

MINUTES

BOARD OF COMMISSIONERS

The Board of Commissioners of the City of Burkburnett, Texas met in a regular meeting on Monday, February 18, 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
Josh Andrajack	Commissioner
Randy Brewster	Commissioner
Don Hardy	Commissioner
Marguerite Love	Commissioner

Commissioner Tugman was not present.

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

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

Item 2. Invocation was given by Rev. John Munson, Vicar of St. John the Divine Anglican Church.

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

Chief Mike Tracey introduced two new police officers: Randall Quick and Christopher Salas.

Item 4. Consent Agenda.

- A. Approval of Minutes from January 7 Special Called Meeting, January 21 Workshop, and January 21, 2013.

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

Item 5. Todd Sander, executive director, Central for Digital Government and Tony Sivore, senior manager, state and local government, CDW-G addressed the

Mayor and Board of Commissioners explaining how the City of Burburnett was the grand prize winner of the Win a Technology Center Sweepstakes and was awarded a package valued at more than \$20,000, including 25 Samsung tablets, Prometheum Board, printer, and wi-fi access points.

Item 6. Mr. James addressed the Mayor and Commissioners and reported the Burburnett Development Corporation committed \$50,000 per year for a commitment of 10 years for a total of \$500,000 for the Family Aquatic Center. Concepts 1, 2, and 3 were reviewed by the Board of Commissioners.

Motion was made by Commissioner Lindenborn, seconded by Commissioner Love to accept Concept 3 as it is written and send it back to Kimley-Horn and Associates for the completion of their analysis.

The following addressed the Mayor and Commissioners:

Mark Ewell, 203 S. Holly, Burburnett

Motion carried unanimously.

Item 7. Mr. Charles Salter and Valerie Halverson, MWH Group, presented the final FY2012 Audit.

Motion was made by Commissioner Andrajack, seconded by Commissioner Brewster to accept FY2012 audit as presented. Motion carried unanimously.

Item 8. Mr. James addressed the Mayor and Commissioners on the proposal from Third Coast Geospatial Technologies, Inc. (3cGEO) Mr. James reported 3cGEO specializes in creating Geographical Information Systems for municipalities and other entities. 3cGEO has developed a concept to make it more feasible for a City of our size to have a GIS System. Mr. James stated the proposal includes a one-time set up fee of \$35,000 with an annual maintenance cost of \$4,200. Brian Shirley, Vice President of Third Coast Geospatial Technologies, Inc. presented the proposed system to the Mayor and Board of Commissioners.

Motion was made by Commissioner Andrajack, seconded by Commissioner Lindenborn to move forward with the proposal from Third Coast Geospatial Technologies, Inc. for professional services relating to creating Geographical Information System for the City. Motion carried unanimously.

Item 9. Resolution Number 544 was presented it is entirety. A resolution authorizing an economic incentive agreement between the Burburnett Development Corporation and A Piece of Cake by Nikki Lynn, LLC, 2nd and final reading.

Motion was made by Commissioner Hardy, seconded by Commissioner Love to approve Resolution Number 544 as presented. Motion carried unanimously.

Item 10. Resolution Number 545. A resolution authorizing an economic incentive agreement between the Burkburnett Development Corporation and Southern Star, Inc., 2nd and final reading.

Motion was made by Commissioner Lindenborn, seconded by Commissioner Love to approve Resolution Number 545 as presented.

Ayes: Mayor Law, Commissioners Lindenborn, and Hardy

Nays: Commissioners Andrajack, Brewster, and Love

Motion fails due to a tie.

Item 11. Resolution Number 546 was presented in its entirety. A resolution ordering a general election to be held on May 11, 2013 to elect three (3) City Commissioners.

Motion was made by Commissioner Andrajack, seconded by Commissioner Hardy to approve Resolution Number 546 as presented. Motion carried unanimously.

Item 12. Mr. James addressed the Mayor and the Commissioners and explained ONCOR has presented the electrical cost involved in the construction of the Cemetery pavilion and shop. Mr. James stated the demolition of existing service is \$1,856.70. ONCOR stated that if the City can perform the civil portion of construction (trenching, laying conduit, anchoring pad) that the construction will be no cost for the City.

Motion was made by Commissioner Andrajack, seconded by Commissioner Hardy to approve the bill for the demolition of the existing facilities and the civil letter. Motion carried unanimously.

Item 13. Mr. James addressed the Mayor and Commissioners and explained reported on January 23, 2013 financing proposals were submitted for a crack seal machine from First Bank, Fidelity Bank, Union Square, Chase Bank, and American National Leasing Company. The total to be financed is \$48,912.10 for a total of 5 years.

First Bank Fixed Rate 3.96% or floating rate of Wall Street Journal
Prime rate 3.25%

Chase Bank 3.384% per annum (\$10,797.78 per year=\$53,988.90
total)

Fidelity Bank 3.0% fixed (\$8,507.01 per year=\$42,535.05 or \$699.86 per month=\$41,991.60)

Per year-with down payment of \$10,000

American National 3.20% (\$8,818.74 per year=\$44,093.70 or \$884.40 per month=\$53,064.00)

Per year-with down payment of \$8,818.74

Motion was made by Commissioner Andrajack, seconded by Commissioner Brewster to approve financing the crack seal machine with Fidelity Bank. Motion carried unanimously.

Item 14. Mr. James addressed the Mayor and Commissioners and stated two members of the Parks and Recreation Board have resigned, Charlene Lewis and Pat Yarmoski. Mr. James stated the Board of Commissioners appoints the members of the Parks and Recreation Board and upon resignation of a member they can appoint a successor to complete the unexpired term. A list of volunteer applicants to the Parks and Recreation Board was provide to the Mayor and Commissioners.

Motion was made by Commissioner Andrajack, seconded by Commissioner Hardy to appoint Susan Mitchell and Kelly Brunson to the Parks and Recreation Board. Susan Mitchell was present at the meeting and declined the appointment. Commissioner Andrajack and Commissioner Hardy withdrew their motion.

Motion was made by Commissioner Andrajack and Commissioner Hardy to appoint Kelly Brunson to the Parks and Recreation Board. Motion carried unanimously.

Item 15. Mr. James addressed the Mayor and Commissioners and reported Commissioner Brewster requested to speak to the Commissioners about moving forward with the installation of the gateway entry signs using oil derricks obtained from TXDOT. Mr. James reported the City contacted TXDOT and the height of the oil derricks exceeds their allowed height requirements and will need to be approved. Mr. James stated an application to TXDOT for approval requires an architectural design be included. Mr. James stated he has contacted Rick Sims with Bundy, Young, Sims and Potter, Inc. and received a conservative estimate of \$5000-\$6000 for the architectural design.

Motion was made by Commissioner Brewster, seconded by Commissioner Lindenborn to proceed with Rick Sims not to exceed \$5000 for gateway entry signs. Motion carried unanimously.

Item 16. Mr. James addressed the Mayor and Commissioners and stated Commissioner Hardy requested to speak to the Board of Commissioners about

creating a paid Fire Chief position. Mr. James stated there are no funds set aside in the FY2013 budget for a paid Fire Chief.

Motion made by Commissioner Andrajack, seconded by Commissioner Brewster for the Board of Commissioners to give consideration to the creation of a paid Fire Chief position in FY2014 budget.

The following addressed the Mayor and Commissioners:

Bruce Deeb, 2 Friendship Trail, Burkburnett
Mark Ewell, 203 S. Holly, Burkburnett
Rod Ryalls, 2050 Holman Rd., Burkburnett

Motion carried unanimously.

Item 17. Mr. James addressed the Mayor and Commissioners and stated Mayor Law requested to discuss appointing an alternative voting proxy for the Nortex Regional Planning Commission and has nominated Bill Lindenborn, Mayor Pro-Tem and Mike Whaley, Director of Public Works.

Motion was made by Commissioner Andrajack, seconded by Commissioner Hardy to approve the Mayor's nominations to the Nortex Regional Planning Commission. Motion carried unanimously.

Item 18. Review of monthly reports.

- A. Administration-Trish Holley, Director of Public Administration, reported the City has received \$52,000 more in sales tax this year than last year at the same time. Ms. Holley reported \$153,881 collected this month which is 5.64% over last year.
- B. Public Works-
- C. Public Safety-

Item 19. Public Comments.

Rod Ryalls, 2050 Holman Rd., Burkburnett
Michael Bunton, 1118 Sheppard Rd., Burkburnett
Mark Ewell, 203 S. Holly, Burkburnett
Ted Kwas, 304 Hayworth, Burkburnett

Item 20. City Manager's report.

- A. Calendar-
- B. Stage 3 Water Restrictions-City of Burkburnett is entering Stage 3 Drought Restrictions effective March 1. The restrictions will be sent with the water bill, on City website, and in the newspaper.
- C. Charter Review Commission-has met twice and elected their Chairman, Vice-Chairman, and Secretary. They have elected to meet every other Thursday and they continue to review the entire City Charter.

Item 21. Commission comments.

Item 22. Motion was made by Commissioner Love, seconded by Commissioner Lindenborn to adjourn. Motion carried unanimously.

Carl Law, Mayor

ATTEST:

Janelle Dolan, City Clerk