

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

On this the 18th day of November, 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, Milton Phair, Mary Jane Shanes, Philip Thurman,
 Joyce Laudenschlager, Derek Fortin

City Manager David Vaughn

Deputy City Secretary Crista Bromley

Guests: Doug Fipps, Danny Lester, Mark Ingram, Paul Nelson, Luz Figueroa, Harold Smith, Damon Beierle, Russell Graeter, Craig Lindholm, Sherri Weisner, Ina Cooper, Kim Winkler, Alisha Workman, David Bennett, Jim Luther, Evan Milliorn, Mark Lewis

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

INVOCATION: Council Member Mary Jane Shanes

PLEDGE OF ALLEGIANCE: Council Member Philip Thurman

PLEDGE TO TEXAS FLAG: Council Member Philip Thurman

PUBLIC RECOGNITION/SPECIAL REPORTS:

Chamber of Commerce Report: David Bennett introduced the new Chamber Board members and the new Office Coordinator. Mr. Bennett informed Council that the move to the new location had been completed. Mr. Bennett reviewed the calendar of upcoming holiday events and the third quarter Tourism Report.

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 October 14th, 2014 Regular City 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.

PUBLIC HEARINGS: None.

ACTION ITEMS:

Discuss and consider action: A RESOLUTION OF THE CITY OF BURNET APPROVING A CHAPTER 380 AGREEMENT TO PROVIDE ECONOMIC INCENTIVES TO GRAND AVENUE PROPERTIES, LLC., TO STIMULATE BUSINESS OPPORTUNITIES IN THE CITY OF BURNET: D. Vaughn: City Manager David Vaughn requested this item be moved to the beginning of the agenda to accommodate those present. Council Member Philp Thurman made a motion to approve the resolution as presented. Council Member Paul Shell seconded, the motion carried unanimously.

Discuss and consider action: (Tabled item) SECOND AND FINAL READING OF AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 BYREZONING PART OF LOT 4, BLOCK 11, OUT OF THE S711 PETER KERR DONATION FROM ITS PRESENT DESIGNATION OF SINGLE-FAMILY RESIDENTIAL 1—DISTRICT R-1, TO A

DESINGATION OF DUPLEX—DISTRICT R-2; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: M.

Lewis: Council Member Joyce Laudenschlager made a motion to remove the item from the table. Council Member Mary Jane Shanes seconded, the motion carried unanimously. No action further action was taken on the item.

Discuss and consider action: AvFuel Corporation Refueler Lease Agreement: C. Bromley:

Council Member Philp Thurman made a motion to approve the AvFuel Corporation Refueler Lease Agreement as presented. Council Member Paul Shell seconded, the motion carried unanimously.

Discuss and consider action: Appointment of Council Members to the Street Repair Committee:

Mayor Wideman: Council Member Philip Thurman made a motion to approve the appointment of Council Members Mary Jane Shanes and Joyce Laudenschlager to the Street Repair Committee as requested by Mayor Gary Wideman. Council Member Paul Shell seconded, the motion carried unanimously.

Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE 2014-18; THE ORIGINAL BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014, AND ENDING SEPTEMBER 30, 2015 FOR THE CITY OF BURNET, TEXAS, FUNDING ACCOUNTS IN BUDGET DUE TO UNFORESEEN SITUATIONS; CONTAINING FINDINGS PROVIDING FOR SAVINGS AND SEVERABILITY: C. Maxwell: Council Member Joyce Laudenschlager 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: Parking lot agreement with First Baptist Church: D. Vaughn: Council Member Paul Shell made a motion to approve the parking lot agreement with First Baptist Church as presented. Council Member Milton Phair seconded, the motion carried unanimously.

Discuss and consider action: Parking lot agreement with the Church of Christ: D. Vaughn:

Council member Milton Phair made a motion to approve the parking lot agreement with the Church of Christ as presented. Council Member Mary Jane Shanes seconded, the motion carried unanimously.

Discuss and consider action: A RESOLUTION OF THE CITY OF BURNET, TEXAS FINDING THE PROPERTIES LOCATED AT 502 AND 504 SOUTH SILVER STREET TO BE A PUBLIC NUISANCE; FINDING SAID PUBLIC NUISANCE TO CONSTITUTE VIOLATION OF THE PERMANENT INJUNCTION ISSUED IN THE MATTER OF CITY OF BURNET V. TERRY CALHOUN; DIRECTING THE CITY ATTORNEY TO SEEK A FINDING OF CONTEMPT AGAINST THE OWNER OF SAID PROPERTY AND FURTHER DIRECTING THE CITY ATTORNEY TO REQUEST THAT THE COURT AUTHORIZE THE CITY AND ITS ASSIGNS TO ENTER ONTO SAID PROPERTY FOR THE PURPOSE OF CONDUCTING ANY AND ALL ABATEMENT ACTIVITIES NECESSARY TO RESTORE COMPLIANCE WITH THE COURT'S PERMANENT INJUNCTION; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW: M. Lewis: Council Member Milton Phair made a motion to approve the resolution as presented and to extend the deadline date to December 9th, 2014 to allow additional time for compliance. Council Member H. Derek Fortin seconded, the motion carried unanimously.

Discuss and consider action: Planning and Zoning Commission Board Appointment: M. Lewis: Council Member Philip Thurman made a motion to appoint Don Craig Lindholm to the City of Burnet Planning and Zoning Board. Council Member Mary Jane Shanes seconded, the motion carried unanimously.

EXECUTIVE SESSION:

City Manager David Vaughn requested the Council to enter into closed session in accordance with the provision of the Open Meetings Act, Texas Government Code, Chapter 551, Subsection 551.071; Private consultation with the attorney for the City to discuss and consider action of item 4.10: Approval of Change Order for the improvements to Pond B at the Wastewater Treatment Plant.

Council Member Philip Thurman made a motion to convene to Executive Session at 7:04 p.m. Council Member Joyce Laudenschlager seconded, the motion carried unanimously.

Executive Session: The Council reserves the right to enter into closed session in accordance with the provision of the Open Meetings Act, Texas Government Code, Chapter 551, Subsection 551.087; Deliberation Regarding Economic Development Negotiations-Wedding Oak Winery,

LLC: 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.

Council Member Philip Thurman made a motion to reconvene to regular session. Council Member Paul Shell seconded, the motion carried unanimously.

RECONVENE TO REGULAR SESSION FOR POSSIBLE ACTION:

Discuss and consider action: Regarding Economic Development Negotiations with Wedding Oak Winery, LLC: D. Vaughn: No action taken

Discuss and consider action: Approval of Change Order for the improvements to Pond B at the Wastewater Treatment Plant: C. Bromley: Gary Wideman moved to approve the change order in the amount of \$150,000 and to allow for a 180 day extension to the contract time for Pond B only, and to issue a work change directive if the change order is not accepted by Gracon. Council Member Philip Thurman 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: L. Figueroa: Luz Figueroa reviewed the Project Update Report with Council. The 25th Texas Water Development Board Inspection for the Interceptor and Sewer Plan was conducted on October 30th. Work continues to progress toward the February 2015 completion date.

September 2014 Financial Reports: C. Maxwell: Report was reviewed during City Council Workshop meeting.

School Resource Officer Report: P. Nelson: Chief Nelson provided and reviewed the statistics for the quarterly School Resource Officer Report.

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 7:56 p.m., seconded by Council Member Paul Shell, the motion carried unanimously.

Gary Wideman, Mayor

ATTEST:

Kelly Dix, City Secretary