

## ***MINUTES***

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

The Board of Commissioners of the City of Burkburnett, Texas met in a special called meeting on Monday, January 4, 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
Michael 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; Dale Lewis, Director of Administration, Mike Whaley, Director of Public Works, Mike Tracy, Chief of Police and Jay Cantrell, City Attorney.

Other's present: Rodney Ryalls, Brent Schelter, Pancho Vela, Dan King, John Hopkins, Ron Alley, Juan Gonzales, Steve Barnes, Glen Hutchinson, Scott & Marva Hogue, Jeff Krc, Len Nauman, Donald Morgan, Sean Lam, Paul Casillas, Liberty Merriman, Jim & Wendy Duke, James Bavousett, Zachary Leonard, Jack McCullen, Daniel McCullen. Sheppard Air Force Base representatives: AB Mike Dill, A1C Genevieve Hernane, A1C Carl Burnham, SSgt. Adam Myers and MSgt. Chase Smith and many others from Sheppard Air Force Base that didn't sign in.

Jeff Bromley representing the Burkburnett Informer Star was present.

Item 1. Mayor Law called the meeting to order.

Item 2. Invocation was given by Commissioner Dolan.

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

Item 4. Awards and Recognition Ceremony.

Mr. Slye addressed the Commissioners and visitors. Mr. Slye reported during the 2009 Christmas Blizzard, Sheppard Air Force Base provided major support in assisting the Burkburnett Police Department, Burkburnett Volunteer Fire Department along with

Burkburnett citizens helping the stranded motorists along the I-44 Corridor. Tonight, on behalf of the stranded motorists, the Burkburnett Police Department, Burkburnett Volunteer Fire Department and the Board of Commissioners, Mayor Carl Law would like to make a special presentation to those from Sheppard Air Force Base that willingly provided support. Please come forward-AB Mike Dill, A1C Genevieve Hernane, A1C Carl Burnham, SSGT. Adam Myers and MSGT. Chase Smith.

Mr. Slye read a Resolution of Gratitude and Mayor Law presented the documents of gratitude to each airman along with a Burkburnett Coin. They received a standing ovation from the audience.

Mr. Slye recognized the City of Burkburnett employees with longevity. They are:

Jimmy Duke	5 years
Dale Lewis	10 years
Lt. Sean Lam	10 years
Gary DeVore	10 years
Officer Scott Hogue	15 years
Trudy Thompson	15 years
Mike Slye	15 years

Fire Department recipients:

Kelly Bob Carter	15 years
Greg Neal	20 years

In other recognition, the Burkburnett Police Association selected Emergency Management Coordinator Ed Stahr as Office of the Year and Trish Holley, City Clerk was recognized for being selected Municipal Clerk of the Year for this region.

Item 5. Mayor Law closed the regular meeting and opened the “Public Hearing” to discuss City Charter Articles at 7:30 p.m.

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|----------------------------------|---------------------|
| A. Vacancies in Office           | Art. IV, Section 6  |
| B. Compensation of Commissioners | Art. IV, Section 9  |
| C. Duties of Mayor               | Art. IV. Section 12 |
| D. Contract of Personal Services | Art. IV, Section 25 |

Item 6. Mayor Law closed the “Public Hearing” and re-opened the Commissioners meeting at 7:45 p.m.

Item 7. Potential change to Vacancies in Office, Art. IV, Section 6.

Motion was made by Commissioner Dolan, seconded by Commissioner Lindenborn to eliminate the following language-“at least three (3) members participating in the election.” Motion carried unanimously.

Item 8. Potential change to Compensation of Commissioners, Art. IV, Section 9.

Item 8 was deferred until the next meeting.

Item 9. Potential change to Duties of Mayor, Art. IV, Section 12.

Motion was made by Commissioner Lindenborn, seconded by Commissioner Dolan to change the language and add “He or his designee as approved by the Board of Commissioners shall sign all contracts, etc. Motion carried unanimously.

Item 10. Potential change to Contract of Personal Services, Art. IV, Section 25.

Motion was made by Commissioner Wells, seconded by Commissioner Kwas to replace the section with the following language-“Any person that enters into a contract with the city for personal services shall be subject to preemptory discharge; provided that the contract for personal services 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.”

Ayes: Mayor Law, Commissioners: Wells, Kwas, Tugman, Lindenborn.

Nays: Commissioners: Lewis and Dolan

Abstained: None

Item 11. City Manager’s report.

- A. Mr. Slye reported he would be attending a Texas Municipal League Intergovernmental Employee Benefits Pool Meeting on January 6<sup>th</sup>.
- B. Mr. Slye thanked Commissioner Dolan for all the hours and hard work he contributed during the Christmas Blizzard; couldn’t have done it without everyone pitching in and helping, you all should be proud of Burkburnett.

Item 7. Council Comments.

Commissioner Lewis asked if in Art. III, Section 28 regarding the water and sewer funds, if the funds are sacred, have we transferred funds from it?

Mr. Slye reported a franchise payment can be made to the general fund from water/sewer for any expenses incurred in the daily operation of the water/sewer department; you cannot transfer monies to the general fund to just subsidize the general department; that is not an option.

Mayor Law personally recognized Cindy Slye as being instrumental in the quality care and hospitality provided the stranded motorists during the Christmas blizzard 2009 and thanked the Commissioners for time to ask questions about the Charter, and even if we don't all agree, we can all still discuss it knowing we are trying to make this even a better city to live in.

Item 8. Motion was made by Commissioner Dolan, seconded by Commissioner Wells to adjourn. Motion carried unanimously.

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Carl Law, Mayor

**ATTEST:**

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Trish Holley, City Clerk