

MINUTES

BOARD OF COMMISSIONERS

The Board of Commissioners of the City of Burkburnett, Texas met in a special called meeting on Friday, November 6, 2009 at noon 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
Michael Tugman	Commissioner
Charlene Lewis	Commissioner
Scott Dolan	Commissioner
Bill Lindenborn	Commissioner
Ted Kwas	Commissioner
Arnold Wells	Commissioner

Other's present was: Mike Slye, City Manager; Trish Holley, City Clerk; Dale Lewis, Director of Administration; Michael Whaley, Director of Public Works, Chief of Police Mike Tracey and Richard Boyd, City Engineer.

Other's in attendance: Raymond Holland, Chase Thornton and Glen Hutchinson.

Jeff Bromley representing Burkburnett Informer Star was present.

Item 1. Mayor Law called the meeting to order.

Item 2. Invocation was given by Commissioner Wells.

Item 3. The Pledge of Allegiance was led by Mayor Law.

Item 4. Michael Whaley, Director of Public Works presented the previously opened bids on November 3rd at 2:00 p.m. for the Million Gallon Storage Tank repairs:

<u>Bidder</u>	<u>Bid Amount</u>
Brown Minneapolis Tank Albuquerque, NM	\$266,187.00
Adams Construction Co. Iowa Park, Texas	\$314,000.00

Tank Builders, Inc. \$325,100.00
Eules, Texas

Preferred Tank & Tower \$375,000.00
Evansville, IN

Richard Boyd, City Engineer explained the low bidder is currently in a lawsuit for inadequate work. Mr. Boyd stated he recommends deferring any action until the city can pursue what action they can take, whether it be to take the next bid or to start over and re-bid the job with certain language in the bid process on selecting and awarding the bid.

Motion was made by Commissioner Tugman, seconded by Commissioner Lindenborn to defer any action on awarding the bid until the next available meeting. Motion carried unanimously.

Item 5. Motion was made by Commissioner Tugman, seconded by Commissioner Lindenborn to approve the Change Order-Kramer/Cropper Road project with McGrath Brothers (Contractor) to reduce the retainage fee from 10% to 5%. Motion carried unanimously.

Item 6. Motion was made by Commissioner Lindenborn, seconded by Commissioner Kwas to approve Garcia Construction Inc. for the drainage bore in conjunction with the Hazardous Elimination Safety Intersection realignment project. Motion carried unanimously.

Item 7. Resolution Number 469 was presented in its entirety. A resolution for the Energy Efficiency and Conservation Block Grants (EECBG) Program.

Motion was made by Commissioner Lewis, seconded by Commissioner Lindenborn to approve Resolution Number 469 as presented. Motion carried unanimously.

Item 8. The following topics, dates and times have been scheduled to review the City Charter and public hearings will be held at each regularly scheduled monthly meetings.

<u>TOPIC</u>	<u>REFERENCE</u>
A. Election Process	Art. IV, Section 2
B. Vacancies in Office	Art. IV, Section 6
C. Election of Mayor	Art. IV, Section 7
D. Compensation of Commissioners	Art. IV, Section 9
E. Duties of Mayor	Art. IV, Section 12
F. Contract of Personal Service	Art. IV, Section 25
G. City Manager, Powers/Duties	Art V, Section 5

Meeting dates and time: November 10th 7:00 pm

November 25 th	Noon
December 9 th	Noon
December 23 rd	Noon
January 13 th	Noon
January 27 th	Noon

Article III, Section 11 Control and Improvement of Streets will need to be added to the list of review.

Item 9. City Manager's report. No report was given.

Item 10. Commissioner's comments.

Commissioner Kwas stated that he proposed to put all the items on the agenda with a one-hour limit for each meeting, wherever we stop, will pick up with that item at the next meeting.

Item 11. Motion was made by Commissioner Tugman, seconded by Commissioner Wells to adjourn. Motion carried unanimously.

Carl Law, Mayor

ATTEST:

Trish Holley, City Clerk