

MINUTES

BOARD OF COMMISSIONERS

The Board of Commissioners of the City of Burkburnett, Texas met in a regular meeting on Monday, January 21, 2019, 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
Bill Lindenborn	Mayor Pro-Tem
Josh Andrajack	Commissioner
Randy Brewster	Commissioner
Jeremy Duff	Commissioner
Marguerite Love	Commissioner

Commissioner Hardy was not present.

Others present: Lawrence Cutrone, City Manager; Trish Holley, Director of Administration; Brent Battista, Director of Parks and Recreation; Richard Gordon, Executive Director of Burkburnett Development Corporation/Director of Planning; Janelle Stahr, City Clerk; Ed Stahr, Chief of Police; Mike Guevara, with Shahan, Guevara, Decker and Arrott, Attorneys at Law; and Julia Gannaway, with Ross Gannaway, PLLC.

Item 1. Mayor Law called the meeting to order.

Item 2. Ted Box, Church of Christ Minister gave the invocation.

Item 3. Commissioner Brewster led the Pledge of Allegiance.

Item 4. Consent Agenda.

A. Approval of Minutes from December 17, 2018, Regular Scheduled Meeting.

Motion made by Commissioner Love, seconded by Commissioner Lindenborn to approve the Consent Agenda. Motion carried unanimously.

Item 5. Resolution Number 654 was presented in its entirety.

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS AUTHORIZING AN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE BURKBURNETT DEVELOPMENT CORPORATION AND DOUG SMITH PROVIDING FOR THE PAYMENT OF

ECONOMIC INCENTIVES IN RETURN FOR CONSTRUCTION AND OPERATION OF A CAR WASH WITHIN BURKBURNETT, TEXAS.

Motion made by Commissioner Andrajack, seconded by Commissioner Duff to approve Resolution Number 654 as presented. Motion carried unanimously.

Item 6. Resolution Number 655 was presented in its entirety.

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS AUTHORIZING AN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE BURKBURNETT DEVELOPMENT CORPORATION AND WHALEY PRODUCTS, INC. PROVIDING FOR THE PAYMENT OF ECONOMIC INCENTIVES IN RETURN FOR THE CREATION OF NEW JOBS WITHIN BURKBURNETT, TEXAS.

Motion made by Commissioner Duff, seconded by Commissioner Love to approve Resolution Number 655 as presented. Motion carried unanimously.

Item 7. Resolution Number 656 was presented in its entirety.

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS, ORDERING A GENERAL ELECTION TO BE HELD ON MAY 4, 2019 TO ELECT THE MAYOR AND COMMISSIONERS FOR PLACE 1 AND PLACE 2; DESIGNATING THE POLLING PLACE AND PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION.

Motion made by Commissioners Lindenborn, and Andrajack, seconded by Commissioner Duff to approve Resolution Number 656 as presented. Motion carried unanimously.

Item 8. Lawrence Cutrone, City Manager, addressed the Mayor and Commissioners and stated Section 15 of the bylaws of Nortex Regional Planning Commission outlines the procedure for allowing alternate or proxy voting delegates. Any voting alternate (or proxy) who is not an elected official from the member entity's governing body must (1) be a resident within the member entity's local jurisdiction, and (2) must be appointed by a letter signed by a quorum of the member entity's governing body. The Mayor has appointed Lawrence Cutrone to serve as a voting alternate (or proxy) to the Nortex Regional Planning Commission.

Motion made by Commissioner Andrajack, seconded by Commissioner Duff to approve the appointment of City Manager, Lawrence Cutrone as a voting alternate (or proxy) to the Nortex Regional Planning Commission. Motion carried unanimously.

Mayor Law moved up Agenda Items 11 and 12.

Item 11. Mr. Cutrone addressed the Mayor and Commissioners and stated due to the retirement of the Chief of Police Ed Stahr effective April 30, 2019, he is requesting advice and consent from the Board of Commissioners to begin the hiring process of a new Chief of Police. Direction is needed for staff to perform an internal search, external search, or both in the filling of the career position.

The following addressed the Mayor and Commissioners:

- Blake Deeb, Burkburnett Police Association (BPA), 101 E. College-Requested the BPA have input in the search for the new police chief.

Motion made by Commissioner Brewster, seconded by Commissioner Lindenborn to give advice and consent to begin the research and advertising for the new police chief. Motion carried unanimously.

Item 12. The following addressed the Mayor and Commissioners:

- Randy Neff, 979 Cheryl-Questions regarding the Burkburnett Police Department Employment Standards.
- Bill McKee, 219 Laurel Lane- Requested an LED upgrade to the street lights.

Item 9. Mayor Law closed the meeting at 7:18 p.m. 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 551.074. Personnel Matters

- a. Discuss and take any action regarding the retirement of Chief Stahr.

B. Section 551.071 – Consultation with Attorney

- a. Discuss and take any action necessary regarding instituting and implementing civil service in the Burkburnett Police Department.
- b. Discuss and take any action necessary regarding possible tax laws affecting Texas municipalities.
- c. Discuss and take any action necessary on Civil Action No. 7:18-cv-00081-O filed by Joshua S. Stimpson in the United States District Court in the Northern District of Texas.

C. Section 551.072, Deliberation Regarding Real Property

- a. Discuss and take any action necessary regarding utility easements located at 901 Sycamore.

Item 10. Mayor Law reconvened the regular meeting at 9:53 p.m.

A. Section 551.074. Personnel Matters

- a. Discuss and take any action regarding the retirement of Chief Stahr.

Motion made by Commissioner Andrajack, seconded by Commissioner Duff to accept the retirement of Chief Stahr effective April 30, 2019. Motion carried unanimously.

B. Section 551.071 – Consultation with Attorney

- c. Discuss and take any action necessary regarding instituting and implementing civil service in the Burkburnett Police Department.

No action taken.

- d. Discuss and take any action necessary regarding possible tax laws affecting Texas municipalities.

No action taken.

- c. Discuss and take any action necessary on Civil Action No. 7:18-cv-00081-O filed by Joshua S. Stimpson in the United States District Court in the Northern District of Texas.

Motion made by Commissioner Andrajack, seconded by Commissioner Duff to authorize the City Manager to sign a compromise settlement agreement and release for Civil Action No. 7:18-cv-00081-O filed by Joshua S. Stimpson in the United States District Court in the Northern District of Texas. Motion carried unanimously.

C. Section 551.072, Deliberation Regarding Real Property

- a. Discuss and take any action necessary regarding utility easements located at 901 Sycamore.

Motion made by Commissioner Andrajack, seconded by Commissioner Duff to authorize city staff to proceed in obtaining an easement for utilities at 901 Sycamore. Motion carried unanimously.

Item 13. City Manager's report.

- Library Open House – January 26, 2019, 10:30 a.m. – 12:30 p.m.
- Polar Plunge with the North Texas Special Olympics – February 2, 2019, Boomtown Aquatic Center – Plunge 10:00 a.m.
- Mayor Law reported he and Mr. Cutrone would be attending an Emergency Management Training in Henrietta on February 6, 2019.

Item 14. No Commissioners Comments.

Item 15. Motion made by Commissioner Lindenborn, seconded by Commissioner Duff to adjourn. Motion carried unanimously.

Carl Law, Mayor

ATTEST:

Janelle Stahr, City Clerk