

MINUTES

BOARD OF COMMISSIONERS

The Board of Commissioners of the City of Burkburnett, Texas met in a regular called meeting on Monday, October 19, 2009 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	Commissioner
Scott Dolan	Commissioner
Bill Lindenborn	Commissioner
Ted Kwas	Commissioner
Arnold Wells	Commissioner

Commissioner Mike Tugman was absent.

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

Other's present: Brenda Shepard, Daisy Chancellor, Nancy Wells, Glen Hutchinson, Brian Smith, Dick Vallon, Jerry & Pennie Hayes, Michael Thornton, Curtis Salyer, Thomas Watson, Bill Pickell, Jack Baber, Raymond Holland, Nellie Dickson, Nova Dickson and Jack McMullen.

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 Reverend Judy Brock, Pastor of First Christian Church.

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

Item 4. Consent Agenda.

A. Approval of minutes from September 21, 2009.

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

Item 5. Motion was made by Commissioner Lewis, seconded by Commissioner Lindenborn to defer any action until the next available meeting for the Burkburnett Trails & Tales application to serve alcohol at the Community Center. Motion carried unanimously.

Mayor Law moved Item 7 up.

Item 7. Ed Stahr, Emergency Management Officer addressed the Commissioners. Mr. Stahr briefly gave an Influenza update. Mr. Stahr reported the city along with BISD is constantly staying in contact with the Wichita Health Department. Mr. Stahr stated the best way to stop the spread of influenza is to wash hands frequently, cover coughs and sneezes and stay at home if you are sick. No action taken.

Mayor Law moved Item 13 up.

Item 13. Mike Slye, City Manager addressed the Commissioners. Mr. Slye stated based on previous meetings, many Commissioners felt it was time to review the City Charter and if needed call an election for proposed changes. Mr. Slye briefly reviewed the topics that have been called to his attention for review.

TOPIC	REFERENCE
1. Election Process	Art. IV, Section 2
2. Vacancies in Office	Art. IV, Section 6
3. Election of Mayor	Art. IV, section 7
4. Compensation of Com.	Art. IV, Section 9
5. Duties of Mayor	Art. IV, Section 12
6. Contracts for Personal Serv.	Art. IV, Section 25
7. City Manager Powers/Duties	Art. V, Section 5

Mr. Slye stated a special called election for charter amendments would need preclearance from Department of Justice which can take 60-90 days and therefore, the Commissioners would need to finish their charter review by February 9th (the last date to call the election is March 8, 2010). In order to have an election in May, it's time to start reviewing to determine if an election is needed. No action taken.

Item 6. Motion was made by Commissioner Lewis, seconded by Commissioner Wells to approve final plat, Lot 3-A, Block 1, Bowles Subdivision.

Ayes: Mayor Law, Commissioners: Lewis, Wells, Kwas and Lindenborn.

Nays: None

Abstained: Commissioner Dolan

Item 8. Motion was made by Commissioner Wells, seconded by Commissioner Kwas to approve the Proposed Energy Efficiency and Conservation Block Grant (Notice of Intent). Motion carried unanimously.

Item 9. Motion was made by Commissioner Lindenborn, seconded by Commissioner Dolan to approve Corlett, Probst & Boyd for engineering services for the Development Program (TCDP) Block Grant Water System Improvement Project from the Texas Department of Rural Affairs. Motion carried unanimously.

Item 10. Motion was made by Commissioner Dolan, seconded by Commissioner Kwas to approve the proposed conceptual plan for the renovation of the Burkburnett Community Center. Motion carried unanimously.

Item 11. Resolution Number 468 was presented in its entirety. A resolution authorizing participation with Texas Department of Transportation for the realignment of Ameron Road and County Road. Motion carried unanimously.

Item 12. Ordinance Number 771 was presented in its entirety. Caption of same being:

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS AMENDING THE FISCAL YEAR 2010 GENERAL, CAPITAL AND GRANT BUDGETS TO REFLECT THE ADJUSTMENT OF EXPENDITURES NECESSARY TO MAINTAIN CERTAIN GOVERNMENTAL SERVICES PROVIDED BY SAID CITY; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

Motion was made by Commissioner Lindenborn, seconded by Commissioner Dolan to approve Ordinance Number 771 as presented. Motion carried unanimously.

Item 14. The Commissioners reviewed the monthly reports.

Item 15. Personal Audience Comments to Commissioners/Comments on Agenda Items. None.

Item 16. City Manager's report.

- A. Mr. Slye reported the sales tax report for October is down 7.01% from last year and 12% down statewide.
- B. Mr. Slye reported he would be out of the office Oct. 28-29th for the ARCIT (Rural Communities) Conference.
- C. Mr. Slye presented a Fiscal Year 2010 Statement of Work to the Commissioners. The report contained 28 items staff would like completed during the 2010 year.

- D. Mr. Slye stated River Creek Golf Course Contract will expire in 2010; the Golf Committee will be meeting to discuss a potential extension.
- E. Mr. Slye reported Veolia Water Contract will expire in 2010 and will be meeting to discuss potential extension.
- F. A bid opening will be held on November 3 for the million gallon storage tank repairs.

Item 17. Council comments.

Commissioner Dolan asked if the City still plans on hiring someone to oversee the all the ball field leagues and soccer league?

Mr. Slye explained that usually at the last minute parent's step in and helps maintain the property. However, the Boys and Girls Club is struggling to stay open and approached the city to see if they would be interested in taking it over and if that were to happen, then the city would need to hire someone to oversee that along with all the leagues including the soccer association. At this point, nothing has been done.

Commissioner Dolan also wanted to know who determines the cost of speeding tickets.

Chief Tracey stated the State determines the amount of the ticket, what is remitted to the State and what is kept by the City.

Commissioner Lewis stated she did not understand the Golf Course and why there are bills being paid out of the budget.

Mr. Slye explained the Golf Contractor leases River Creek, and the monies he collects from golfers are his, his lease payment comes to the City which is \$72,000.00 a year; \$67,000.00 goes towards a sprinkler system debt and \$5,000.00 for standard improvements. The City owns the golf course and improvements are the responsibility of the city, however, all improvements are made with monies collected from golfers.

Commissioner Kwas thanked everyone for attending and wished more people would address the Commissioners or have more Town Hall meetings.

Commissioner Wells thanked everyone for attending tonight.

Mayor Law thanked everyone for attending tonight and that he looks forward to attending the Texas Municipal League Conference.

Item 15. Motion was made by Commissioner Dolan, seconded by Commissioner Lewis to adjourn. Motion carried unanimously.

Carl Law, Mayor

ATTEST:

Trish Holley, City Clerk