

MINUTES

BOARD OF COMMISSIONERS

The Board of Commissioners of the City of Burkburnett, Texas met in a regular called meeting on Monday, May 21, 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; Rod Mathews, Code Enforcement Officer; County Commissioner Pat Norriss and Jeff Bromley representing Burkburnett Informer Star.

Local residents attending: Jackie Phillips, Emily & Ginny Davison, Wesley Camp, Janice Vincent, Thomas Watson, Ted Kwas, Eloise Law, Bob & Deanna Franklin, F.T. & Peggy Felty and Cindy & Steve Guinn.

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

Item 2. Commissioner Lee Potts gave the invocation.

Mike Slye, City Manager addressed the Commissioners. Mr. Slye stated he would like to introduce the City of Burkburnett's new Code Enforcement Officer Rod Mathews. Mr. Slye stated Mr. Mathews has officially started and is doing a good job for the city.

Item 3. The Commissioners canvassed the election returns for the Municipal Election held on May 12, 2007.

Item 4. Resolution Number 422 was presented in its entirety. A resolution canvassing the Municipal Election.

**RESOLUTION NUMBER 422
RESOLUTION CANVASSING ELECTION RETURNS**

On this the 21st day of May 2007, the City Commissioners of the City of Burkburnett, Texas convened in regular session open to the public at the regular meeting place thereof with the following members present, to wit:

Bill Vincent	Mayor
Lee Potts	Commissioner
Michael R. Tugman	Commissioner
Billy T. Elder	Commissioner
Charlene Lewis	Commissioner
Scott E. Davison	Commissioner
Scott Dolan	Commissioner
Mike Slye	City Manager
Trish Holley	City Secretary

There came to be considered the returns of an election held on the 12th day of May, 2007, for the purpose of electing the herein after named officials, and it appearing from said returns, duly and legally made, that there were cast at said election 918 valid and legal votes; that each of the candidates in said election received the following votes:

	Early		Total
Carl Law	<u>201</u>	<u>290</u>	<u>491</u>
Jim Phillips	<u>187</u>	<u>292</u>	<u>479</u>
Eddie Viavattene	<u>106</u>	<u>175</u>	<u>281</u>
Billy T. Elder	<u>199</u>	<u>295</u>	<u>494</u>
Alex Seward	<u>45</u>	<u>76</u>	<u>121</u>
Theophile (Ted) Kwas	<u>96</u>	<u>211</u>	<u>307</u>

Therefore, be it resolved by the Board of Commissioners of the City of Burkburnett, Texas that said election was duly called, that said notice of election was given in accordance with law, and the election was held in accordance with law, and that Billy T. Elder, Carl Law and Jim Phillips were duly elected Commissioners of said City at said election.

Said above named parties are hereby declared duly elected to said respective offices, subject to the taking of their oaths as provided by the laws of the State of Texas.

It is further found and determined that in accordance with the order of this governing body, the City Secretary posted written notice of the date, place and subject of this meeting on the glass front door facing the outside located in the City Hall, a place convenient and readily accessible to the General Public, and said notice having been so posted and remaining posted continuously for at least 72 hours preceding the scheduled time of meeting.

Passed and approved this 21st day of May 2007.

ATTEST:

Bill Vincent, Mayor

Trish Holley, City Secretary

Motion was made by Commissioner Tugman, seconded by Commissioner Potts to approve Resolution Number 422 as presented. Motion carried unanimously.

Mayor Vincent thanked everyone for their support over the last seventeen years. Mayor Vincent thanked each of the Commissioners, City Staff and the citizens.

Item 5. The Oath of Office was administered to Billy T. Elder, Carl Law and Jim Phillips by City Secretary/Public Notary Trish Holley.

Item 6. Election of Mayor for the ensuing year in compliance with Article 4, Section 7 of the City Charter.

City Secretary Trish Holley opened the floor for nomination of Mayor.

Commissioner Elder nominated Commissioner Lee Potts to serve as Mayor for the ensuing year, seconded by Commissioner Tugman.

Motion was made by Commissioner Lewis, seconded by Commissioner Tugman that nominations cease and that Lee Potts be elected to serve as Mayor for the ensuing year.

Ayes: Commissioners: Law, Phillips, Elder, Tugman, Lewis and Dolan.

Nays: None

Abstained: Commissioner Lee Potts.

Item 7. Election of Mayor Pro-Tem for the ensuing year in compliance with Article 4, Section 7 of the City Charter.

City Secretary Trish Holley opened the floor for nomination of Mayor Pro-Tem.

Commissioner Elder nominated Commissioner Mike Tugman to serve as Mayor Pro-Tem for the ensuing year, seconded Commissioner Law.

Motion was made by Commissioner Lewis, seconded by Commissioner Elder that nominations cease and that Mike Tugman be elected to serve as Mayor Pro-Tem for the ensuing year.

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

Nays: None

Abstained: Commissioner Mike Tugman.

Item 8. Resolution Number 423 was presented in its entirety by Commissioner Mike Tugman to Commissioner Scott Davison.

A blanket featuring the city flag and the resolution of gratitude for serving as a Commissioner for the last two years was presented to Commissioner Davison. A standing ovation was given to Commissioner Davison.

Commissioner Davison stated he enjoyed serving the citizens and working with the board and staff.

Resolution Number 424 was presented in its entirety by Commissioner Mike Tugman to Mayor Bill Vincent.

A blanket featuring the city flag and the resolution of gratitude for serving as a Commissioner and Mayor for seventeen years was presented to Mayor Vincent. A standing ovation was given to Mayor Bill Vincent.

Mayor Vincent stated he enjoyed working with city staff and everyone on the board.

Item 9. No comments from Citizens/Visitors.

Item 10. Mayor Potts reviewed the Consent Agenda Items.

- A. Approval of the minutes from April 16 and April 23, 2007.
- B. Ordinance Number 730. An ordinance amending the basic zoning ordinance.
- C. Approval of the re-appointment of Bill Elder and Ben Ellett to serve on the TIF Board of Directors.

Motion was made by Commissioner Tugman, seconded by Commissioner Dolan to approve Consent Agenda Items 10 A-C. Motion carried unanimously.

Item 11. Motion was made by Commissioner Lewis, seconded by Commissioner Elder to approve a final plat, Lot 22B, Chatham Addition.

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

Nays: None

Abstained: Commissioner Tugman.

Item 12. Motion was made by Commissioner Elder, seconded by Commissioner Law to approve authorizing City Manager, Mike Slye to enter into an agreement with the County of Wichita/Tax Increments depositing requirements. Motion carried unanimously.

Item 13. Mike Slye, City Manager addressed the Commissioners regarding the Change Order #2, East Sycamore Street Rehabilitation Project. Mr. Slye stated the change order includes Items 31 and 32 for a wrought iron fence alongside the cemetery. Mr. Slye stated staff does not recommend approving the fence change order and would like to bid the fence separately.

Motion was made by Commissioner Tugman, seconded by Commissioner Phillips to approve Change Order #2, East Sycamore Street Rehabilitation Project with the deletion of Items 31 and 32. Motion carried unanimously.

Item 14. Motion was made by Commissioner Lewis, seconded by Commissioner Dolan to approve the re-appointments of the following for the Planning & Zoning Commission: Billy Ray Mize and Jerry Coker. Motion carried unanimously.

Item 15. Motion was made by Commissioner Tugman, seconded by Commissioner Lewis to approve the re-appointments of the following for the Zoning Board of Adjustment and the appointment of a new alternate: David Nix, Lyn Seebo and Angie Robertson (alternate). Motion carried unanimously.

Item 16. Mike Whaley, Director of Public Works presented the previously opened bids for the Sunset/Maple Water Project. They are as follows:

Bidder Name	Bid Amount
Bowles Construction	\$133,270.00
Duke Construction	\$132,259.70
Garcia Construction	\$138,725.00
Jalyn Construction	\$146,790.00
Walker Construction	\$106,321.00
Wichita Contractors	\$166,092.50

Mr. Whaley reported City Engineer Richard Boyd recommends low bidder Walker Construction in the amount of \$106,321.00. Mr. Boyd stated this firm has performed a number of jobs in the past and has performed admirably.

Motion was made Commissioner Elder, seconded by Commissioner Tugman to approve Walker Construction for the Sunset/Maple Water Project in the amount of \$106,321.00. Motion carried unanimously.

Item 17. Motion was made by Commissioner Tugman, seconded by Commissioner Dolan to approve Mike Slye run for re-election to serve a three-year term on the TMLIEBP Board of Directors representing our region. Motion carried unanimously.

Item 18. The Commissioners reviewed the monthly reports.

Item 19. Mike Slye, City Manager addressed the Commissioners. Mr. Slye congratulated Jim Phillips, Carl Law and Billy Elder.

Mr. Slye reported the South Water Tower is out of service at this time being prepared for a new lining.

Mr. Slye reported the Burkburnett Development Corporation sent nine retailers to a "Boot Camp" to learn how to help/develop retail in Burkburnett. On June 12th, Mr. Schallert will be in Burkburnett to speak to the local retailers and citizens and you are invited to attend.

Mr. Slye reported starting on May 21 – June 3rd, the annual “Click It or Ticket It” would be in progress.

In closing, Mr. Slye reported staff is working renewing the ambulance service proposals and a report is enclosed in your packet for the 2007 Seal Coat Proposal that will be addressed at a later date.

Item 20. Commissioner Dolan welcomed Commissioners Law and Phillips and that is was an honor working with Mayor Vincent and getting to know Janice Vincent.

Commissioner Lewis welcomed the new Commissioners and thanked Mayor Bill Vincent.

Commissioner Tugman welcomed the new Commissioners and Bill Elder. Commissioner Tugman thanked Bill and Janice Vincent for their years of service and that it had been a privilege working with them both over the years. Commissioner Tugman voiced his appreciation to City Staff, Commissioner Davison and those that ran in the election this year.

Commissioner Law stated he was looking forward to working with the board and thanked those that supported him.

Commissioner Elder thanked those that supported him and welcomed Commissioner Law and Phillips. Commissioner Elder thanked Mayor Bill Vincent and Commissioner Davison for their service and that they will be missed. Commissioner Elder stated he would like to see Bill and Janice Vincent remain as a liaison for Sheppard Air Force Base.

Commissioner Phillips thanked those that supported him and that he was looking forward in working with the board and city staff. Commissioner Phillips also thanked Mayor Bill and Janice Vincent.

Mayor Lee Potts thanked the board for the confidence they have placed in him to serve as Mayor. Mayor Potts congratulated Commissioners Law, Phillips and Elder. Mayor Potts stated he enjoyed working with Commissioner Davison and that he had a deep gratitude to Bill Vincent.

Item 21. Motion was made Commissioner Tugman, seconded by Commissioner Dolan to adjourn. Motion carried unanimously.

Lee Potts, Mayor

ATTEST:

Trish Holley, City Secretary