

MINUTES

BOARD OF COMMISSIONERS

The Board of Commissioners of the City of Burkburnett, Texas met in a special called meeting on Monday, January 25, 2010 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
Mike Tugman	Mayor Pro-Tem
Charlene Lewis	Commissioner
Scott Dolan	Commissioner
Bill Lindenborn	Commissioner
Ted Kwas	Commissioner
Arnold Wells	Commissioner

Other's present: Mike Slye, City Manager; Trish Holley, City Clerk; Janet Cox, Administrative Assistant; Jay Cantrell, City Attorney and Kelly Bolen, Executive Director, Burkburnett Development Corporation.

Other's present: Glen Hutchinson, W. L. Bunton, Thomas Watson, Jimmy & Irene Smith, M.R. Blackmone, Jack McMullen.

Jeff Bromley, representing Burkburnett Informer Star was present.

Item 1. Mayor Law called the meeting to order.

Item 2. Commissioner Tugman gave the invocation.

Item 3. Commissioner Dolan led the Pledge of Allegiance.

Item 4. Motion was made by Commissioner Wells, seconded by Commissioner Dolan to approve the Burkburnett Development Corporation Budget Amendment to pay off the long-term debt in the amount of \$392,226.80. Motion carried unanimously.

Item 5. Commissioners, Their Qualification, Art. IV, Section 8 of the City Charter.

Commissioner Kwas proposed changing the Commissioners Qualifications-that would prevent a current Commissioner that ran for office and not re-elected from running again for 2 years.

Local residents that spoke: Jimmy Smith, 1525 E. Third
Jack McMullen, 203 E. Third
W. L. Bunton, 1585 Ratt Road, Wichita Falls, Texas

Died for lack of motion.

Item 6. The following proposed ballot language was presented for the May 8, 2010 Charter Amendment Election.

Proposed Ballot Language:

Proposition One-Maintenance of Railroad Crossings:

Shall Section 11 of Article III of the Charter of the City of Burkburnett, Texas be amended by repealing the phrase which currently reads "...provided, further that all street railways, steam railways, or other railways shall pay the cost of improving the said street between the rails and tracks of any such railway companies and for two feet on each side "thereof" and enacting the following language in place of such phrase:

...provided, further that all railways shall pay the cost of maintaining railroad crossings with public streets to a standard which is not less than that required by applicable law but the city may assist in improving railroad crossings to a standard in excess of the minimum applicable standards.

____ For

____ Against

Proposition Two-Vacancies if Office:

Shall Section 6 of Article IV of the Charter of the City of Burkburnett, Texas be amended to read as follows:

A vacancy in the Board of Commissioners due to death or resignation shall be filled, for the unexpired term, by the remaining commissioners; provided, that should more than two vacancies occur at the same time, then it shall be the duty of the remaining members of the Board to call an election, to be held at the earliest date permitted by state law to fill such vacancies.

____ For

____ Against

Proposition Three-Duties of Mayor:

Shall Section 12 of Article IV of the Charter of the City of Burkburnett, Texas be amended to repeal the sentence which reads "He shall sign all contracts entered into by the city and all bonds issued under the provision of this Charter, and shall be the chief executive officer of the city" and by enacting the following language in place of said sentence:

The Mayor or his designee of the Mayor approved by the Board of Commissioners shall sign all contracts entered into by the city and all bonds issued under the provisions of this Charter, and shall be the chief executive officer of the city.

For
 Against

Proposition Four-Contracts for Personal Services

Shall Section 25 of Article IV of the Charter of the City of Burkburnett, Texas be amended to read as follows:

Any person that enters into a contract with the city for personal services shall be subject to preemptory discharge; but the contract may provide for benefits or compensation payable on termination of the contract if the contract is being terminated at the election of the city and not due to any fault of the other party to the contract.

For
 Against

Proposition Five-City Manager, Powers/Duties

Shall subsection (c) of Section 5 of Article V of the Charter of the City of Burkburnett, Texas be repealed and the following language be enacted in place of the language repealed:

(c) To appoint or hire, suspend and remove, all employees of the city except as otherwise provided in this Charter and subject to any policies or procedures that may be adopted by the Board of Commissioners from time to time.

For
 Against

After much discussion, motion was made by Commissioner Wells, seconded by Commissioner Tugman to approve the proposed ballot language to be included in the May 8, 2010 Election with corrections to Proposition Two reading “two or more” (not more than two).

Ayes: Mayor Law, Commissioners: Wells, Tugman, Lindenborn and Dolan
Nays: Commissioners: Kwas and Lewis
Abstained: none

Item 7. City Manager’s report.

- A. Mr. Slye passed out an information sheet on the upcoming May 8, 2010 Election giving important dates for the filing period and early voting, candidates may pick up packets on January 29th.

Item 8. Council comments.

Commissioner Kwas stated he has nothing to say, and thanked everyone for coming tonight.

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

Carl Law, Mayor

ATTEST:

Trish Holley, City Clerk