

MINUTES

BOARD OF COMMISSIONERS

The Board of Commissioners of the City of Burkburnett, Texas met in a regular meeting on Monday, January 17, 2011 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
Charlene Lewis	Mayor Pro-Tem
Bill Lindenborn	Commissioner
Ted Kwas	Commissioner
Josh Andrajack	Commissioner
Chase Thornton	Commissioner
Raymond Holland	Commissioner

Other's present: Don Ives, City Manager; Trish Holley, City Clerk; Michael Whaley, Public Works Director and Mike Tracey, Chief of Police.

Jeff Bromley representing Burkburnett Informer Star was present.

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

Item 2. Invocation was given by Mark Simons, Pastor of Jan Lee Baptist Church.

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

Item 4. Consent Agenda.

- A. Approval of minutes: (1) December 2, 2010
- (2) December 13, 2010
- (3) December 20, 2010

Motion was made by Commissioner Lindenborn, seconded by Commissioner Thornton to approve Consent Agenda 4A.

Ayes: Mayor Law, Commissioners: Lindenborn, Thornton, Andrajack, Kwas and Holland.

Nays: None

Abstained: Commissioner Lewis

Item 5. Motion was made by Commissioner Lindenborn, seconded by Commissioner Lewis to approve a five year extension of the Wastewater Treatment Plant Operation, Maintenance and Management Services Agreement with Veolia Water, Inc. Motion carried unanimously.

Item 6. Motion was made by Commissioner Andrajack, seconded by Commissioner Thornton/Holland to approve the Cemetery Committee proceeding with the application process designating the Burkburnett Memorial Cemetery as a Historic Texas Cemetery. Motion carried unanimously.

Item 7. Motion was made by Commissioner Andrajack, seconded by Commissioner Lindenborn to approve the City of Burkburnett Community Revitalization Plan as presented. Motion carried unanimously.

Item 8. Resolution Number 504 was presented. A resolution declaring support for the Burkburnett Pioneer Crossing for seniors.

Motion was made by Commissioner Andrajack, seconded by Commissioner Thornton to approve Resolution Number 504 as presented. Motion carried unanimously.

Item 9. Resolution Number 505 was presented. A resolution declaring support for the Overland Property Group for low income apartment units.

Motion was made by Commissioner Andrajack, seconded by Commissioner Lindenborn to approve Resolution Number 505 as presented.

Ayes: Mayor Law, Commissioners: Andrajack, Lindenborn, Kwas, Holland, and Thornton

Nays: Commissioner Lewis

Abstained: None

Item 10. Bids were submitted on the following properties that the City of Burkburnett wishes to sell.

- (1) Parcel One: 310 W. 6th. 1 bid received from W.L. Bunton in the amount of \$500.00. Motion made by Commissioner Thornton, seconded by Commissioner Kwas to accept bid, motion carried unanimously.
- (2) Parcel Two: 425 W. 1st. 1 bid received from Cheney Brothers, LLC in the amount of \$7,595.00. Motion made by Commissioner Andrajack, seconded by Commissioner Thornton to accept bid, motion carried unanimously.
- (3) Parcel Three: 105 Freeman. 1 bid received from W.L. Bunton in the amount of \$500.00. Motion made by Commissioner Andrajack, seconded by Commissioner Lindenborn to accept bid, motion carried unanimously.

- (4) Parcel Four: 407 W. 5th. 1 bid received from W.L. Bunton in the amount of \$500.00. Motion made by Commissioner Lindenborn, seconded by Commissioner Kwas to accept bid, motion carried unanimously.
- (5) Parcel Five: 100 S. Red River Expy. 1 bid received from Cheney Brothers LLC in the amount of \$10,000.00. Motion made by Commissioner Thornton, seconded by Commissioner Kwas to reject the bid from Cheney Brothers LLC, motion carried unanimously.
- (6) Parcel Six: 614 W. 6th. 1 bid received from W.L. Bunton in the amount of \$500.00. Motion made by Commissioner Andrajack, seconded by Commissioner Thornton to accept bid, motion carried unanimously.
- (7) Parcel Seven: 607 N. Cottonwood-No bid
- (8) Parcel Eight: 617 E. 3rd. 1 bid received from W.L. Bunton in the amount of \$500.00. Motion made by Commissioner Thornton, seconded by Commissioner Holland to accept bid, motion carried unanimously.
- (9) Parcel Nine: 406 E. 9th-No bid
- (10) Parcel Ten: 318 W. 6th. 1 bid received from W.L. Bunton in the amount of \$500.00. Motion made by Commissioner Andrajack, seconded by Commissioner Holland to accept bid, motion carried unanimously.
- (11) Parcel Eleven: Bishop Road-No bid
- (12) Parcel Twelve: W. 6th. 1 bid received from W.L. Bunton in the amount of \$500.00. Motion made by Commissioner Kwas, seconded by Commissioner Holland to accept bid, motion carried unanimously.
- (13) Parcel Thirteen: W. 6th. 1 bid received from W.L. Bunton in the amount of \$500.00. Motion made by Commissioner Thornton, seconded by Commissioner Holland to accept bid, motion carried unanimously.
- (14) Parcel Fourteen: W. 7th. 1 bid received from W.L. Bunton in the amount of \$500.00. Motion made by Commissioner Andrajack, seconded by Commissioner Holland to accept, motion carried unanimously.
- (15) Parcel Fifteen: Freeman Street. 1 bid received from W. L. Bunton in the amount of \$350.00. Motion made by Commissioner Lewis, seconded by Commissioner Kwas to accept bid, motion carried unanimously.
- (16) Parcel Sixteen: E. 4th-No bid.

Item 11. Don Ives, City Manager addressed the Mayor and Commissioners. Mr. Ives provided an estimated cost for the Meadow Drive Reconstruction. The estimated cost provided by City Engineer Richard Body totals \$352,000.00 with a percentage being assessed to the property owners (\$8,200.00). The minimum cost paid by the City would be approximately \$73,000.00.

Motion was made by Commissioner Kwas, seconded by Commissioner Thornton to defer any action until the land owners on Meadow Drive could be presented the costs associated with the reconstruction and see if they are willing to be assessed \$8,200.00.

Ayes: Mayor Law, Commissioners: Kwas, Thornton, Lewis, Andrajack and Holland

Nays: None

Abstained: Commissioner Lindenborn

Item 12. Motion was made by Commissioner Thornton, seconded by Commissioner Holland to approve the purchase of a new Fire Engine Truck from Pierce Fire Apparatus in the amount of \$323,955.00, \$60,000 down with a ten (10) year lease. Motion carried unanimously.

Item 13. Motion was made by Commissioner Andrajack, seconded by Commissioner Lindenborn to create a Master Drainage Plan for the City and fees payable to Corlett, Probst & Boyd not to exceed \$62,000.00. Motion carried unanimously.

Item 14. Resolution Number 506 was presented. A resolution suspending OnCor Electric Delivery Company's requested Rate Change.

Motion was made by Commissioner Thornton, seconded by Commissioner Lindenborn to approve Resolution Number 506 as presented. Motion carried unanimously.

Item 15. Ordinance Number 795. Caption of same being:

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS AMENDING THE FISCAL YEAR 2011 PARKS & RECREATION BUDGET TO REFLECT THE ADJUSTMENT OF EXPENDITURES; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

Motion was made by Commissioner Andrajack, seconded by Commissioner Lewis to approve Ordinance Number 795, Parks & Recreation Budget for the 2011 July 4th Celebration. Motion carried unanimously.

Item 16. Mayor Law nominated Howard Locklin to serve on the Planning & Zoning Commission to serve the remaining term of Billy Ray Mize that resigned December, 2010, seconded by Commissioner Kwas. Motion carried unanimously.

Item 17. Motion was made by Commissioner Kwas, seconded by Commissioner Holland to approve submitting Request for Proposals for Audit Services for the City of Burkburnett. Motion carried unanimously.

Item 18. Resolution Number 503. A resolution authorizing and adopting the Purchasing/Procurement Manual for the City of Burkburnett.

Motion was made by Commissioner Lewis, seconded by Commissioner Holland to approve Resolution Number 503 as presented. Motion carried unanimously.

Item 19. Ordinance Number 796. Caption of same being:

AN ORDINANCE AMENDING ORDINANCE NUMBER 275 OF THE CITY OF BURKBURNETT, TEXAS PRESENTLY CODIFIED AS CHAPTER 97, SECTION 97.60 – 97.65, PARKS AND RECREATION BOARD 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 Lewis, seconded by Commissioner Kwas to defer action until more information could be gather. Motion failed.

Mayor Law stated several areas in the Parks & Recreation Board needs clarification and corrections. The Mayor and Commissioners reviewed the areas of concern.

Motion was made by Commissioner Andrajack, seconded by Commissioner Thornton to defer action in order the make the recommended modifications to the Ordinance and to contact other cities that have similar ordinances to draw on. Motion carried unanimously.

Item 20. Ordinance Number 797. No action taken.

Item 21. Motion was made by Commissioner Thornton, seconded by Commissioner Kwas to approve Don Ives, City Manager to submit a bid for the property at 0 Floyd Street for \$10.00 or if needed, no more than \$545.00 in order to receive a clear title to the property leading up to the Journey's End Cemetery. Motion carried unanimously.

Item 22. Review of monthly reports.

A. Administration

(1) Financial and personnel reports were reviewed by Don Ives, Interim City Manager/Director of Administration. Commissioner Andrajack addressed the permits in the Revenue Section and the amount of sales tax received.

B. Public Works

C. Public Safety

Item 23. Public Comments. None

Item 24. City Manager's report. No comments.

Item 25. Council comments.

Commissioner Thornton thanked everyone coming and enduring the long meeting tonight.

Commissioner Holland thanked those that stayed and congratulated the Fire Department on getting a new Fire Truck.

Commissioner Lewis thanked everyone for their prayers and concern-she stated she is cancer free and thanks for coming tonight.

Commissioner Lindenborn thanked everyone for coming and stated it was a long night but productive.

Commissioner Kwas thanked everyone for coming and stated it was a good meeting.

Commissioner Andrajack stated it was a long meeting but thanked those that came and thanked Don Ives for the summaries that are being provided in the council books. He stated that Chief Tracey didn't announce this, but John Hopkins last day is February 1 and a reception will be at 2:30 pm at the Police Department and sent condolences to a co-worker by the name of Donna.

Mayor Law thanked everyone for coming tonight and thanked Kelly Bolen for preparing the Community Revitalization Plan.

Item 26. Motion was made by Commissioner Holland, seconded by Commissioner Kwas to adjourn. Motion carried unanimously.

Carl Law, Mayor

ATTEST:

Trish Holley, City Clerk