

## ***MINUTES***

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

The Board of Commissioners of the City of Burkburnett, Texas met in a regular called meeting on Monday, July 21, 2008 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	Commissioner
Billy T. Elder	Commissioner
Scott Dolan	Commissioner
Jim Phillips	Commissioner
Charlie McCullough	Commissioner

Commissioner Mike Tugman was absent.

Other's present were: Mike Slye, City Manager; Trish Holley, City Clerk; Dale Lewis, Director of Administration; Michael Whaley, Director of Public Works; Mike Tracey, Chief of Police; Office Raymond Holland, Kelly Bolen, Burkburnett Development Corporation; Jeff Bromley representing Burkburnett Informer Star and Mike Neito representing OnCor.

Other's present: Marilyn Darnall, Reverend Eddie Sirmons, Don & Barbara Ruthledge, Alice Bryan, Linda Hinnant, Lisa & David Dunford, Gregory Otto, Thomas Watson, Lahoma Wood, Glen Hutchinson, W. L. Buton, Bill Lindenborn, Cindy Giles, Lacey Salls, Tracy Cissell, Curtis Salyer, Flora Holland, Michael Bunton, Dee Wood, Helen Alexander, Sandra & Ralf Taylor, Dick Vallon, Mary Civiletto, Mike & Debbie Graham, Bill Bunton, Patricia Dominguez, Donna Jones, Kathy Dickey, Ted Kwas, Mickey Simmons, Rhonda Simmons, Scott Simmons, Scott Cammann, Jimmy & Irene Smith, Christy Wood, Robert Bell, Cindy Guinn, Larry & Deni Swearinger, Michael Crowley, Donna Shepard, Richard & Pam Holzheuser and a few others citizens had signed in but the names were not legible.

Channel 6 News representative Abgail Carter.

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

Item 2. Reverend Mark Simons, Pastor of Jan Lee Baptist Church gave the invocation.

Item 3. Comments from Citizens/Visitors.

Lisa Dunford, 1004, Easy, Burkburnett

Burkburnett Police Department

Bill Bunton, 1585 Ratt Road, Wichita Falls, Texas  
Burkburnett Police Department/City Hall

Thomas Watson, 209 S. Avenue B Lot 21, Burkburnett  
Flooding issues at Hayworth and S. Avenue B

Debbie Graham, 723 Dana, Burkburnett  
Burkburnett Police Department

Scott Cammann, 101 Kaitlin St., Burkburnett  
Car Ports/Zoning

Peter Couture, 111 S. Berry, Burkburnett  
Government Procedures

Item 4. Mayor Law reviewed the Consent Agenda Items.

A. Approval of the minutes from June 16 and June 23, 2008.

Motion was made by Commissioner Elder, seconded by Commissioner Dolan to approve Consent Agenda Item 4A. Motion carried unanimously.

Item 5. Motion was made by Commissioner Dolan, seconded by Commissioner Elder to approve the Friendship Park Application Permit Benefit Car/Motorcycle Show for the VFW Post 10455 on September 13, 2008 with the following conditions: limit size of coolers (12-pack max), no bottles, and have security inspect all coolers as a condition of approval and proper security. Motion carried unanimously.

Item 6. Motion was made by Commissioner McCullough, seconded by Commissioner Phillips to approve the Fourth Amendment to the City of Wichita Falls Water Contract. Motion carried unanimously.

Item 7. Motion was made by Commissioner Lewis, seconded by Commissioner Dolan to approve the price increase on the sale of garbage bags from \$6.00 per roll to \$7.00 per roll (including sales tax). Motion carried unanimously.

Item 8. Resolution Number 436 was presented in its entirety. A resolution suspending the August 8, 2008 effective date of OnCor Electric Delivery Company requested rate increase.

Motion was made by Commissioner Phillips, seconded by Commissioner McCullough to approve Resolution Number 436 as presented. Motion carried unanimously.

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Item 9. Motion was made by Commissioner Elder, seconded by Commissioner McCullough to approve the pre-approved Supplemental Environmental Project (SEP) application to wit: Texas Commission Environmental Quality Wild Horse Creek discharge incident. Project 5: Household Hazardous Waste Collection. Motion carried unanimously.

Item 10. The Commissioners reviewed the monthly reports.

Item 11. Mike Slye, City Manager addressed the Commissioners. Mr. Slye reported on July 30<sup>th</sup> he would be in Austin for a Health Board Meeting.

The budget workshop is scheduled for July 24<sup>th</sup> at noon. On July 31<sup>st</sup> at 9:00 a.m., the Texas Transportation Commission will have its monthly meeting at the MSU Dillard Building discussing funding issues.

Mr. Slye reported on South Preston, the east end is open to the public. The end product has been inspected, and does not have a good profiling. Barnett Paving stated they would make it good by smoothing it out and finish with a faux seal. The north end of Preston has been seal coated, they will change sides and start milling it down and once it has all been coated up to Chapman Circle they will open the road up from Chapman to the south.

Mr. Slye reported the newsletters had been sent out and I would like for all the Commissioners to review a DVD I have in the office regarding long-term electrical purchases through CAPP. The city will be letting a contract in the near future for a 20-year contract for a portion of our utility load.

In closing, Mr. Slye thanked Mrs. Graham for her statements, and in fact, Chief Tracey represents change at the Police Department, it will take time to get things in order. All employees at the Police Department were given a polygraph in which one officer resigned last Friday due to the polygraph. The Burkburnett Police Department has completed their internal investigation. Mr. Slye stated to Ms. Dunford, that he would be investigating her allegations.

Item 12. Commissioner McCullough thanked the visitors for coming tonight and those that are interested in government and stated they are going to make this the best place in the world to live.

Commissioner Elder stated he appreciated the citizens coming tonight and that I assure you that we are aware of the problems at the police department and that they are under a microscope and this was the first time I have heard about the incident with Mrs. Wood and it will be investigated, there are three sides to every story, there always is, we are not blind, we know that there are problems that exist and they are being addressed, there have been meetings with the police department, city manager, not just with the police chief and has already been a dismissal of one person and reprimand of another, there are punishments that are being handed out as we speak for incidents that have occurred.

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Commissioner Elder stated to the ladies and gentlemen that the Commissioners are there representatives, we are here for the citizens of Burkburnett, I don't represent the staff or a particular individual, I can't fix a problem unless I know about it. I assure you this is being investigated. Please keep us informed. Commissioner Elder then stated he did not know why Mr. Bunton was so interested in this due to him not being a citizen of Burkburnett, nor owning any property in the city of Burkburnett and that he does not represent him.

Mayor Law stated he took a lot of license there; my responsibility is to maintain order during the meeting.

Commissioner Phillips stated we have many fine officers and some incidences that need to be corrected and those changes that need to be made will be addressed.

Commissioner Dolan stated he would like to see the city get city back on track and get things going the way they should, communication is the key and I hope we start doing a better job.

Commissioner Lewis stated to Commissioner Elder that Mr. Bunton is our elder, I don't care what, he doesn't need to be talked to that way, I'm sorry. Commissioner Lewis stated she was at loss what to say, and that she feels like she hasn't done her job and has gone along with things, that I've had my head in the ground or sand and I hope Chief Tracey will take care of things, and think one officer quit and not dismissed (Chief Tracey stated the officer was given the opportunity to resign) I'd like to see justice done to Mr. Holland, I feel like it hasn't been done, I'm at loss what to say, but thank you for coming and Bill I didn't mean to put you on the spot, but he is our elder, Mr. Elder.

Mayor Law thanked those that came tonight and stated ICMA has recognized Mike Slye as a Credentialed Manager, which is an honor. Mayor Law stated "There's an interesting article about integrity in the June issue of the Texas Municipal League magazine. One section of the article got my attention because I think it describes the members of this council. It said that leaders who have integrity "make every decision on the basis of what's right rather than who's right." When we have to make a decision, we try to make it based on what's right for everyone in the city. I'm proud to serve with everyone on this council and with this city manager."

Item 13. Motion was made Commissioner Lewis seconded by Commissioner Dolan to adjourn. Motion carried unanimously.

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Carl Law, Mayor

ATTEST:

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Trish Holley, City Clerk

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