

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

On this the 13th day of January, 2015, 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, Derek Fortin
Absent	Joyce Laudenschlager,
City Manager	David Vaughn
City Secretary	Kelly Dix

Guests: Evan Milliorn, Doug Fipps, Danny Lester, Mark Ingram, Paul Nelson, Bettye Foulds, Jamie Walker, A.B. Walters, Mark Lewis, Johnny Simmons, Alan Burdell, Jay Everett, Jason Davis, Crista Bromley, Doug Fipps, Tommy Gaut

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 December 9th, 2014 Council Workshop meeting minutes

Approval of the December 9th, 2014 Regular City Council meeting minutes

Approval of the December 23rd, 2014 Special 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 405 N. Water Street, Burnet, from Single Family Residential “R-1” zoning designation to a zoning designation of “C-1” Light 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 AND FINAL 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 and adopt the ordinance as presented. Council Member Paul Shell seconded, the motion carried unanimously. Discuss and consider action: SECOND AND FINAL 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 Milton Phair made a motion to approve and adopt the ordinance as presented. Council Member Mary Jane Shanes seconded, the motion carried unanimously.

Discuss and consider action: SECOND AND FINAL 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 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 AMENDING ORDINANCE NO. 2012-06 BY REZONING 405 N WATER STREET WHICH IS FURTHER DESCRIBED AS BEING PT. LOT 4; BLOCK 31; PETER KERR PORTION, S7150, FROM ITS PRESENT DESIGNATION OF SINGLE-FAMILY RESIDENTIAL 1—DISTRICT "R-1," TO A DESIGNATION OF LIGHT COMMERCIAL—DISTRICT "C-1;" 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: Findings of the Street Committee: D. Lester: Council Member Milton Phair made a motion to approve the Street Committee's recommendation to reconstruct the four blocks on West and East Marble Street, two blocks on West and East Live Oak Street, One block on East League Street, three blocks on South Vanderveer Street, one block on East Elm Street and three blocks on South Hill Street. Council Member Mary Jane Shanes seconded, the motion carried unanimously.

Discuss and consider action: Authorizing the Burnet Police Department to enter into a contract with VIEVU for the purchase of body cameras: P. Nelson: Council Member Philip Thurman made a motion to authorize the Burnet Police Department to enter into a contract with VIEVU for the purchase of body cameras. Council Member Milton Phair seconded, the motion carried unanimously.

Discuss and consider action: Regarding Resolution R2014-18 which finds the properties located at 502 and 504 South Silver Street to be a public nuisance and finds said public nuisance constitute violation of the permanent injunction issued in the matter of the City of Burnet V. Terry Calhoun: M. Lewis: Pass. No action taken.

Discuss and consider action: An Appeal of Impact Fee Assessment made against 811 N. Water Street under the terms of the City of Burnet Code of Ordinances, Chapter 2, Division 3, Section 2-231; Applicability. The appeal is being made in accordance with provisions established by code of ordinance Section 2-336; Appeals: M. Lewis: Pass. No action taken.

Discuss and consider action: Replat and acceptance of property at Delaware Springs and Oak Vista: D. Vaughn: Council Member Philip Thurman made a motion to authorize the City Manager to proceed with the acceptance of the property donation and the replat of said property, located at Delaware Springs and Oak Vista. Council Member Paul Shell seconded, the motion carried unanimously.

Discuss and consider action: Sherrard Street Water Line Project: D. Vaughn: Council Member Philip Thurman made a motion authorizing staff to decline the loan application invitation from the Texas Water Development Board for the Sherrard Street Water Line Project and to move forward with the bid process. Council Member Paul Shell 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.

REQUESTS FROM COUNCIL FOR FUTURE REPORTS: None.

ADJOURN: There being no further business a motion to adjourn was made by Council Member Mary Jane Shanes at 7:06 p.m., seconded by Council Member Milton Phair, the motion carried unanimously.

Gary Wideman, Mayor

ATTEST:

Kelly Dix, City Secretary