

MINUTES

BOARD OF COMMISSIONERS

The Board of Commissioners of the City of Burkburnett, Texas met in a regular called meeting on Monday, March 19, 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:

Bill Vincent	Mayor
Lee Potts	Commissioner
Mike Tugman	Commissioner
Charlene Lewis	Commissioner
Billy T. Elder	Commissioner
Scott Davison	Commissioner
Scott Dolan	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; Rod Ryalls, Fire Chief and Jeff Bromley representing Burkburnett Informer Star.

Local residents: Jim Phillips, Willa Divine, Howard Mathews, Thomas Watson, Stephanie Berryman, Shannon Kramer, Cindy Guinn, Ted Kwas, Hubert Cox and Carl Law.

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

Item 2. Invocation was given by Commissioner Potts.

Item 3. Citizens/Visitors Comments to Commissioners.

Hubert Cox Burkburnett

Item 4. Mayor Vincent reviewed the items under the Consent Agenda.

- A. Approval of the minutes from February 19, 2007.
- B. Budget Amendment-Decrease #04-401-4009 Equipment Purchase \$12,500.00 and Increase #04-401-4016 Equipment Purchase \$12,500.00.
- C. Budget Amendment-Decrease #01-405-4000 Salaries \$1,844.00 and Increase #01-405-4095 Unemployment \$1,844.00.

Motion was made by Commissioner Elder, seconded by Commissioner Dolan to approve Consent Agenda Items 4-C. Motion carried unanimously.

Item 5. Mayor Vincent closed the regular meeting at 7:05 p.m. and opened the “Public Hearing” for Case #2007-73, re-zone application for Avenue C from College Street to First Street.

Dale Lewis, secretary for the Planning & Zoning Commission addressed the Commissioners. Mr. Lewis reported the Planning & Zoning Commission reviewed Case #2007-73 and recommends it stay zoned as Single Family SF-6.

Willa Divine addressed the Commissioners and asked the Commissioners to reconsider the request and allow a mobile home to be put on the property.

Stephanie Berryman addressed the Commissioners. Ms. Berryman asked the Commissioners to reconsider the request and allow her to place her mobile home on the lot.

Item 6. Mayor Vincent closed the “Public Hearing” at 7:18 p.m. and reopened the regular Commissioners meeting.

Item 7. Motion was made by Commissioner Davison, seconded by Commissioner Elder to approve Case #2007-73, re-zone application for Avenue C from College Street to First Street from Single Family SF-6 to Residential R-2.

Ayes: Commissioners Davison, Elder, Dolan and Potts
Nays: Mayor Vincent, Commissioners: Tugman and Lewis
Abstained: None

Mike Slye, City Manager stated the motion failed, law requires a second request be voted on by at least 75% in favor for it to be passed.

Item 8. Mayor Vincent closed the regular meeting at 7:30 p.m. and opened the “Public Hearing” mandated by Local Government Code 370.002 to review the current Juvenile Curfew Ordinance Number 669, dated March 15, 2004.

Mike Slye, City Manager addressed the Commissioners. Mr. Slye stated the Local Government Code requires the ordinance to be reviewed every three years, no changes have been made to the current curfew ordinance and staff recommends extending Ordinance Number 669 to March 19, 2010.

Item 9. Mayor Vincent closed the “Public Hearing” at 7:38 p.m. and re-opened the regular Commissioners meeting.

Item 10. Motion was made by Commissioner Potts, seconded by Commissioner Elder to approve the continuation of the current Juvenile Curfew Ordinance Number 669 until March 19, 2010.

Ayes: Mayor Vincent, Commissioners: Tugman, Dolan, Elder, Potts and Lewis

Nays: Commissioner Davison

Abstained: None

Item 11. Mike Slye, City Manager removed Item 11 from the agenda with no action to be taken.

Item 12. Motion was made by Commissioner Elder, seconded by Commissioner Lewis to approve final plat, Lots 8-19, Block 1 and Lots 14-20, Block 2, Roller Road. Motion carried unanimously.

Item 13. Michael Whaley, Director of Public Works presented three quotes for logo painting for the 1 million gallon storage tank.

Gulf States Protective Coatings, Inc.	\$10,000.00
Industrial & Commercial Signs	\$ 6,392.00
Don Henschel	\$ 3,127.00

Mr. Whaley stated the logo lettering size by the first 2 companies are for 8 foot lettering and the last company is for 6 foot lettering.

Motion was made by Commissioner Elder, seconded by Commissioner Potts to accept the lowest quote but require 8 foot lettering.

Ayes: Mayor Vincent, Commissioners: Elder, Potts, Dolan, Tugman and Lewis.

Nays: Commissioner Davison

Abstained: None

Item 14. Mayor Vincent recessed to “Executive Session” at 7:58 p.m. to consider the following:

- A. Consultation with City Attorney on a matter in which the duty of the attorney to the City under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act; specifically, to consult with the City on a pending personnel proceeding, pursuant to Section 551.071(2) of the Texas Government Code.
- B. Deliberate the appointment or employment of a chief of police pursuant to Section 551.074 of the Texas Government Code.

Item 15. The Commissioners reconvened in regular session with no action taken on Item 14 A and B.

Item 16. The Commissioners reviewed the monthly reports.

Item 17. Mike Slye, City Manager addressed the Commissioners. Mr. Slye reported Commissioner Lewis and he would be traveling to Austin on April 3 and 4th for Wichita County Days.

Mr. Slye stated a Public Administration Committee meeting is scheduled for April 13th to review mid-year financials.

In closing, Mr. Slye reported the City Hall drive thru has been temporarily closed due to 2 employees from the water department being out sick and a Centennial Newsletter will be mailed out at the end of the month with upcoming events listed.

Item 18. Commissioner Lewis invited everyone to attend a Trails & Tales meeting on March 21st at noon, with Reba Mathis reminiscing about her early life here in Burkburnett.

Commissioner Elder reported Chaparral Road is tearing up and looking bad.

Mr. Slye reported the city was looking into a way to repair it in the near future.

Mayor Vincent asked why fire hydrants are in the right-of-way on Daniels Road.

Mr. Slye explained the city wasn't able to obtain right-of-ways rights from TXU.

Item 19. Motion was made by Commissioner Tugman, seconded by Commissioner Potts to adjourn at 8:25 p.m. Motion carried unanimously.

Bill Vincent, Mayor

ATTEST:

Trish Holley, City Secretary