STATE OF TEXAS {}

COUNTY OF BURNET {}

CITY OF BURNET {}

On this the 24th 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, William DeLeon, Kenneth Graham Milton Phair, Pat Riddell

Absent Kevin Davis

City Manager David Vaughn

City Secretary Kelly Dix

Guests: Roy Fyffe, Connie Maxwell, Paul Nelson, Crista Bromley, Mark Ingram, Danny Lester, James Walker, Doug Fipps, Karl Piehl, Garth Davis, Michelle Devaney, Kim Winkler, Ashley Barnett, Dustin Barnett

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

INVOCATION: Council Member Ken Graham

PLEDGE OF ALLEGIANCE: Life Scout Dustin Barnett

PUBLIC RECOGNITION/SPECIAL REPORTS:

Chamber of Commerce Report: Chamber of Commerce Director, Kim Winkler provided the City Council with a quarterly Tourism Report for the period ending December 2011. Ms. Winkler reviewed the statistics compiled for the quarter. A general meeting of the Bluebonnet Festival committee will be held at 5:30 p.m., on Wednesday, January 25th, 2012, in Council Chambers. The Burnet Chamber of Commerce Annual Banquet will be held on Saturday, February 4th, 2012 beginning at 6:00 p.m. at the Community Center. Tickets for the event are $25.00 per person.

Police Chief Paul Nelson introduced the Police Departments new Investigator, Garth Davis. The Council welcomed Investigator Davis to the City of Burnet.

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 January 10th, 2011 Regular Council Meeting minutes.

Approval of the January 10th, 2012 Council Workshop Meeting minutes

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

EXECUTIVE SESSION:

Executive Session: In accordance with the provisions of the Open Meetings Law, Government Code, Vernon’s Texas Codes Annotated and accordance with the authority contained in Chapter 551 Sub-Section § 551.071 – Private consultation with the attorney, for the City of Burnet; the City Council will meet in Executive Session regarding legal discussions and negotiations relating to the contract disputes between the City of Burnet and EZ-Go Golf Carts: D. Vaughn: Council Member Ken Graham made a motion to convene to executive session at 6:57 p.m. Council Member Pat Riddell 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 7:18 p.m. Council Member Pat Riddell seconded, the motion carried unanimously.

ACTION ITEMS:

Discuss and consider action: Possible action relating to the contract disputes between the City of Burnet and EZ-Go Golf Carts: D. Vaughn: Council Member Buddy Coker made a motion to proceed as directed by the City Attorney. 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 CHAPTER 70 OF 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 William DeLeon made a motion to approve and adopt the ordinance as presented. Council Member Ken Graham seconded, the motion carried unanimously.

Discuss and consider action: Renewal and amendment of a lease for Corporate Hangar One, at Burnet Municipal Airport.  C. Bromley: Council Member Ken Graham made a motion to approve the renewal and amendment of the lease for Corporate Hangar One, at the Burnet Municipal Airport. Council Member Milton Phair seconded, the motion carried unanimously.

Discuss and consider action: A contract with IESI for recycling services for the City of Burnet: D. Vaughn: D. Vaughn: No action was taken

Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING THE CITY OF BURNET GALLOWAY-HAMMOND RECREATIONAL PARK USAGE ORDINANCE BY MODIFYING THE RECREATION USE RATES FOR THE GALLOWAY-HAMMOND RECREATIONAL PARK: D. Vaughn: Council Member William DeLeon 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: City of Burnet Facilities Sub-committee findings and recommendations pertaining to the proposed Public Safety Facility: B. Coker: Council Member Buddy Coker, Chairman of the Burnet Facilities sub-committee, presented Council with a report addressing the findings of the committee and requesting Council to take action on several key issues determined necessary to proceed with the Public Safety Facility project. Separate motions on each key issue included:

* Site approval: Council Member William DeLeon made a motion to approve the 4.4 acres referred to as the old warehouse property as the site to construct a public safety facility for the City of Burnet. Council Member Ken Graham seconded, the motion carried unanimously.
* Remodel vs. New Construction: Council Member Pat Riddell made a motion to pursue new construction instead of refurbishing the existing buildings on the property. Council Member Milton Phair seconded the motion carried unanimously.
* If Council decides to utilize old warehouse location, all existing structures need to be demolished and disposed of: Council Member William DeLeon made a motion to demolish and dispose of the existing buildings by scrapping the materials due to the age and condition of the building located on the 4.4 acres, referred to as the old warehouse site. Council Member Pat Riddell seconded, the motion carried unanimously.
* Direct staff concerning architectural RFQ’s: Council Member Buddy Coker made a motion to cease all negotiations and reject all Request for Quotes associated with the Public Safety Facility Project. Council Member Milton Phair seconded, the motion carried unanimously.
* Direct Staff to return with a budget amendment for environmental work: Council Member William DeLeon made a motion instructing Staff to prepare a Reimbursement Resolution in the amount of $10,000 to fund the required environmental for the proposed Public Safety Facility construction site. Council Member Buddy Coker seconded, the motion carried unanimously.

Discuss and consider action:  An agreement between the City of Burnet and the Burnet Consolidated School District for the rental of Tex Robertson Aquatics Center: D. Vaughn: Council Member Ken Graham made a motion to approve the agreement between the City of Burnet and Burnet Consolidated School District for the rent of the Tex Robertson Aquatic Center. Council Member Milton Phair seconded, the motion carried unanimously.

Discuss and consider action: Findings and recommendations pertaining to Galloway Hammond Recreation Center as a result of the January 23rd, 2012 Council Workshop: K. Graham: No action was taken.

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 property purchase and advised Council that a follow up report on the water well production will be presented in February. Crista Bromley, Economic Development Director, reported to Council that the Drought Pro Rata Curtailment Plan had been completed, submitted and approved with all requirements met.

Project Update Report: C. Bromley: Economic Development Director, Crista Bromley reviewed the project summary report and discussed funding objectives.

December 2012 Financial Report: J. Laudenschlager: Director of Finance, Joyce Laudenschlager, presented Council the December 2012 Financial Report. Revenues, transfers, expenditures and individual fund balances were reviewed.

REQUESTS FROM COUNCIL FOR FUTURE REPORTS:

ADJOURN:

There being no further business a motion to adjourn was made by Council Member William DeLeon at 8:05 p.m., seconded by Council Member Pat Riddell, the motion carried unanimously.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Gary Wideman, Mayor

ATTEST:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Kelly Dix, City Secretary