

MINUTES

BOARD OF COMMISSIONERS

The Board of Commissioners of the City of Burkburnett, Texas met in a special called meeting on September 15, 2015 at 6:00 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
Michael Tugman	Commissioner

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

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

Item 2. Invocation was given by Commissioner Love.

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

Item 4. Mayor Law closed the regular meeting at 6:01 p.m. and opened the “Budget Hearing” to discuss:

- a) Proposed City Operating Budget for Fiscal Year 2015-2016
- b) Proposed Property Tax Rate for Fiscal Year 2015-2016

Mike Whaley, City Manager, addressed the Mayor and Commissioners. Mr. Whaley presented a balanced budget and reviewed the proposed tax rate is \$0.693262/per \$100 (M&O- \$0.518817 and I&S- \$.174445) which is an increase in the M&O of \$0.019902 over last year’s M&O rate and an increase of \$0.000098 in the I&S rate for a total increase of \$0.02.

The following addressed the Mayor and Commissioners:
Terry Skinner, 941 Tejas

c) Residential Curbside Recycling

Mr. Whaley addressed the Mayor and Commissioners and reviewed options for residential curbside recycling:

Option 1: Add curbside residential recycling is \$4.40 per home

Requirements:

- ▶ Reduce franchise fee by \$16,807 annually (approximately 3%)
- ▶ Reduce free roll offs from 144 to 36 annually
- ▶ Increase commercial rates 10% (include CPI at 2%)

In addition: If the City purchases ploy carts at the approximate cost of \$175,000, the rate can be reduced from \$4.40 per home to \$3.40 per home.

Option 2: Add curbside residential recycling is \$4.15 per home

Requirements:

- ▶ Reduce franchise fee by \$16,807 annually (approximately 3%)
- ▶ Reduce free roll offs from 144 to 0 (close Citizen Collection Station)
- ▶ Increase commercial rates 10% (include CPI at 2%)

In addition: If the City purchases ploy carts at the approximate cost of \$175,000, the rate can be reduced from \$4.15 per home to \$3.15 per home.

Mr. Whaley presented the results from both the online and written surveys.

Q1: In general, would you be in favor of a curbside recycling program in Burkburnett?

Very Likely	Likely	Somewhat Likely	Not Likely	Not at all Likely	Total	
45	11	7	14	44	121	
40	12	12	19	68	151	
42	21	12	21	77	173	
53	19	12	20	71	175	
124	29	30	18	55	256	online
304	92	73	92	315	876	

Q2: If available, how likely would you be to use this service?

Very Likely	Likely	Somewhat Likely	Not Likely	Not at all Likely	Total	
45	10	8	14	45		
41	13	10	18	69		
44	18	13	26	72		
54	18	15	21	67		
120	31	32	21	52	305	online
304	90	78	100	305	877	

Q3: Would you be willing to pay an additional fee for this service?

Very Likely	Likely	Somewhat Likely	Not Likely	Not at all Likely	Total
22	15	10	13	63	
20	8	6	20	97	
19	18	9	15	111	
27	17	14	20	96	
48	23	31	35	119	online
136	81	70	103	486	876

Q 4: If this service were available at \$4.40 a month, would you be in favor of beginning the program in Burkburnett?

Very Likely	Likely	Somewhat Likely	Not Likely	Not at all Likely	Total
25	15	5	13	63	
24	8	3	18	98	
25	16	8	14	109	
36	11	11	15	101	
71	19	24	25	117	online
181	69	51	85	488	874

Item 5. Mayor Law closed the “Budget Hearing” at 6:11 p.m. and re-opened the Commissioners meeting.

Item 6. Motion was made by Commissioner Hardy, seconded by Commissioner Tugman to proceed with curbside recycling in Burkburnett with option 1 (City not purchasing polycarts).

Ayes: Commissioners Ducos, Hardy and Tugman

Nays: Mayor Law; Commissioners Lindenborn, Brewster and Love

Motion failed.

Item 7. Resolution Number 592 was presented in its entirety. A resolution authorizing an economic incentive agreement between the Burkburnett Development Corporation and Burke NH Realty, LTD., for job creation. Gary Robinett, Economic Development Director, addressed the Mayor and Commissioners and stated that Don Miller, owner of Foursquare Healthcare approached the City of Burkburnett about the development of a skilled nursing facility and possible incentives available for the development. Mr. Robinett provided some of the details of the proposed development: 52,000 square foot building, 7-8 million dollar investment, approximately 130 employees, 4 million dollar payroll, wage structure from \$9.00 per hour up to salary of \$125,000 annually. The site selection of the development is located along the I-44 corridor. The total agreement amount is for \$90,000.00 which constitutes \$1,500 for 60 employees. The amount would not be paid until a certificate of occupancy is issued for the facility. There is a two year

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forgiveness with the requirement to verify the facility's payroll every six months in which, if requirements are met, \$22,500 will be forgiven.

Motion was made by Commissioner Lindenborn, seconded by Commissioner Brewster to approve Resolution Number 592 as presented. Motion carried unanimously.

Item 8. Resolution Number 593 was presented in its entirety. A resolution authorizing an economic incentive agreement between the Burkburnett Development Corporation and Burke NH Realty, LTD., for sanitary sewer line relocation. Mr. Robinett stated this is second agreement with Don Miller, owner of Foursquare Healthcare for the development of a skilled nursing facility. The total agreement amount is for \$132,000. The amount is to be paid into an escrow account at the closing of the property. The facility will be forgiven \$66,000 at completion of sanitary sewer and the remaining \$66,000 after issuance of Certificate of Occupancy.

Motion was made by Commissioner Brewster, seconded by Commissioner Tugman to approve Resolution Number 593 with the following correction: (last sentence of page 1) In the event Burke NH Realty, LTD. fails to both relocate the sanitary sewer and receive its Certificate of Occupancy by December 31, 2017... Motion carried unanimously.

Item 9. Mr. Whaley addressed the Mayor and Commissioners and stated there has been a request to review how we address the maintenance of native undeveloped land in Burkburnett. Mr. Whaley provided aerial photos that show some of the areas of reference. Historically the City has not enforced or required any type of grounds maintenance as it pertains to native/undeveloped land. Mr. Whaley stated if you choose to change that, there are various ways it can be accomplished. Mr. Whaley provided a few examples of how other communities have addressed this issue. Mr. Whaley stated if you decide that you want to address maintenance of native land, then his recommendation would be to instruct staff to create an ordinance requiring a "fire break" (25'-50') on native land adjacent to the right of way, easement, and developed residential and commercial property. He believes this would satisfy any concerns regarding grounds maintenance. There may be additional details to work out. (Such as how to address large tract residential lots on Roller Rd/ FM 369 that have shared property lines on native areas of the lots.- Reference Aerial Photo).

Motion was made by Commissioner Hardy, seconded by Commissioner Tugman to postpone action on this agenda item until the Board of Commissioners has received additional information. Motion carried unanimously.

Item10. Mayor Law closed the meeting at 6:57 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

A. SECTION 551.072-Deliberation Regarding Real Property

- a. Citi Building
- b. McCullough Building

Item 11. Mayor Law reconvened the regular meeting at 8:06 p.m. No action was taken.

Item 12. City Manager Comments:

- Meeting Schedule – September 18 at 6pm Special Called Meeting, September 21 at 7 pm Regular Scheduled Meeting
- TML Annual Conference - September 23-25, San Antonio
- Boomtown Glow Run 5K and Friendship Festival – October 2 and 3

Item 13. Commission Comments.

Item 14. Motion was made by Commissioner Brewster seconded by Commissioner Ducos to adjourn. Motion carried unanimously.

Carl Law, Mayor

ATTEST:

Janelle Dolan, City Clerk