

MINUTES

BOARD OF COMMISSIONERS

The Board of Commissioners of the City of Burkburnett, Texas met in a regular meeting on Monday, October 18, 2010 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:

Carl Law	Mayor
Charlene Lewis	Mayor Pro-Tem
Bill Lindenborn	Commissioner
Ted Kwas	Commissioner
Josh Andrajack	Commissioner
Chase Thronton	Commissioner
Raymond Holland	Commissioner

Other's present: Mike Slye, City Manager; Trish Holley, City Clerk; Don Ives, Director of Administration/Comptroller; Mike Whaley, Director of Public Works; Mike Tracey, Chief of Police and Rodney Roberts, Parks & Recreation Director.

Jeff Bromley representing Burkburnett Informer Star was present.

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

Item 2. Invocation was given by Pastor Judy Brock, First Christian Church.

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

Item 4. Consent Agenda.

- A. Approval of minutes from September 20th budget hearing, September 20th regular meeting, September 27, 2010 special called meeting.

Motion was made by Commissioner Lewis seconded by Commissioner Holland to approve Consent Agenda 4A. Motion carried unanimously.

Item 5. Ordinance Number 791 was presented in its entirety. An ordinance to consider all matters incident and related to the issuance and sale of "City of Burkburnett, Texas, Waterworks and Sewer System Revenue Bonds, Series 2010" including the receipt of bids therefore and the adoption of an ordinance authorizing the issuance of such bonds.

Motion was made by Commissioner Andrajack, seconded by Commissioner Thornton to approve Ordinance Number 791 with a correction to the amount that is being obligated. Motion carried unanimously.

Item 6. Denise Kirkpatrick, Chair of the Cemetery Committee addressed the Mayor and Commissioners. Ms. Kirkpatrick briefly went over some of the projects the Committee would like to see happen: displaying a map of the cemetery, location markers, and additional phone numbers for weekends. A clean up day has been scheduled for November 6th at 10 a.m. The Committee is asking for a reduction in cemetery space price in order to sell more spaces; this would help speed the process of developing a pavilion/gazebo in the new undeveloped cemetery land.

Item 7. Resolution Number 499 was presented in its entirety. A resolution authorizing a special price reduction for cemetery space lots in Burkburnett Memorial Cemetery.

Motion was made by Commissioner Andrajack, seconded by Commissioner Thornton to approve Resolution Number 499 authorizing the sale of cemetery space lots be lowered to \$550.00 beginning November 1, 2010 to May 1, 2011 at which time the day after May 1, 2011 the spaces would be increased to a price of \$900.00 and to strike Section 2 of the resolution. Motion carried unanimously.

Item 8. Michael Whaley, Director of Public Works presented the previously opened bids for the I44 Sewer Project. They are as follows:

Bowles Construction	\$610,470.00
Garcia Construction	\$448,900.00

Mr. Whaley stated city engineer Richard Boyd along with staff recommend approving the lower bid from Garcia Construction in the amount of \$448,900.00; Garcia Construction has performed multiple jobs for the City with great results.

Motion was made by Commissioner Kwas, seconded by Commissioners Thornton/Lindenborn to approve Garcia Construction in the amount of \$448,900.00 for the I44 Sewer Project. Motion carried unanimously.

Item 9. Motion was made by Commissioner Lewis, seconded by Commissioner Kwas to approve the Deer Oaks Employee Assistance Program Services Agreement. Motion carried unanimously.

Item 10. Chief Mike Tracey addressed the Mayor and Commissioners concerning the retirement and placement of Anka-Burkburnett Drug Dog. Chief Tracey stated Anka is 9 years and has some health issues. Chief Tracey asked that Anka

be retired and be placed with the current K9 handler-Officer Ron Alley. Office Alley has agreed to keep Anka and will be responsible for all food, housing and medical care.

Motion was made by Commissioner Andrajack, seconded by Commissioner Holland to approve the retirement and placement of Anka to Officer Ron Alley and requested Office Alley to provide the City with an indemnification letter, indemnifying the City from any liability associated with the animal. Motion carried unanimously.

Item 11. Michael Whaley, Director of Public Works/Community Planning addressed the Mayor and Commissioners. Mr. Whaley stated Dan Sefko-zoning expert wrote the city's current zoning ordinance. Mr. Whaley stated Mr. Sefko would be available to answer direct any zoning questions the city may have; he currently works with Free & Nichols, Inc and I would like to request the city contract with him for any development and planning issues.

Motion was made by Commissioner Andrajack, seconded by Commissioner Lindenborn to approve the Professional On-Call Planning Services with Freese & Nichols, Inc. for planning and development issues not to exceed \$5,000.00 per year. Motion carried unanimously.

Item 12. Mayor Law recessed to "Executive Session" at 8:05 p.m. pursuant to the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, Section 5510071-Consultation with Attorney-Complaint against the city manager.

Item 13. Mayor Law reconvened the regular meeting at 8:38 p.m. No action was taken.

Item 14. Review of monthly reports.

- A. Administration-Don Ives, Director of Administration/Comptroller reviewed the financial and personnel reports.
- B. Public Works-Michael Whaley, Director of Public Works reported on the TCDP project and the pre-work conference for the I44 Sewer Project.
- C. Public Safety-Mike Tracey, Chief of Police thanked the Mayor and Commissioners for allowing Anka remain with Officer Ron Alley.

Item 15. Personal Audience Comments.

There were no comments from citizens.

Item 16. City Manager's report.

- A. State of the City. Mr. Slye stated this being the last Commissioners meeting he would be attending; he reflected back over the projects and accomplishments the city has made over the last 16 ½ years. Mr. Slye stated

many deep rooted friendships have been made and his family will continue to come back for visits with family and friends.

Item 17. Council comments.

Commissioner Lewis stated she was on the Council when Mr. Slye was hired, he was the best candidate and that he has done a great job.

Commissioner Holland thanked everyone for coming and to continue to remember Mr. Medbery's wife and Officer Ron Alley's daughter-Bailey Butler in thought and prayers. Commissioner Holland congratulated Don Ives being hired as Interim City Manager and stated that he and Mr. Slye didn't always agree but he respected him, Trophy Club is getting a good City Manager and family.

Commissioner Thornton also stated to remember the Medbery and Butler family and that he has only worked with Mr. Slye for less than a year but it had been intense and that he had learned a lot, he has enjoyed working with him and the staff, wished Mr. Slye the best.

Commissioner Andrajack thanked Mr. Slye for his service to the City and that Trophy Club is their gain and our loss and stated he was pleased with the City of Burkburnett's ratings for revenue bonds.

Commissioner Kwas thanked everyone for coming and congratulated our city attorney; we have a good one working for the city.

Commissioner Lindenborn thanked everyone for coming and thanked Mr. Slye for his 16 ½ years of service to the city.

Mayor Law thanked the Cemetery Committee for their dedicated work and thanked Commissioners Thornton and Lindenborn for serving on a committee last week at the BISD. In closing Mayor Law stated a Town Hall Meeting will be tomorrow at 7:00 p.m. at the Community Center to give factual information on the Bond Election and a going away reception for Mr. Slye will be November 5th from 3:00 -5:00 p.m. with presentations at 3:45 p.m. and is open to the public.

Item 18. Motion was made by Commissioner Lindenborn, seconded by Commissioner Kwas to adjourn. Motion carried unanimously.

Carl Law, Mayor

ATTEST:

Trish Holley, City Clerk