

MINUTES

BOARD OF COMMISSIONERS

The Board of Commissioners of the City of Burkburnett, Texas met in a regular meeting on Monday, October 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
Randy Brewster	Commissioner
Frank Ducos	Commissioner
Don Hardy	Commissioner
Marguerite Love	Commissioner

Commissioner Tugman was not present.

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

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

Item 2. Invocation was given by Christina Haworth, Pastor of First Christian Church.

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

Item 4. Consent Agenda.

- A. Approval of Minutes from September 2, 2014 and September 10, 2014–
Special Called Meetings; September 15, 2014; and September 24, 2014–
Special Called Meeting.

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

Item 5. Mike Whaley, City Manager, addressed the Mayor and Commissioners and stated a Letter of Agreement for Architectural Services/Construction Documents and Contract Administration had been submitted by Rick Sims, with Bundy, Young, Sims & Potter, Inc. Mr. Whaley stated the purpose of the agreement is to develop construction documents and provide contract administration for erecting two (2) entryway signs for the City of Burkburnett. This professional agreement is not to exceed \$15,000.

Motion was made by Commissioner Brewster, seconded by Commissioner Lindenborn to Approve the professional agreement with Bundy, Young, Sims & Potter, Inc. for architectural services/construction documents for entryway signs for the City of Burkburnett. Motion carried unanimously.

Item 6. Mr. Whaley addressed the Mayor and Commissioners and reported a final plat was prepared by Corlett, Probst, & Boyd for owner William McCanns for the purpose of expanding and reconstructing the Sonic Drive-In. Mr. Whaley reported the proposed property is zoned commercial business (CB) and the plat reflects proper building lot lines and easements. Mr. Whaley stated that the request is in compliance with the Comprehensive Plan and City Staff has reviewed the plat for utility, access, drainage, etc., and finds no conflict with the Zoning Ordinance. The Planning and Zoning Commission (P&Z) recommended approval of the final plat.

Motion was made by Commissioner Hardy, seconded by Commissioner Ducos to accept the P&Z recommendation and approve the final plat as submitted. Motion carried unanimously.

Item 7. Mr. Whaley addressed the Mayor and Commissioners and stated Mr. Bill McCanns, owner of the Sonic Drive-In, located at 205 S. Avenue D has purchased the property at 203 S. Avenue D for the purpose of expanding and reconstructing the Sonic Drive-In. The site plan was prepared by Corlett, Probst, & Boyd. Mr. Whaley reported the proposed property is zoned commercial business (CB). Mr. Whaley stated City Staff has reviewed the site plan as well as preliminary construction details such as, storm drainage, proposed public or private streets or alleys, easements, set back, and utilities. The Zoning Board of Adjustment (ZBA) has approved a variance request for both front and side setback requirements and the Planning and Zoning Commission (P&Z) approved the site plan pending the ruling from the ZBA. Mr. Whaley stated that it is Staff's recommendation to accept the P & Z recommendation and approve Sonic Drive-In site plan as submitted.

Motion was made by Commissioner Lindenborn, seconded by Commissioner Hardy to accept the P & Z Commission's recommendation and approve the Sonic Drive-In site plan. Motion carried unanimously.

Item 8. Mayor Law closed the regular meeting at 7:15 p.m. and opened the "Public Hearing" for the following Planning & Zoning Commission Cases:

- A. Case #2014-18 re-zone application for Carport Overlay District 1100 BLK of Clover, block rezoned as a carport overlay district.

Mr. Whaley addressed the Mayor and Commissioners and stated an application was submitted by James and Judith McIlrath, owners of property located at 1102 Clover. This request is to allow for a carport overlay district on the 1100 BLK of Clover. Mr. Whaley

reported all publishing and mail out requirements have been met. Also, the required number of signatures (75%) has been satisfied and ownership has been verified by City Staff. Mr. Whaley stated the Planning and Zoning Board unanimously approved the request.

Item 9. Mayor Law closed the “Public Hearing” at 7:17 p.m. and reopened the regular meeting to take action on the Planning & Zoning Commission Cases:

- A. Case #2014-18 re-zone application for Carport Overlay District 1100 BLK of Clover, block rezoned as a carport overlay district.

Motion was made Commissioner Brewster, seconded by Commissioner Lindenborn to approve the re-zone application for 1100 block of Clover, block rezoned as a carport overlay district. Motion carried unanimously.

Item 10. Resolution Number 569 was presented in its entirety. A resolution authorizing the Burkburnett Development Corporation to fund \$500,000 for the development and support of the Burkburnett Family Aquatic Center. First reading, no action taken.

Item 11. Resolution Number 570 was presented in its entirety. A resolution authorizing the establishment of a voluntary contribution program for the Burkburnett Volunteer Fire Department.

Mr. Whaley addressed the Mayor and Commissioners and stated during the Special Called Meetings/Budget Workshops, staff was given the direction to research alternate revenue streams to assist the Burkburnett Volunteer Fire Department with costs associated with operation and training. One of the ideas presented was to establish a voluntary contribution option that would allow our citizens to make voluntary contributions. A form will be mailed out with the monthly water bill and also made available on our website and Facebook page. Citizens could then return the form to City Hall and their contribution would be reflected separately on their monthly water bill. All monies collected will be dedicated solely for the Burkburnett Volunteer Fire Department.

Motion was made by Commissioner Lindenborn, seconded by Commissioner Love to approve Resolution Number 570 as presented. Motion carried unanimously.

Item 12. Ordinance Number 865 was presented. Caption of same being:

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS AMENDING CHAPTER 52, SEWERS OF THE CODE OF ORDINANCES, PROVIDING AN EFFECTIVE DATE AND DECLARING AN EMERGENCY.

Mr. Whaley addressed the Mayor and Commissioners and stated that City Staff was instructed to review the effluent water reuse program and current rate structure. Mr. Whaley stated that due to the increased volume of customers and usage the City was

prompted to install a new automated vending machine to handle the increase. Ordinance Number 865 shows the Staff's recommendation on the effluent water reuse rates as follows:

Non-bulk rate resident	\$.0025 cents per gallon or \$2.50 per thousand gallons (remains same)
Non-bulk rate non-resident	\$.003 cents per gallon or \$3.00 per thousand gallons
	\$25.00 deposit
Bulk Rate	\$.00225 cents per gallon or \$2.25 per thousand gallons (increased from \$2.00)
	\$25.00 deposit

Motion was made by Commissioner Ducos, seconded by Commissioner Hardy to approve Ordinance Number 865 as presented. Motion carried unanimously.

Item 13. Ordinance Number 866 was presented. Caption of same being:

AN ORDINANCE AMENDING CHAPTER 50, OF THE CODE OF ORDINANCES, GARBAGE AND REFUSE; 50.10 COLLECTION CHARGES; 50.19 FEE REQUIRED FOR DUMPING; SPECIFYING THE EFFECTIVE DATE; DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

Mr. Whaley addressed the Mayor and Commissioners and stated that during the Special Called Meetings/Budget Workshops, staff was instructed to review the Citizen's Collection Station (CCS) and current rate structure. Mr. Whaley stated after reviewing the data pertaining to the CCS, it is the Staff's recommendation that a minimum fee of \$8 be established and leave the rate of \$40.00 per ton in place. This increase would generate approximately \$20,000 if usage remains consistent. Also this ordinance will adjust the rate for customers who request an extra polycart. Currently the rate is \$7.70 and the adjusted rate will be \$7.88. This is a pass-thru adjustment due to an increase from Progressive. It will not increase City revenues.

Motion was made by Commissioner Lindenborn, seconded by Commissioner Ducos to approve Ordinance Number 866 as presented. Motion carried unanimously.

Item 14. Mayor Law closed the meeting at 7:30 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 551.072-Deliberation Regarding Real Property

1. Discussion of purchase of real property for municipal use
2. Discuss financing terms and options

Item 15. Mayor Law reconvened the regular meeting at 8:25 p.m. No action was taken.

Item 16. Review of monthly reports.

- A. Administration-Janelle Dolan, City Clerk, reported on Friendship Festival which is scheduled for October 25. Currently there are approximately 50 vendors signed up to participate, four bands performing and warm weather in the forecast.
- B. Public Works
 - Family Aquatic Center- Gordon Smith, Director of Public Works, reported they are working on exterior walls of the pump house, the concrete bottom of lazy river completed and most importantly still on schedule.
 - Water Wells- Mr. Smith reported 13 wells are online. Still awaiting approval on one additional well.
 - Effluent/Reuse Water Vending- Mr. Smith reported the effluent water reuse vending machine is completely operational with 24 hour access.
 - Community Development Block Grant (CDBG)-Mr. Smith reported this project is 65-75% complete at this time. Mr. Smith also reported that the potable water vending machine was damaged in the last storm waiting on a part to repair it.
- C. Public Safety/Fire Department-Reports provided in packets.
- D. Economic Development-Nothing reported.

Item 17. There were no public comments.

Item 18. City Manager's report.

- Mr. Whaley reported that 2 police cruisers and Rescue 1 will be leased through American National Leasing.
- SMAC Meeting at MPEC on October 22 at 6:00 pm
- Christmas Party is scheduled for December 11 at 6:00 pm
- Walk-thru of Family Aquatic Center is set for October 21 at 10:00 am and 2:00 pm. Please contact Mr. Whaley to schedule a time.

Item 19. Commission comments.

Item 20. Motion was made by Commissioner Lindenborn, seconded by Commissioner Hardy to adjourn. Motion carried unanimously.

Carl Law, Mayor

ATTEST:

Janelle Dolan, City Clerk

Minutes, October 20, 2014