

MINUTES
BOARD OF COMMISSIONERS

The Board of Commissioners of the City of Burkburnett, Texas met in a special called meeting on Monday, September 23, 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 Meeting 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; Trish Holley, Director of Administration; Mike Whaley; Director of Public Works; and Janelle Dolan, City Clerk.

Item 1. Mayor Law called the meeting to order. Invocation was given by Commissioner Andrajack. The pledge was led by Commissioner Lindenborn.

Item 2. Resolution Number 551 was presented in its entirety. Mike Whaley, Director of Public Works, addressed the Mayor and Commissioners. Mr. Whaley stated he received a request to review the need to dedicate a portion of existing burial sites for cremation purposes. The City was able to block out a section of the new cemetery for this purpose allowing for 64 cremation plots half the size of the traditional burial plots (same as infant plot). Mr. Whaley stated it was recommended at the last Cemetery Board meeting to sell these plots for half the price of the traditional burial plots. Currently the rate for an adult burial space is \$900, therefore, City Staff is recommending that the City sell the cremation spaces for \$450. Mr. Whaley stated while researching the cost for infant burial space, the City feels it prudent to adjust the current price of \$100 to \$300. The City's prices are still lower than other area cemeteries.

Motion was made by Commissioner Andrajack, seconded by Commissioner Hardy to approve Resolution Number 551 as presented. Motion carried unanimously.

Item 3. Ordinance Number 844 was presented. Caption of same being:

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS AMENDING CHAPTER 53, WATER IN THE CODE OF ORDINANCES, PROVIDING AN EFFECTIVE DATE AND DECLARING AN EMERGENCY.

Mr. Whaley addressed the Mayor and Commissioners and stated due to the current drought conditions he is concerned the City may be experiencing some violations of usage of the water vending machine. Also, we learned the City of Wichita Falls had closed their water vending machine which would in effect increase our usage. Since then, due to county residents concerns, the City of Wichita Falls will not be closing their water vending machine but has decided to strictly regulate the use of their water vending machine by setting appointment only operation. Mr. Whaley stated currently the City of Burkburnett has a rate of \$0.25 per 95-100 gallons, and is proposing an adjustment to the rate to \$0.25 per 50 gallons. Mr. Whaley stated he would also like to adjust the hours of operation from 7:30am to 4:30pm Monday-Friday, currently the water vending machine is open 24 hours/day-7 days/week. Mr. Whaley stated this will allow the City to have greater control and observation. Signage will be posted showing the new hours of operation and the intended use is for residential use only.

Motion was made by Commissioner Lindenborn, seconded by Commissioner Brewster to approve Ordinance Number 844 as presented.

Ayes: Mayor Law; Commissioners Lindenborn, Love and Brewster

Nays: Commissioners Andrajack, Hardy and Tugman

Motion carried.

Item 4. Ordinance Number 845 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.

Mike Whaley, Director of Public Works addressed the Mayor and Commissioners and stated the increase in the City's water re-use program has created a lot of additional work for the Water Department. Mr. Whaley stated what use to take 30 minutes to reconcile a hand full of accounts is now taking all day to reconcile with numerous pages of accounts. Mr. Whaley stated some billing is so low we are not recouping our costs of mailing the bill. Currently the cost of effluent water is set at \$0.0016 per gallon for 1.60 per thousand gallons. Mr. Whaley stated the City is proposing a two bracket system for bulk and non-bulk: bulk

would be set at \$0.0032 per gallon or \$3.20 per thousand gallons and non-bulk would be set at \$.006 per gallon or \$6.00 per thousand gallons. Mr. Whaley stated Burkburnett Independent School District is the only bulk customer.

Motion was made by Commissioner Lindenborn, seconded by Commissioner Love to approve Ordinance Number 845 as presented.

Ayes: Commissioner Lindenborn

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

Motion failed.

Item 5. Mayor Law closed the meeting at 7:45 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 6. Mayor Law reconvened the regular meeting at 8:29 p.m.

Motion made by Commissioner Andrajack, seconded by Commissioner Lindenborn to offer a personnel agreement to Michael Whaley giving him the temporary title of Assistant City Manager and further, if within a six month period, if he meets the requirements of the personnel agreement, he will be promoted to the position of City Manager. Motion carried unanimously.

Item 7. City Manager Comments.

- Mr. Nolen provided a proposed well design/bidding/construction schedule for the water wells from LBG-Guyton.

Item 8. Council comments.

Item 9. Motion was made by Commissioner Tugman, seconded by Commissioner Hardy to adjourn. Motion carried unanimously.

Carl Law, Mayor

ATTEST:

Janelle Dolan, City Clerk

Minutes, September 23, 2013