STATE OF TEXAS {}

COUNTY OF BURNET {}

CITY OF BURNET {}

On this the 28th day of February, 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, Paul Nelson, Crista Bromley, Mark Ingram, Joyce Laudenschlager, Danny Lester, James Walker, Doug Fipps, Linda Turner, Carolyn Jean, Jim Hare, Sonny Wilson, Chris Kar, Roger Moore, Randy Turner

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 William DeLeon

PUBLIC RECOGNITION/SPECIAL REPORTS:

Proclamation: Fitness Month: Chad Nelson: Mayor Gary Wideman: Mayor Wideman presented a proclamation declaring March 2012, Fitness Month and encouraged all citizens to participate in activities that will improve health, wellness and fitness. Sonny Wilson accepted the proclamation on behalf of Chad Nelson, Minister of Youth/Recreation, First Baptist Church Burnet.

Chamber of Commerce Report: Chamber Board Member David Vaughn updated the Council on the Chamber activities for the Month. Mr. Vaughn stated that the Chamber Banquet was a huge success and enjoyed by all. The Bluebonnet Festival magazine went to the printers this week and the Festival Committee has added a second acoustical stage to the festivities this year. Vendor participation has been outstanding and all spaces are taken. The Bluebonnet Pageant will be held March 24th at the High School.

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 February 14th t, 2011 Regular 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.

PUBLIC HEARINGS: None.

ACTION ITEMS: The following items were moved up on the agenda to accommodate representatives present.

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 “C-1” LIGHT COMMERCIAL AND “RM-3” RV PARK TO A ZONING DESIGNATION OF “C-3” HEAVY COMMERCIAL; AND PROVIDING FOR RELATED MATTERS: R. Fyffe: Council Member Ken Graham made a motion to approve and adopt the ordinance as presented. Council Member Pat Riddell seconded. The motion carried unanimously.

EXECUTIVE SESSION:

Council Member William DeLeon made a motion to convene to executive session at 6:38 p.m. Council Member Buddy Coker seconded, the motion carried unanimously.

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

RECONVENE TO REGULAR SESSION FOR POSSIBLE ACTION:

Council Member William DeLeon made a motion to reconvene to regular session at 7:11 p.m. Council Member Milton Phair seconded, the motion carried unanimously.

ACTION ITEMS:

Discuss and consider action: Possible action relating to the contract between the City of Burnet and Thonhoff Engineering, Inc.: D. Vaughn: Council Member Pat Riddell made a motion to approve the execution of a contract with HDR Engineering, Inc. to review the Wastewater Treatment Plant engineering plans. Council Member Milton Phair seconded, the motion carried unanimously.

Discuss and consider action: SECOND AND FINAL 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: 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: SECOND AND FINAL 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: Council Member Ken Graham 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 ORDINANCE NO. 2008-14 AND ALL AMENDING ORDINANCES THEREOF, IN THEIR ENTIRETY, AMENDING CHAPTER 118 OF THE BURNET CODE OF ORDINANCES, ADDING A ZONING DISTRICT CONVERSION TABLE; AMENDING SECTION 44 LIGHT COMMERCIAL DISTRICT; AMENDING SECTION 64 CONDITIONAL USE PERMITS; 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 Council Member Milton Phair made a motion to approve and adopt the ordinance as presented. Council Member William DeLeon seconded. The motion carried unanimously.

Discuss and consider action: A RESOLUTION EXPRESSING INTENT TO FINANCE EXPENDITURES TO BE INCURRED BY THE CITY OF BURNET, TEXAS: D. Vaughn: Council Member Ken Graham made a motion to adopt the resolution expressing the intent to finance expenditures to be incurred by the City of Burnet, Texas. 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: Council Member William DeLeon made a motion to authorize and execute a contract with IESI for recycling services for the City of Burnet. Council Member Buddy Coker seconded, the vote carried unanimously.

Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, ADOPTING THE CITY OF BURNET FUTURE LAND USE MAP; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW: R. Fyffe: Member Ken Graham made a motion to approve the first reading of the ordinance as presented. Council Member William DeLeon seconded. The motion carried unanimously.

Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET REQUESTING FINANCIAL ASSISTANCE FROM THE TEXAS WATER DEVELOPMENT BOARD; AUTHORIZING THE FILING OF AN APPLICATION FOR ASSISTANCE; AND MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH: C. Bromley: Council Member Pat Riddell made a motion to approve the resolution requesting financial assistance in the amount of $2.2 million dollars from The Texas Water Development Board and authorizing the filing of an application for assistance as presented. Council Member Ken Graham seconded. The motion carried unanimously.

Discuss and consider action: A RESOLUTION SEEKING DESIGNATION AS A MANAGEMENT AGENCY FOR WASTEWATER COLLECTION AND TREATMENT WITHIN THE CITY LIMITS OF THE CITY OF BURNET: C. Bromley: Member Ken Graham made a motion to approve the resolution seeking designation as a management agency for wastewater collection and treatment within the city limits of the City of Burnet as presented. Council Member Milton Phair seconded. The motion carried unanimously.

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:

Project Update Report: C. Bromley: Economic Development Director, Crista Bromley reviewed the project summary report. The Sewer Plant and Interceptor Line Project plans are stamped and completed. The Haley Nelson Park Project is nearing completion, minor grading, seeding and landscaping are to be completed, weather permitting.

January Financial Report: J. Laudenschlager: Director of Finance Joyce Laudenschlager presented a review of departmental revenues and expenses and the financial statements for the month of January, 2012.

Update on the Public Safety Facility: B. Coker: Council Member Coker reviewed the current progress of the Public Safety Facility Committee findings including, presentation of a sketch of the proposed facility floor plan and construction requirements. The committee is ready to move forward to submit the proposed plan to the architects for drafting of official plans.

GHRC Operating Hours Update: C. Ryden: City Manager David Vaughn, reported to Council that the filling of positions and training of new employees is still in progress at Galloway Hammond Recreation Center (GHRC). April 15th, 2012 is the target date to implement extended hours at GHRC.

ACTION ITEM:

Discuss and consider action: SECOND AND FINAL 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: At the request of the City Manager this item was moved to after the reports portion of the agenda. Council Member Ken Graham made a motion to approve and adopt the ordinance and to increase the amount of the budget amendment from $30,000 to $100.000 to allow for the expenses expected to be incurred on the Public Safety Facility Project. Council Member William DeLeon seconded. The motion carried unanimously.

REQUESTS FROM COUNCIL FOR FUTURE REPORTS: Council Member Buddy Coker questioned the City Manager on the Supreme Court ruling that could possibly effect Ground Water Districts and what the impact for the City would be. Mr. Vaughn stated that he is watching the progress closely and agreed that the constitutional amendment could potentially eliminate ground water districts. The City Manager will brief Council with updates pertaining to this issue.

Council Member Ken Graham asked if it would be possible to get a report on the survey that the Parks and Recreation Advisory Board conducted. The City Manager suggested that the second meeting of the month would most likely be best as that would allow Staff and the Parks and Recreation Board ample time to review the results and prepare a report.

ADJOURN:

There being no further business a motion to adjourn was made by Council Member William DeLeon at 8:20 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