

MINUTES

BOARD OF COMMISSIONERS

The Board of Commissioners of the City of Burkburnett, Texas met in a regular meeting on Monday, October 17, 2011 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 Meetings Act. The following Commissioners were present:

Carl Law	Mayor
Charlene Lewis	Mayor Pro-Tem
Bill Lindenborn	Commissioner
Chase Thornton	Commissioner
Josh Andrajack	Commissioner
Raymond Holland	Commissioner
Randy Brewster	Commissioner

Others present: Tim James, City Manager; Trish Holley, Director of Administration, Michael Whaley, Public Works Director; Janelle Dolan, City Clerk; and Mike Tracey, Chief of Police.

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 Judy Brock, Pastor of First Christian Church.

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

Mayor moved up Item 14A.

Item 14A. City Manager's report.

- A. Tim James presented Chris Keeling with Certificate of Appreciation for his 15 years of service as a volunteer with the Burkburnett Police Department.

Item 4. Consent Agenda.

- A. Approval of minutes: September 12, 2011 and October 3, 2011

Motion was made by Commissioner Thornton, seconded by Commissioner Lindenborn to approve Consent Agenda 4.

Ayes: Mayor Law, Commissioners: Lindenborn, Andrajack, Thornton, Holland and Brewster

Abstained: Commissioner Lewis

Motion carried.

Item 5. Motion was made by Commissioner Andrajack, seconded by Commissioner Holland to approve the application permit for Taste of the Town.

Ayes: Mayor Law, Commissioners: Lewis, Lindenborn, Andrajack, Thornton, and Holland

Abstained: Commissioner Brewster

Motion carried.

Item 6. Michael Whaley, Director of Public Works, addressed the Mayor and Commissioners. Mr. Whaley stated the Planning & Zoning Commission reviewed and approved the commercial site plan for Pruitt Ford. Ms. Mills has signed and approved the proposed fence that is to be built adjacent to her property. Mr. Whaley stated city staff recommends approving the site plan that is being presented.

Motion was made by Commissioner Andrajack, seconded by Commissioner Thornton to accept the Planning and Zoning Commission's recommendation and approve the commercial site plan for Pruitt Ford as presented.

Ayes: Mayor Law, Commissioners: Lewis, Andrajack, Thornton, Holland and Brewster

Abstained: Commissioner Lindenborn

Motion carried.

Item 7. Resolution Number 516 was presented in its entirety. A resolution authorizing an amendment to the Burkburnett Development Corporation bylaws to delete the last sentence, **The Executive Director must be a resident of Burkburnett.**

Motion was made by Commissioner Holland, seconded by Commissioner Thornton to approve Resolution Number 516 as presented.

Motion was made by Commissioner Andrajack, seconded by Commissioner Brewster to amend Resolution Number 516 to include the requirement that the Burkburnett Development Corporation Executive Director must live within twenty miles of Burkburnett city limits.

Ayes: Commissioners: Andrajack and Brewster

Nays: Mayor Law, Commissioners: Lewis, Lindenborn, Thornton and Holland

Motion failed.

Mayor then took a vote on the original motion.

Ayes: Mayor Law, Commissioners: Lewis, Lindenborn, Thornton and Holland

Nays: Commissioner Andrajack and Brewster

Motion carried.

Item 8. Tim James, City Manager, addressed the Mayor and Commissioners. He stated Espy Services is an auditing company that will audit the City's telecommunication bills. They will review for any overbilling errors or ways to make savings in the future. If Espy finds any overbilling errors they will receive one half of the refund. If Espy finds any savings they will receive one half of the savings for one year. There are no other costs associated with this service.

Motion was made by Commissioner Andrajack, seconded by Commissioner Lindenborn to authorize the Mayor to sign the service agreement with Espy Services.

Ayes: Mayor Law, Commissioners: Lindenborn, Andrajack, Thornton, Holland and Brewster

Nays: Commissioner Lewis

Motion carried.

Item 9. Resolution Number 517 was presented in its entirety. A resolution authorizing the City's membership in the Commercial Consumer Segment of the Electric Reliability Council of Texas (ERCOT) for 2012.

Tim James, City Manager, addressed the Mayor and Commissioners. Mr. James stated this resolution authorizes the city's membership in ERCOT. ERCOT oversees the state's electric grid. ERCOT determines who is shut down when there is an overload. Mr. James stated it would be in the City's best interest to be a member of ERCOT.

Motion was made by Commissioner Thornton, seconded by Commissioner Holland to approve Resolution Number 517 as presented. Motion carried unanimously.

Item 10. Mayor Law closed the meeting at 7:26 and opened the Executive Session pursuant to the Texas Open Meetings Act, Chapter 551 of the Texas Government Code; the Board of Commissioners may convene in Executive Session regarding the following matters: A. Section 551.0729(b) Deliberation Regarding Real Property (1) Consider purchase of land for the purpose of drainage.

Item 11. Mayor Law reconvened to regular session at 7:54.

Item 12. Review of monthly reports.

- A. Administration- Mr. James reported that sales tax has increased again this month.
- B. Public Works
- C. Public Safety

Item 13. Public Comments

Item 14. City Manager's report.

- B. Carport Ordinance- the carport ordinance has been before the Planning and Zoning Commission. It will now be posted in the newspaper as required by law and will be on the November City Council agenda.
- C. Fireworks-The fireworks display was canceled at the Friendship Festival due to rain. The City is reviewing alternate dates.
- D. Water Conservation Status-The City is still in Stage 1 of the Drought Contingency Plan. The lakes are currently maintaining their levels.
- E. Pocket Park-The Commission previously approved the sale of Pocket Park. The next step is to advertise for bids. This will be done in the newspaper and it will be on the November City Council agenda.
- F. Oncor Tree Trimming-is scheduled for Hwy 240, West Third Street, Sugarbush and Laurel. Oncor will be notifying property owners.
- G. RVs-the City has received several requests for people to live in recreational vehicles (RVs). Recreational vehicles are not constructed for residential long term use. It is also against the zoning ordinance to live in a recreational vehicle.
- H. Monthly Report-Mr. James is reviewing what information is provided to the Commission. Mr. James welcomes any comments from the Commission on what information they would like to get from staff. The format of the reports in the packets provided to the Commissioner may possibly change.

Item 15. Commission comments.

Item 16. Motion was made by Commissioner Thornton, seconded by Commissioner Holland to adjourn. Motion carried unanimously.

Carl Law, Mayor

ATTEST:

Janelle Dolan, City Clerk