

MINUTES

BOARD OF COMMISSIONERS

The Board of Commissioners of the City of Burkburnett, Texas met in a regular meeting on Monday, August 15, 2016 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
Frank Ducos	Commissioner
Jeremy Duff	Commissioner
Marguerite Love	Commissioner
Mike Tugman	Commissioner

Commissioner Brewster was not present.

Others present: Mike Whaley, City Manager; Trish Holley, Director of Administration; Gordon Smith, Director of Public Works; Janelle Dolan, City Clerk; and Ed Stahr, Police Chief.

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

Item 2. Invocation was given by Bishop Jerry Johnson, The Church of Jesus Christ of Latter-Day Saints.

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

Item 4. Consent Agenda.

- A. Approval of Minutes from July 11, 2016 and July 12, 2016 Special Called Meetings/Workshops and July 18, 2016 Regular Meeting

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

Item 5. Mayor Law closed the regular meeting at 7:02 p.m. and opened the “Public Hearing” for the following Planning & Zoning Commission Case:

- A. Case #2016-29, re-zone application for the 1100 Blk. of Cheryl Dr., block rezoned as a carport overlay district.

Gordon Smith, Director of Public Works, addressed the Mayor and Commissioners and stated the application was presented by Rickie Pike owner of property located at 1111 Cheryl Dr. This request is to allow for a carport overlay district to be extended from the 900 block and 1000 Block of Cheryl Dr. to include the 1100 block of Cheryl. Public Notices, as required by the Zoning Ordinance, were sent to the proposed district and all properties 200 feet adjacent to the proposed district. Also, the required number of signatures (75%) for the petition was satisfied and ownership was verified by City Staff. Twenty (20) out of the twenty-three (23) total property owners on the block have signed the petition requesting the carport overlay district. On August 1, 2016 the Planning and Zoning Board met and staff presented the information for review. Mr. Pike was in attendance. The Board discussed the case and considered the overall evaluation of the request. The vote was 4-0 in favor of approving the request.

Item 6. Mayor Law closed the “Public Hearing” at 7:04 p.m. and reopened the regular meeting to take action on the Planning & Zoning Commission Case:

- A. Case #2016-29, re-zone application for the 1100 Blk. of Cheryl Dr., block rezoned as a carport overlay district.

Motion was made by Commissioner Lindenborn, seconded by Commissioner Ducos to approve Case #2016-29, re-zone application for the 1100 Blk. of Cheryl Dr., block rezoned as a carport overlay district. Motion carried unanimously.

Item 7. Ordinance Number 902 was presented. Caption of same being:

AN ORDINANCE GRANTING TO ONCOR ELECTRIC DELIVERY COMPANY LLC, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC POWER FRANCHISE TO USE THE PRESENT AND FUTURE STREETS, ALLEYS, HIGHWAYS, PUBLIC UTILITY EASEMENTS, PUBLIC WAYS AND PUBLIC PROPERTY OF THE CITY OF BURKBURNETT, TEXAS, PROVIDING FOR COMPENSATION THEREFOR, PROVIDING FOR AN EFFECTIVE DATE AND A TERM OF SAID FRANCHISE, PROVIDING FOR WRITTEN ACCEPTANCE OF THIS FRANCHISE, PROVIDING FOR THE REPEAL OF ALL EXISTING FRANCHISE ORDINANCES TO ONCOR ELECTRIC DELIVERY COMPANY LLC, ITS PREDECESSORS AND ASSIGNS, AND FINDING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC.

Mike Whaley, City Manager, addressed the Mayor and Commissioners and stated the City’s electric franchise with ONCOR Electric Delivery is set to expire December 31st, 2016. The City attorney has reviewed and approved the ordinance supplied by ONCOR. The previous franchise amendment agreement was passed and approved in 2006. The current franchise renewal has a term of 20 years and will expire on September 30, 2037. Gordon Drake, ONCOR West Regional Customer Operations Area Manager was present to answer any questions.

Motion was made by Commissioner Lindenborn, seconded by Commissioner Love to approve Ordinance Number 902 as presented. Motion carried unanimously.

Item 8. Mr. Whaley addressed the Mayor and Commissioners and stated now that the Interlocal Agreement with Wichita County and the revised contract agreement with Texas Department of Transportation (TXDOT) are in place for the Gresham Rd Reconstruction Project, the City is now moving into the next phase which is Right of Way (ROW) acquisition. TXDOT has completed the ROW acquisition maps required for the project. Mr. Whaley stated the professional service agreement with HDR Engineering, Inc. details the scope of services, ROW acquisition rates, and terms and conditions of the agreement. City Staff has estimated the contract cost not to exceed \$150,365. There will also be additional title company and acquisition costs estimated from \$30-50,000. Mr. Whaley stated the City will not have to make any financial adjustments to the budget. \$150,000 of the total cost will be reimbursed by TXDOT. There is \$75,000 set aside for the Gresham Rd Reconstruction Project in which the remaining cost will be deducted. (The City had originally approved a contract with HDR in July of 2015 for the ROW acquisition, but due to the period of inactivity, HDR requested to revise the contract and adjust prices accordingly. Originally, cost estimates were from \$155,000 - \$175,000) (New estimates to include HDR and title cost are from \$180,000- 205,000). Mr. Whaley stated the Fiscal Impact is approximately \$25-\$55,000. After a brief discussion, action was deferred on this item until a future meeting.

Item 9. Mr. Whaley addressed the Mayor and Commissioners and stated with the recent resignation of Jeff Briscoe (due to employment conflicts) and current member John Robertson's term ending September 30th, the Burkburnett Development Corporation (BDC) has/will have two open chairs. At the regularly scheduled BDC meeting on August 9th, the BDC nominated two ex-officio members, Dale Lewis and Casey McCleskey to serve as voting members to fill the open chairs. Voting members serve two year terms with a maximum of three consecutive years. Mr. Whaley stated there is now four open chairs for ex-officio members, if you have someone who is interested, please have them pick up a volunteer application.

Motion was made by Commissioner Duff, seconded by Commissioner Love to approve the appointment of ex-officio members, Dale Lewis and Casey McCleskey to serve as voting members on the BDC Board. Motion carried unanimously.

Item 10. Mr. Whaley addressed the Mayor and Commissioners and stated the City is required to hold two public hearings prior to the adoption of the proposed tax rate and Fiscal Year 2017 budget. There are specific guidelines for setting the dates for the hearings. The following are the proposed dates public hearing dates:

6PM Tuesday, 9-6-2016 or 6PM Thursday, 9-8-2016
6PM Tuesday, 9-13-2016 6PM Thursday, 9-15-2016

It was the consensus of the Board of Commissioners to hold the public hearings on September 6th and September 13th at 6 pm.

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Item 11. Review of monthly reports.

A. Public Works

- Megan January, Aquatic Manager/Special Events Coordinator reported the Friendship Festival will be held on Saturday, October 1st. Food vendors and kiddie area are scheduled from 12 pm – 6 pm. Entertainment will start at 6:00 with Under the Influence and end with Jake Worthington. Ms. January stated she has 4 confirmed sponsors, 34 regular booths, 8 kiddie booths, and 11 food vendors booked.
- Megan January, Aquatic Manager/Special Events Coordinator reported the current numbers for the Boomtown Aquatic Center: 46,462 customers through the gate, 109 parties were booked, 475 season passes had been purchased, and approximately \$5,000 earned from the food trucks.
- Ed Stahr, Police Chief, reported the 35th Annual Hotter ‘n Hell is August 27th. They will be working from 7am to 1pm.

Item 12. No public comments.

Item 13. City Manager comments.

- Budget Calendar- Next budget meeting August 18th at 1pm.
- City Hall Closed-Labor Day, September 5th
- SAFB Airshow – September 17th and 18th

Item 14. No Commissioner comments.

Item 15. Motion was made by Commissioner n, seconded by Commissioner Ducos to adjourn. Motion carried unanimously.

Carl Law, Mayor

ATTEST:

Janelle Dolan, City Clerk