MINUTES

BOARD OF COMMISSIONERS

The Board of Commissioners of the City of Burkburnett, Texas met in a Special Called Charter Review Workshop/Meeting on Thursday, November 1, 2012 at 3:00 p.m. in the Council Chambers of the City Hall, 501 Sheppard Road, Burkburnett, Texas. The meeting was open to the public with notice being given in compliance with the Open Meetings Act. The following Commissioners were present:

Carl Law	Mayor
Bill Lindenborn	Mayor Pro-Tem
Josh Andrajack	Commissioner
Randy Brewster	Commissioner
Don Hardy	Commissioner
Marguerite Love	Commissioner
Michael Tugman	Commissioner

Others present: Tim James, City Manager; Trish Holley, Director of Administration; and Janelle Dolan, City Clerk.

Item 1. Mayor Law called the meeting to order and welcomed the visitors.

Item 2. Discussion was held on the choice selection for the Charter Review Committee.

Item 3. City Manager Comments.

Item 4. Commission comments.

Item 5. Motion was made by Commissioner Tugman, seconded by Commissioner Lindenborn to adjourn. Motion carried unanimously.

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Carl Law, Mayor

ATTEST:

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Janelle Dolan, City Clerk

MINUTES
BOARD OF COMMISSIONERS

The Board of Commissioners of the City of Burkburnett, Texas met in a special called meeting on Thursday, November 1, 2012 at 6:00 p.m. in the Council Chambers of the City Hall, 501 Sheppard Road, Burkburnett, Texas. The meeting was open to the public with notice being given in compliance with the Open Meeting Act. The following Commissioners were present:

Carl Law	Mayor
Bill Lindenborn	Mayor Pro-Tem
Josh Andrajack	Commissioner
Randy Brewster	Commissioner
Don Hardy	Commissioner
Marguerite Love	Commissioner
Michael Tugman	Commissioner

Others present: Tim James, City Manager; Trish Holley, Director of Administration; and Janelle Dolan, City Clerk.

Item 1. Mayor Law called the meeting to order.

Item 2. Invocation was given by Commissioner Love.

Item 3. The Pledge of Allegiance was led by Commissioner Tugman.

Item 4. Resolution Number 535 was presented in its entirety. A resolution authorizing an economic incentive agreement between the Burkburnett Development Corporation and Bent Penny, 2nd and final reading.

Motion was made by Commissioner Hardy, seconded by Commissioner Andrajack to approve Resolution Number 535 as presented. Motion carried unanimously.

Item 5. Resolution Number 539 was presented in its entirety. A resolution authorizing the City of Burkburnett to sell the following properties by sealed bids pursuant to Sections 34.05(a) and (b) of the Texas Property Tax Code and the Texas Rules of Civil Procedure: 122 W. 1st Street, E. 4th Street, 201 W. 5th Street, 406 E. 9th Street, 132 N. Ave. F, Mobile Home located at 132 Ave. F, 607 N. Cottonwood, 506 W. 6th Street, 213 W. 5th Street, 511 E. 5th Street, 303 W. 5th Street, Bishop Road, 811 N. Ave D, 101 Freeman, and 203 Linden.

Motion was made by Commissioner Lindenborn, seconded by Commissioner Love to approve Resolution Number 539 as presented. Motion carried unanimously.

Item 6. SGR consults, Ron Robinson and Rob Franke, presented an overview of their findings and recommendations after evaluating the structure and working relationship and the use of best practices between the City and the Burkburnett Development Corporation (BDC).

The following addressed the Mayor and Commissioners:

Keith Myers, President of BDC, 1200 Amherst, Burkburnett
Bob Franklin, BDC Board Member, 1439 Sioux

No action was taken.

Item 7. Mr. James addressed the Mayor and Commissioners reported that in order to construct the Cemetery Pavilion, the two existing storage buildings and siren must be removed. The cost for the proposed work will come from the cemetery fund and not from the general operation budget. The City has received the following bids:

Relocate siren-$5,900 (Cheney Electric)
Storage Building-$14,750 (Texoma Steel Buildings)

Motion was made by Commissioner Lindenborn, seconded by Commissioner Hardy to accept the bids for the proposed work at the Cemetery. Motion carried unanimously.

Item 8. Mayor Law closed the meeting at 7:23 p.m. and opened the Executive Session pursuant to the Texas Open Meetings Act, Chapter 551 of the Texas Government Code; the Board of Commissioners may convene in Executive Session regarding the following matters:

A. SECTION 551.074 – Personnel Matters
   a. Duties of Public Works Director

Item 9. Mayor Law reconvened the regular meeting at 7:38 p.m.

Motion was made by Commissioner Hardy, seconded by Commissioner Tugman to move the existing Parks, Recreation, and Cemetery Operations under the Director of Public Works and that he receive an increase in salary to compensate for the additional duties. Motion carried unanimously.

Item 10. City Manager's report.

A. TML-scheduled for November 13-16

B. Pool Projects-working on RFQ's for several companies. The Parks and Recreation Advisory Board will make a recommendation to the Board of Commissioners.
C. Pavilion Project-contracts have been awarded for the Cemetery Pavilion and Mr. James will let the Board of Commissioners know when the groundbreaking day is set.
D. Auditors-will be here on Monday.

Item 11. Commissioner's Comments.

Item 12. Motion was made by Commissioner Tugman, seconded by Commissioner Hardy to adjourn. Motion carried unanimously.

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Carl Law, Mayor

ATTEST:

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Janelle Dolan, City Clerk

MINUTES
BOARD OF COMMISSIONERS

The Board of Commissioners of the City of Burkburnett, Texas met in a special called meeting on Tuesday, November 13, 2012 at 8:00 a.m. at 104 W. Third, Burkburnett, Texas. The meeting was open to the public with notice being given in compliance with the Open Meeting Act. The following Commissioners were present:

Bill Lindenborn Mayor Pro-Tem

Mayor Law; and Commissioners Andrajack, Brewster, Hardy, Love and Tugman were not present.

No action was taken by the Commissioners on any of the following Burkburnett Development Corporation agenda items listed below.

Item 1. Meeting called to order.

Item 2. Roll call.

Item 3. Discuss approval of minutes.
- October 9, 2012 Regular Meeting Minutes
- October 30, 2012 Distribution Committee Meeting Minutes

Item 4. Discuss October 2012 financials.

Item 5. Discuss SGR Consultant Report.

Item 6. Discuss Resolution 2012-11. A resolution authorizing five signatures at First Bank.

Item 7. Discuss economic development negotiations/incentives for A Piece of Cake by Nikki Lynn.

Item 8. Discuss progression of Southern Star, Inc. project.

Item 9. Discuss agreement with Beltech Global, Inc.

Item 10. Discuss agreement with Burkburnett/Wichita Falls KOA.

Item 11. Discuss Committee Appointments.

Item 12. Director's Report
- ICSC Conference
- Postcards for Small Business Classes

Item 13. Personal Audience Comments to Board Members/Comments on Agenda Items.

Item 14. Board Member Comments

Item 15. Adjournment

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Carl Law, Mayor

ATTEST:

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Janelle Dolan, City Clerk

MINUTES

BOARD OF COMMISSIONERS

The Board of Commissioners of the City of Burkburnett, Texas met in a regular meeting on Monday, November 19, 2012 at 7:00 p.m. in the Council Chambers of the City Hall, 501 Sheppard Road, Burkburnett, Texas. The meeting was open to the public with notice being given in compliance with the Open Meetings Act. The following Commissioners were present:

Carl Law	Mayor
Bill Lindenborn	Mayor Pro-Tem
Josh Andrajack	Commissioner
Randy Brewster	Commissioner
Don Hardy	Commissioner
Marguerite Love	Commissioner
Michael Tugman	Commissioner

Others present: Tim James, City Manager; Trish Holley, Director of Administration; Janelle Dolan, City Clerk; and Ed Stahr, Lieutenant Police Department;

Item 1. Mayor Law called the meeting to order and welcomed the visitors.

Item 2. Invocation was given by Mark Simons, Pastor of Jan Lee Baptist Church.

Item 3. The Pledge of Allegiance was led by Commissioner Lindenborn.

Item 4. Consent Agenda.

A. Approval of Minutes from October 9 Special Called Meeting and October 15, 2012.

Motion was made by Commissioner Brewster seconded by Commissioner Hardy to approve Consent Agenda 4.

Ayes: Mayor Law; and Commissioners Andrajack, Brewster, Hardy, Love, and Tugman.
Abstained: Commissioner Lindenborn
Motion passed.

Item 5. Tim James, City Manager, addressed the Mayor and Commissioners and stated the current AMR Contract is set to expire in November 2012. The EMS

Advisory Board includes the City Managers from Wichita Falls, Burkburnett, Iowa Park, the Fire Chief from Wichita Falls, County Judge, three At-Large appointments and one physician. The Burkburnett representatives are Mr. James and Dan King. The EMS Advisory Board has recommended approval of a new five-year contract. Mr. James stated the City's cost is $2,500 which represents 5% of the total contract price and will be same for FY2013 and each subsequent year the contract will increase by 3.8%.

Motion was made by Commissioner Tugman, seconded by Commissioner Lindenborn. Motion carried unanimously.

Item 6. Mr. James explained there are several Zoning Board of Adjustment (ZBA) Board members whose terms are expiring in November. This Board is appointed by the Board of Commissioners. The Board members whose terms are expiring are: Bob Parker (Chair), Mickey Cornelius (Vice-Chair), and Angie Robertson in addition to alternates Glenn Whaley and Glen Hutchinson. Bob Parker, Mickey Cornelius, and Glenn Whaley (alternate only) have indicated they are willing to serve again and Angie Robertson and alternate Glen Hutchinson have indicated they no longer want to serve.

Motion was made by Commissioner Andrajack, seconded by Commissioner Love to defer action on this item until the regular December meeting to allow time to advertise for citizens to apply or Commissioners to submit a name. Motion carried unanimously.

Item 7. Mr. James addressed the Board and Commissioners and stated Mike Avey has been the City's representative on the Wichita Appraisal District and his term is expiring on December 31, 2012. Mr. James stated Mr. Avey also serves as the representative for both the City and Burkburnett ISD.

Motion was made by Commissioner Tugman, seconded by Commissioner Andrajack to re-appoint Mike Avey to serve as Burkburnett's representative on the Wichita Appraisal District of Directors for a two-year term. Motion carried unanimously.

Item 8. Ordinance Number 823 was presented. Caption of same being:

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS AMENDING CHAPTER 96-NUISANCES OF THE CODE OF ORDINANCES MAKING IT AN OFFENSE TO DEPOSIT, PLACE OR DUMP TRASH, GRASS CLIPPINGS, REFUSE, DEBRIS, TIN CANS, GLASS, WORN OUT AUTOMOBILE PARTS, WASTE MATERIAL ON ANY KIND OR CHARACTER UPON THE STREETS, ALLEYS OR PUBLIC LANDS WITHIN THE CITY LIMITS OF BURKBURNETT; PROVIDING A

PENALTY FOR THE VIOLATION OF SUCH OFFENSES; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE; FINDING AND DETERMINING THAT THE MEETING THIS ORDINANCE IS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

Mr. James addressed the Mayor and Commissioners and stated Commissioner Lindenborn had requested staff evaluate the options for establishing regulations to prohibit the intentional placement of grass and leaves in the right-of-way by residents. Mr. James stated Ordinance Number 823 amends Chapter 96 of the Code of Ordinances and prohibits the dumping of waste material in the public right-of-way and also prohibits the intentional placement of grass and leaves in the public right-of-way.

Motion was made by commissioner Lindenborn, seconded by Commissioner Tugman to approve Ordinance Number 823 as presented. Motion carried unanimously.

Item 9. Ordinance Number 830 was presented. Caption of same being:

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS ADDING CHAPTER 75-GOLF CARTS FOR CHRISTMAS PARCEL DELIVERY TO THE CODE OF ORDINANCES ALLOWING THE USE OF GOLF CARTS ON CITY STREETS FOR CHRISTMAS PARCEL DELIVERY WITHIN THE CITY LIMITS OF BURKBURNETT; PROVIDING A PENALTY FOR THE VIOLATION OF SUCH OFFENSES; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE; FINDING AND DETERMINING THAT THE MEETING THIS ORDINANCE IS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

Mr. James addressed the Mayor and Commissioners and explained Ordinance Number 830 specifies the regulations for allowing golf carts for Christmas Parcel Delivery which was approved at the October Commissioners meeting.

Motion was made by Commissioner Brewster, seconded by Commissioner Tugman to approve Ordinance Number 830 with the addition of having the golf carts clearly marked with who they represent for Christmas Parcel Delivery. Motion carried unanimously.

Item 10. Mr. James addressed the Mayor and Commissioners and explained Resolution Number 540 reflects the organizational changes that were approved by the Board of Commissioners at the November 1, 2012 meeting. Mr. James stated the Resolution reflects the removal of Parks and Recreational Director as Senior Staff and changed the name of Comptroller to Director of Administration.

The following addressed the Mayor and Commissioners:
Mark Ewell, 203 South Holly, Burkburnett, TX
Michael Bunton, 1118 Sheppard Rd., Burkburnett

Motion was made by Commissioner Tugman, seconded by Commissioner Lindenborn to approve Resolution Number 540 as presented. Motion carried unanimously.

Item 11. Mr. James addressed the Mayor and Commissioners and stated during the Board of Commissioners' workshop conducted on November 1st, the Commission discussed options for selecting the Charter Review Committee. The City Attorney has recommended that the Commission formally approve the process. The proposed process would include:

- Each Commissioner will select up to 18 names for the list of all applicants and provide it to staff.
- Staff will take the information from each Commissioner and will compile a comprehensive list. The list will include a score for each applicant based on the number of times each applicant was selected by a Commissioner
- At the Dec 17th Board of Commissioners meeting, staff will read the names selected on each Commissioners list in alphabetical order. Staff will also read the list of applicants with their respective total scores.
- The Board of Commissioners can then make a motion and select 15 applicants based on the results of the list.

Motion was made by Commissioner Andrajack, seconded by Commissioner Tugman to approve the proposed Charter Review Committee selection process. Motion carried unanimously.

The following addressed the Mayor and Commissioners:
Mark Ewell, 203 South Holly, Burkburnett

Item 12. Mr. James addressed the Mayor and Commissioners stating Mayor Law has requested the Board of Commissioners consider amending the Burkburnett Development Corporation (BDC) bylaws to:

- Remove Board of Commissioners as ex-officio members
- Require the BDC to use the City Attorney for legal advice and review

Motion was made by Commissioner Tugman, seconded by Commissioner Brewster to remove Board of Commissioners as ex-officio members of the BDC.

Motion was then made by Commissioner Lindenborn, seconded by Commissioner Love to remove Board of Commissioners as voting members of the BDC.
Mr. James stated the BDC bylaws don't require there be two Board of Commissioners on the BDC Board only that there cannot be more than two Board of Commissioners on the BDC Board. Commissioner Lindenborn withdrew his motion.

The Mayor then took vote on the first motion. Motion carried unanimously.

Commissioner Tugman made motion, seconded by Commissioner Hardy to require the BDC to use the City Attorney for legal advice and review. Motion carried unanimously.

Commissioner Andrajack made a motion, seconded by Commissioner Tugman to change the authorization to up to eight (8) additional ex-officio members on the BDC Board of Directors with four(4) terms expiring in even years and four (4) terms expiring in even years. Motion carried unanimously.

Item 13. Review of monthly reports.

A. Administration- Trish Holley, Director of Administration reported sales tax continues to increase over last year. Ms. Holley stated for the month of October, the City received $1300 over last year's amount. Ms. Holley also reported the City is now fully staffed.
B. Public Works-
C. Public Safety- Lt. Stahr presented the Asset Forfeiture Fiscal Year Budget and also introduced the new officer, Keenan Stubblefield.

Item 14. Public Comments.

The following addressed the Mayor and Commissioners:
Mark Ewell, 203 South Holly, Burkburnett, TX

Item 15. City Manager's report.

A. Calendar-Mr. James stated City Hall will be closed on November 22nd and 23rd for the Thanksgiving Holidays; the proposed date of the Cemetery Pavilion groundbreaking is November 28th at 4pm; the City Christmas Party has been moved to December 13th; and City Hall will be closed on December 24th and 25th for the Christmas Holidays.
B. Bids for properties-Mr. James stated there were no bids received for the properties that were advertised.
C. Holiday Schedule-covered under calendar.

Item 16. Commission comments.

Item 17. Motion was made by Commissioner Brewster, seconded by Commissioner Tugman to adjourn. Motion carried unanimously.

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Carl Law, Mayor

ATTEST:

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Janelle Dolan, City Clerk