

A.3) Project Update Report: C. Bromley

**7. REQUESTS FROM COUNCIL FOR FUTURE REPORTS:**

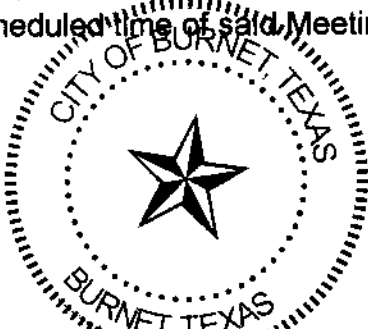
**8. ADJOURN:**

Dated this 9th day, of March, 2012

**CITY OF BURNET**

**GARY WIDEMAN, MAYOR**

I, the undersigned authority, do hereby certify that the above NOTICE OF MEETING of the governing body of the above named City, BURNET, is a true and correct copy of said NOTICE and that I posted a true and correct copy of said NOTICE on the bulletin board, in the City Hall of said City, BURNET, TEXAS, a place convenient and readily accessible to the general public at all times, and said NOTICE was posted on March 9<sup>th</sup>, 2012, at or before 5 o'clock p.m., and remained posted continuously for at least 72 hours preceding the scheduled time of said Meeting.



Kelly Dix, City Secretary

**NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS:**

*The City Council Chamber is wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services, such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's office (512.756.6093) at least two working days prior to the meeting. Requests for information may be faxed to the City Secretary at 512.756.8560.*

**RIGHT TO ENTER INTO EXECUTIVE SESSION:**

*The City Council for the City of Burnet reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development).*

#### **4. EXECUTIVE SESSION:**

4.1) 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 between the City of Burnet and Thonhoff Engineering: D. Vaughn

4.2) 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 to seek legal advice with respect to making a final offer to purchase a 0.124 permanent utility easement and a 0.085 acre temporary construction easement and potential eminent domain litigation involving the owner of said property, James Wukasch: D. Vaughn

4.3) 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 the purchase of real property owned by James Wukasch in connection with completion of the City's "Hamilton Creek Interceptor Project": D. Vaughn

The City Council may take action on any of the matters considered in executive session once the City Council reconvenes in open session.

#### **5. RECONVENE TO REGULAR SESSION FOR POSSIBLE ACTION:**

5.1) Discuss and consider action: Possible action relating to the contract between the City of Burnet and Thonhoff Engineering, Inc.: D. Vaughn

5.2) Discuss and consider action: SECOND AND FINAL READING 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

5.3) Discuss and consider action: SECOND AND FINAL 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**

5.4) Discuss and consider action: A RESOLUTION SUSPENDING THE PROPOSED EFFECTIVE DATE OF THE PROPOSED RATE SCHEDULES OF THE MID-TEX DIVISION OF ATMOS ENERGY CORPORATION ("COMPANY"), PROVIDING THAT THE RATE SCHEDULES OF SAID COMPANY SHALL REMAIN UNCHANGED DURING THE PERIOD OF SUSPENSION, PROVIDING FOR NOTICE HEREOF TO SAID COMPANY, AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW: D. Vaughn

5.5) Discuss and consider action: A RESOLUTION ADOPTING A CITY OF BURNET, TX, INVESTMENT POLICY AND NAMING THE DIRECTOR OF FINANCE AS THE INVESTMENT OFFICER: J. Laudenschlager

5.6) Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE 2011-11; THE ORIGINAL BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2011, AND ENDING SEPTEMBER 30, 2012 FOR THE CITY OF BURNET, TEXAS, FUNDING ACCOUNTS IN BUDGET DUE TO UNFORESEEN SITUATIONS; CONTAINING FINDINGS PROVIDING FOR SAVINGS AND SEVERABILITY: D. Vaughn

5.7) Discuss and consider action: A RESOLUTION OF THE CITY OF BURNET RATIFYING THE CITY MANAGER'S DECISION TO PAY AMOUNTS OWED TO WATER BOARD ON FEBRUARY 1, 2012: D. Vaughn

5.8) Discuss and consider action: AN ORDINANCE OF THE CITY OF BURNET, TEXAS, REPLACING CHAPTER 50 (FLOODS) OF THE BURNET CODE OF ORDINANCES AND ADOPTING A NEW CHAPTER 50 ENTITLED FLOOD DAMAGE PREVENTION, PROVIDING FOR THE REPEAL OF ALL CONFLICTING ORDINANCES; PROVIDING SEVERABILITY, OPEN MEETINGS AND EFFECTIVE DATE CLAUSES; PROVIDING PENALTIES; AND PROVIDING FOR RELATED MATTERS.: R. Fyffe

5.9) Discuss and consider action: A contract with IESI for recycling services for the City of Burnet: D. Vaughn

5.10) Discuss and consider action: FIRST READING OF AN ORDINANCE ESTABLISHING CURFEWS FOR MINORS; PROVIDING DEFINITIONS; PROVIDING DEFENSES AND EXCEPTIONS; PROVIDING PENALTIES; AND PROVIDING OPEN MEETINGS, SEVERABILITY AND RELATED CLAUSES: P. Nelson

5.11) Discuss and consider action: Hours of operation for Galloway-Hammond

Recreation Center: D. Vaughn

5.12) Discuss and consider action: AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING THE ZONING ORDINANCE, #2008-14, REZONING PROPERTY FROM "C-1" LIGHT COMMERCIAL AND "RM-3" RV PARK TO A ZONING DESIGNATION OF "C-3" HEAVY COMMERCIAL; AND PROVIDING FOR RELATED MATTERS.

5.13) Discuss and consider action: Request for approval of the proposed future land use map: R. Fyffe

5.14) Discuss and consider action: Request for approval of Conditional Use Permits for airport properties: R. Fyffe

5.15) Discuss and consider action: Request for approval of zoning ordinance amendments: R. Fyffe

5.16) Discuss and consider action: Approval of the Wukasch Settlement Agreement: D. Vaughn

5.17) Discuss and consider action: Consideration of the use of Eminent Domain to condemn property. A Resolution making findings and establishing a public necessity for the acquisition of 0.124 acres (5,401 square feet) and 0.085 acres (3,710 square feet) or up to fee simple title of property located at 305 West Post Oak Street, owned by James C. Wukasch through eminent domain for public use relating to the completion of the Hamilton Creek Interceptor Waste Water and Sewer Line Project: D. Vaughn

5.18) Discuss and consider action: A quitclaim deed, per Item 2 of the Terms and Conditions of the City's agreement with Jim Wukasch: D. Vaughn

5.19) Discuss and consider action: Quitclaim and abatement of easement pertaining to the reserved easements in the abandoned portion of Watts Street: D. Vaughn

## **6. REPORTS:**

6.1) Addendum to the City Council Agenda: Department and Committee Reports or 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.

A.3) Project Update Report: C. Bromley

D.2) Racial Profiling Report: P. Nelson

F.2) Water Well Reports: A. Burdell

**7. REQUESTS FROM COUNCIL FOR FUTURE REPORTS:**

**8. ADJOURN:**

Dated this 10th day, of February, 2012

**CITY OF BURNET**

**GARY WIDEMAN, MAYOR**

I, the undersigned authority, do hereby certify that the above NOTICE OF MEETING of the governing body of the above named City, BURNET, is a true and correct copy of said NOTICE and that I posted a true and correct copy of said NOTICE on the bulletin board, in the City Hall of said City, BURNET, TEXAS, a place convenient and readily accessible to the general public at all times, and said NOTICE was posted on February 10<sup>th</sup>, 2012, at or before 5 o'clock p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of said Meeting.



Kelly Dix, City Secretary

**NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS:**

The City Council Chamber is wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services, such as interpreters for persons who are deaf or hearing impaired, readers of large print, are requested to contact the City Secretary's office (512.756.6093) at least two working days prior to the meeting. Requests for information may be faxed to the City Secretary at 512.756.8560.

**RIGHT TO ENTER INTO EXECUTIVE SESSION:**

The City Council for the City of Burnet reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development).