

MINUTES

BOARD OF COMMISSIONERS

The Board of Commissioners of the City of Burkburnett, Texas met in a regular called meeting on Monday, June 18, 2007 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:

Lee Potts	Mayor
Mike Tugman	Commissioner
Charlene Lewis	Commissioner
Billy T. Elder	Commissioner
Scott Dolan	Commissioner
Carl Law	Commissioner
Jim Phillips	Commissioner

Other's present were: Mike Slye, City Manager; Trish Holley, City Secretary; Dale Lewis, Director of Administration; Michael Whaley, Director of Public Works; Curtis Salyer, Chief of Police; Mike Tracey, Assistant Chief of Police; Rod Ryalls, Fire Chief; Larry Ford, Planning & Zoning Commission and Jeff Bromley representing Burkburnett Informer Star.

Local residents attending: Thomas Watson, Cindy & Steve Guinn and Larry Ford.

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

Item 2. Commissioner Law gave the invocation.

Item 3. No comments from Citizens/Visitors.

Item 4. Trish Holley, City Secretary read a Proclamation of Appreciation from the Texas Municipal League Intergovernmental Employee Benefits Pool

Item 5. Mayor Potts reviewed the Consent Agenda Items.

A. Approval of the minutes from May 21, 2007.

Motion was made by Commissioner Tugman, seconded by Commissioner Lewis to approve Consent Agenda Item 5 A. Motion carried unanimously.

Item 6. Mayor Potts closed the regular meeting and opened the "Public Hearing" at 7:06 p.m. to discuss Planning & Zoning Commission Case #2007-76, re-zone application for

property bounded by Violet to North/Ramsey to South/240 to West/and Mockingbird to East.

Dale Lewis, secretary for the Planning & Zoning Commission addressed the Commissioners. Mr. Lewis stated the request is to comply with the comprehensive plan. The properties fronting on Highway 240 would be zoned Commercial Business and the remaining properties be zoned Residential R-2. The Planning & Zoning Commission approved the request.

Item 7. Mayor Potts closed the “Public Hearing” and re-opened the regular meeting at 7:09 p.m.

Item 8. Motion was made by Commissioner Lewis, seconded by Commissioner Dolan to approve Planning & Zoning Commission Case #2007-76 as presented. Motion carried unanimously.

Item 9. Mayor Potts closed the regular meeting and opened the “Public Hearing” at 7:10 p.m. to discuss the following:

- A. Discuss Planning & Zoning Commission authority to approve simple plats.
- B. Discuss changes to the text in Zoning Ordinance Number 589, Section 10.8.A.
- C. Discuss amending Chapter 155 of the Code of Ordinances to provide that subdivisions be consistent with City Zoning Ordinance.

9.A. Mr. Slye addressed the Commissioners. Simple plats will be reviewed by City Staff and presented to the Planning & Zoning Commission for approval. All preliminary and final subdivisions would be reviewed by City Staff and presented to the Board of Commissioners for approval.

9. B. Mr. Slye stated the text in the Zoning Ordinance Number 589, Section 10.8.A requires a three-fourths (3/4) approval from the Board of Commissioners for denied applications submitted by the Planning & Zoning. An ordinance has been prepared to change the text based upon the requirements you would like to enforce.

9.C. Mr. Slye stated in order to comply with City Zoning Ordinance, Chapter 155 of the Code of Ordinances need to be amended.

Item 10. Mayor Potts closed the “Public Hearing” at 7:40 p.m. and re-opened the regular meeting.

Item 11. Motion was made by Commissioner Elder, seconded by Commissioner Phillips to approve the Planning & Zoning Commission approves simple plats. Motion carried unanimously.

Item 12. Ordinance Number 731 was presented in its entirety. Caption of same being:

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS AMENDING ZONING ORDINANCE NUMBER 589, SECTION 10.8.A; DENIED APPLICATIONS FORWARDED FROM THE PLANNING & ZONING COMMISSION TO THE BOARD OF COMMISSIONERS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

Motion was made by Commissioner Elder, seconded by Commissioner Dolan for the following language in Ordinance Number 731, Section 10.8.A:

An application which is recommended by the Planning & Zoning Commission (“Commission”) for denial shall be forwarded to the Board of Commissioners (“Board”) along with the Commission’s reasons for denial. The final approval of the application by the Board will require a simple majority vote from the seven members of the Board for any denial recommended by the Commission of less than a unanimous vote by the Commission. Any unanimous recommendation of denial by the Commission will require a super majority vote of 70% of the seven members of the Board in order to approve the application.

Ayes: Mayor Potts, Commissioners: Elder, Dolan, Lewis, Phillips and Law.

Nays: Commissioner Tugman

Abstained: None

Item 13. Ordinance Number 732 was presented in its entirety. Caption of same being:

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS AMENDING CHAPTER 155 OF THE CODE OF ORDINANCES OF THE CITY OF BURKBURNETT, TEXAS REQUIRING INTERPRETATION OF THE SUBDIVISION ORDINANCE IN A MANNER CONSISTENT WITH THE CITY’S ZONING ORDINANCE.

Motion was made by Commissioner Tugman, seconded by Commissioner Phillips to approve Ordinance Number 732 as presented. Motion carried unanimously.

Item 14. Motion was made by Commissioner Law, seconded by Commissioner Dolan to approve the following corrections for the Planning & Zoning Commission Board Terms-Billy Ray Mize-2008, Jerry Coker-2008, Carla Walters-2010, Frank Andrajack-2009 and Larry Ford-2009. Motion carried unanimously.

Item 15. Resolution Number 425 was presented in its entirety. A resolution suspending Atmos GRIP Rate Adjustment.

Motion was made by Commissioner Tugman, seconded by Commissioner Elder to approve Resolution Number 425 as presented. Motion carried unanimously.

Item 16. Mayor Potts presented the Mayor appointed Council Committees. They are as follows:

Public Administration Committee-Chair Commissioner Tugman, Dolan and Elder.

Public Safety Committee-Chair Commissioner Lewis, Phillips and Elder.

Public Works Committee-Chair Commissioner Law, Elder and Tugman.

Parks & Recreation Committee-Chair Commissioner Elder, Phillips and Lewis.

Planning Committee-Chair Commissioner Dolan, Tugman and Law.

Golf Committee-Chair Matt Patterson, Citizens John Brookman and Scott Lobaugh, Mayor Potts, Commissioner Phillips, Elder and City Manager Mike Slye.

Hotel Occupancy Tax Committee-Chair Commissioner Tugman, Elder, Dolan and Mayor Potts.

Tax Increment Finance Committee-Chair Commissioner Elder, County Commissioner Bill Presson, Bin Ellett, Brennen Moore and David Strayhorn.

Item 17. The Commissioners reviewed the monthly reports.

Item 18. Mike Slye, City Manager addressed the Commissioners. Mr. Slye stated this is the last Council meeting for Chief Salyer. A retirement reception will be held at the Community Center on June 22nd from 2:00 pm-4:00 pm and all are invited to attend.

Mr. Slye stated the July 4th activities are underway, invitations have been mailed and staff is expecting a great turnout. A VIP parking area will be roped off and you should be receiving a parking pass in the mail.

Mr. Slye reported the Public Works Committee would meet with IESI to discuss contract options; the contract will expire in October of this year.

In closing, Mr. Slye reported a contractor hit the 16” water line between Delphi and our valve, the contractor will be responsible for the replacement, staff is working on scheduling budget workshops and next week he would be attending a legislative update and TML health board meeting.

Item 19. Commissioner Dolan asked if Emergency Management Coordinator Ed Stahr took care of the traffic lights that do not work. Commissioner Dolan reported the traffic light in front of City Hall doesn't recognize motorcycles. Chief Salyer reported the lights do not work with the magnetic strip any longer. They work based upon the camera attached at the top of the light.

Commissioner Lewis wished Chief Salyer a happy retirement and that he would be missed and thanked Mike Whaley, Director of Public Works for taking care of an alley issue.

Commissioner Elder wished Chief Salyer the best and asked about the stop light at College. Mr. Slye reported when Sheppard Road is upgraded the light will be upgraded as well.

Commissioner Phillips wished Chief Salyer the best and asked if better explanations could be provided on the Planning & Zoning Commission case maps.

Mayor Lee Potts wished Chief Salyer the best and that Rodney Roberts and his crews are doing a good job with the mowing. Mayor Potts thanked Larry Ford and the Planning & Zoning Commission for the work they do.

Item 20. Motion was made Commissioner Tugman, seconded by Commissioner Lewis to adjourn. Motion carried unanimously.

Lee Potts, Mayor

ATTEST:

Trish Holley, City Secretary