

MINUTES

BOARD OF COMMISSIONERS

The Board of Commissioners of the City of Burkburnett, Texas met in a regular called meeting on Monday, September 21, 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:

Mike Tugman	Mayor Pro-Tem
Charlene Lewis	Commissioner
Scott Dolan	Commissioner
Bill Lindenborn	Commissioner
Ted Kwas	Commissioner
Arnold Wells	Commissioner

Mayor Law 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 Kelly Bolen, BDC Executive Director.

Other's present: Curtis Salyer, Michael Crowley, Warren Fretz, Brian Smith, Bill Pickett, Jack Baber, Thomas Watson, Michael Bunton, Nellie Dickson, Jim Jansen, Nova Dickson, Jack McMullen, Keri and Dustin DeCelles, Chase Thornton, Cindy Guinn, Jerry & Pennie Hayes.

Jeff Bromley representing Burkburnett Informer Star was present.

Item 1. Mayor Pro-Tem Mike Tugman called the meeting to order and welcomed the visitors.

Item 2. Mayor Pro-Tem Tugman recessed the meeting for the purpose of attending the ENJJPT Steering Committee reception at the Burkburnett Community Center.

Item 3. Meeting was reconvened at 8:15 p.m.

Item 4. Invocation was given by Commissioner Wells.

Item 5. The Pledge of Allegiance was led by Boy Scout Dustin DeCelles.

Item 6. Consent Agenda.

A. Approval of minutes from August 17th and September 10, 2009.

Motion was made by Commissioner Lewis, seconded by Commissioner Lindenborn to approve Consent Agenda Item 6A. Motion carried unanimously.

Item 7. Kelly Bolen, BDC Executive Director presented the Burkburnett Development Corporation's Fiscal Year 2009-10 Budget.

Motion was made by Commissioner Kwas, seconded by Commissioner Wells to approve the Burkburnett Development Corporation Fiscal Year 2009-2010 Budget. Motion carried unanimously.

Item 8. Ordinance Number 768 was presented in its entirety. Caption of same being:

AN ORDINANCE ADOPTING THE FISCAL YEAR OPERATING BUDGET OCTOBER 1, 2009 – SEPTEMBER 30, 2010 FOR THE CITY OF BURKBURNETT, TEXAS AND APPROPRIATING THE SEVERAL SUMS SET UP THEREIN TO THE OBJECTS AND PURPOSES THEREIN NAMED, AND PROVIDING AN EFFECTIVE DATE.

Resident Chase Thornton, 303 Kirk, Burkburnett Texas addressed the Commissioners regarding the Budget, CM Fund Withholding, Contracts and CPI.

Motion was made by Commissioner Dolan, seconded by Commissioner Lindenborn to approve Ordinance Number 768 as presented.

Ayes: Mayor Pro-Tem Tugman, Commissioners: Dolan, Lindenborn, Wells and Lewis

Nays: Commissioner Kwas

Abstained: None

Item 9. Ordinance Number 769 was presented in its entirety. Caption of same being:

AN ORDINANCE ADOPTING THE FISCAL YEAR CAPITAL IMPROVEMENT BUDGET OCTOBER 1, 2009-SEPTEMBER 30, 2010 FOR THE CITY OF BURKBURNETT, TEXAS AND APPROPRIATING THE SEVERAL SUMS SET UP THEREIN TO THE OBJECTS AND PURPOSES THEREIN NAMED, AND PROVIDING AN EFFECTIVE DATE.

Motion was made by Commissioner Wells, seconded by Commissioner Kwas to approve Ordinance Number 769 as presented. Motion carried unanimously.

Item 10. Ordinance Number 770 was presented in its entirety. Caption of same being:

AN ORDINANCE LEVYING AN ANNUAL AD VALOREM TAX FOR THE YEAR 2009. SETTING SPECIFIC TAX RATES, APPLICABLE TO ALL REAL, PERSONAL AND MIXED PROPERTY SITUATED WITHIN THE CITY OF BURKBURNETT CITY LIMITS; SETTING THE DUE DATE AND PROVIDING FOR PENALTIES AND INTEREST ON DELIQUENT TAXES.

Motion was made by Commissioner Wells, seconded by Commissioner Dolan to approve Ordinance Number 770 as presented.

Ayes: Mayor Pro-Tem Tugman, Commissioners: Wells, Dolan, Kwas, Lindenborn

Nays: Commissioner Lewis

Abstained: None

Item 11. The Commissioners reviewed the monthly reports.

Item 12. Personal Audience Comments to Commissioners/Comments on Agenda Items.

Chase Thornton, 303 Kirk Street, Burkburnett, Texas addressed the Commissioners regarding the legality of City Managers employment contract.

Item 13. City Manager's report.

- A. Mr. Slye stated the City has been notified of the funding for the Texas Department of Transportation HES (Hazard Elimination Safety) Project for the realignment of Ameron Road and Kramer road with the City's participation amount approximately \$23,000.00.
- B. Mr. Slye reported the new City website is up and running.
- C. Mr. Slye reported he would be out of the office this week for a TML IEBP Board Meeting.

Item 14. Council comments.

Commissioner Dolan stated before Chase had mentioned the Charter, he had already started thinking about when the Commissioners would start reviewing it and think it would be good to take a look at it. Commissioner Dolan reported taxes have not increased since 2006 and that he was proud that the Commissioners have been able to keep the taxes at the same rate.

Commissioner Kwas thanked everyone for coming tonight and stated the more people that show up, the more you will be able to find out what is going on, thank you coming tonight.

Commissioner Lindenborn stated that it was the opinion of the Public Administration Committee to wait to review the Charter until the budget was passed, he stated he felt like

the Commissioners had utilized City funds the best way possible and thanked everyone for coming tonight.

Commissioner Wells reported that someone had placed two sheets of paper at each Commissioner seat that was not signed, one regarding the budget and the other regarding the asset forfeiture fund. Commissioner Wells stated he cannot respond to something that is not signed. Commissioner Wells stated he asked questions in hopes that it would trigger questions from the public. Thank you all for coming tonight and Dustin DeCelles for leading the pledge.

Mayor Pro-Tem thanked the staff for putting together the budget and to Dustin DeCelles for leading the pledge and for everyone attending tonight.

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