

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

On this the 26th day of March, 2013, 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 Paul Shell, Philip Thurman, Pat Riddell, Milton Phair, Buddy Coker,
Kenneth Graham

City Manager David Vaughn

City Secretary Kelly Dix

Guests: Joyce Laudenschlager, Crista Bromley, Connie Maxwell, Mark Ingram, Doug Fipps, Paul Nelson, John Goble, Danny Lester, Adam Culver, Bettye Foulds, Dorothy James, Keith Marsland, Mary Jane Shanes, Bob Springs, Kat Springs, Pat McAleer, Dave Hartig, Tom Jackson, Rita Jackson, Craig Lindhou, Peg Moore, Odsu Buchorn, Dennis w. Sloan, Beverly Graham, Herve Derek Fortin, David Gastinger

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: Council Member Buddy Coker

PUBLIC RECOGNITION/SPECIAL REPORTS:

Proclamation: Motorcycle Awareness Month: Mayor Wideman: Mayor Gary Wideman presented the proclamation to Keith Marsland declaring the month of May as Motorcycle Awareness Month in the City of Burnet. Mr. Marsland accepted the proclamation and thanked the citizens and Council for the support of motorcycle awareness.

Chamber of Commerce Report: Chamber Board Member Deborah Johnson presented the Council with an update of Bluebonnet Festival preparations and distributed copies of the Bluebonnet Festival Magazine. Ms. Johnson reviewed the 2013 Chamber of Commerce 1st quarterly report.

CITIZEN COMMENT:

Mary Jane Shanes: Lifetime Golf Benefit: Ms. Shanes addressed her concern and stated her opposition pertaining to the proposed ordinance re-establishing the free annual dues for life for Council Members upon completion of a term as Council Member.

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 26, 2013 Regular Council Meeting minutes. Council Member Paul Shell made a motion to approve the consent agenda as presented. Council Member Philip Thurman seconded, the motion carried unanimously.

ACTION ITEMS:

Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING CHAPTER SIX, SECTION 6 OF THE CODE OF ORDINANCES OF THE CITY PROVIDING FOR THE SALE OF ALCOHOLIC BEVERAGES IN THE CITY OF BURNET; PROVIDING SEVERABILITY AND OPEN MEETINGS CLAUSES; AND PROVIDING FOR OTHER RELATED MATTERS: C. Bromley: Council Member Philip Thurman made a motion to approve and adopt the second and final reading of the ordinance as presented.

Council Member Paul Shell seconded, the motion carried unanimously.

Discuss and consider action: Waive all claims against the Phil Symons's testamentary trust and authorize the City Manager to execute all documents necessary: M. Ingram: Council Member Ken Graham made a motion to waive all claims against the testamentary trust and authorize the City Manager to execute all documents necessary. Council Member Milton Phair seconded, the motion carried unanimously.

Discuss and consider action: A SECOND RESOLUTION OF THE CITY OF BURNET EXPRESSING INTENT TO FINANCE EXPENDITURES TO BE INCURRED BY THE CITY OF BURNET, TEXAS: D. Vaughn: Council Member Pat Riddell made a motion to approve the resolution as presented. Council Member Buddy Coker seconded, the motion carried unanimously.

Discuss and consider action: Authorization to change the size of the building sign to meet the Nationally Branded Sign Exceptions allowed by City Ordinance for O'Reilly Auto Parts located at 508 South Water Street, Burnet, Burnet County, Texas: J. Laudenschlager: Council Member Pat Riddell made a motion to approve and authorize O'Reilly Auto Parts to change the size of the building sign to meet the Nationally Branded Sign exceptions allowed by City Ordinance. Council Member Milton Phair seconded, the motion carried unanimously.

Discuss and consider action: Release of Martin ground lease at Burnet Municipal Airport: C. Bromley: Council Member Ken Graham made a motion to approve the release of the Martin Ground Lease as approved by the City Attorney. Council Member Philip Thurman seconded, the motion carried unanimously.

Discuss and consider action: Award of contract for construction of wastewater line on Camm Lary's property located at the corner of Hwy 29E and Hamilton Creek Drive: D. Vaughn: Council Member Paul Shell made a motion to award the contract for construction of a wastewater line on Camm Lary's property located at the corner of Hwy 29E and Hamilton Creek Drive to S. K. Nelson and Associates. Council Member Philip Thurman seconded, the motion carried unanimously.

Discuss and consider action: YMCA Operating Agreement for GHRC and naming of the facility: D. Vaughn: Council Member Pat Riddell made a motion to approve the name "YMCA of Highland Lakes at Galloway Hammond." Council Member Milton Phair seconded, the motion carried unanimously.

Discuss and consider action: Addendum Number Two to the Delaware Springs Development Agreement: D. Vaughn: Council passed on this item. No action was taken.

EXECUTIVE SESSION:

Council Member Philip Thurman made a motion to convene to Executive Session at 7:23 p.m. Council Member Pat Riddell filed an Affidavit of Conflict of Interest with the City Secretary abstaining from participation in the Executive Session items 5.1 and 5.2; and any forth coming action pertaining to discussions in Executive Session. Council Member Buddy Coker seconded, the motion carried unanimously.

EXECUTIVE SESSION: The Council reserves the right to enter into closed session in accordance with the provisions of the Open Meetings Act, Texas Government Code, Chapter 551, Subsection 551.087 Deliberation Regarding Economic Development Negotiations and Subsection 551.072, Deliberation about Real Property: C. Bromley:

EXECUTIVE SESSION: The Council reserve the right to enter into closed session in accordance with the provision of the Open Meetings Act, Texas Government Code, Chapter 551, Subsection 551.072, Deliberation Regarding Real Property: C. Bromley

RECONVENE TO REGULAR SESSION FOR POSSIBLE ACTION:

Council Member Milton Phair made a motion to reconvene to regular session at 8.08 p.m. Council

Member Ken Graham seconded, the motion carried unanimously.

Discuss and consider action: Expenditures for economic incentives for the purpose of promoting or expanding business activities in the City of Burnet: C. Bromley: Council Member Ken Graham made a motion to authorize the Burnet Economic Development Corporation to approve the contract on the property located at 1410 S. Water Street. Council Member Philip Thurman seconded, Council Member Riddell abstained. A roll vote was called by the City Secretary with Council Members Shell, Thurman, Graham, Phair, Coker and Mayor Wideman voting in favor, none opposed and Council Member Riddell abstained. The vote was six in favor, one abstention, the motion carried.

Discuss and consider action: Property and easement acquisition for airport master plan: C. Bromley: Council Member Ken Graham made a motion to authorize the staff to proceed with condemnation proceedings on the Berenji property at the northwest corner of Oak vista Drive and South Water Street, Council Member Paul Shell seconded, Council Member Riddell abstained. A roll vote was called by the City Secretary with Council Members Shell, Thurman, Graham, Phair, Coker and Mayor Wideman voting in favor and Council Member Riddell abstained. The vote was six in favor, one abstention, the motion carried.

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 and power point presentation: C. Bromley: Economic Director Crista Bromley introduced, Project Manager, Luz Figueroa to Council. Ms. Bromley and Ms. Figueroa presented the project update report on the new wastewater facility.

February Financial Report: D. Vaughn: City Manager David Vaughn reviewed the February 2013 Financial Report with Council, to include revenues expenditures and fund balances to date.

REQUESTS FROM COUNCIL FOR FUTURE REPORTS: None.

ADJOURN: There being no further business a motion to adjourn was made by Council Member Philip Thurman at 8:28 p.m., seconded by Council Member Milton Phair, the motion carried unanimously.

Gary Wideman, Mayor

ATTEST:

Kelly Dix, City Secretary