

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

On this the 24<sup>th</sup> day of April, 2007, 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	Dennis Kincheloe
Council Members	James Ritter, Paul Shell, Linda Turner, Zack Reed, William DeLeon
Asst. City Manager	David Vaughn
City Secretary	Christy Fath

Absent: City Manager Michael Steele, Councilman Bill Flynn.

Guests: Al Kroeger, John Goble, Crista Bromley, Joyce Laudenschlager, Mark Ingram, Bob Watson, Paul Nelson, Doug Fipps, Damon Beierle.

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

Invocation: Councilman Reed.

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

Mayor Kincheloe spoke regarding the new pictures in the Council Chambers and the history behind them.

Presentation of Certificate of Appreciation: Z. Reed: Councilman Reed presented Damon Beierle with a Certificate of Appreciation for his volunteer effort at the recent Bluebonnet Festival and the Barbeque Cook-off held annually.

**CONSENT AGENDA ITEMS: Consider Action Re:**

Approval of the Minutes from the April 10, 2007 Regular Meeting:

PROCLAMATION PROCLAIMING APRIL 29-MAY 5, 2007 AS MUNICIPAL CLERKS WEEK:  
PROCLAMATION PROCLAIMING MAY 2007 AS FOSTER PARENT APPRECIATION MONTH:

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

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

Discuss & Consider Action Re: Development Agreement for the Headwaters of the San Gabriel Subdivision: D. Vaughn: David Vaughn discussed the agreement. He stated that the property is approximately 84-89 acres and is located on CR303. He stated that there were some variances to the City ordinances that were being requested. He stated that the roads would not be dedicated to the City. After some discussion, Councilman Shell moved to approve the agreement with the stipulation that the roads be dedicated to the POA and not the public and contingent upon approval from the City Attorney, Councilwoman Turner 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 CHAPTER 118, ZONING, OF THE BURNET CODE OF ORDINANCES; REZONING PROPERTY FROM "R-1" SINGLE FAMILY RESIDENTIAL TO "C-3" HEAVY COMMERCIAL; AND PROVIDING FOR RELATED MATTERS: (FICKETT): David Vaughn discussed the ordinance. Councilman Shell moved to adopt the ordinance on the second and final reading, Mayor Kincheloe seconded, motion carried unanimously.

SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING CHAPTER 118, ZONING, OF THE BURNET CODE OF ORDINANCES; REZONING PROPERTY FROM "R-1" SINGLE FAMILY RESIDENTIAL TO "R-2" SINGLE FAMILY RESIDENTIAL 2; AND PROVIDING FOR RELATED MATTERS: (GONZALEZ): David Vaughn discussed the ordinance. Mayor Kincheloe moved to adopt the ordinance on the second and final reading, Councilman Reed seconded, motion carried unanimously.

SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING CHAPTER 118, ZONING, OF THE BURNET CODE OF ORDINANCES; REZONING PROPERTY FROM "R-1" SINGLE FAMILY RESIDENTIAL AND "R-3" MULTI-FAMILY RESIDENTIAL TO "C-3" HEAVY COMMERCIAL; AND PROVIDING FOR

RELATED MATTERS: (HOOVER): David Vaughn discussed the ordinance. Councilman Shell moved to adopt the ordinance on the second and final reading, Councilwoman Turner seconded, motion carried unanimously.

Discuss & Consider Action Re: U.S.D.A. Phase III Wastewater Plant: C. Bromley: Crista Bromley discussed the project. She stated that the City had been notified that it did not receive any grant money for the project. She stated that the City will submit a rebuttal to USDA. After some discussion, Councilman Shell moved to proceed with the engineering on the project and to authorize the Mayor to submit a letter to Senator John Cornyn, Congressman Michael Conaway, and the USDA, on behalf of the Council, expressing their concerns and requesting changes to the program, Councilman DeLeon seconded, motion carried unanimously.

Discuss & Consider Action Re: Purchase of new EMS Transport Unit: M. Ingram: Fire Chief Mark Ingram spoke regarding the purchase of a new EMS transport unit. He stated that the Fire Department could purchase a 2007 E 350 AEV Type II K5 Trauma Hawk Ambulance from Professional Ambulance through the TML Buyboard for \$52,635. He stated that a tax note was approved in March 2007 which included funds for the purchase of a transport ambulance. He stated that staff recommends purchase of this ambulance. After some discussion, Councilman DeLeon moved to approve the purchase of the transport ambulance through the TML Buyboard, Councilman Shell seconded, motion carried unanimously.

Discuss & Consider Action Re: Approval of Grant Application to Assistance to Firefighters Grant Program: M. Ingram: Fire Chief Mark Ingram discussed the need for a new pumper. He stated that the Fire Department would like to apply for a grant for the amount of \$350,000 and the City would have to match the grant with five percent. He stated that staff recommends approval of the grant application. Councilman Shell moved to authorize the grant application to the Assistance to Firefighters Grant Program, Councilwoman Turner seconded, motion carried unanimously.

Discuss & Consider Action Re: FIRST READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, ADOPTING A DROUGHT CONTINGENCY PLAN; REPEALING ORDINANCES IN CONFLICT; PROVIDING SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE; PROVIDING AN OPEN MEETINGS CLAUSE; AND PROVIDING FOR RELATED MATTERS: S. Lance: Crista Bromley spoke on behalf of Steve Lance. She discussed the ordinance. She stated that the City has to update the plan every five years and every year in April designate the start of the conservation plan. She stated that the ordinance was cleaned up and some verbiage required by state law was added. Councilman Shell moved to adopt the first reading of the ordinance and enact the Drought Contingency Plan, Mayor Kincheloe seconded, motion carried unanimously.

Discuss & Consider Action Re: FIRST READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, DECLARING A NUISANCE AND MAKING IT UNLAWFUL FOR ANY PERSON TO CAUSE UNREASONABLE, DISTURBING, OR UNNECESSARY NOISE BY SPINNING OR SLIDING THE TIRES OF A MOTOR VEHICLE; DECLARING A NUISANCE AND MAKING IT UNLAWFUL TO CAUSE THE FRONT WHEELS OF VEHICLES TO LEAVE THE DRIVING SURFACE; PROVIDING SEVERABILITY, EFFECTIVE DATE, AND OPEN MEETINGS CLAUSES; AND PROVIDING FOR RELATED MATTERS: B. Watson: Police Chief Bob Watson discussed the ordinance. He stated that without an ordinance in place the current law makes this violation a Class "B" misdemeanor. Councilman DeLeon moved to adopt the first reading of the ordinance, Councilman Shell seconded, motion carried unanimously.

Discuss & Consider Action Re: Declare support for the TAC/TMLA County and Cities Cooperation Award and authorizing the City Manager to act as the City's representative: D. Vaughn: David Vaughn discussed the support requested for Marble Falls and Burnet County. Councilman Shell moved to declare support for the TAC/TMLA County and Cities Cooperation Award and authorizing the City Manager to act as the City's representative, Mayor Kincheloe seconded, motion carried unanimously.

Council and Staff Reports:

Financial Report: J. Laudenschlager: Joyce Laudenschlager discussed the financial report included in the packet. David Vaughn asked Council to review the report he handed out prior to the meeting and to contact him if they had any questions.

Requests from Council for Future Reports: None.

Adjourn: There being no further business, Councilman Ritter moved to adjourn at 7:17 p.m., Councilwoman Turner seconded, motion carried unanimously.

Dennis Kincheloe, Mayor

ATTEST:

Christy Fath, City Secretary