

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

On this the 26<sup>th</sup> day of April, 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                                Alan Smith  
Council Members                Milton Phair, Pat Riddell, William DeLeon, Paul Shell  
Absent                                Christy Fath  
City Manager                        David Vaughn  
City Secretary                      Kelly Dix

Guests: Crista Bromley, Paul Nelson, James Walker, Karl Piehl, Teresa Smith, Buddy Coker, Jo Karr Tedder, Gary Wideman, Kim Winkler

CALL TO ORDER: The meeting was called to order by Mayor Alan Smith, at 6:30 p.m.

INVOCATION: Mayor Alan Smith

PLEDGE OF ALLEGIANCE: Council Member Milton Phair

CITIZEN COMMENT:

Ricky and Ann Langley: Requesting that the City of Burnet honor the estimate they were given to obtain utilities: Mr. Langley sent an email prior to the meeting stating that he was appreciative of the City Manager's work to rectify this issue and would prefer to postpone speaking to the Council at this time.

CONSENT AGENDA:

Approval of the April 12<sup>th</sup>, 2011 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: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AUTHORIZING THE SUBMISSION OF A UNITED STATES DEPARTMENT OF AGRICULTURE – RURAL DEVELOPMENT FUNDING APPLICATION FOR THE CONSTRUCTION OF A PUBLIC SAFETY FACILITY; APPOINTING AN AUTHORIZED REPRESENTATIVE; PROVIDING FOR OPEN MEETINGS AND OTHER RELATED CLAUSES.: C. Bromley: Council Member William DeLeon made a motion to

approve the resolution as presented. Council Member Paul Shell 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 "C-2" MEDIUM COMMERCIAL; AND PROVIDING FOR RELATED MATTERS (104 W. Live Oak St.): R. Fyffe: Council Member Paul Shell made a motion to approve and adopt the ordinance as presented. 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 "C-2" MEDIUM COMMERCIAL ZONING DISTRICT; AND PROVIDING FOR RELATED

MATTERS (105 W. Live Oak St.): R. Fyffe: Council Member Paul Shell made a motion to approve and adopt the ordinance as presented. Council Member Milton Phair seconded, the motion carried unanimously.

Discuss and consider action: Approval of proposed budget for Sewer Plant project: C. Bromley: Crista Bromley, Economic Development Director, reviewed the proposed budget and briefed the Council that the bottom line number is the same at this point, just an adjustment to the line items. Council Member Paul Shell made a motion to approve the proposed budget for the Sewer Plan project as presented. Council Member Milton Phair seconded, the motion carried unanimously.

Discuss and consider action: Approval of a Memorandum of Understanding for a ground lease at Burnet Municipal Airport: C. Bromley: Crista Bromley, Airport Manager, advised the Council that Mr. Rene Arrendondo has requested a ground lease on which to build a box hangar at the airport. The MOU is the first step in the process, if accepted a contract will be brought to Council for review in the near future. Council Member William DeLeon made a motion to approve the Memorandum of Understanding for a ground lease. Council Member Pat Riddell seconded, the motion carried unanimously.

#### PUBLIC RECOGNITION:

Chamber of Commerce Report: Chairman of the Bluebonnet Festival Committee, Jo Karr Tedder briefed the Council on the success of this year's Bluebonnet Festival. Special thanks were given to the volunteers and the City for their continued support with the Festival. An appreciation Dinner will be held on May 19<sup>th</sup>, 2011 for all of the volunteers.

#### REPORTS:

Addendum to the City Council Agenda: Department and Committee Reports/Briefings: The City Council may or may not receive a briefing dependent upon activity or change in status regarding the matter. The listing is provided to give notice to the public that a briefing to the Council on any or all subjects may occur: Council Member William DeLeon requested a status update on the Recycling Program. City Manager David Vaughn stated that he had received the revised version of the proposed recycling program contract agreement and it was being reviewed by the City Attorney, prior to Council's review. Council Member Milton Phair inquired about imposing water restrictions early due to the current drought conditions. Crista Bromley informed the Council that the Stage One Drought Contingency Plan would be effective May 1, 2011 through September and that area media outlets would be notified. City Manager David Vaughn informed the Council that he is currently working with the City Attorney on an asset search of Peacock Hospitality. A report will be prepared and presented to the City Council for review and action at a future meeting.

#### EXECUTIVE SESSION:

The City of Burnet City Council shall meet in Executive Session in accordance to the provision of the Open Meetings Act, Texas Government Code, Chapter 551, and Sub-section 551.074(a) regarding deliberation on the appointment, employment, evaluation, reassignment, and duties of the City Manager as set out under the City Charter including procedures and aspects of filling the positions, duties, budgeting for the positions and any other aspects associated with balancing the duties of the City Manager position: A motion to convene to Executive Session was made by Council Member Pat Riddell. The motion was seconded by Council Member Paul Shell, the motion carried unanimously at 6:51 p.m.

#### RECONVENE TO REGULAR SESSION FOR POSSIBLE ACTION:

Council Member Pat Riddell made a motion to reconvene to regular session at 7:33 p.m. Council Member William DeLeon seconded, the motion carried unanimously.

Discuss and consider action: Regarding the appointment, employment, evaluation, reassignment,

and duties of the City Manager as set out under the City Charter including procedures and aspects of filling the positions, duties, budgeting for the positions and any other aspects associated with balancing the duties of the City Manager position: Mayor Alan Smith made a motion to approve the City Manager contract as proposed and advised by the City Attorney. Council Member William DeLeon seconded, the motion carried unanimously.

REQUESTS FROM COUNCIL FOR FUTURE REPORTS: None. Mayor Alan Smith stated that he would not be present for the May 10, 2011 Regular Council Meeting and that Mayor Pro Tem Paul Shell would run the meeting.

ADJOURN:

There being no further business a motion to adjourn was made by Council Member William DeLeon at 7:40 p.m., seconded by Council Member Pat Riddell, the motion carried unanimously.

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Paul Shell, Mayor Pro Tem

ATTEST:

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Kelly Dix, City Secretary