

AGENDA

Notice is hereby given of a meeting of the Board of Commissioners of Burkburnett to be held on **Monday, August 19, 2013 at 7:00 p.m.** at City Hall-Council Chambers, 501 Sheppard Road, Burkburnett, Texas for the purpose of considering the following agenda items. The Board of Commissioners may discuss and take action on any item on this agenda. The Board of Commissioners reserves the right to meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

The public may speak on items listed on the posted agenda. All persons desiring to address a specific agenda item must submit an "Appearance before the City Commissioners" form prior to the reading of the item to the City Clerk, Janelle Dolan. The Mayor will allow comments before each agenda item for which they have requested to be heard. Comments will be limited to three (3) minutes with a maximum two (2) minute extension following approval by a majority of the members of the Board of Commissioners.

Item 1. Mayor: Call meeting to order.

Item 2. Invocation-Liz Talbert, Pastor First United Methodist Church

Item 3. Pledge of Allegiance.

Item 4. CONSENT AGENDA:

- A. Approval of Minutes July 15, 2013.
- B. Approval of DIR/CTS updated service agreement.

Item 5. Discuss and take any action necessary on appointment to Parks and Recreation Board.

Item 6. Mayor to close regular meeting and open "Public Hearing" for the following Planning & Zoning Commission Case:

- A. Case #2013-12, rezone application for 200 Blk. of W. Williams, from Single Family Residential-6 (SF-6) to Residential (R-2).
- B. Case #2013-14, Specific Use Permit for 931 Red River Expressway, for sales of firearms.

Item 7. Mayor to close Public Hearing and reopen the regular meeting and take action on Planning & Zoning Commission Case:

- A. Case #2013-12, rezone application for 200 Blk. of W. Williams, from Single Family Residential-6 (SF-6) to Residential (R-2).
- B. Case #2013-14, Specific Use Permit for 931 Red River Expressway, for sales of firearms.

Item 8. Discuss and take any action necessary on ad valorem tax rate for proposed fiscal year 2013-2014 and take record vote.

Item 9. Mayor to close regular meeting and open "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(a)-Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

a. Employment of Economic Development Director

Item 10. Reconvene to regular session and take action, if any, on matters discussed in Executive Session.

Item 11. Review of monthly reports.

- A. Administration
- B. Public Works
- C. Public Safety

Item 12. Public Comments.

The Board of Commissioners invites citizens to speak on any topic.

Please fill out an "Appearance before City Commissioners" form in order to address the Commissioners and turn the form in prior to 7:00 p.m. to City Clerk, Janelle Dolan.

Public Comments are limited to five minutes. Time limits can be adjusted by the Mayor as to accommodate more or fewer speakers.

Unless the item is specifically noted on this agenda, the Board of Commissioners is required under the Texas Open Meetings Act to limit its response to one of the following:

*Responding with a statement of specific factual information given in response to the inquiry or a recitation of existing policy on that issue in response to the inquiry.

Item 13. City Manager's report.

A. City Manager Search

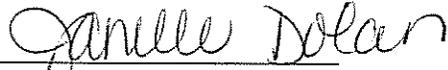
Item 14. Commissioner's Comments.

Pursuant to Government Code Section 551.0415, City Commissioner Members may make a report about items of Community interest during a meeting of the governing body without having given notice of the report. Items of community interest include:

- *Expressions of thanks, congratulations, or condolence;
- *Information regarding holiday schedules;
- *An honorary or salutory recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of the person's public office of public employment is not an honorary or salutory recognition for purposes of this subdivision;
- *A reminder about an upcoming event organized or sponsored by the governing body;
- *Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and
- *Announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

Item 15. Adjournment.

I, Janelle Dolan, City Clerk for the City of Burkburnett, Texas do hereby certify that I posted this agenda on the glass front door of the City Hall, facing the outside at 12:30 p.m. on Wednesday, August 14, 2013 in compliance with the Open Meeting Act Chapter 551.



Janelle Dolan, City Clerk

Posted 8/14/2013@ 12:30pm

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodation or interpretive services must be made 72 hours prior to this meeting. Please contact the City Clerk's office at (940) 569-2263 for further information.

MINUTES

BOARD OF COMMISSIONERS

The Board of Commissioners of the City of Burkburnett, Texas met in a regular meeting on Monday, July 15, 2013 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
Randy Brewster	Commissioner
Don Hardy	Commissioner
Marguerite Love	Commissioner
Michael Tugman	Commissioner

Commissioner Andrajack was not present.

Others present: Chester Nolen, Interim City Manager; Trish Holley, Director of Administration; Mike Whaley, Director of Public Works; Janelle Dolan, City Clerk; and Chief Mike Tracey, Police Department.

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

Item 2. Invocation was given by Jim Zug, Pastor of First Christian Church.

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

Item 4. Consent Agenda.

- A. Approval of Minutes June 6 and June 13 Special Called Meetings, June 17 Regular Meeting, and June 24, 2013 Special Called Meeting.

Motion was made by Commissioner Love seconded by Commissioner Hardy to approve Consent Agenda 4. Motion carried unanimously.

Mayor Law moved up Items 14 and 15.

Item 14. Ordinance Number 838 was presented in its entirety. An ordinance authorizing the issuance of "City of Burkburnett, Texas, Waterworks and Sewer System Revenue Bonds, New Series 2013". Nick Bulaich, Senior Vice President First Southwest, addressed the Mayor and Commissioners and reported the City of Burkburnett received an A rating from Standard & Poor's Rating Services. Mr.

Bulaich stated that two conforming bids were received and he recommended approval of the bid received from BOSCH, Inc. which offered an interest rate of 3.90%.

Motion was made by Commissioner Tugman seconded by Commissioner Lindenborn to adopt Ordinance Number 838 authorizing the issuance of “City of Burkburnett, Texas, Waterworks and Sewer System Revenue Bonds, Series 2013”; approving and authorizing the execution of a Paying Agent/Registrar Agreement and approving and authorizing the distribution of an Official Statement in relation to such Bonds. Motion carried unanimously.

Item 15. Ordinance Number 839 was presented in its entirety. An ordinance authorizing the issuance of “City of Burkburnett, Texas, General Obligation Bonds, Series 2013”. Nick Bulaich, Senior Vice President First Southwest, addressed the Mayor and Commissioners and reported the City of Burkburnett received an A+ rating from Standard & Poor’s Rating Services. Mr. Bulaich stated that four conforming bids were received and he recommended approval of the bid received from SAMCO Capital Markets, which offered an interest rate of 3.92%.

Motion was made by Commissioner Tugman seconded by Commissioner Hardy to adopt Ordinance Number 839 authorizing the issuance of “City of Burkburnett, Texas, General Obligation Bonds, Series 2013”; approving and authorizing the execution of a Paying Agent/Registrar Agreement and approving and authorizing the distribution of an Official Statement in relation to such Bonds. Motion carried unanimously.

Item 5. Mike Whaley, Director of Public Works, addressed the Mayor and Commissioners and reported the term for Zoning Board and Adjustments member David Nix expired on June 20th and Mr. Nix has indicated a desire to continue serving on the Board.

Motion was made by Commissioner Love seconded by Commissioner Lindenborn to reappoint David Nix to the Zoning Board of Adjustments. Motion carried unanimously.

Item 6. Mayor Law closed the regular meeting at 7:28 p.m. and opened the “Public Hearing” for the following Planning & Zoning Commission Case:

- A. Case #2013-13, Specific Use Permit for 302 S. Ave D., for vehicle storage.

Mike Whaley, Public Works Director, addressed the Mayor and Commissioners stating Brian Rush submitted an application to expand the current Specific Use Permit (SUP) for 306 S. Ave D which allows for an Auto collision repair facility.

Mr. Rush has purchased 302 S. Ave D and would like to expand his existing business and operation. Mr. Whaley stated this amendment would allow Mr. Rush to utilize the 302 S. Ave D address with the same provisions set forth in the original SUP which states “no damaged or disabled vehicles or parts to be left outside of fenced area should be visible from any street and shall adhere to all TCEQ requirements and regulations”. Mr. Whaley stated the property is zoned commercial which allows an Auto Collision repair facility by SUP and is in harmony with the Comprehensive future land use plan. Mr. Whaley reported there was no opposition at the Planning and Zoning public hearing and the Planning and Zoning Board voted unanimously to approve the request.

The following addressed the Mayor and Commissioners:

Brian Rush, 1406 Quail Run, owner of Brian’s Paint and Body

Item 7. Mayor Law closed the “Public Hearing” at 7:33 p.m. and reopened the regular meeting to take action on the Planning & Zoning Commission Case:

- A. Case #2013-13, Specific Use Permit for 302 S. Avenue D, for vehicle storage.

Motion was made by Commissioner Brewster seconded by Commissioner Hardy to approve Case#2013-13, Specific Use Permit for 302 S. Avenue D., for vehicle storage. Motion carried unanimously.

Item 8. Mr. Whaley addressed the Mayor and Commissioners and stated Sharon Bankhead, whose term would have ended February 2014, resigned from the Parks and Recreation Board. Mr. Whaley stated Mark Swope has completed the volunteer application form and is interested in serving the remainder of Ms. Bankhead’s term.

Motion was made by Commissioner Love seconded by Commissioner Lindenborn to appoint Mark Swope to the Parks and Recreation Board for the fulfillment of the February 2014 term. Motion carried unanimously.

Item 9. Ordinance Number 835 was presented in its entirety. An ordinance to adjust the City of Burkburnett water rates.

Motion was made by Commissioner Tugman seconded by Commissioner Lindenborn to approve Ordinance Number 835 as read. Motion carried unanimously.

Item 10. Staff determined this ordinance was not necessary. No action was taken.

Item 11. Mayor Law closed the regular meeting at 7:37 p.m. and opened the “Public Hearing” to review the effects of the City’s juvenile curfew regulations on the City and on the problems the regulations were intended to remedy.

Chief Tracey reported this is valuable tool for the Police Department and since January 1, 2011 fifty-two citations have been issued.

Item 12. Mayor Law closed the “Public Hearing” at 7:39 p.m. and reopened the regular meeting.

Item 13. Ordinance Number 837 was presented in its entirety. An ordinance regulating Juvenile Curfew Regulations.

Motion was made by Commissioner Brewster seconded by Commissioner Hardy to adopt Ordinance Number 837. Motion carried unanimously.

Item 16. Mayor Law closed the meeting at 7:40 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 551.072-Deliberation Regarding Real Property

a. Water Supply

Item 17. Mayor Law reconvened the regular meeting at 7:58 p.m.

Motion was made by Commissioner Tugman seconded by Bill Lindenborn to approve the amendment to purchase the property from Fred Dwyer as described in the agreement that was reviewed. Motion carried unanimously.

Item 18. Review of monthly reports.

- A. Administration- Trish Holley, Director of Administration reported sales tax has increased again this month. Ms. Holley stated this is an increase of 18% from same time last year.
- B. Public Works-
 - Water Reduction-Mr. Whaley reported we are currently at 35% reduction.
 - Cemetery Pavilion-Mr. Whaley reported currently finishing electric for pavilion and shop, paving will be next.
 - Family Aquatic Center-tentative date of 9/16/13 to award bids.
 - Base Ball Field – 3 firms interviewed with the Parks and Recreation Board they will make a recommendation to the Board of Commissioners at the 8/19/13 Council meeting

Drinking water- TCEQ contacted the City on 7/11 to report the nitrate levels were over the allowed levels. Mr. Whaley stated by regulation the City put out public notice. The City took a sample to an accredited lab and is in compliance. TCEQ took two more samples and results will be in shortly. City Staff is on top of this matter testing twice daily and we are below the allowed amount.

- C. Public Safety-Chief Tracey reported the Police Department received a grant for 16 laptops for the patrol cars. Chief Tracey stated with the laptops, installation, and training it is valued at \$55,000.

Item 19. Public Comments.

Item 20. City Manager's report.

- A. City Manager Search

Item 21. Commission comments.

Item 22. Motion was made by Commissioner Tugman, seconded by Commissioner Hardy to adjourn. Motion carried unanimously.

Carl Law, Mayor

ATTEST:

Janelle Dolan, City Clerk



TEXAS DEPARTMENT OF INFORMATION RESOURCES

P.O. Box 13564 ♦ Austin, TX 78711-3564 ♦ www.dir.texas.gov

Tel: (512) 475-4700 ♦ Fax: (512) 475-4759

July 2, 2013

KAREN W. ROBINSON
Executive Director

JANELLE DOLAN

— ♦ —

DIR BOARD OF
DIRECTORS

CITY OF BURKBURNETT

Re: FY14 TEX-AN Requirements, Service Agreement for (PKK3000)

CHARLES BACARISSE
Chair

Dear Customer:

RICHARD S. MOORE

The Department of Information Resources/Communications Technology Services Division (DIR/CTS) is currently providing you with TEX-AN communications services and is also billing you for those services.

P. KEITH MORROW

ROBERT E.
PICKERING, JR.

DIR/CTS updated our service agreement to reflect the current Texas Legislative Code reference and to remove the requirement of a yearly purchase order. Therefore, a new Service Agreement is required of every Inter-local and Higher Education customer. DIR requires a Service Agreement to be on file for all non-state customers.

WANDA ROHM

ARTHUR TROILO III

CYNTHIA VILLA

This Service Agreement allows you to purchase all TEX-AN communication services now and in the future. The term of this Service Agreement begins on the date of the last party to sign and is in effect until all services are terminated. DIR will not need another agreement unless terms or conditions change due to new legislation.

BRAD LIVINGSTON
Ex Officio

BILL PARKER
Ex Officio

GEORGE RIOS
Ex Officio

Attached is a new Service Agreement that will need to be signed and returned, either by email or postal delivery to DIR. DIR will complete the execution of the Service Agreement and will send you a copy for your files.

Please send the executed agreement as soon as possible to:

Grace Benavides at: grace.benavides@dir.texas.gov

If you have any questions, please call or email your DIR/CTS customer representative:

Laura Muncey at 512-463-3579, laura.muncey@dir.texas.gov

Or

Walter Gaylor at 512-475-0855, walter.gaylor@dir.texas.gov



Department of Information Resources Communications Technology Services Division Service Agreement

This service agreement is between the Department of Information Resources/Communications Technology Services Division (DIR/CTS) and the Customer. It is the intent of the parties to comply with the provisions of Texas Government Code Chapter 771, Interagency Cooperative Act and/or Chapter 791 Interlocal Cooperation Act as applicable, and Title 10, Subtitle D, Chapter 2170, Telecommunication Services, Texas Government Code.

I. DIR/CTS Responsibilities

- 1.1 DIR/CTS agrees to provide Customer with connectivity through various transmission methods to the TEX-AN network for specific communications services including, but not limited to, video, voice, routed data, Internet and/or equipment (hereinafter "services").
- 1.2 DIR/CTS will assist and advise the Customer in determining the best and most economical usage of the services.
- 1.3 DIR/CTS will bill monthly for services, as required and respond to inquiries regarding Customer's bill. DIR/CTS shall commence billing for services as they are provisioned.

II. Customer Responsibilities

- 2.1 Customer shall comply with the DIR rules applicable to the Communications Technology Services Division, 1 TAC Chapter 207, as the same may be amended from time to time.
- 2.2 Customer has the responsibility to cooperate and coordinate with DIR/CTS so as to avoid delaying DIR/CTS in the provisioning of and billing for ordered services. Specifically, it is the Customer's responsibility to designate, in a timely manner; the types of service desired and provide DIR/CTS with information which may affect technical, logistical, engineering, or equipment aspects of service delivery. The Customer is exclusively responsible for any equipment added to their premises for connectivity to TEXAN services. Customer shall keep DIR/CTS promptly informed of its billing contact, address, telephone numbers, eligibility status and technical contact, and changes to any of the foregoing. Customer understands and agrees that its failure to timely perform its duties, which delay DIR/CTS in the delivery of ordered services, is not a condition of Force Majeure.
- 2.3 Payments will be made in full within 30 days of notification that the TEX-AN invoice is available for retrieval from DIR/CTS's secured website. Customer represents that it possesses sufficient current revenues to satisfy the timely payment of goods and services provided by DIR/CTS hereunder. In all events, Customer shall be billed for and shall pay in a timely manner for all services actually ordered and received up through the effective date of termination of services. Customer agrees it has no rights to set off against bills received from DIR/CTS. Customer's covenant to pay survives termination of this Service Agreement.
- 2.4 Customer is exclusively responsible for the operation and security of its premise equipment. The risk of toll fraud or other unauthorized use of its premise equipment rests with the Customer. Customer accepts this risk and understands that it shall be solely responsible to pay all charges, which may result from toll fraud or unauthorized use of its premise equipment. Customer hereby releases and waives any

claim it may have now or in the future against DIR/CTS for the payment of charges arising from toll fraud or other unauthorized use on its premise equipment.

2.5 Customer is a qualified entity to receive goods and services from DIR/CTS. Services will terminate without liability to DIR/CTS should Customer's eligibility status change during the term of this Service Agreement.

III. Term

The term of this Service Agreement begins on the date of the last party to sign and is in effect until all services are terminated or the Service Agreement is terminated in accordance with Article V hereof.

Please note that service terms may differ from vendor to vendor and from services to service and these terms are reflected on the services order forms.

IV. Billing

4.1 DIR/CTS's first month's billing for any circuits provisioned will commence on the date provisioning is completed.

4.2 DIR/CTS will cease billing circuits on the date disconnection is completed.

4.3 All other services shall be billed on an usage basis from the first date of actual service until the service is disconnected.

4.4 In compliance with Title I, Chapter 207, Rule number 207.11, of the Texas Administrative Code: customer's billing dispute timing and payment obligations shall track those found in the Prompt Payment Act, Chapter 2251, Texas Government Code.

V. Termination and Amendments

5.1 DIR/CTS may provide notice of intent to terminate this Service Agreement for convenience by sending a written statement to that effect, which shall be received by Customer no less than thirty (30) days prior to the Effective Date of termination. DIR/CTS may terminate any Service Agreement for cause, with an immediate Effective Date, by issuing written notice to Customer, upon failure of Customer to make timely payment of bills. In addition to termination of services, DIR/CTS may notify the State Comptroller of Public Accounts (CPA) Office of the Customer's debt to the state and request the Customer be placed on the Payments on Hold List until payment for services is received.

5.2 A Customer may provide notice of intent to terminate this Service Agreement for convenience by sending a written statement to that effect, which shall be received by DIR/CTS no less than thirty (30) days prior to the Effective Date of termination. A Customer request to change a service shall not take effect until Customer provides written notice to DIR/CTS of any changes to ordered services. If DIR/CTS does not receive written notification, the Customer will continue to be billed monthly until proper notification is received. No written termination notice shall be effective prior to the expiration of thirty (30) days after receipt by DIR/CTS.

5.3 Amendments to this Service Agreement shall only be effective upon execution of an instrument in writing by authorized representatives of DIR/CTS and the Customer.

VI. Other Conditions of Service

6.1 Service rates are subject to change by DIR/CTS upon 30-days written notice to Customer.

6.2 No conflicting terms or conditions found in Customer orders or forms shall become a part of this Service Agreement.

6.3 If service and/or communications projects are canceled at any time prior to completion, Customer shall be responsible for all actual costs incurred by DIR/CTS up to the date of cancellation. DIR/CTS will bill the Customer for these costs. Customer's covenant to pay shall survive the cancellation of a project.

6.4 DIR/CTS relies on third party contractors for the fulfillment of services contracted for hereunder. Therefore, DIR/CTS makes no independent warranties or guarantees, express or implied, regarding said services.

6.5 The following terms have the meaning indicated for purposes of this Service Agreement:

"Force Majeure" means the parties' performance under this Service Agreement shall be adjusted or suspended by mutual agreement to the extent performance is beyond the reasonable control of the parties for reasons including, but not limited to: strikes, work stoppages, fire, water, flood, lightning, government action, acts of God or public enemy, delays of power company, local exchange company, or other carrier. Failure of Customer to coordinate and cooperate so as to delay DIR/CTS is not an event of Force Majeure. In the event of Force Majeure, the sole and exclusive remedy to the party suffering the delay shall be an equivalent extension of the time for performance. The parties shall document to one another the onset of events of Force Majeure within three days of their onset.

"Provision" and "provisioning" means DIR/CTS has acquired, arranged for or provided at the Customer's site, the equipment, supplies or other items necessary to provide the ordered service(s), but does not mean the actual act(s) of turning up the ordered service(s).

VII. Customer Service Resources

Customer Service Resources may be found at <http://www.dir.texas.gov/cts/Pages/cts.aspx> . Inquiries regarding this Service Agreement may be directed to DIR, Service Fulfillment on 877-472-4848, option 4 or 512-463-7800.

Customer hereby agrees to the terms and conditions of this Service Agreement; represents that the official executing this Service Agreement is authorized to bind the Customer to its terms; and that Customer has completed all of its internal processes to make this a binding undertaking on the part of Customer.

CUSTOMER: _____

DEPARTMENT OF INFORMATION
RESOURCES

BY: _____

BY: _____

NAME: _____

NAME: Carl Marsh

TITLE: _____

TITLE: Chief Operating Officer

DATE: _____

DATE: _____

Office of General Counsel _____



City Commission Agenda Memo

From: Mike Whaley
Date: August 19, 2013
Item: Discuss and take any action necessary on Parks and Recreation Board appointments

Background

David Davis resigned from the Parks and Recreation Board. His term would have ended February 2014. Rodney McCleskey Jr. has completed a volunteer application and is interested in fulfilling Mr. Davis' term.

Fiscal Impact

N/A

Options

1. Appoint Rodney McCleskey Jr.
2. Recommend alternate appointments

Staff Recommendation

Recommends appointing Rodney McCleskey Jr. to the Parks and Recreation Board

Attachments

Application



City Commission Agenda Memo

From: Mike Whaley
Date: August 19, 2013
Item: Rezone request 200 Blk of W. Williams

Background

A joint application to re-zone said property from residential SF-6 to R-2 was submitted by property owners George and Ronald Bryant for the 200 Blk of West Williams excluding 204 West Williams. Mr. Bryant and Mr. Bryant own 215 and 217 W Williams. This is a unique request in which the Bryants have secured signatures from all the property owners of the 200 Blk of W. Williams whom are in agreement with the zoning change excluding the owner of 204 W. Williams who wants to remain zoned SF-6 and will remain SF-6 should the request be approved. After reviewing the case, the P&Z voted unanimously to approve and there were no objections at the hearing.

Fiscal Impact

N/A

Options

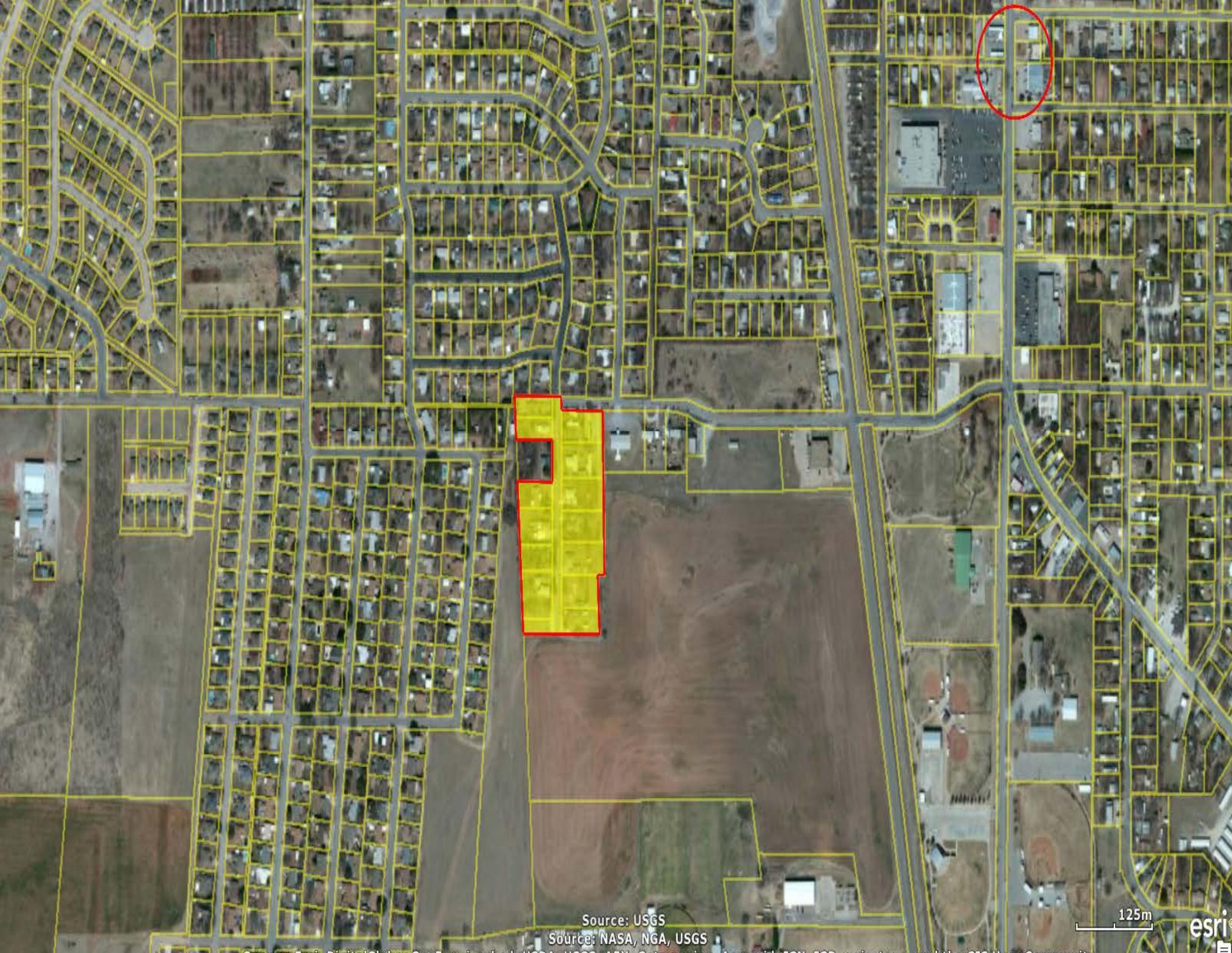
1. Approve request
2. Deny request.

Staff Recommendation

No Specific Recommendation

Attachments

Aerial view
Signature sheet
Application



Source: USGS

Source: NASA, NGA, USGS

125m

esri

PARTITION
FOR 200
BLOCK OF W. WILLIAMS DR

Sign Name	Prop ID	Address	Phone No.
George B. Bryant	119396	215 W. Williams Dr	940-569-9641
Amel K. Bryant	119396	217 W. Williams Dr.	940-867-3065
Amee Davis	119399	200 W. Williams	940-631-3905
Dye O. Kelly	119870	207 W. Williams Dr.	940-232-187.
Stephen Kocis	119866	202 W WILLIAMS DR	940-569-4846
Stephen Kocis	119872	213 W WILLIAMS DR	940-569-4846
Lena A. Harris	119864	208 W. WILLIAMS DR	940-781-459.
Erma L. Stoyton	119861	214 W. WILLIAMS DR.	
Erma L. Stoyton	105281	0 W. WILLIAMS DR.	
Jim Duff ^{Burnett}	119869	203 W. Williams Dr.	
Sharon ^{McMullen}	119863	210 W. Williams Dr.	940-235-8953
Bernice Jones	119862	212 W. WILLIAMS DR.	
Cecil & Rebie Howell	119871	209 W. Williams Dr.	940-224-338
	119397	217 W. WILLIAMS DR	

NEW ADDRESS:

204 W Williams - Gary Subarm

CITY OF BURKBURNETT
REZONING APPLICATION

OFFICE USE:

CASE NO. 2013-12

FEE PAID \$150.00

PROPERTY ADDRESS: 200 Blk W Williams

LEGAL DESCRIPTION: See attached
LOT (S) BLOCK SECTION SUBDIVISION

AREA IN ACRES 7.827

PRESENT ZONING CLASSIFICATION SF-4 PROPOSED ZONING R-2

PRESENT USE residential

PROPOSED USE residential

REASON FOR REQUEST Property previously had mobile home as residence and would like the ability to place mobile home as residence again

NAME OF APPLICANT George Bryant, Ronald Bryant

ADDRESS 102 E Williams

PHONE # 569-9641

I hereby certify that all information contained herein is true and correct, and that all required submissions (see reverse) have been submitted.

SIGNATURE OF APPLICANT _____ DATE _____

SIGNATURE OF PROPERTY OWNER _____ DATE _____

NOTE: SEE REVERSE SIDE FOR INSTRUCTIONS
Attach PUD application for a Planned Unit Development

PERMIT (To be completed by the Planning Department)

The rezoning request is hereby approved based on Ord. No. _____

The rezoning request is hereby disapproved by City Council on _____

Date _____
Director of Planning



City Commission Agenda Memo

From: Mike Whaley
Date: August 19, 2013
Item: SUP 931 Red River Expressway: Sale of firearms

Background

A joint application to allow for the sale of firearms was submitted to the City by owner Mike Fortin and operator Jason Roush. Mail outs in the 200ft radius were sent notifying of the public hearing. There have been no objections to this point. Also, a federal firearms license has been obtained by Mr. Roush and a copy filed with the City. Since the permit has been obtained the City would have no further restrictions per zoning. The property is currently zoned commercial and operates as such now. The request would expand current operations to include the sales of firearms.

Fiscal Impact

N/A

Options

1. Approve request
2. Approve with additional requirements
3. Deny (with cause)

Staff Recommendation

Recommend Approval

Attachments

Aerial view
Copy of License

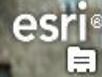


Source: USGS

Source: NASA, NGA, USGS

Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

20m



CITY OF BURKBURNETT
SPECIFIC USE
APPLICATION

OFFICE USE:

CASE NO. 2013-14

FEE PAID \$ 50

Property Address 931 Red River Expressway, Burkburnett TX, 76354

Legal Description .48ACRVL 8
Lot(s) Block Section Subdivision

Tax Account No. 119787

Proposed Use Firearm Sales

Present Use Retail Zoning Commercial

Property Platted? Yes No

Applicant's Name Jason Roush Daytime Phone # 720 209 1573

Mailing Address 4719 Raylett Drive
Wichita Falls TX Zip 76306

I hereby certify that all information contained herein is true and correct; that I have been informed of the date and time that this request will be considered by the Planning and Zoning Commission; and that all required submissions (see reverse) have been provided.

Applicant's Signature [Signature] DATE 12 July 13

Owner's Signature [Signature] DATE 7-12-13

Note:

- Application must be submitted with a site plan.
- See reverse side for instructions for site plan submission requirements.

Permit (To be completed by the Planning Department.)

A conditional use permit is hereby:

- Approved
 Disapproved
 Conditionally Approved (conditions attached) based on the Planning and Zoning Commission's action on _____

NOTE: A CONDITIONAL USE PERMIT IS VALID FOR 1 YEAR UNLESS A BUILDING PERMIT IS ISSUED AND CONSTRUCTION IS ON GOING.

City Planning Administrator

Date

In accordance with the provisions of Title I, Gun Control Act of 1968, and the regulations issued thereunder (27 CFR Part 478), you are licensed to engage in the business specified in this license, within the limitations of Chapter 44, Title 18, United States Code, and the regulations issued thereunder, until the expiration date shown. **THIS LICENSE IS NOT TRANSFERABLE UNDER 27 CFR 478.51.** See "WARNINGS" and "NOTICES" on reverse.

Direct ATF Correspondence To: ATF - Chief, FFLC
244 Needy Road
Martinsburg, WV 25405-9431

License Number: **5-75-485-01-6H-08882**

Chief, Federal Firearms Licensing Center (FFLC)

Expiration Date: **August 1, 2016**

Name: *Tracy Robertson*
RPM GOLD AND SILVER EXCHANGE

Premises Address (Changes? Notify the FFLC at least 30 days before the move):
**931 FED RIVER EXPRESSWAY
BURKBURNETT, TX 76354**

Type of License: **01-DEALER IN FIREARMS OTHER THAN DESTRUCTIVE DEVICES**

Purchasing Certification Statement
The licensee named above shall use a copy of this license to assist a transferor of firearms to verify the identity and the licensed status of the licensee as provided by 27 CFR Part 478. The signature on each copy must be an original signature. A faxed, scanned or e-mailed copy of the license with a signature intended to be an original signature is acceptable. The signature must be that of the Federal Firearms Licensee (FFL) or a responsible person of the FFL. I certify that this is a true copy of a license issued to the licensee named above to engage in the business specified above under "Type of License."

Mailing Address (Changes? Notify the FFLC of any changes.)
ROUSH, JASON PAUL
RPM GOLD AND SILVER EXCHANGE
4719 RAYLETT DR
WICHITA FALLS, TX 76306

Jason Paul Roush
Licensee/Responsible Person Signature
Jason Paul Roush
Printed Name

Jason Paul Roush
Owner
Position/Title
22 July 13
Date

Federal Firearms License (FFL) Customer Service Information

Federal Firearms Licensing Center (FFLC): 244 Needy Road, Martinsburg, WV 25405-9431
Toll-free Telephone Number: (866) 662-2750
Toll-free Fax Number: (866) 257-2749
E-mail: NLC@atf.gov
ATF Homepage: www.atf.gov
FFL eZ Check: www.atfonline.gov/flezcheck

Change of Address (27 CFR 478.52). Licensees may during the term of their current license remove their business or activity to a new location at which they intend regularly to carry on such business or activity by filing an Application for an Amended Federal Firearms License, ATF Form 5300.38, in duplicate, not less than 30 days prior to such removal with the Chief, Federal Firearms Licensing Center. The application must be executed under the penalties of perjury and penalties imposed by 18 U.S.C. 924. The application shall be accompanied by the licensee's original license. The license will be valid for the remainder of the term of the original license. **(The Chief, FFLC, shall, if the applicant is not qualified, refer the application for amended license to the Director of Industry Operations for denial in accordance with § 478.71.)**

Right of Succession (27 CFR 478.56). (a) Certain persons other than the licensee may secure the right to carry on the same firearms or ammunition business at the same address shown on, and for the remainder of the term of, a current license. Such persons are: (1) The surviving spouse or child, or executor, administrator, or other legal representative of a deceased licensee; and (2) A receiver or trustee in bankruptcy, or an assignee for benefit of creditors. (b) In order to secure the right provided by this section, the person or persons continuing the business shall furnish the license for that business for endorsement of such succession to the Chief, FFLC, within 30 days from the date on which the successor begins to carry on the business.

Cut Here ✂ (Continued on reverse side)

Federal Firearms License (FFL) Information Card

License Name: **ROUSH, JASON PAUL**

Business Name: **RPM GOLD AND SILVER EXCHANGE**

License Number: **5-75-485-01-6H-08882**

License Type: **01-DEALER IN FIREARMS OTHER THAN DESTRUCTIVE DEVICES**

Expiration: **August 1, 2016**

Please Note: Not Valid for the Sale or Other Disposition of Firearms.

FFL Newsletter - Electronic Version Available

Sign-Up Today!

FFLs interested in receiving the electronic version of the FFL Newsletter, along with occasional additional information, should submit name, FFL number, and e-mail address to: FFLNewsletter@atf.gov.

The electronic FFL Newsletter will enable ATF to communicate information to licensees on a periodic basis.



Board of Commissioners Agenda Memo

From: Chester Nolen, Interim City Manager

Date: August 19, 2013

Item: Discuss and take record vote on ad valorem tax rate for proposed fiscal year 2014 Budget.

Background

The Board of Commissioners is required by state law to take a record vote on the proposed tax rate for the FY 2014 Budget. The proposed tax rate discussed in the budget workshops includes the tax increase voted on by the citizens to issue General Obligation Debt for the Family Aquatic Center. The proposed tax rate for the FY 2014 budget is \$0.638587 per \$100 valuation which is \$.060005 cents increase over last year's tax rate.

If the Commissioners elects to recommend the above proposed tax rate, two public hearings will be conducted prior to the final adoption of the FY 2014 budget and tax rate.

Fiscal Impact

There is no fiscal impact for the fiscal record vote.

Options

- Approve the proposed tax rate of \$0.638587 per \$100 valuation
- Approve a different tax rate

Staff Recommendation

Staff recommends that the Commissioners approve the proposed tax rate of \$0.638587 per \$100 valuation that includes the General Obligation Debt increase approved by the citizens.

Attachments

None