

MINUTES

BOARD OF COMMISSIONERS

The Board of Commissioners of the City of Burkburnett, Texas met in a regular meeting on Monday, March 18, 2019, at 7:00 p.m. in the Council Chambers of the City Building, 108 Williams Drive, 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
Don Hardy	Commissioner
Marguerite Love	Commissioner

Commissioner Duff was not present.

Others present: Lawrence Cutrone, City Manager; Trish Holley, Director of Administration; Mike Whaley, Director of Public Works; 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; and Mike Guevara, with Shahan, Guevara, Decker and Arrott, Attorneys at Law.

Item 1. Mayor Law called the meeting to order.

Item 2. John Munson, Vicar of St. John the Divine Anglican Church, gave the invocation.

Item 3. Commissioner Andrajack led the Pledge of Allegiance.

Item 4. Consent Agenda.

- A. Approval of Minutes from February 14, 2019, Special Called Meeting and February 18, 2019, Regular Meeting

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

Item 5. Valerie Halverson, MWH Group, presented the final FY2018 Audit.

Motion made by Commissioner Andrajack, seconded by Commissioner Love to accept the FY2018 audit as presented. Motion carried unanimously.

Item 6. Resolution Number 658 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 LEE HARVEY PROVIDING FOR THE PAYMENT OF ECONOMIC INCENTIVES IN RETURN FOR THE NEW BUSINESS DEVELOPMENT WITHIN BURKBURNETT, TEXAS.

Motion made by Commissioner Love, seconded by Commissioner Andrajack to approve Resolution Number 658 as presented. Motion carried unanimously.

Item 7. Mayor Law closed the regular meeting at 7:27 p.m. and opened the “Public Hearing” for the following permit requests to drill proposed Oil Wells located at:

- a) 0 Roller Rd, 558.472 AC E Rexford S/D ABST – 395
- b) S Preston Rd, Lot 1 Blk 1 Karnes Addn Replat of Blks 10 & 11 RRVL
- c) 1528 S Preston

Mike Whaley, Director of Public Works, addressed the Mayor and Commissioners and stated Newport Operating, LLC applied to drill 26 wells. Copies of the drilling applications and permits issued by the State Railroad Commission were submitted to the City for review along with the additional requirements for a City application. The permit cost of \$250.00 per well was received. Public hearings were held on March 4, 2019, and March 11, 2019. On March 4, 2019, 24 proposed locations were discussed and reviewed. The remaining two locations were discussed and reviewed on March 11, 2019. As required; notification of the hearings was sent to all adjacent property owners. On March 4, 2019, five residents attended the hearing as well as two representatives from Newport Operating LLC. After review and discussion of the proposed well locations, there were no objections from the residents. On March 11, 2019, only two representatives from Ingram Concrete were in attendance with representatives from Newport Operating LLC. There were no objections to the proposed drilling sites during the hearing. The staff does not find any direct conflict with the comprehensive plan or zoning regulations. The parcels on which the proposed drillings sites are located are zoned agriculture (AG).

Item 8. Mayor Law closed the Public Hearing and reopened the regular meeting at 7:31 p.m. to discuss and take any action necessary on permit requests to drill proposed Oil Wells located at:

- a) 0 Roller Rd, 558.472 AC E Rexford S/D ABST – 395
- b) S Preston Rd, Lot 1 Blk 1 Karnes Addn Replat of Blks 10 & 11 RRVL
- c) 1528 S Preston

Motion made by Commissioner Brewster, seconded by Commissioner Hardy to approve all 26 requests for oil well permits.

Ayes: Mayor Law; Commissioners Brewster, Hardy, Lindenborn, and Love

Abstained: Commissioner Andrajack

Motion carried.

Item 9. Richard Gordon, Director of Planning, addressed the Mayor and Commissioners and stated Mr. Rick Simms with Bundy, Young, Sims, Potter representing the Burkburnett ISD requested site plan approval for a new locker room structure in the rear of the old Hardin Elementary School. The site plan reflects proper building limit lines and easements. The Planning & Zoning Commission unanimously approved this request on March 4, 2019. Board members present were Tim Cornelius, Robert Jones, Carla Walters, and Mark Barefield.

Motion made by Commissioner Lindenborn, seconded by Commissioner Andrajack to approve the site plan to construct a locker room building at the Hardin Administrative Building located at 100 N. Avenue D near the Tennis Courts. Motion carried unanimously.

Item 10. Mr. Gordon addressed the Mayor and Commissioners and stated the Texas Communities Group would identify, evaluate and create a plan for addressing abandoned property, dilapidated structures and property foreclosures within the City of Burkburnett. Mr. Gordon stated Iowa Park and Vernon are using this service which has produced excellent results for each of these cities. Mr. Gordon stated the contract cost is \$4,500 per year. Mr. Justin Brom, with Texas Communities Group, was present to answer questions.

Motion made by Commissioner Andrajack, seconded by Commissioner Brewster to approve the annual contract with Texas Communities Group for \$4,500. Motion carried unanimously.

Item 11. Dick Brock, Texas Municipal Police Association (TMPA), gave a presentation on civil service.

Item 12. Robert Jones gave a presentation on civil service.

Item 13. Lawrence Cutrone, City Manager, addressed the Mayor and Commissioners and stated the Taste of Town fundraiser is scheduled for April 27, 2019, in the Burkburnett Community Center. The Burkburnett Lions Club sponsors this event, and it is conducted as a fundraiser for the club's local scholarship and community service projects. The applicants are required to obtain a permit from the Board of Commissioners for consumption of beer and wine at City facilities.

Motion made by Commissioner Andrajack, seconded by Commissioner Love to approve the permit application for the Taste of Town.

Ayes: Mayor Law; Commissioners Andrajack, Hardy, Lindenborn, and Love

Abstained: Commissioner Brewster
Motion carried.

Item 14. Mr. Gordon addressed the Mayor and Commissioners and stated Mr. Scott Simmons applied for board service to the City of Burkburnett. Mr. Simmons requested to serve on the Zoning Board of Adjustment. Currently, two positions on the board are vacant.

Motion made by Commissioner Lindenborn, seconded by Commissioner Brewster to approve the appointment of Scott Simmons to the Zoning Board of Adjustment. Motion carried unanimously.

Mayor Law moved up Agenda Item 17.

Item 17. The following addressed the Mayor and Commissioners:

- Randy Neff, 979 Cheryl-Follow up on the Burkburnett Police Department operations.
- Blake Deeb, Vice President Burkburnett Police Association-Comments on Civil Service.
- Erwin Lee Harvey Sr., 1052 Jan Lee Dr.-Received notification that Wichita County will receive FEMA Assistance for repairs on Roller Road.
- E. C. McLaughlin, 731 W. Third-Comments on Civil Service.

Item 15. Mayor Law closed the meeting at 9:52 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 551.071 – Consultation with Attorney
 - a. Discussion on potential personnel litigation.

Item 16. Mayor Law reconvened the regular meeting at 10:52 p.m. No action taken.

Item 18. City Manager's report.

- BISD Family Night at the Park – 6:00 p.m.-March 27th – United Friendship Amphitheatre.

Item 19. Mayor Law stated he would be proclaiming March 29, 2019, as Dr. Jerome Adams Day and providing him with a gift from the City for his dedicated service to the citizens of Burkburnett.

Item 20. Motion made by Commissioner Lindenborn, seconded by Commissioner Brewster to adjourn. Motion carried unanimously.

Carl Law, Mayor

ATTEST:

Janelle Stahr, City Clerk