

MINUTES

BOARD OF COMMISSIONERS

The Board of Commissioners of the City of Burkburnett, Texas met in a regular called meeting on Monday, March 16, 2009 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
Billy T. Elder	Commissioner
Scott Dolan	Commissioner
Jim Phillips	Commissioner
Charlie McCullough	Commissioner

Other's present were: Mike Slye, City Manager; Trish Holley, City Clerk; Dale Lewis, Director of Administration and Mike Tracey, Chief of Police.

Other's present: Bill Lindenborn, Michael Bunton, Dick Vallon, Denise Kirkpatrick, Rita & Larry Long, Shannon Kramer, Ron Clarke, Thomas Watson, Nellie Dickson, Nova Dickson, Curtis Salyer, Kelly Bolen, Ted Kwas, Wade Medberry, Glen Hutchinson, Trudy Thompson, Brenda & Donnie Shepard, Jack Baber, Flora Holland, Cindy Guinn, Raymond Holland, Gary Cox, W. L. Bunton and John Beard.

Burkburnett Boy Scout Troop 219 was present-Alex Allen, Robert Allen, Kevin Long and Devon Allen.

Jeff Bromley representing Burkburnett Informer Star was present.

Item 1. Mayor Law called the meeting to order and welcomed the visitors and had Burkburnett Boy Scout Troop 219 lead us in the Pledge to Allegiance.

Item 2. Invocation was given by Reverend Jerry Jackson, Pastor of Calvary Baptist Church.

Item 3. Mayor Law reviewed the Consent Agenda Items.

- A. Approval of minutes from February 14, 16, 23 and March 9, 2009.
- B. Approve the re-appointment of Mr. Glenn Barham to the Wichita-Wilbarger 9-1-1 District Board of Managers.

Motion was made by Commissioner Lewis, seconded by Commissioner Dolan to approve the Consent Agenda Items 3A-B. Motion carried unanimously.

Item 4. Mike Slye addressed the Commissioners. Mr. Slye reported Denise Kirkpatrick and Ron Clarke serve on the Cemetery Advisory Board and will give an update.

Ms. Kirkpatrick addressed the Commissioners. Ms. Kirkpatrick stated the Cemetery Board consists of Ron Clarke, Shannon Waitman, Brenda Whaley, Nova Dickson and Shannon Kramer and meet periodically. She stated their intent is to help beautify the cemetery and make it a place to be proud of.

Ms. Kirkpatrick thanked the Commissioners for their support with the new fencing on the North and South sides of the cemetery, deed restrictions with curb information, a plaque naming the cemetery the Burkburnett Memorial Cemetery and a clean up date is pending.

Ron Clarke addressed the Commissioners. Mr. Clarke stated several months ago a group raised approximately \$4300.00 to construct a pavilion at the cemetery for graveside services. The cemetery committee would hope to see a pavilion in Phase III of the cemetery in the very near future. The pavilion would change the atmosphere of the cemetery and provide a better overview of the city in general.

Mr. Clarke stated the committee is researching the possibility allowing people to purchase a brick to place in a walkway/pillar to help beautify the cemetery.

Mr. Slye stated he had visited with Mr. Clarke and informed him the Commissioners have always kept the cemetery improvements on there to do list during budget time. The city currently has approximately \$100,000 for the Phase III cemetery set aside for development. The current cemetery has approximately 8 years of spaces left but no room for a pavilion. Of course, during budget time, if the Commissioners determine to proceed with the development then it will become a priority.

The Commissioners thanked Ms. Kirkpatrick and Mr. Clarke for the updates.

Item 5. Motion was made by Commissioner McCullough, seconded by Commissioner Elder to approve the Financial Support Agreement in the amount of \$2,000.00 per year and Banner Maintenance Agreement in the amount of \$2,000.00 between the City of Burkburnett and the Burkburnett Development Corporation. Motion carried unanimously.

* The following resolutions were presented and will approve with one motion.

Item 6. Resolution Number 454 was presented. A resolution along with Burkburnett Independent School District and Wichita County, recovered judgment in Cause No. 41,561-C, Bishop Road.

Item 7. Resolution Number 455 was presented. A resolution along with Burkburnett Independent School District and Wichita County, recovered judgment in Cause No. 41,621-C, 215 W. Williams

Item 8. Resolution Number 456 was presented. A resolution along with Burkburnett Independent School District and Wichita County, recovered judgment in Cause No. 41,943-C, 120 ½ N. Avenue C.

Item 9. Resolution Number 457 was presented. A resolution along with Burkburnett Independent School District and Wichita County, recovered judgment in Cause No. 40,322-C, Freeman Street, 407 W. 5th Street, W. 5th Street and W. 6th Street.

Motion was made by Commissioner Elder, seconded by Commissioner Tugman to approve Resolution Numbers 454, 455, 456 and 457 as presented. Motion carried unanimously.

Item 10. Motion was made by Commissioner Elder, seconded by Commissioner Phillips to approve the Mayor signing the Oncor Agreements for a new outdoor warning siren electric power and the new Prescott Lease pump and motor. Motion carried unanimously.

Item 11. Mike Slye, City Manager addressed the Commissioners. Mr. Slye presented an overview of the electric deregulation that lawmakers would be reviewing during the legislative session that would affect the wholesale and retail electricity market.

Item 12. The Commissioners reviewed the monthly reports.

Item 13. Personal Audience Comments to Commissioners/Comments on Agenda Items.

No requests.

Item 14. City Manager's report.

- A. Atmos RRM Filing-Mr. Slye stated the Rate Review Mechanism in the 2nd RRM filing which replaces the GRIP filings. Mr. Slye reported they are asking for 9.7 million and additional rate increases which if passed will be around \$.54¢ increase to the residential customer and \$1.09 increase to a business. The additional RRM allows them to capture their capital infrastructure cost to run gas utilities.
- B. Annual Audit-Mr. Slye stated that the annual audit has been completed with the only exception being a non-compliant finding the new accounting standard involving the audit team completing the end of the year adjustments. Despite

this minor finding the city received an unqualified opinion of this past years audit.

- C. Cardinal Software System. The new software has been installed at the Police Department and staff has been trained. They should be using the system within the next week.
- D. 2010 Census. Debbie Walton is the point of contact for the census. 10 years ago, Burkburnett was the strongest in this region for responding the questionnaire and I encourage you to fill it out when it comes in.
- E. The Mayor will be attending Wichita County Days in Austin on March 23-24th sponsored by Wichita Board of Commerce Industry.
- F. Homeland Security Grant. Mr. Slye reported this would be the last year to submit a wish list to the Homeland Committee and ask for assistance without any local match in monies.

Item 15. Council discussion.

A. Commissioner Tugman

- (1) Administrative Committee update- No discussion.
- (2) City Manager Performance review. Commissioner Tugman stated the performance evaluation forms will be distributed tonight and encourage you to take time to fill them out and return to Bill Elder no later than April 3rd.

Commissioner Lewis thanked Chief Tracey and the animal control officer for the good job in chasing the wild hog out of their neighborhood and thanked the visitors and Boy Scout Troop for coming tonight.

Commissioner Dolan asked Chief Tracey if the policy had changed in patrolling the I44 corridor?

Chief Tracey stated they are allowed to patrol the area only as time allows and is not on a regular schedule.

Commissioner Elder thanked the staff for sending flowers to him while in the hospital.

Commissioner McCullough stated the Burkburnett Development Corporation Business Expo was a success with approximately 500 in attendance with hopes of it becoming an annual event.

Mayor Law thanked the visitors and the Boy Scouts for coming and leading the Pledge of Allegiance tonight.

Item 16. Motion was made by Commissioner Tugman, seconded by Commissioner Elder to adjourn. Motion carried unanimously.

Carl Law, Mayor

ATTEST:

Trish Holley, City Clerk