

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

On this the 9<sup>th</sup> day of December, 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: Evan Milliron, Doug Fipps, Danny Lester, Mark Ingram, Paul Nelson, Bettye Foulds, Jamie Walker, Teresa Casey, Brandon Saylor, A.B. Waters, Mark Lewis

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

INVOCATION: Council Member Derek Fortin

PLEDGE OF ALLEGIANCE: Council Member Milton Phair

PLEDGE TO TEXAS FLAG: Council Member Milton Phair

PUBLIC RECOGNITION/SPECIAL REPORTS: None.

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 November 18<sup>th</sup>, 2014 Council Workshop meeting minutes:

Approval of the November 18<sup>th</sup>, 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:

Public Hearing: Rezoning of the property located at 1818 E. Polk Street Burnet, from Single Family Residential "R-1" zoning designation to a zoning designation of "C-2" Medium Commercial: M. Lewis: 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.

ACTION ITEMS:

Discuss and consider action: SECOND 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, 2013, AND ENDING SEPTEMBER 30, 2014 FOR THE CITY OF BURNET, TEXAS, FUNDING ACCOUNTS IN BUDGET DUE TO UNFORESEEN SITUATIONS; CONTAINING FINDINGS, PROVIDING FOR SAVINGS AND SEVERABILITY: D. Vaughn: Council Member Philip Thurman 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 CITY OF BURNET CODE OF ORDINANCES, CHAPTER 70—OFFENSES AND MISCELLANEOUS

PROVISIONS, ARTICLE III—SMOKING, BY REPEALLING SEC. 70-64, PENALTIES; ESTABLISHING A DEFINITION SECTION; ESTABLISHING A NEW SMOKING PROHIBITED SECTION; ESTABLISHING A NEW EXEMPTIONS SECTION; ESTABLISHING A NEW NO SMOKING SIGNAGE SECTION; ESTABLISHING A NEW POSSESSION BY AND SALE TO MINORS SECTION; ESTABLISHING A NEW PENALTIES SECTION; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FINDING COMPLIANCE WITH THE OPEN MEETING ACT, CH 551, LOCAL GOVERNMENT CODE: M. Lewis: Council Member Philip Thurman made a motion to approve the first reading of the ordinance as presented. Council Member Joyce Laudenschlager seconded, the motion carried unanimously.

Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING CHAPTER 106—TRAFFIC AND VEHICLES, ARTICLE V—ABANDONED AND JUNKED VEHICLES OF THE CITY’S CODE OF ORDINANCES; PROVIDING FOR PENALTIES; PROVIDING FOR A CUMULATIVE & CONFLICTS CLAUSE, PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE: M. Lewis: Council Member Philip Thurman 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 ORDINANCE NO. 2012-06 BY REZONING 1818 E POLK STREET WHICH IS FURTHER DESCRIBED AS BEING TRACT I: BEING 5.76-ACRES OF LAND OUT OF THE SARAH ANN GUEST SURVEY, NUMBER 1503, ABSTRACT NUMBER 1525, BURNET COUNTY TEXAS, SAME BEING ALL OF THAT CERTAIN ROSANNE HAYMAN 5.759 ACRE TRACT RECORDED IN DOCUMENT NUMBER 0714443, OFFICIAL PUBLIC RECORDS, BURNET COUNTY, TEXAS, AND TRACT II: BEING A FIVE FOOT WIDE WATERLINE EASEMENT OUT OF THE SARAH ANN GUEST SURVEY, NO. 1503, ABSTRACT NO. 1525 OF BURNET COUNTY, TEXAS ALSO BEING A PORTION OF THAT CERTAIN FRANK FICKETT 46.311 ACRE TRACT DESCRIBED AS TRACT I IN VOLUME 427, PGS. 435-411 AND ALSO BEING A PORTION OF CERTAIN HAROLD D. MORGAN AND JUNE D. MORGAN 5.759 ACRE TRACT RECORDED IN VOL. 434, PGS. 326-331 FROM ITS PRESENT DESIGNATION OF SINGLE-FAMILY RESIDENTIAL 1—DISTRICT “R-1,” TO A DESIGNATION OF MEDIUM COMMERCIAL—DISTRICT “C-2;” PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: M. Lewis: Council Member Milton Phair made a motion to approve the first reading of the ordinance as presented. Council Member Mary Jane Shanes seconded, the motion carried unanimously.

Discuss and consider action: Appointment of the Burnet Proud Committee: C. Bromley: Council Member Philip Thurman moved to approve the appointment of Derek Fortin, two members of the Burnet Chamber of Commerce and two staff Members (to be appointed by the City Manager) to the Burnet Proud ad hoc Committee. Council Member Milton Phair seconded, the motion carried unanimously.

Discuss and consider action: Texas Department of Transportation Airport Project Participation Contract: C. Bromley: Council Member Joyce Laudenschlager made a motion to approve the Texas Department of Transportation Airport Project Participation Contract as presented. Council Member Philip Thurman seconded, the motion carried unanimously.

Discuss and consider action: Appointment of the Burnet Charter Review Committee: K. Dix: Council Member Joyce Laudenschlager made a motion to appoint Stan Hemphill, Rayford Cagle, Donna Kladstrup, Bud Milliorn, Kenneth Graham, Council Member Paul Shell, Council Member Philip Thurman, City Manager David Vaughn, City Attorney Charles Zech and City Secretary Kelly Dix, to the Burnet Charter Review Committee. Council Member Milton Phair seconded, the motion carried unanimously.

Discuss and consider action: Cancellation of the December 23<sup>rd</sup>, 2014 Regular Council Meeting: K. Dix: Council Member Paul Shell made a motion to cancel the December 23, 2014, Regular Council Meeting. Council Member Milton Phair seconded, the motion carried unanimously.

Discuss and consider action: Authorization to execute an Interlocal Agreement with the Capital Area Council of Governments (CAPCOG) for licensing the South Central Planning and Development Commission's (SCPDC) MyPermitNow software: M. Lewis: Council Member Paul Shell made a motion to approve an Interlocal Agreement with the Capital Area Council of Governments (CAPCOG) for licensing the South Central Planning and Development Commission's (SCPDC) MyPermitNow software to be used in the Community Development Department for permit issuance. Council Member Joyce Laudenschlager seconded, the motion carried unanimously.

Discuss and consider action: The LCRA Substation Maintenance Agreement for the City of Burnet: D. Lester: Council Member Milton Phair made a motion to approve the LCRA Substation Maintenance Agreement as presented. Council Member Philip Thurman seconded, the motion carried unanimously.

Discuss and consider action: Retain Veritas Advisory Group to review Gracon schedule on Sewer Plant Project: C. Bromley/D. Vaughn: Council Member Philip Thurman made a motion to approve retaining the Veritas Advisory Group to review the Gracon schedule on the Sewer Plant Project. Council Member Joyce Laudenschlager seconded, the motion carried unanimously.

REPORTS: None.

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.

EXECUTIVE SESSION:

Executive Session: The City of Burnet City Council shall meet in Executive Session in accordance to the provision of the Open Meetings Act, Texas Government Code, Chapter 551, and Sub-section 551.074(a) regarding deliberation on the appointment, employment, evaluation, reassignment, and duties as set out under the City Charter, associated with the position of the City Manager, David Vaughn: Mayor Wideman: Council Member Philip Thurman made a motion to convene to Executive Session at 7:10 p.m. Council Member Joyce Laudenschlager seconded, the motion carried unanimously.

The City Council may take action on any of the matters considered in executive session once the City Council reconvenes in open session.

RECONVENE TO REGULAR SESSION FOR POSSIBLE ACTION:

Discuss and consider action: Regarding the appointment, employment, evaluation, reassignment, and duties of the City Manager as set out under the City Charter associated with the position of City Manager, David Vaughn: Mayor Wideman: No action taken.

REQUESTS FROM COUNCIL FOR FUTURE REPORTS: None.

ADJOURN: There being no further business a motion to adjourn was made by Council Member Milton Phair at 8:26 p.m., seconded by Council Member Mary Jane Shanes, the motion carried unanimously.

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Gary Wideman, Mayor

ATTEST:

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Kelly Dix, City Secretary