

**REGULAR CALLED MEETING MINUTES
OF THE LLANO CITY COUNCIL
MONDAY
July 6, 2009
5:30 P.M.**

CALL TO ORDER – Mayor Mike Reagor called the meeting to order with the following council members present: J.R. Decker, Tom Dalrymple, LaNell McKinney and Mike Hazel

PLEDGE OF ALLEGIANCE – Led by J.R. Decker

PUBLIC COMMENTS - None

PUBLIC HEARINGS To hear a request for a Specific Use Permit to place a dog grooming business in a Single Family – 2 (SF-2) District. Physical address of property is 1207 Oatman. Legal description is South Addn; Blk 36 N Pt of Lt 145 and S Pt of Lt 144. The public hearing was opened at 5:32 p.m. Mrs. Sandy Williamson was present to answer questions. She advised Council that no animals would be kept overnight and that there were no State regulations regarding having a pet grooming facility in a residence. With there being no further comments, the public hearing was closed at 5:34 p.m.

REPORTS OF ADVISORY BOARDS AND COMMISSIONS - None

OLD BUSINESS

1. **CONSENT AGENDA** – All consent agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda. Information concerning Consent Agenda items is available for public review. Consider approval of Consent Agenda. A motion was made by Mayor Pro Tem Mike Hazel and seconded by Councilman Tom Dalrymple to approve the consent agenda. This motion passed by a unanimous vote.

- a. Discuss and consider approval of May 26, 2009, Special Called City Council Meeting Minutes, June 1, 2009, and June 15, 2009 Regular Called City Council Meeting Minutes
- b. Resolution 2009-07-06 authorizing application for Go Texas Rural Community Bootstrap Bucks Program for Llano County Heritage Festival on October 17, 2009.
- c. 2010 City of Llano Census Resolution

NEW BUSINESS

2. Discuss and consider Ordinance No. 1135 Specific Use Permit No. 329 to place a dog grooming business in a Single Family – 2 (SF-2) District. Physical address of property is 1207 Oatman. Legal description is South Addn. Blk 36 N Pt of Lt 145 and S Pt of Lt 144.

ORDINANCE NO. 1135

AN ORDINANCE OF THE CITY OF LLANO, TEXAS AMENDING ZONING ORDINANCE NO. 735, SECTION 8B-4 AND ESTABLISHING SPECIFIC USE PERMIT NO. 329 ALLOWING A DOG GROOMING BUSINESS IN A SINGLE FAMILY – 2 (SF-2) DISTRICT, PROPERTY AS DESCRIBED HEREIN; WITH STIPULATIONS DESCRIBED HEREIN; AMENDING THE OFFICIAL ZONING MAP; AND PROVIDING FOR A PENALTY, SAVINGS, SEVERABILITY CLAUSE; AND AN EFFECTIVE DATE.

WHEREAS, at its meeting held on the 2nd day of July, 2009, the Planning/Zoning Commission did consider and make recommendations on a certain request for a Specific Use Permit to place a dog grooming business in a Single Family – 2 (SF-2) District. Physical address is 1207 Oatman. Legal description is South Addition Block 36 N Pt of Lt 145 and S Pt of Lt 144; and

WHEREAS, the City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, morals, and general welfare:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LLANO, TEXAS:

**REGULAR CALLED MEETING MINUTES
OF THE LLANO CITY COUNCIL
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Page 2

SECTION I.

That Specific Use Permit No. 329 is hereby established for the premises located at 1207 Oatman Street, Llano, Texas, and more specifically described on the attached Exhibit A, providing for the following use:
Dog Grooming

SECTION II.

That development shall be in accordance with all special conditions, restrictions, and regulations.

None

SECTION III.

That the official Zoning Map of the City of Llano shall be amended to reflect the provisions of this ordinance and in accordance with Section 20.2 of Ordinance No. 735 of the City of Llano, Texas.

SECTION IV.

That any person, firm or corporation violating a provision of this ordinance, upon conviction, is guilty of an offense punishable as provided in the City of Llano Ordinance No. 735, as amended, by a fine not to exceed one thousand dollars (\$1,000); and each day or portion thereof during which the violation is committed, continued or permitted shall be a separate offense.

SECTION V.

That if any section, sub-section, paragraph, clause, phrase, or provision of this ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole or any part or provisions hereof, other than the part so decided to be invalid or unconstitutional.

SECTION VI.

That Ordinance No. 735, otherwise known as the Zoning Ordinance of the City of Llano, as amended, shall remain in full force and effect.

SECTION VII.

That this ordinance shall become and be effective on and after its adoption.

PASSED AND APPROVED this the 6th day of July, 2009.

Mike Reagor, Mayor

ATTEST:

Kerry Williams, City Secretary

A motion was made by Councilman Tom Dalrymple and seconded by Councilman J.R. Decker to approve Ordinance No. 1135 and Specific Use Permit No. 329. This motion passed by a unanimous vote.

3. Discuss and consider Ordinance 1137 vacating, abandoning, closing, and selling 150 feet of alley behind lots 6, 7, and 8, Block 65, Holden Addition to the City of Llano, Texas.

**ORDINANCE NO. 1137
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LLANO, TEXAS,
VACATING, ABANDONING, CLOSING, AND SELLING 3000 SQUARE FEET OF ALLEY BEHIND LOTS 6,7, AND
8, BLOCK 65, HOLDEN ADDITION TO THE CITY OF LLANO**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LLANO, TEXAS, THAT:

SECTION 1. The City Council recognizes receipt of petition from abutting property owner Grace Cagle Wood in which abandonment and selling of 3000 square feet of alley in Block 65, Holden Addition is requested. That the petition duly presented to the City Council of the City of Llano, Texas by all the owners of real property abutting the alley in Block 65, Holden Addition requesting that 3000 square feet of said alley be vacated, abandoned and closed is in all respects received. The portion of the alley to be vacated, abandoned, closed and sold to the Petitioner is further described in Exhibit "A" attached hereto and incorporated herein for all purposes.

SECTION 2. The City of Llano has studied the requested abandonment in view of safety, health and other considerations, and has determined that the public interest would be served if the request is approved.

SECTION 3. Property owner, Grace Cagle Wood, has agreed to pay fair market value for the land.

SECTION 4. Pursuant to the said abandonment request, from and after the effective date of this Ordinance, the portion of the alley described in Exhibit "A," attached hereto and incorporated herein for all purposes, shall be and the same is hereby vacated, abandoned and closed, except with regard to any existing utility lines and facilities, for which an easement shall be reserved by the City.

SECTION 5. The City Council authorizes the Mayor to execute the necessary documents to vacate, abandon, close and convey the portion of the alley proceeding from Sheffield Avenue going West for 150 feet in Block 65, Holden Addition described herein to the property owner, and to reserve an easement for utilities within said portion of alley.

SECTION 6. The City Council hereby finds that the above-described public right-of-way is not needed, with the exception of the utility easement, and the City Council hereby deems that it is in the best interest of the public to vacate, abandon, close and sell the portion of alley in Block 65, Holden Addition as described herein.

PASSED AND APPROVED this the 6th day of July, 2009.

Mike Reagor, Mayor

ATTEST:

Kerry Williams, City Secretary

**REGULAR CALLED MEETING MINUTES
OF THE LLANO CITY COUNCIL
MONDAY
July 6, 2009
5:30 P.M.**

Page 4

A motion was made by Councilman J.R. Decker and seconded by Councilman Tom Dalrymple to approve Ordinance 1137. This motion passed by a unanimous vote. A directive was given to staff to contact adjoining property owners along the other end of the alley to inquire as to whether they are interested in purchasing the alley on that end.

4. Discuss and consider approval of Ordinance 1136 authorizing crosswalks in the 900 block of Berry and the 800 block of Wright Street.

ORDINANCE NO. 1136

AN ORDINANCE OF THE CITY OF LLANO, TEXAS; AUTHORIZING CROSS WALKS IN THE 900 BLOCK OF BERRY AND THE 800 BLOCK OF WRIGHT STREET; AND PROVIDING PENALTIES FOR VIOLATION OF THIS ORDINANCE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LLANO, TEXAS:

- SECTION 1:** All traffic control signs and crosswalks used for the purpose of directing and controlling traffic within the corporate limits of the City of Llano shall conform to the requirements for such signs and crosswalks as described in the Texas Manual on Uniform Traffic Control Devices for Streets and Highways, Volume I and II, and Article 7601d, Vernon's Civil Statutes for the State of Texas.
- SECTION 2.** Whereas currently no crosswalks exist in the 900 Block of Berry and the 800 Block of Wright Street.
- SECTION 3.** It shall be unlawful for the driver of any vehicle, motor or otherwise, to disobey the instruction of the crosswalk signs placed in accordance with this ordinance, unless otherwise directed by a law enforcement officer.
- SECTION 4.** Any person who is convicted of violating the terms and provisions of this ordinance shall be deemed guilty of a misdemeanor and shall be subject to fine of not more than five hundred dollars (\$500.00).
- SECTION 5.** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed. If any ordinance is found to be invalid by a court of competent jurisdiction, it shall not affect the validity and application of the remaining provisions thereof.

PASSED, APPROVED AND ADOPTED THIS 15th day of June 2009.

Mike Reagor, Mayor

ATTEST:

Kerry Williams, City Secretary

A motion was made by Mayor Pro Tem Mike Hazel and seconded by Councilman Tom Dalrymple to approve Ordinance 1136. This motion passed by a unanimous vote.

5. Discuss and consider approval of Ordinance 1138 amending Ordinance 1105 Water Conservation and Drought Contingency Plan, Section III, Stage 1 Response – Mild Water Shortage Conditions, Voluntary Water Use Restrictions: 1., Stage 2 Response – Moderate Water Shortage Conditions, Water Use Restrictions 1; with Stipulations Described Herein; and an effective Date.

ORDINANCE NO. 1138

DISCUSS AND CONSIDER ORDINANCE NO. 1138 AMENDING ORDINANCE NO. 1105 WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN, SECTION VIII, STAGE 1 RESPONSE – MILD WATER SHORTAGE CONDITIONS, VOLUNTARY WATER USE RESTRICTIONS: 1., STAGE 2 RESPONSE –

MODERATE WATER SHORTAGE CONDITIONS, WATER USE RESTRICTIONS 1; WITH STIPULATIONS DESCRIBED HEREIN; AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LLANO, TEXAS, that these amendments to the Water Conservation and Drought Contingency Plan, are in the best interest of the public health, safety and welfare:

Stage 1 Response – Mild Water Shortage Conditions

Goal: Limit the daily pumpage at the water treatment plant to 1.2 million gallons per day.

Voluntary Water Use Restrictions:

1. Water customers are requested to voluntarily limit the irrigation of landscaped areas with automatic irrigation systems and hose-end sprinklers to twice per week on the designated water day during the hours of 12 Midnight to 10 AM and 7 PM to 12 Midnight.

Designated Watering Days	
Odd Numbered Addresses	Wednesday and/or Saturday
Even Numbered Addresses	Thursday and/or Sunday
Commercial, Multi-family	Tuesday and/or Friday

Stage 2 Response – Moderate Water Shortage Conditions

Goal: Limit the daily pumpage at the water treatment plant to 1.0 million gallons per day.

Water Use Restrictions: Under threat of penalty for violation, the following water use restrictions shall apply to all persons:

1. Water customers shall limit the irrigation of landscaped areas with automatic irrigation systems or hose-end sprinklers to twice per week on the designated water day during the hours of 12 Midnight to 10 AM and 7 PM to 12 Midnight.

Designated Watering Days	
Odd Numbered Addresses	Wednesday and/or Saturday
Even Numbered Addresses	Thursday and/or Sunday
Commercial, Multi-family	Tuesday and/or Friday

That should any section or any portion of any section hereof be decreed to be void, the invalidity of such section or such portion thereof shall not affect the validity of the remaining portions of Ordinance 1035; and that each section and each portion thereof not decreed to be invalid shall remain valid and enforceable.

That all ordinances and parts of ordinances that are in conflict with the ordinance are hereby repealed and that this Ordinance is here and now passed, and that it is ordered that it take effect from and after its passage and publication.

PASSED AND APPROVED this 6th day of July, 2009.

Mike Reagor, Mayor

ATTEST:

Kerry Williams, City Secretary

A motion was made by Councilman J.R. Decker and seconded by Councilman Tom Dalrymple to approve Ordinance 1138. This motion passed by a unanimous vote.

6. Discussion only – Report on Budget. City Manager Finley deGraffenried advised the Council that he would like to have

**REGULAR CALLED MEETING MINUTES
OF THE LLANO CITY COUNCIL
MONDAY
July 6, 2009
5:30 P.M.**

Page 6

Council do a survey of what items they consider important for the upcoming Fiscal Year budget. He advised that the Council will have a budget workshop to discuss utility rates. He advised that it would be an educational meeting. He told Council that he proposes to have the preliminary budget to Council on August 3, 2009.

7. Discuss and consider purchase of 2000 F-350 Diesel with service body, 117,000 miles, \$12,500.00 for Water/Wastewater Department. A motion was made by Councilman Tom Dalrymple and seconded by Mayor Pro Tem Mike Hazel to approve the purchase of the 2000 F-350 Diesel with service body for \$12,500.00. This motion passed by a unanimous vote.
8. Discuss and consider appointment to Planning/Zoning Commission. A motion was made by Councilwoman LaNell McKinney and seconded by Councilman Tom Dalrymple to appoint Diane Firestone to the Planning/Zoning Commission. This motion passed with Councilwoman LaNell McKinney, Councilman Tom Dalrymple and Mayor Pro Tem Mike Hazel voting for and Councilman J.R. Decker voting against the motion.
9. Discuss and consider appointment to Llano County Appraisal District Board. A motion was made by Mayor Pro Tem Mike Hazel and seconded by Councilman J.R. Decker to appoint Stacey Nobles to the Llano County Appraisal District Board. This motion passed by a unanimous vote.
10. Discuss and consider appointment to fill vacant position on City Council.
Pursuant to the provision of the Open Meeting Law, Chapter 551, Government Code, in accordance with the authority contained in Section 551.074 – Personnel Matters – for the purpose of deliberating desired qualities of a public officer to fill position on City Council, the Llano City Council may convene into closed executive session. A motion was made by Mayor Pro Tem Mike Hazel and seconded by Councilman Tom Dalrymple to appoint Gordon Hefner to fill vacant position on City Council. This motion passed by a unanimous vote.

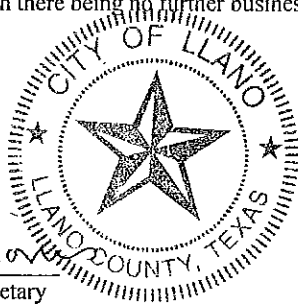
ITEMS FROM COUNCIL

STAFF REPORTS – City Manager Finley deGraffenried reports:

Red Top Jail
Contractor's Roster
Report on Buford – Mr. deGraffenried reported that Buford (the retired city police cruiser) will be retired from City service.
Report on Airport Fence – Mr. deGraffenried reported that the Airport fence contract had been let. The low bid was for \$134,000.
Water Use – Mr. deGraffenried reported that there have been flow meter problems. Mayor Mike Reagor advised that unaccounted for water affects our ability to grow. He advised against wasting water.

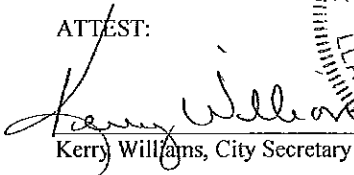
ANNOUNCEMENTS

ADJOURNMENT – With there being no further business the meeting was adjourned at 6:25 p.m.



Mayor Mike Reagor

ATTEST:


Kerry Williams, City Secretary