

## ***MINUTES***

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

The Board of Commissioners of the City of Burkburnett, Texas met in a regular meeting on Monday, January 20, 2014 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
Michael Tugman	Commissioner

Others present: Chester Nolen, Interim City Manager; Mike Whaley, Assistant City Manager; Trish Holley, Director of Administration; Janelle Dolan, City Clerk; Ed Stahr, Police Chief; and Deana Sheriff, Economic Development Director.

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

Item 2. Invocation was given by Carl English, Associate Pastor, Providence Baptist Church.

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

Item 4. Consent Agenda.

A. Approval of Minutes from December 9 Special Called Meeting and December 16, 2013

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

Item 5. Resolution Number 554 was presented in its entirety. A resolution with Texas Community Development Program Block Grant (TxCDBG) to help fund a Water System Improvement Project. Mr. Whaley, Assistant City Manager, addressed the Mayor and Commissioners, and reported the City was awarded the CDBG from the Texas Department of Agriculture (TDA) for the amount of

\$275,000. Mr. Whaley stated these funds will be utilized to replace undersized water mains and increase fire protection for the Troy Mills Addition between Oklahoma Cut Off and the Service Road. Mr. Whaley stated the resolution allows the City to accept the grant from TDA and accepts the Nortex Regional Planning Commission to provide general administrative services as required by TDA. Mr. Whaley stated it was City Staff recommendation to approve Resolution Number 554.

Motion was made by Commissioner Tugman, seconded by Commissioner Lindenborn to approve Resolution Number 554 accepting the grant of \$275,000 with an implication to the City of \$27,500. Motion carried unanimously.

Item 6. Ordinance Number 849 was presented. Caption of same being:

AN ORDINANCE RE-APPOINTING DAN TOMPKINS AS MUNICIPAL JUDGE FOR A TWO-YEAR TERM COMMENCING ON THE EFFECTIVE DATE OF THIS ORDINANCE AND ENDING SEPTEMBER 30, 2015; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Trish Holley, Director of Administration, addressed the Mayor and Commissioners and stated on February 18, 2008 the Board of Commissioners approved Ordinance Number 746 creating a Municipal Court of Record. In doing so, the ordinance set qualifications for the Municipal Judge with a beginning and ending date of his term. Ms. Holley stated Ordinance Number 849 re-appoints Dan Tompkins as the municipal judge for a two-year term, commencing on the effective date of this Ordinance and ending on September 30, 2015. Ms. Holley stated this ordinance was overlooked and should have been brought to the Board of Commissioners in September 2013.

Motion was made by Commissioner Andrajack, seconded by Commissioner Hardy to approve Ordinance Number 849 as presented. Motion carried unanimously.

Item 7. Ordinance Number 850 was presented. Caption of same being:

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS AMENDING THE FISCAL YEAR 2014 GENERAL BUDGET TO REFLECT THE ADJUSTMENT OF LONGEVITY PAY; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

Chester Nolen, Interim City Manager, addressed the Mayor and Commissioners and stated Ordinance Number 850 is for a budget amendment for Police Officer Longevity Pay. Mr. Nolen stated per Texas Local Government Code, Section 141.032, a municipality with a population of 10,000 or more, is required to pay each member of the police department and paid fire department, in addition to all other money paid for services rendered, longevity pay of \$4 per month for each year of service in the department, not to exceed 25 years.

Motion was made by Commissioner Tugman, seconded by Commissioner Hardy to approve Ordinance Number 850 as presented. Motion carried unanimously.

Item 8. Mayor Law closed the meeting at 7:09 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:

SECTION 551.074(a)-Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

1) Assistant City Manager Evaluation Report

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

Item 10. Review of monthly reports.

- A. Administration-
- B. Public Works- Mike Whaley reported the Wells contract has been executed along with the Family Aquatic Center (FAC) contract. Mr. Whaley reported there will be a preconstruction (FAC) meeting next week.
- C. Public Safety- Chief Ed Stahr presented the racial profiling report.
- D. Economic Development-Deana Sheriff reported there are three prospects for Burkburnett: food distribution company, sports bar, and a well-known retailer. Ms. Sheriff is always working on several data projects along with updating the Burkburnett Economic Development's new website [www.burkburnett.biz](http://www.burkburnett.biz).

Item 11. Public comments.

The following addressed the Mayor and Commissioners:  
Paula Smith, 406 W. 1<sup>st</sup> – Cemetery Pavilion

Item 12. City Manager's report.

- A. Charter Review-Mr. Nolen reported the City Attorney has reviewed the Charter Review Summary and provided his comments, no ballot language

received. Mr. Nolen reported the last day to order a charter election is February 28<sup>th</sup>.

Item 13. Commission comments.

Item 14. Motion was made by Commissioner Tugman, seconded by Commissioner Hardy to adjourn. Motion carried unanimously.

Carl Law, Mayor

**ATTEST:**

Janelle Dolan, City Clerk