

## ***MINUTES***

### ***BOARD OF COMMISSIONERS***

The Board of Commissioners of the City of Burkburnett, Texas met in a regular meeting on Monday, August 19, 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
Josh Andrajack	Commissioner
Don Hardy	Commissioner
Marguerite Love	Commissioner
Michael Tugman	Commissioner

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 Liz Talbert, Pastor of First United Methodist Church.

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

Item 4. Consent Agenda.

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

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

Item 5. Mike Whaley, Director of Public Works, addressed the Mayor and Commissioners and reported David Davis resigned from the Parks and Recreation Board and his term would have ended February 2014. Mr. Whaley reported Rodney McCleskey Jr. has completed a volunteer application and is interested in fulfilling Mr. Davis's term.

Motion was made by Commissioner Lindenborn seconded by Commissioner Tugman to appoint Rodney McCleskey Jr. to the Parks and Recreation Board to serve the remainder of David Davis' term. Motion carried unanimously.

Item 6. Mayor Law closed the regular meeting at 7:04 p.m. and opened the "Public Hearing" for the following Planning & Zoning Commission Cases:

- A. Case #2013-12, rezone application for 200 Blk. of W. Williams, from Single Family Residential-6 (SF-6) to Residential (R-2).

Mike Whaley, Public Works Director, addressed the Mayor and Commissioners and stated a joint application to rezone the 200 Blk. of W. Williams, excluding 204 W. Williams, from Residential SF-6 to R-2 was received from property owners George and Ronald Bryant. Mr. Bryant and his son own 215 and 217 W. Williams. Mr. Whaley stated the Bryants have secured signatures from all the property owners of W. Williams excluding the owner of 204 W. Williams who wants to remain zoned SF-6.

The following addressed the Mayor and Commissioners:

- Ronald Bryant, 102 E. Williams
- George Bryant, 102 E. Williams

- B. Case #2013-14, Specific Use Permit for 931 Red River Expressway, for sale of firearms.

Mr. Whaley addressed the Mayor and Commissioners and stated a joint application to allow the sale of firearms was received from owner Mike Fortin and Operator Jason Roush. Mr. Whaley stated all mail outs in the 200ft. radius were sent notifying of the public hearing and no objections have been received at this time. Mr. Whaley stated a federal firearms license has been obtained by Mr. Roush and a copy has been filed with the City and the City would have no further restrictions per zoning as the property is currently zoned commercial and operates as such now.

Item 7. Mayor Law closed the "Public Hearing" at 7:10 p.m. and reopened the regular meeting to take action on the Planning & Zoning Commission Cases:

- A. Case #2013-12, rezone application for 200 Blk. of W. Williams, from Single Family Residential-6 (SF-6) to Residential (R-2).

Motion was made by Commissioner Andrajack seconded by Commissioner Hardy to approve Case#2013-12 a rezone application. Motion carried unanimously.

- B. Case #2013-14, Specific Use Permit for 931 Red River Expressway, for sale of firearms.

Motion was made by Commissioner Andrajack seconded by Commissioner Brewster to approve Case#2013-14, specific use permit for 931 Red River Expressway, for sale of firearms. Motion carried unanimously.

Item 8. Trish Holley, Director of Public Administration, addressed the Mayor and Commissioners and stated the Board of Commissioners is required by state law to take a record vote on the proposed tax rate for the FY 2014 Budget. Ms. Holley stated 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 and the proposed tax rate for the FY 2014 budget is \$.638587 per \$100 valuation which is \$.060005 cents increase over last year's tax rate.

Motion made by Commissioner Lindenborn seconded by Commissioner Andrajack to approve the proposed tax rate of \$.638587 per \$100 valuation. Motion carried unanimously.

Item 9. Mayor Law closed the meeting at 7:18 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(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. Mayor Law reconvened the regular meeting at 8:01 p.m. No action was taken.

Item 11. Review of monthly reports.

- A. Administration-Ms. Holley reported sales tax is down 13% this month but the City is still up 6.82% for the year.
- B. Public Works-
- C. Public Safety-Chief Tracey reported next week the police department will receive training on lap tops that were received by a grant.

Item 12. Public Comments.

Thomas Watson, 209 S. Ave B. Lot 21, Old Nursing Home on I-44 and trucks parking at the old Wal-Mart.

Item 13. City Manager's report.

- Mr. Nolen reported 28 applications have been received for the City Manager posting which closes at 5 pm on August 22.
- Mr. Nolen also stated there was little sewage spillage at the Big Lift Station after lightening knocked out the transformer this past week, but was quickly contained and was back in operation.
- Mr. Nolen also reported demolition has begun at the swimming pool and the design plans for the Family Aquatic Center were received this week.

Item 14. Commission comments.

Item 15. Motion was made by Commissioner Tugman, seconded by Commissioner Hardy to adjourn. Motion carried unanimously.

Carl Law, Mayor

**ATTEST:**

Janelle Dolan, City Clerk