AND PROVIDING FOR RELATED MATTERS: R.

Fyffe: Council Member Pat Riddell made a motion to approve and adopt the ordinance as presented. Council Member Gary Wideman seconded, the motion carried unanimously.

Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING THE ZONING ORDINANCE, #2008-14, REZONING PROPERTY FROM “A-1” AGRICULTURAL TO “C-3” HEAVY COMMERCIAL; AND PROVIDING FOR RELATED MATTERS: R. Fyffe: Council Member Pat Riddell made a motion to table the item. Council Member Milton Phair seconded, the motion carried unanimously.

Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING THE ZONING ORDINANCE, #2008-14, REZONING PROPERTY FROM “R-1” SINGLE FAMILY RESIDENTIAL TO “L-1” LIGHT INDUSTRIAL; AND PROVIDING FOR RELATED MATTERS: R. Fyffe: Council Member Gary Wideman made a motion to table the item. Council Member Milton Phair seconded, the Motion carried unanimously.

Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE AMENDING CHAPTER 70 OF THE CODE OF ORDINANCES OF THE CITY OF BURNET, TEXAS BY ADDING AN OFFENSE FOR THE PURCHASE, SALE, DELIVERY, OFFER OR GIFT OF ILLEGAL SMOKING MATERIALS; THE USE OR POSSESSION OF

ILLEGAL SMOKING MATERIAL; THE USE OR POSSESSION OF ILLEGAL SMOKING MATERIAL PARAPHERNALIA; PROVIDING AFFIRMATIVE DEFENSES TO PROSECUTION; ESTABLISHING A PENALTY; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE: P. Nelson: Council Member William DeLeon made a motion to approve the first reading of the ordinance as presented. Council Member Pat Riddell seconded, the motion carried unanimously.

Discuss and consider action: Approval of an interlocal agreement with Burnet County for the appointment of an Associate Judge: J. Laudenschlager: Council Member Pat Riddell made a motion to approve the interlocal agreement with Burnet County for the appointment of an Associate Judge to assist in magistrate duties and records processing at the County Jail for the City of Burnet. Council Member Gary Wideman seconded, the motion carried unanimously.

Discuss and consider action: An interlocal agreement with Burnet County for the TexHealth Program: D. Vaughn: Council Member Gary Wideman made a motion to approve the interlocal agreement with Burnet County for participation in the TexHealth Insurance Program, that will provide health insurance at an affordable cost for small businesses. Council Member Milton Phair seconded, the motion carried unanimously.

Discuss and consider action: A RESOLUTION OF THE CITY OF BURNET, TEXAS, REQUESTING FINANCIAL ASSISTANCE FROM THE TEXAS WATER DEVELOPMENT BOARD; AUTHORIZING THE FILING OF AN APPLICATION FOR ASSISTANCE; AND MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH: C. Bromley: Council Member Pat Riddell made a motion to approve the resolution as presented authorizing the filing of an application for assistance with the Texas Water Development Board. Council Member Gary Wideman seconded the motion carried unanimously.

Discuss and consider action: Appoint a replacement for Michael Steele on the Burnet Chamber of Commerce Board: D. Vaughn: Council Member Pat Riddell made a motion to appoint Interim City Manager, David Vaughn to the Burnet Chamber of Commerce Board. Council Member Milton Phair seconded, the motion carried unanimously.

Discuss and consider action: Addendum One to the Delaware Springs Development Agreement: D. Vaughn: Council Member Milton Phair made a motion to approve Addendum One to the Delaware Springs Development Agreement, which will establish a term provision explicitly stating that the agreement will expire in fifteen years from the date of signing, eliminates the Capital Recovery Fee, imposes the City's impact fee and confirms that the City will provide the re-platting of the entire subdivision. Mayor Pro Tem Paul Shell seconded, Council Member Pat Riddell abstained. A roll vote was called by City Secretary, Kelly Dix. Council Members William DeLeon, Gary Wideman, Milton Phair and Mayor Pro Tem Paul Shell voted in favor. Council Member Pat Riddell abstained; Mayor Alan Smith and Council Member Christy Fath were absent. The vote was four in favor, one abstention and two absent. The motion carried.

Discuss and consider action: A RESOLUTION SEEKING DESIGNATION AS A MANAGEMENT AGENCY FOR WASTEWATER COLLECTION AND TREATMENT WITHIN THE CITY LIMITS OF THE CITY OF BURNET: C. Bromley: Council Member Gary Wideman made a motion to approve the resolution as presented. Council Member Milton Phair seconded, the motion carried unanimously.

REPORTS:

December 2010 Financial Report: J. Laudenschlager: Director of Finance, Joyce Laudenschlager briefed the Council on the December 2010 financial report to include a review of

revenues and expenditures for the individual funds.

REQUESTS FROM COUNCIL FOR FUTURE REPORTS: None.

ADJOURN:

There being no further business a motion to adjourn was made by Council Member William DeLeon at 7:50 p.m., seconded by Council Member Pat Riddell, the motion carried unanimously.

Paul Shell, Mayor Pro Tem

ATTEST:

Kelly Dix, City Secretary