STATE OF TEXAS {}

COUNTY OF BURNET {}

CITY OF BURNET {}

On this the 22nd day of May, 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 Milton Phair, Paul Shell, Kevin Davis, Philip Thurman, Buddy Coker, Pat Riddell, William DeLeon

Absent Kenneth Graham

City Manager David Vaughn

City Secretary Kelly Dix

Guests: Mark Ingram, Crista Bromley, Connie Maxwell, Doug Fipps, Danny Lester, Karl Piehl, Paul Nelson, James Walker, Randy Hartford, B.J. Roberts, Deborah Johnson, David Bennett, Kim Winkler

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 Milton Phair

PUBLIC RECOGNITION/SPECIAL REPORTS:

Chamber of Commerce Report: Deborah Johnson presented the Chamber of Commerce quarterly report to the City Council. Ms. Johnson stated that the City Wide Garage Sale was a success and reminded Council of the Bluebonnet Volunteer Appreciation Dinner on Wednesday, June 23rd, 2010 at 5:30 p.m. at the Community Center.

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 May 8th, 2012 Special Council Meeting minutes.

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

CANVASS ELECTION:

Discuss and consider action: A RESOLUTION AND ORDER CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE CITY OF BURNET GENERAL ELECTION OF MAY 12, 2012: K. Dix: City Secretary, Kelly Dix reviewed the May 12, 2012 General Election results with Council. A total of 856 votes were cast in the election. Ken Graham received 253 votes and retained his position. Philip Thurman received 243 votes, Paul Shell received 204 votes and Karl Piehl received 156 votes. Philip Thurman and Paul Shell will fill the positions vacated by Council Members William DeLeon and Pat Riddell. Council Member Milton Phair made a motion to approve the resolution canvassing the returns and declaring the results of the May 12, 2012 General Election. Council Member William DeLeon seconded. The motion carried unanimously.

RECOGNITION:

Recognition of Council Member William DeLeon: Mayor Gary Wideman: Mayor Gary Wideman

presented Council Member William DeLeon a plaque thanking Council Member DeLeon for his

dedicated service to the City of Burnet from May 2006 to May 2012.

Recognition of Council Member Pat Riddell: Mayor Gary Wideman: Mayor Gary Wideman

presented Council Member Pat Riddell a plaque thanking Council Member Riddell for his

dedicated service to the City of Burnet from May 2006 to May 2012.

OATH OF OFFICE:

The Oath of Office will be administered to, Philip Thurman, Council Member: K. Dix: A Certificate of Election was presented to Philip Thurman by City Secretary, Kelly Dix, and the Oath of Office was administered. Philip Thurman was sworn in as Council Member for a term of two years.

The Oath of Office will be administered to, Paul Shell, Council Member: K. Dix: A Certificate of Election was presented to Paul Shell by City Secretary, Kelly Dix, and the Oath of Office was administered. Paul Shell was sworn in as Council Member for a term of two years.

The Oath of Office will be administered to, Kenneth Graham, Council Member: K. Dix: Kenneth

Graham was unable to attend the meeting and will be sworn in at a later date.

PUBLIC HEARING/NOTICE:

Public Hearing: Request to rezone 607 E. Polk St. from “R-1” Single Family Residential to “C-1” Light Commercial: R. Fyffe: Mayor Gary Wideman opened the public hearing and presented the item to the audience for comment. There being no comments, Mayor Wideman closed the public hearing.

Public Hearing: Request to rezone 301 & 305 E. League Street from “C-1/MX” to “NC” Neighborhood Commercial: R. Fyffe: Mayor Gary Wideman opened the public hearing and presented the item to the audience for comment. There being no comments, Mayor Wideman closed the public hearing.

Notice: This item is to place a notice in the record that the Council has authorized the request to close a loan by the Texas Water Development Board for the CWSRF 72325 and the Planning and Design phase of CWSRF 73607 for a total loan closing of $9,900,000: C. Bromley: Mayor Gary Wideman read the notice to all present.

ACTION ITEMS:

Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, MODIFYING THE DUE DATES FOR MUNICIPAL UTILITY BILLS BY AMENDING CHAPTER 90 AND CHAPTER 110 OF THE CITY OF BURNET CODE OF ORDINANCES; AUTHORIZING THE IMPLEMENTATION OF SAID MODIFICATIONS; PROVIDING FOR SEVERABILITY, OPEN MEETINGS, AND AN EFFECTIVE DATE: D. Vaughn: Council Member Kevin Davis made a motion to approve and adopt the ordinance as presented. Council Member Milton Phair seconded, the motion carried unanimously.

Discuss and consider Action: Authorization to transfer ownership of the recycling trailer to Burnet County: C. Bromley: Council Member Paul Shell made a motion to authorize the transfer of the recycling trailer to Burnet County. Council Member Buddy Coker seconded the motion carried unanimously.

Discuss and consider Action: A RESOLUTION DENYING THE MID-TEX DIVISION OF ATMOS ENERGY CORPORATION’S STATEMENT OF INTENT TO CHANGE THE GAS UTILITY RATES IN THE MUNICIPALITY, SO THAT THE COMPANY MAY PURSUE A SYSTEM-WIDE RATE CASE WITH THE RAILROAD COMMISSION OF TEXAS; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR NOTICE HEREOF TO THE MID-TEX DIVISION OF ATMOS ENERGY CORPORATION; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW: D. Vaughn: Council Member Kevin Davis made a motion to approve the resolution as presented. Council Member Buddy Coker seconded, the motion carried unanimously.

Discuss and consider action: Authorization for staff to submit a letter to the Texas Department of Transportation expressing an interest in obtaining Teardrop Park: D. Vaughn: Council Member Buddy Coker made a motion to authorize staff to submit a letter to the Texas Department of Transportation expressing an interest in obtaining Teardrop Park. Council Member Paul Shell seconded, the motion carried unanimously.

Discuss and consider action: FIRST READING OF AN ORDINANCE AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING THE ZONING ORDINANCE, #2012-06, REZONING PROPERTY FROM “R-1” SINGLE FAMILY RESIDENTIAL TO “C-1” LIGHT COMMERCIAL; AND PROVIDING FOR RELATED MATTERS: R. Fyffe: Council Member Milton Phair made a motion to approve the first reading of the ordinance as presented. Council Member Kevin Davis seconded, the motion carried unanimously.

Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING THE ZONING ORDINANCE, #2012-06, REZONING PROPERTY FROM “C-1/MX” LIGHT COMMERCIAL/MIXED USE TO “NC” NEIGHBORHOOD COMMERCIAL; AND PROVIDING FOR RELATED MATTERS: R. Fyffe: Council Member Milton Phair 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: A RESOLUTION OF THE CITY OF BURNET, TEXAS, AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION: C. Bromley : Council Member Kevin Davis made a motion authorizing the execution of the Notice of Intent in the amount of $200,000 for the Planning and Development phase of the Sherrard Street project, and to release the balance of the loan funding for the construction phase of the project. Council Member Milton Phair seconded, the motion carried unanimously.

Discuss and consider action: Authorization to retire short-term water and wastewater debt: D. Vaughn: Council Member Milton Phair made a motion to authorize the City Manager to proceed with process to retire the short-term water and wastewater debt. Council Member Paul Shell 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: City Manager David Vaughn advised Council that the Golf Cart contract review was just about completed. Council Member Kevin Davis requested a copy of the Power Point that was presented at the workshop by the YMCA. The City Manager stated it would be provided. Council Member Buddy Coker gave a brief update on the status of the proposed Fire Department building plan. The committee is currently working with officials to determine the inclusion of certain ADA requirements and the financial impact that will be necessitated in meeting the requirements.

Project Update Report: C. Bromley: Economic Development Director, Crista Bromley reviewed the project summary report. An application has been filed for the Sewer Line Rehab Phase II for the 2013 funding cycle with the Texas Water Development Board. The list will be released mid June. Bid documents for the SSES Point and Manhole Repairs project are being reviewed by Kimley-Horne.

REQUESTS FROM COUNCIL FOR FUTURE REPORTS: None.

ADJOURN:

There being no further business a motion to adjourn was made by Council Member Buddy Coker at 7:46 p.m., seconded by Council Member Milton Phair, the motion carried unanimously.

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 Gary Wideman, Mayor

ATTEST:

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Kelly Dix, City Secretary