

MINUTES

BOARD OF COMMISSIONERS

The Board of Commissioners of the City of Burkburnett, Texas met in a regular meeting on Monday, February 16, 2015 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
Frank Ducos	Commissioner
Don Hardy	Commissioner
Marguerite Love	Commissioner
Mike Tugman	Commissioner

Others present: Mike Whaley, City Manager; Trish Holley, Director of Administration; Gordon Smith, Director of Public Works; Deana Sheriff, Economic Development Director; Janelle Dolan, City Clerk; Ed Stahr, Police Chief; and Mike Guevara, City Attorney, Shahan, Guevara, Decker, Arrott, Attorneys at Law.

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

Item 2. Invocation was given by Boon Bowling, Minister to Students, First Baptist Church.

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

Item 4. Consent Agenda.

- A. Approval of Minutes from January 7, 2015 and January 13, 2015 Special Called Meetings; January 19, 2015 Regular Meeting; and January 26, 2015 Special Called Meeting

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

The Mayor moved up the Item 11.

Item 11. Ordinance Number 871 was presented in its entirety. An ordinance for the purpose of submitting to the qualified voters, for adoption or rejection, proposed amendments to the existing charter of the City of Burkburnett.

Motion was made by Commissioner Lindenborn, seconded by Commissioner Hardy to approve Ordinance Number 871 as presented. Motion carried unanimously.

Item 5. Valerie Halverson, MWH Group, presented the final FY2014 Audit.

Motion was made by Commissioner Brewster, seconded by Commissioner Lindenborn to accept FY2014 audit as presented. Motion carried unanimously.

Item 6. Mayor Law closed the regular meeting at 7:22 p.m. and opened the “Public Hearing” for the following demolition cases: 216 E. 3rd St., 109 S. Avenue B, and 103 W. College.

Rodney Mathews, Code Enforcement Officer, addressed the Board of Commissioners and stated the Code Enforcement Department investigated a complaint at LOT 5 BLK 26 ORIGINAL TOWN, BB, also known as 216 E. 3rd St. Photo documents and structure report were obtained. The building was found to be in violation of Code of Ordinances Chapter 150.35 Unsafe/Dangerous Building. Code Enforcement performed property research indicating owner of said property to be Robert Ken Gossett. Notification was delivered by certified mail on 01-16-2015. Staff is requesting funds be allowed for the purpose of demolishing said structure and clean up of said property. Once accomplished, staff will assess value of project as a lien on property, plus \$100.00 administration fee, per ordinance.

Rodney Mathews, Code Enforcement Officer, addressed the Board of Commissioners and stated the Code Enforcement Department investigated a complaint at LOT 7 BLK 1 PARSONS, also known as 109 S Avenue B. Photo documents and structure reports were obtained. The buildings were found to be in violation of Code of Ordinances Chapter 150.35 Unsafe/Dangerous Building. Code Enforcement performed property research indicating owners of said property to be Michael Ebner and Fernando Rangel. Notification was hand delivered to Michael Ebner and delivered by certified mail on 01/15/2015 to Fernando Rangel. There were no appeals from either party in regards to said property. Staff is requesting funds be allowed for the purpose of demolishing said structures and clean up of said property. Once accomplished, staff will assess value of project as a lien on property, plus \$100.00 administration fee, per ordinance.

Rodney Mathews, Code Enforcement Officer, addressed the Board of Commissioners and stated the Code Enforcement Department investigated a complaint at 17&18 Blk 7 Wighams, also known as 103 W College. Photo documents and structure reports were obtained. The buildings were found to be in violation of Code of Ordinances Chapter 150.35 Unsafe/Dangerous Building. Code Enforcement performed property research indicating owners of said property to be Kenneth Cox, Janis Elliott and Brenda Newell. Notifications were hand delivered to each of the three owners by Code Enforcement. There were no appeals from any of the owners in regard to said property. Staff is requesting funds be allowed for the purpose of demolishing said structures and clean up

of said property. Once accomplished, staff will assess value of project as a lien on property, plus \$100.00 administration fee, per ordinance.

Item 7. Mayor Law closed the “Public Hearing” at 7:37 p.m. and reopened the regular meeting to take action on the following demolition cases: 216 E. 3rd St., 109 S. Avenue B, and 103 W. College.

Item 8. Action was taken on each individual address:

216 E. Third Street - Motion was made by Commissioner Tugman, seconded by Commissioner Brewster to give Mr. Robert Gossett two weeks to get together a plan, liability insurance and any other requirements necessary to proceed with the demolition. If Mr. Gossett meets those requirements within those two weeks he can go forward with the demolition. Motion carried unanimously.

109 S. Avenue B – Motion was made by Commissioner Tugman, seconded by Commissioner Love to approve the estimated cost of \$5,500 for the demolition of 109 S. Avenue B. Motion carried unanimously.

103 W. College – Motion was made by Commissioner Tugman, seconded by Commissioner Lindenborn to approve the estimated cost of \$6,900 for the demolition of 103 W. College. Motion carried unanimously.

Item 9. Resolution Number 576 was presented in its entirety. A resolution providing for the Citizen Participation Plan associated with the Texas Community Development Program Block Grant (TXCDBG) application submittal process. Mr. Whaley addressed the Mayor and Commissioners and stated Citizen Participation Plan outlines the formal procedures that are designed to provide adequate opportunities for all citizens to participate in the planning, design, implementation and assessment of the TXCDBG.

Motion was made by Commissioner Hardy, seconded by Commissioner Brewster to approve Resolution Number 576 as presented.

Item 10. Ordinance Number 870 was presented its entirety. An ordinance amending the Fiscal Year 2015 budget of the Burkburnett Development Corporation for the Neighborhood Reimbursement Grant. Deana Sheriff, Economic Development Director, addressed the Board and stated the Burkburnett Development Corporation is requesting an amendment to the FY15 BDC Budget to include the funds that had been allocated – but unspent – in FY14 for Neighborhood Reinvestment Grant Program. The FY15 BDC budget was adopted with the current-year allocated funds (**\$75,000**). There were unexpended funds from FY14 that were previously allocated, but were not carried forward to FY15 (**\$96,420**). The ordinance is proposing to carry the balance of \$96,420.00 forward which would bring the FY15 budget fund total to **\$171,420**. The BDC board reviewed the proposed ordinance and unanimously approved the ordinance.

Motion was made by Commissioner Brewster, seconded by Commissioner Lindenborn to approve Ordinance Number 870 as presented. Motion carried unanimously.

Item 12. Resolution Number 577 was presented in its entirety. A resolution ordering a general election to be held on May 9, 2015 to elect three (3) City Commissioners.

Motion was made by Commissioner Hardy, seconded by Commissioner Love to approve Resolution Number 577 as presented.

Item 13. Mr. Whaley addressed the Mayor and Commissioners and stated the Taste of Town fundraiser is scheduled for April 25, 2015 in the Burkburnett Community Center. The event is sponsored by the Burkburnett Lions Club and is conducted as a fundraiser for the club's local scholarship and community service projects. Applicants requesting to allow the consumption of beer and wine at City facilities are required to obtain a permit from the Board of Commissioners. Mr. Whaley reported the application for permit does have the incorrect date listed and will need to be corrected to April 25, 2015.

Motion was made by Commissioner Brewster, seconded by Commissioner Lindenborn to approve the permit application for the Taste of Town with the corrected date of April 25, 2015. Motion carried unanimously.

Item 14. Mr. Whaley stated there is an opening for an alternate position on the Zoning Board of Adjustments (ZBA). Mr. Scott Dolan has expressed interest in serving on the ZBA as an alternate and has submitted an application for your review. Considering Mr. Dolan's experience as a former Commissioner of the City of Burkburnett, staff recommends appointing Mr. Dolan to the ZBA as an alternate.

Motion was made by Commissioner Brewster, seconded by Commissioner Hardy to approve Scott Dolan to serve as an alternate on the Zoning Board of Adjustments. Motion carried unanimously.

Item 15. Review of monthly reports.

A. Administration-Nothing reported.

B. Public Works-Gordon Smith, Public Works Director, reported progress on the Family Aquatic Center is going well still on schedule for a completion date of April 1, 2015. Mr. Smith reported the City is working with an engineer on the new well field output.

C. Public Safety/Fire Department- Ed Stahr, Police Chief, reviewed the Racial Profiling Report and reported the Police Department was awarded a grant for \$18,000 which will be used for K-9 projects.

D. Economic Development- Deana Sheriff, Economic Development Director, reported Burk Light Truck and Auto was awarded funds for training. E L Harvey, Inc. will be hiring 10-12 new employees.

Item 12. No Commissioner comments.

Item 13. City Manager's report.

- The General and Charter Amendment Election will be on May 19, 2015. The last day to sign up to be on the ballot is February 27. Early Voting is April 27 through May 5, 2015.
- Mr. Whaley stated he will be out of the office on February 26th and 27th attending a TCMA Management Clinic.

Item 14. Commission comments.

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

Carl Law, Mayor

ATTEST:

Janelle Dolan, City Clerk