

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

On this the 10<sup>th</sup> day of January, 2012, 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 Gary Wideman  
Council Members Buddy Coker, Kevin Davis, William DeLeon, Kenneth Graham  
Milton Phair, Pat Riddell

City Manager David Vaughn

City Secretary Kelly Dix

Guests: Roy Fyffe, Connie Maxwell, Paul Nelson, Crista Bromley, Mark Ingram, Cathy Ryden, Danny Lester, James Walker, Doug Fipps, Alan Burdell, Camm Lary, Mike Lary, Louise Lary, Ithro Lastique

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

INVOCATION: Council Member Pat Riddell

PLEDGE OF ALLEGIANCE: Council Member Kevin Davis

PUBLIC HEARING: None.

CONSENT AGENDA ITEMS: *(All of the following items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member, staff member or citizen requests removal of the item from the consent agenda for the purpose of discussion. For removal of an item, a request must be made to the Council when the Consent Agenda is opened for Council Action.)*

Approval of the December 19<sup>th</sup>, 2011 Special Council Meeting minutes.

Approval of the January 4<sup>th</sup>, 2012 Council Workshop Meeting minutes

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

ACTION ITEMS:

Discuss and consider action: Replacement of a sewer line at 410 Buchanan Drive: D. Vaughn: Council Member Ken Graham made a motion to approve the re-routing and replacement of the sewer line located at 410 Buchanan Drive. Council Member Kevin Davis seconded, the motion carried unanimously.

EXECUTIVE SESSION:

Executive Session: The City of Burnet City Council shall meet in Executive Session in accordance to the provision of the open, Texas Government Code, Chapter 551, and Subsection 551.071 to consult with its attorney regarding legal issues including legal consequences of various contract terms and clause in a proposed contract for services with the Emergency Services District #7: D. Vaughn: Council Member Buddy Coker made a motion to convene to executive session at 6:48 p.m. Council Member Milton Phair seconded, the motion carried unanimously.

RECONVENE TO REGULAR SESSION FOR POSSIBLE ACTION:

Council Member Ken Graham made a motion to reconvene to regular session at 7:28 p.m. Council Member Milton Phair seconded, the motion carried unanimously.

5.1) Discuss and consider action: Regarding the contract between the City of Burnet and the Emergency Service District #7: D. Vaughn: No action taken.

Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, AMENDING SECTION 18-41 (3) AND 18-41(4) OF THE CITY OF BURNET CODE OF ORDINANCES, ESTABLISHING LEASE REGULATIONS AND SETTING FEES FOR T-HANGARS AND SHELTERS; PROVIDING AN EFFECTIVE DATE, PROVIDING OPEN MEETINGS CLAUSE(S); AND PROVIDING FOR RELATED MATTERS: C. Bromley: Council Member Ken Graham made a motion to approve and adopt the ordinance as presented. Council Member William DeLeon seconded. The motion carried unanimously.

Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, CHANGING THE PRECINCTS FOR ALL MUNICIPAL ELECTIONS AND TO ESTABLISH AN EFFECTIVE DATE: K. Dix: Council Member Milton Phair made a motion to approve and adopt the ordinance as presented. Council Member Buddy Coker 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-1" LIGHT COMMERCIAL; AND PROVIDING FOR RELATED MATTERS: R. Fyffe: Council Member William DeLeon made a motion to approve and adopt the ordinance as presented. Council Member Kevin Davis seconded, the motion carried unanimously.

Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS (CITY), AMENDING CHAPTER 70 OF THE CODE OF ORDINANCES TO PROVIDE FOR ARTICLE IX, SECTION 70-131: REGULATION OF SEX OFFENDERS RESIDENCY; MAKING IT UNLAWFUL FOR CERTAIN SEXUAL OFFENDERS TO RESIDE WITHIN 1,000 FEET OF PLACES WHERE CHILDREN GATHER; PROVIDING EXCEPTIONS TO THE ORDINANCE; PROHIBITING PROPERTY OWNERS FROM RENTING REAL PROPERTY TO CERTAIN SEXUAL OFFENDERS; PROVIDING PENALTIES FOR VIOLATIONS OF THE ORDINANCE; AND PROVIDING OPEN MEETINGS, SEVERABILITY AND RELATED CLAUSES: R. Fyffe: Council passed on this item. No action was taken.

Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING CHAPTER 70 OF THE CODE OF ORDINANCES TO PROVIDE FOR THE AMENDMENT OF CHAPTER 70, ARTICLE 1, BY THE ADDITION OF SECTION 70-4: NUDITY; MAKING IT UNLAWFUL TO APPEAR IN A STATE OF NUDITY IN ANY PUBLIC PLACE OF THE CITY OF BURNET, TEXAS; AND PROVIDING PENALTIES FOR VIOLATIONS OF THE ORDINANCE: D. Vaughn: Council Member Pat Riddell made a motion to approve the first reading of the ordinance as presented. Council Member Buddy Coker seconded, the motion carried unanimously.

Discuss and consider action: AN ORDINANCE OF THE CITY OF BURNET, TEXAS, ABANDONING AN EASEMENT HELD BY THE CITY OF BURNET, AUTHORIZING CONVEYANCE OF ALL IMPROVEMENTS THEREON, AND PROVIDING A SEVERABILITY CLAUSE: R. Fyffe: Council Member Ken Graham made a motion to approve and adopt the ordinance as presented. Council Member Milton Phair seconded. Council Member Pat Riddell abstained. A roll call vote was conducted by the City Secretary with Mayor Wideman and Council Members DeLeon, Graham, Davis, Phair and Coker voting in favor and Council Member Riddell abstaining. The final vote was six in favor one abstention. The motion carried.

Discuss and consider action: Appointment of board members to the Planning and Zoning Commission: R. Fyffe: Council Member William DeLeon made a motion to approve the re-appointment of Dana G. Delgado, Saul Corona, Shawn Nelson and James D. Scott to another term on the Planning and Zoning Commission to expire December 2013. Council Member Pat Riddell seconded, the motion carried unanimously.

Discuss and consider action: A RESOLUTION OF THE CITY OF BURNET FINDING PUBLIC NECESSITY TO USE COLLECTED IMPACT FEES TO INSTALL VARIABLE FREQUENCY DRIVES ON TWO NEW PUMPS AT THE CITY'S WATER TREATMENT PLANT: D. Vaughn: Council Member Buddy Coker made a motion to approve the resolution as presented. Council member Mickey Phair seconded, the motion carried unanimously.

Discuss and consider action: Appointment of a planning sub-committee for the Public Safety Facility project: D. Vaughn: Mayor Gary Wideman suggested that council members Coker and Phair be appointed to the Public Safety Facility Project Sub-Committee with the City Manager, Fire Chief and Police Chief, which will also include representatives from the engineering and construction firms involved. After a period of discussion, Council Member Ken Graham made a motion to appoint Council Member Milton Phair and Council Member Buddy Coker to the committee with Council Member Coker being the chairman. Council Member Pat Riddell seconded. The City Secretary called a roll call vote. Mayor Wideman and Council Members DeLeon, Graham, Riddell, Phair and Coker voted in favor. Council Member Davis was opposed. The motion carried with a vote of six in favor and one opposed.

#### 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: City Manager David Vaughn reported on the progress of the meters. The meters are in route for delivery within the next week to ten days, bids for installation are planned to be completed within the next month or so and installation will be approximately six months. Mr. Vaughn reviewed the utility revenue reports and updated the Council on the progress of the Galloway Hammond RV Park ordinance.

Project Update Report: C. Bromley: Economic Development Director, Crista Bromley reviewed the project summary report and clarified the Council's preference on format for future reports.

REQUESTS FROM COUNCIL FOR FUTURE REPORTS: Council Member Ken Graham requested a workshop pertaining to Galloway Hammond Recreation Center be held before the January 24, 2012 Regular Council Meeting. Council Member Pat Riddell requested an update on the status of the Parks and Recreation Survey and the creation of a Super Committee for Parks. Council Member Coker requested an update on the automation of the water plant. The City Manager advised Council that the automation would cost approximately \$50,000 that was not budgeted and that the Parks and Recreation Advisory Board were meeting on January 12, 2012 to finalize the citizen survey.

#### ADJOURN:

There being no further business a motion to adjourn was made by Council Member William DeLeon at 8:15 p.m., seconded by Council Member Pat Riddell, the motion carried unanimously.

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Gary Wideman, Mayor

ATTEST:

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Kelly Dix, City Secretary