

## ***MINUTES***

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

The Board of Commissioners of the City of Burkburnett, Texas met in a regular meeting on Monday, September 16, 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
Josh Andrajack	Commissioner
Randy Brewster	Commissioner
Don Hardy	Commissioner
Marguerite Love	Commissioner
Michael Tugman	Commissioner

Others present: Trish Holley, Director of Administration; Michael Whaley, Public Works Director; Janelle Dolan, City Clerk and Mike Tracey, Police Chief.

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

Item 2. Invocation was given by Phillip Kenedy, Pastor of New Hope Church of the Nazarene.

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

Item 4. Consent Agenda.

- A. Approval of Minutes from August 1, August 6, August 8, and August 15 Special Called Budget Meetings and August 19, 2013.

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

Item 5. Motion was made by Commissioner Lindenborn, seconded by Commissioner Tugman to reappoint John Robertson and Russell Miller as voting members to the Burkburnett Development Corporation (BDC) Board; appoint Jeff Briscoe as a voting member of the BDC; reappoint Jeff Kindt as an ex officio member; remove Tag Davis and Susan Mitchell; and appoint Teresa Brantley, Matt Patterson, Danny Cremeens and Jerry Johnson as ex officio members of the BDC Board. Motion carried unanimously.

Item 6. Ordinance Number 840 was presented. Caption of same being:

**AN ORDINANCE ADOPTING THE FISCAL YEAR OPERATING BUDGET OCTOBER 1, 2013 – SEPTEMBER 30, 2014 FOR THE CITY OF BURKBURNETT, TEXAS AND APPROPRIATING THE SEVERAL SUMS SET UP THEREIN TO THE OBJECTS AND PURPOSES THEREIN NAMED, AND PROVIDING AN EFFECTIVE DATE.**

Motion was made by Commissioner Andrajack, seconded by Commissioner Hardy to approve Ordinance Number 840 as presented.

Ayes: Mayor Law; Commissioners: Lindenborn, Andrajack, Brewster, Hardy, Love, and Tugman

Motion carried.

Item 7. Ordinance Number 841 was presented. Caption of same being:

**AN ORDINANCE ADOPTING THE FISCAL YEAR CAPITAL IMPROVEMENT BUDGET OCTOBER 1, 2013 - SEPTEMBER 30, 2014 FOR THE CITY OF BURKBURNETT, TEXAS AND APPROPRIATING THE SEVERAL SUMS SET UP THEREIN TO THE OBJECTS AND PURPOSES THEREIN NAMED, AND PROVIDING AN EFFECTIVE DATE.**

Motion was made by Commissioner Andrajack, seconded by Commissioner Tugman and Commissioner Hardy to approve Ordinance Number 841 as presented. Motion carried unanimously.

Item 8. Ordinance Number 842 was presented. Caption of same being:

**AN ORDINANCE LEVYING AN ANNUAL AD VALOREM TAX FOR THE YEAR 2013. SETTING SPECIFIC TAX RATES, APPLICABLE TO ALL REAL, PERSONAL AND MIXED PROPERTY SITUATED WITHIN THE CITY OF BURKBURNETT CITY LIMITS; SETTING THE DUE DATE AND PROVIDING FOR PENALTIES AND INTEREST ON DELIQUENT TAXES.**

Motion was made by Commissioner Tugman, seconded by Commissioner Lindenborn that the property tax rate be increased by the adoption of a tax rate of 0.638587, which is effectively an 11.33 percent increase in the tax rate and to approve Ordinance Number 842. Motion carried unanimously.

Item 9. Ordinance Number 843 was presented. Caption of same being:

**AN ORDINANCE AMENDING ORDINANCE NUMBER 767 OF THE CITY OF BURKBURNETT, TEXAS PRESENTLY CODIFIED AS**

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**CHAPTER 50, GARBAGE AND REFUSE IN THE CODE OF ORDINANCES, SPECIFYING THE EFFECTIVE DATE; DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.**

Motion was made by Commissioner Brewster, seconded by Commissioner Andrajack to approve Ordinance Number 843 as presented. Motion carried unanimously.

The Mayor moved up Item 12.

Item 12. Review of monthly reports.

- A. Administration- Trish Holley, Director of Administration, reported the City received \$103,360.75 in sales tax for the month of September. That is \$90,445.11 over the total sales tax received last year. Ms. Holley also reported there are three vacancies within the City.
- B. Public Works- Mike Whaley, Director of Public Works, provided update on Parks and Recreation Department employee, Shannon Allison, whom had open heart surgery today, which went well. Mr. Whaley asked for continued prayers for Shannon's recovery.
- C. Public Safety- Chief Mike Tracey submitted his letter of resignation to the Mayor and Board of Commissioners effective 10/31/2013. Chief Tracey will be retiring after, 28 years of service with the City of Burkburnett and has a total of 35 years of service in law enforcement.

Mayor Law reported that Interim City Manager, Chester Nolen, is not present at the meeting due to him recovering from surgery that took place the previous week.

Item 10. Mayor Law closed the meeting at 7:15 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) Employment of City Manager

Item 11. Mayor Law reconvened the regular meeting at 7:48 p.m. No action was taken.

Item 13. There were no public comments.

Item 14. There was no City Manager's report.

Item 15. Commission comments.

Item 16. Motion was made by Commissioner Tugman, seconded by Commissioner Lindenborn to adjourn. Motion carried unanimously.

Carl Law, Mayor

**ATTEST:**

Janelle Dolan, City Clerk