

## ***MINUTES***

### ***BOARD OF COMMISSIONERS***

The Board of Commissioners of the City of Burkburnett, Texas met in a regular called meeting on Monday, October 15, 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:

Lee Potts	Mayor
Mike Tugman	Mayor Pro-Tem
Charlene Lewis	Commissioner
Billy T. Elder	Commissioner
Scott Dolan	Commissioner
Carl Law	Commissioner
Jim Phillips	Commissioner

Other's present were: Mike Slye, City Manager; Trish Holley, City Secretary; Michael Whaley, Director of Public Works; Mike Tracey, Chief of Police and Rodney Ryalls, Fire Chief.

Local residents attending: Curtis Salyer, Cindy Guinn, Shannon Kramer, Thomas Watson, Hal Halverson, Alan and Geunell Istas and Cub Scout Pack 600-Webelos Den: Orion Istas-O.J.I., Landon Ryalls and Pryce Halverson-P.J.H.

Jeff Bromley representing Burkburnett Informer Star was present.

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

Item 2. Invocation was given by Commissioner Elder.

Item 3. Cub Scout Pack 600-Webelos Den led the Pledge of Allegiance. The members were: Orion Istas-O.J.L., Landon Ryalls and Pryce Halverson-P.J.H.

Item 4. No Citizens/Visitors Comments to Commissioners.

Item 5. Mayor Potts reviewed the items under the Consent Agenda.

- A. Approval of the minutes from September 12 and September 17, 2007.
- B. Budget Amendment-\$1,200 for Maintenance of Landfill.
- C. Budget Amendment-Landfill Overtime Benefits.
  - (a) \$765.00-Social Security Expense
  - (b) \$1,558.00 TMRS Retirement Expense

Motion was made by Commissioner Tugman, seconded by Commissioner Dolan to approve Consent Agenda Items 5 A-C. Motion carried unanimously.

Item 6. Resolution Number 428 was presented in its entirety. A resolution suspending Atmos rate increase request.

Motion was made by Commissioner Tugman, seconded by Commissioner Elder to approve Resolution Number 428 as presented. Motion carried unanimously.

Item 7. Mayor Potts closed the regular meeting and opened the “Public Hearing” at 7:08 p.m. to discuss Local Option to tax tangible personal property in transit, which would otherwise be exempt pursuant to Texas Tax Code 11.253.

Mr. Slye addressed the Commissioners. Mr. Slye explained companies that are storing/holding goods to be shipped, are not being taxed. By passing an ordinance, this allows entities to tax the tangible personal property of goods in transit. Mr. Slye stated the Wichita Appraisal District estimated the City could lose approximately \$233,600 in value.

Item 8. Mayor Potts closed the “Public Hearing” and re-opened the regular Commissioners meeting at 7:20 p.m.

Item 9. Motion was made by Commissioner Lewis, seconded by Commissioner Tugman to table Ordinance Number 742-an ordinance to tax tangible personal property in transit until further information could be obtained from the Wichita Appraisal District. Motion carried unanimously.

Item 10. Ordinance Number 743 was presented. Caption of same being:

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS AMENDING ORDINANCE NUMBER 650 PRESENTLY CODIFIED AS CHAPTER 97 PARKS AND RECREATION, SECTION 97.09 IN THE CODE OF ORDINANCES FRIENDSHIP COMMUNITY PARK POND; DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

Motion was made by Commissioner Elder, seconded by Commissioner Lewis to approve Ordinance Number 743 as presented. Motion carried unanimously.

Item 11. The Commissioners reviewed the monthly reports.

Item 12. City Manager, Mike Slye addressed the Commissioners. Mr. Slye reported in the front of your council packets, for information purposes, a 2007-08 Budgeted Vehicle report has been printed off for you to see the bid amounts and who was awarded the bids and most purchases will be made locally.

Mr. Slye stated the ambulance contract, which expires in February 2008 is being reviewed by the surrounding entities. The City of Wichita Falls has tabled the issue for now. If the contract is approved by the entities, the City of Burkburnett's increase will be \$63.00 per month, with the stipulation that each call made to Burkburnett will have advanced life saving equipment on board and one advanced life saving paramedic on each run.

Mr. Slye reported the City of Wichita Falls increased wholesale water rates and the water sales revenue are down \$163,000 this last year budget.

The Citizen Collection Station is now open on Saturday's only and it is still in the learning process for citizens. The first Saturday, three-40 yard containers were filled and the city broke even on monies taken in. The second Saturday, things went more smoothly, with time, everyone should become familiar with the new operation. I.E.S.I. reported the first Friday for bulk pickup was heavier than expected, they didn't leave the city until after 6:30 p.m.

In closing, Mr. Slye stated flu shots will be on October 24<sup>th</sup> at 8:00 a.m., Police Chief Mike Tracey is one of a few in the State of Texas that is TELEX certified mandated by the State for the new dispatch operations that is up and running at the Police Department and that the city auditors would be in October 22<sup>nd</sup> to perform the annual audit.

Item 13. Commissioner Elder reported he had complaints from those living on Chaparral and the surrounding streets that proper notification had not been issued before the seal coating began. Commissioner Elder asked if the Code Red System could be used for something like this and for better notification be sent in the future.

Mr. Slye explained the Code Red System could be used, however, the city does not know the exact time when the hot mix will be delivered; this makes it difficult to set a particular time frame on the notifications, but we will see what else can be done in the future.

Commissioner Dolan thanked the Cub Scouts for coming to the meeting.

Commissioner Lewis stated her husband likes the garbage polycarts, and thanked the Cub Scouts for coming tonight.

Mayor Potts congratulated Michael Whaley on the increase of water production and thanked the Cub Scouts for coming to the meeting.

Item 14. Motion was made by Commissioner Tugman, seconded by Commissioner Lewis to adjourn. Motion carried unanimously.

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Lee Potts, Mayor

**ATTEST:**

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Trish Holley, City Secretary