

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

On this the 28th day of January, 2014, 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, Kenneth Graham, Derek Fortin,
 Milton Phair, Mary Jane Shanes
City Manager David Vaughn
City Secretary Kelly Dix

Guests: Crista Bromley, Mark Ingram, Doug Fipps, John Goble, Connie Maxwell, Patricia Langford, Paul Nelson, Bettye Foulds, Luz Figueroa, Alan Burdell, Danny Lester, Tanis Jamar, Pat McAleer, Delia Johnson, Gina Glaeser, Harold Smith, Michelle Devaney

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

INVOCATION: Council Member Kenneth Graham

PLEDGE OF ALLEGIANCE: Council Member Milton Phair

PUBLIC RECOGNITION/SPECIAL REPORTS:

Chamber of Commerce Report: Chamber Board Member Michelle Devaney presented the report to Council. The Chamber is currently working on several projects to include preparation for the annual Bluebonnet Festival, the Chamber Awards Banquet, and a new online training opportunity for members, and the newly formed Leadership Council. A reminder to all about the YMCA of the Highland Lakes Grand Opening and ribbon cutting is scheduled for Thursday, January 30th from 5:00 to 7:00 p.m. Ms. Devaney also reviewed the 2013 fourth quarter tourism statistics and noted the large increase in website use from mobile devices.

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 14th, 2014, Regular City Council Meeting minutes:

Approval of the January 22nd, 2014, City Council Workshop minutes:

Council Member Kenneth Graham made a motion to approve the consent agenda as presented. Council Member Paul Shell seconded, the motion carried unanimously.

PUBLIC HEARING:

Public Hearing: Public Hearing (Future Land Use Map): The Commission shall receive testimony from proponents and opponents of proposed amendment to the Future Land Use map. Testimony shall be received by separate public hearings for each of the properties that are, located within the corporate limits of Burnet Texas and, listed as follows:

<u>Address</u>	<u>Current Zoning</u>	<u>Proposed Zoning</u>
302 South Boundary	C-1 Light Commercial	Government G
300 East League	C-1 Light Commercial	Government G
105 South Pierce	C-1 Light Commercial	Government G
405 East League	R-1 Single Family Residence	Government G

Mayor Gary Wideman opened the public hearing. There being no requests to speak in favor or against, Mayor Wideman closed the public hearing.

Public Hearings (Zoning): The Commission shall receive testimony from proponents and opponents of proposed amendment to the City's zoning map. Testimony shall be received by separate public hearings for each of the properties that are, located within the corporate limits of Burnet, Texas and, listed as follows:

<u>Address</u>	<u>Current Zoning</u>	<u>Proposed Zoning</u>
302 South Boundary	C-1 Light Commercial	Government G
300 East League	C-1 Light Commercial	Government G
105 South Pierce	C-1 Light Commercial	Government G
400 East Jackson	R-1 Single Family Residence	Government G
405 East League	R-1 Single Family Residence	Government G
105 West Jackson	R-1 Single Family Residence	C-1 Light Commercial
107 East Jackson	R-1 Single Family Residence	C-1 Light Commercial
115 East Jackson	R-1 Single Family Residence	C-1 Light Commercial
307 South Main	R-1 Single Family Residence	C-1 Light Commercial
308 South Main	R-1 Single Family Residence	C-1 Light Commercial
215 South Pierce	R-1 Single Family Residence	C-1 Light Commercial
208 East Jackson	R-1 Single Family Residence	C-1 Light Commercial
203 E. Washington	R-1 Single Family Residence	C-1 Light Commercial
210 South Boundary	R-1 Single Family Residence	C-1 Light Commercial
100 East Washington	C-1 Light Commercial	G Government
303 East Jackson	C-1 Light Commercial	G Government
304 South Boundary	C-1 Light Commercial	G Government
508 East Jackson	R-1 Single Family Residence	G Government
220 South Pierce	R-1 Single Family Residence	G Government
408 East League	R-1 Single Family Residence	G Government
133 East Jackson	R-1 Single Family Residence	G Government
223 South Pierce	R-1 Single Family Residence	G Government
105 South Boundary	R-1 Single Family Residence	C-2 Medium Commercial
101 East Jackson	R-1 Single Family Residence	MX Commercial with Mixed Use Overlay
123 East Jackson	R-1 Single Family Residence	MX Commercial with Mixed Use Overlay
111 East Jackson	R-1 Single Family Residence	MX Commercial with Mixed Use Overlay
127 East Jackson	R-1 Single Family Residence	MX Commercial with Mixed Use Overlay
117 East Pierce	R-1 Single Family Residence	MX Commercial with Mixed Use Overlay
229 South Pierce	R-1 Single Family Residence	MX Commercial with Mixed Use Overlay
236 South Main	C-1 Light Commercial	MX Commercial with Mixed Use Overlay
226 South Main	C-1 Light Commercial	MX Commercial with

208 South Main	C-1 Light Commercial	Mixed Use Overlay MX Commercial with Mixed Use Overlay
109 West Jackson	R-1 Single Family Residence	C-1 Light Commercial with Conditional Use Permit for the sale of beer and wine
5402 South US Hwy 281	A Agriculture	C-3 Heavy Commercial

Mayor Gary Wideman opened the public hearing. Delia Johnson of 5380 A, Hwy 281 South, Burnet, Texas, testified in opposition of the zoning change for 5402 South US Hwy. 281 from A-Agriculture to C-3 Heavy Commercial. Ms. Johnson stated that it would not be good for the neighborhood as it is all residential now. Earl Goble, resident of 5324 South US Hwy 281, Burnet, Texas, also testified in opposition to the change due to the fact that it is residential properties on both sides of the property and that he agrees with Ms. Johnson that it would not be good for the neighborhood to bring in commercial businesses in that area.

Mrs. Tamara Cogdell, owner of the property located at 5402 South US Hwy. 281, Burnet, Texas, spoke in favor of changing the zoning from agricultural to C-3 Heavy Commercial. Mrs. Cogdell and her husband Richard Cogdell purchased the property with a possible intended future use of commercial development on the US Highway 281 portion of the property. Mrs. Cogdell acknowledged the concerns of the neighbors but re-iterated that their family resided on the property as well. There being no further testimony for or against the proposed property rezones the public hearing was closed.

ACTION ITEMS:

Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING CHAPTER 70 ARTICLE V ("NOISE") ADOPTING PROVISIONS RELATING TO NOISE AND SOUND LEVEL REGULATION CONTROL IN THE CITY LIMITS OF THE CITY OF BURNET: P. Nelson: Council Member Philip Thurman made a motion to approve and adopt the ordinance as presented. Council Member Paul Shell seconded, the motion carried unanimously.

Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING 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: J. Goble: Council Member Milton Phair made a motion to approve the first reading of the ordinance as presented. Council Member Paul Shell seconded, the motion carried unanimously.

Discuss and consider action: FIRST READING OF AN ORDINANCE AMENDING THE ZONING CLASSIFICATIONS OF CERTAIN PROPERTIES LOCATED IN THE CITY OF BURNET; AMENDING THE ZONING MAP; AND PROVIDING AN EFFECTIVE DATE: J. Goble: Pass. No action taken.

Discuss and consider action: A RESOLUTION OF THE CITY OF BURNET, TEXAS, ORDERING A GENERAL ELECTION TO BE HELD ON MAY 10, 2014, TO ELECT THREE CITY COUNCIL MEMBERS; ESTABLISHING THE ELECTION PROCEDURE; AND PROVIDING FOR RELATED MATTERS: K. Dix

UNA RESOLUCIÓN DE LA CIUDAD DE BURNET, TEXAS, ORDENANDO UNA ELLECCIÓN GENERAL A LLEVARSE A CABO EL 10 DE MAYO DE 2014, PARA ELEGIR EL TRES

MIEMBROS DEL CONSEJO (CONCEJALES);
ESTABLECIENDO LOS PROCEDIMIENTOS PARA LA ELECCIÓN; Y PROVEYENDO OTROS
ASUNTOS RELACIONADOS:

Council Member Kenneth Graham made a motion to approve the resolution as presented ordering a General Election to elect three council members on May 10th, 2014.

Discuss and consider action: Cart Paths at Delaware Springs Golf Course: D. Vaughn: Council Member Kenneth Graham made a motion to proceed with milling and concrete work on the cart paths at Delaware Springs Golf Course. Council Member Milton Phair seconded, the motion carried unanimously.

Discuss and consider action: A RESOLUTION ADOPTING A CITY OF BURNET, TX, INVESTMENT POLICY AND NAMING THE INVESTMENT OFFICERS: C. Maxwell: Council Member Philip Thurman made a motion to approve the resolution adopting the City of Burnet Investment Policy and naming the Investment Officers as presented. Council Member Kenneth Graham seconded the motion carried unanimously.

Discuss and consider action: Request for authorization to proceed with repair of baseball field scoreboards: D. Vaughn: Council Member Paul Shell made a motion directing staff to proceed with the repair of the baseball field scoreboards to be paid for with field usage fee revenues. Council Member Philip Thurman seconded, the motion carried unanimously.

Discuss and consider action: Repairs to 302 S. Boundary Street: D. Vaughn: Pass. No action 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.

Project Update Report: L. Figueroa: Stephen Young reviewed the current status of the pipe that burst on the clarifier wall. The concrete was not installed properly by the contractor causing the pipe to burst when pressure testing was performed. The contractor has accepted responsibility for the repair. Staff will monitor the progress.

Fire Station Project Update Report: M. Ingram: Fire Chief Mark Ingram informed Council that the stone work, the concrete parking area, taping, floating and painting of the interior walls are all completed at the new fire station. Cabinets and ceiling tiles are being installed this week. Chief Ingram praised the Electric and Public Works departments for their work on the project.

Annual Racial Profiling Report: P. Nelson: Chief Paul Nelson presented the Annual Racial Profiling Report.

EXECUTIVE SESSION:

Executive Session: In accordance to the provision of the Open Meetings Act, Texas Government Code, Chapter 551, and Sub-section 551.074 Personnel Matters; deliberation on the appointment, employment, evaluation, reassignment, duties, and discipline of an Acting City Manager: G. Wideman: Council Member Kenneth Graham made a motion to enter into Executive Session at 7:52 p.m. Council Member Paul Shell seconded, the motion carried unanimously.

RECONVENE TO OPEN SESSION:

Council Member Philip Thurman made a motion to reconvene to regular session at 8:04 p.m. Council Member Paul Shell seconded, the motion carried unanimously.

Discuss and consider action: Appointment of Acting City Manager: D. Vaughn: Council Member Philip Thurman made a motion to accept the City Manager's recommendation to appoint Police Chief Paul Nelson as Acting City Manager. Council Member Mary Jane Shanes seconded, the motion carried unanimously.

REQUESTS FROM COUNCIL FOR FUTURE REPORTS: Mayor Wideman informed Council that he had appointed Doug Fipps, Council Member Philip Thurman, Council Member Mary Jane Shanes, Iris Vaughn, and John Wilcox to serve on the sub-committee to look at marketing strategies for Delaware Springs Golf Course.

ADJOURN: There being no further business a motion to adjourn was made by Council Member Kenneth Graham at 8:15 p.m., seconded by Council Member Philip Thurman, the motion carried unanimously.

Gary Wideman, Mayor

ATTEST:

Kelly Dix, City Secretary