

MINUTES

BOARD OF COMMISSIONERS

The Board of Commissioners of the City of Burkburnett, Texas met in a regular meeting on Monday, March 19, 2012 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 Meetings Act. The following Commissioners were present:

Carl Law	Mayor
Charlene Lewis	Mayor Pro-Tem
Bill Lindenborn	Commissioner
Chase Thornton	Commissioner
Josh Andrajack	Commissioner
Raymond Holland	Commissioner
Randy Brewster	Commissioner

Others present: Tim James, City Manager; Trish Holley, Director of Administration; Michael Whaley, Public Works Director; Janelle Dolan, City Clerk; and Mike Tracey, Chief of Police.

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

Item 2. Invocation was given by Duane Perkinson, Pastor of Central Baptist Church.

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

Item 4. Consent Agenda.

- A. Approval of Minutes from February 13, 2012, February 14, 2012, February 20, 2012-Special called meeting, and February 20, 2012.

Motion was made by Commissioner Thornton, seconded by Commissioner Holland to approve Consent Agenda 4. Motion carried unanimously.

Mayor Law moved Item 12 up.

Item 12. Michael Whaley, Public Works Director presented the previously opened bids for the N. Preston Reconstruction. They are as follows:

<u>Bidder</u>	<u>Total Base Bid(Asphalt)</u>	<u>Total Concrete Bid</u>
Barnett Paving	\$385,875.50	\$618,850.60
Duke Construction	No bid	\$519,383.00
Bobby Bounds	\$421,298.10	No bid

Mr. Whaley, Director of Public Works/Community Planning addressed the Mayor and Commissioners and reported the bids for the reconstruction of North Preston were opened on March 15th. The low bid for asphalt was received from Barnett Paving at \$385,875.50 and the low bid for concrete was Duke Construction for \$519,383.00. Mr. Whaley stated City Staff would recommend either contractor. Mr. Whaley explained that remaining street bond balance is \$831,488.13. Estimates were provided for the remaining projects at Davey Drive and North Bishop with a combined total of \$739,284.60 which would leave a balance of \$92,203.53 remaining in the street bond funds. Mr. Whaley reported if the Board of Commissioners awarded the concrete bid on North Preston it would cause a deficit of \$53,964.87 and the City would have to find an alternative way to fund the remaining street bond projects.

Motion was made by Commissioner Andrajack, seconded by Commissioner Lewis to accept the asphalt bid from Barrett Paving for \$385,875.50. Motion carried unanimously.

Item 5. Mayor Law closed the regular meeting at approximately 7:15 p.m. and opened the “Public Hearing” for the following Planning & Zoning Commission Cases:

Case #2012-2, re-zone application for 1400 Block of Amherst, block rezoned as a carport overlay district.

Case #2012-3, re-zone application for 500 Block of W. College, block rezoned as a carport overlay district.

Michael Whaley addressed the Board and Commissioners. He stated that Case #2012-2 and #2012-3 are both rezone applications for carport overlay district. In both Case #2012-2, 1400 Block of Amherst and Case#2012-3, 500 Block of W. College, both applicants returned a signature page with the 75% minimum met. The signatures were verified by City Staff. Mr. Whaley explained both applications were unanimously approved by the Planning and Zoning Commission. Mr. Whaley also reported that all requirements set forth in the Carport Overlay District amendment have been met. Mr. Whaley stated it would be the City Staff’s recommendation to accept the Planning and Zoning Commission’s recommendation to approve the rezone application for a carport overlay district for the 1400 Block of Amherst and the 500 Block of W. College.

Case #2012-4, Specific Use Permit for 203 E. Third Street, Specific Use Permit to allow for an indoor firing range.

James White, 727 W. Third St., Burkburnett, Owner of Boomtown Armory, made a presentation to the Mayor and Commissioners.

The following addressed the Commissioners:

Mel Feller, 914 Kiowa, Burkburnett

Item 6. Mayor Law closed the “Public Hearing” at approximately 7:22 p.m. and reopened the regular meeting to take action on the Planning & Zoning Commission Cases:

Case #2012-2, re-zone application for 1400 Block of Amherst, block rezoned as a carport overlay district.

Case #2012-3, re-zone application for 500 Block of W. College, block rezoned as a carport overlay district.

Case #2012-4, Specific Use Permit for 203 E. Third Street, Specific Use Permit to allow for an indoor firing range.

Motion was made by Commissioner Andrajack, seconded by Commissioner Brewster to approve Case #2012-2, rezone application for 1400 Block of Amherst, block rezoned as carport overlay district.

Ayes: Mayor Law, Commissioners: Lindenborn, Brewster, Andrajack, Thornton, and Holland.

Nays: Commissioner Lewis.

Motion carried.

Motion was made by Commissioner Lindenborn , seconded by Commissioner Andrajack to approve Case #2012-3, rezone application for 500 Block of W. College, block rezoned as carport overlay district. Motion carried unanimously.

Motion was made by Commissioner Thornton, seconded by Commissioner Lindenborn to approve Case #2012-4, Specific Use Permit for 203 E. Third Street, Specific Use Permit to allow for an indoor firing range. Motion carried unanimously.

Item 7. Mr. Whaley addressed the Mayor and Commissioners. Mr. Whaley stated this is a request to plat property to construct Pioneer Crossing for Seniors. Mr. Whaley reported it meets the minimum requirements set out in the Zoning Ordinance. The Planning & Zoning Commission approved this request unanimously. It is City Staff’s recommendation to accept the Planning and Zoning’s recommendation for approval of the final plat, Lot 1 Block 1 Pioneer Crossing for Seniors.

Motion was made by Commissioner Holland, seconded by Commissioner Thornton to approve the final plat, Lot 1 Block 1 Pioneer Crossing for Seniors. Motion carried unanimously.

Item 8. Mr. Whaley addressed the Mayor and Commissioners. Mr. Whaley explained there are two separate plats because this parcel of property became available after the developer had submitted their application to the Texas Department of Housing and it has to be plated separately. Mr. Whaley stated this will be a better entrance to the property. Mr. Whaley reported it meets the minimum requirements set out in the Zoning Ordinance. The Planning & Zoning Commission approved this request unanimously. It is City Staff's recommendation to accept the Planning and Zoning's recommendation for approval of the final plat, Lot 1 Block 1 Pioneer Crossing Addition.

Motion was made by Commissioner Andrajack, seconded by Commissioner Thornton to approve the final plat, Lot 1 Block 1 Pioneer Crossing Addition. Motion carried unanimously.

Item 9. Mr. Whaley addressed the Mayor and Commissioners. City Staff has thoroughly reviewed the site plan for an 80 unit apartment complex for seniors. Mr. Whaley reported it meets the minimum requirements set out in the Zoning Ordinance. The Planning & Zoning Commission approved this request unanimously. It is City Staff's recommendation to accept the Planning and Zoning's recommendation for approval of the site plan for Pioneer Crossing for Seniors.

Motion was made by Commissioner Lindenborn, seconded by Commissioner Holland to approve the site plan for Pioneer Crossing for Seniors. Motion carried unanimously.

Item 10. Rodney Ryalls, Fire Chief, addressed the Mayor and Commissioners. Mr. Ryalls requested the Burkburnett Volunteer Fire be able to enter into a Memorandum of Understanding with the Wichita Falls Fire Department Strike Team and Task Force. Mr. Ryalls stated the Strike Team will respond to major wildfires, natural disasters, or other incidents with the region and state.

Motion was made by Commissioner Lindenborn, seconded by Commissioner Holland to authorize the Burkburnett Fire Department to sign the Memorandum of Understanding. Motion carried unanimously.

Item 11. Commissioner Thornton addressed the Mayor and Commissioners. Commissioner Thornton stated that during the time has served as a Commissioner he has been asked two questions repeatedly: Why does the Council get to the elect the mayor instead of the citizens? and Why won't the City move away from its current at-large system to a precinct or ward system? Commissioner Thornton

proposed an election process that would involve electing one commissioner from each of the City's precincts plus three at-large council members and a mayor at-large. After some discussion, Commissioner Andrajack presented a proposal that would have the City drawn into quadrants, based on population splits, with one position on the Commission reserved for a resident of each quadrant. Each of the other three spots on the Commission would have no geographic restrictions, outside of current requirements. These three positions would not be at-large but would have a designated place system.

The following addressed the Commissioners:

Ron Clarke, 204 Preston, Burkburnett

Motion was made by Commissioner Andrajack, seconded by Commissioner Thornton to defer action on Agenda Item 11 until such time City Staff has done the research and gathered information to determine population splits for dividing the City into quadrants, to develop four districts. Motion carried unanimously.

Item 13. Tim James, City Manager, addressed the Mayor and Commissioners. Mr. James stated the City has a proposal for Supplement Sewage Backup Coverage for residents. Mr. James explained this coverage provides protection to residents if there is a backup on private property caused by a blockage in the City's line. The coverage provides protection to residents in the amount of \$25,000 for each structure and \$50,000 for each occurrence with a \$250 deductible. The total cost to the City would be \$4,292 per year which equates to approximately \$1 per utility customer per year.

Motion was made by Commissioner Andrajack, seconded by Commissioner Thornton to approve the Supplemental Backup Coverage for an annual premium of \$4,292. Motion carried unanimously.

Item 14. Motion was made by Commissioner Andrajack, seconded by Commissioner Thornton to approve the request for the use of Friendship Park for a fundraiser walk Conquer Chiari Foundation. Motion carried unanimously.

Item 15. Mr. James addressed the Mayor and Commissioners. Resolution 519, a resolution declaring support for the Overland Property Group for low income apartment units, was previously approved by the Board of Commissioners on January 16, 2012. Overland Property Group has decided to now submit for a 64 unit complex instead of 80 as previously submitted.

Motion was made by Commissioner Lindenborn, seconded by Commissioner Lewis to approve Resolution 519 as presented. Motion carried unanimously.

Item 16. Review of monthly reports.

A. Administration-Trish Holley, Director of Administration, reported sales tax received in March was \$80,775.66. Last year this month the City received \$73,314.21 which is an increase of \$7,461.45. Ms. Holley stated this shows our citizens are shopping in Burkburnett.

B. Public Works

C. Public Safety- Chief Tracey reported that Sean Lam has submitted his resignation. His last day will be March 30, 2012.

Item 17. Public Comments

Item 18. City Manager's report.

A. Mr. James stated the City is currently working on a tree program. This would not only provide an incentive to plant trees but also revitalize our existing tree farm.

B. Mr. James pointed out the Altus Award that was on display in the Council Chambers.

C. Mr. James reported that IESI is currently trying to raise awareness of recycling in the community. City Hall currently has a green recycle bin out back as most of our trash meets the requirements for recycling. There is also two recycle bins at the Community Center. Currently there is no residential recycling but citizens can contact City Hall and IESI's phone number will be provided to them.

Item 19. Commission comments.

Item 20. Motion was made by Commissioner Brewster, seconded by Commissioner Thornton to adjourn. Motion carried unanimously.

Carl Law, Mayor

ATTEST:

Janelle Dolan, City Clerk