

## AGENDA

Notice is hereby given of a meeting of the **Board of Commissioners of Burkburnett** to be held on **Monday, October 21, 2019, at 7:00 p.m.** at City Hall-Council Chambers, 501 Sheppard Road, Burkburnett, Texas to consider the following agenda items. The Board of Commissioners may discuss and take action on any item on this agenda. The Board of Commissioners reserves the right to meet in a closed session on any agenda item should the need arise and, if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

### **PUBLIC COMMENTS ON AGENDA ITEMS**

The public may speak on items listed on the posted agenda. All persons desiring to address a specific agenda item must submit a **“Public Comments”** form before the reading of the item to the City Clerk, Margie Poole. The Mayor will allow comments before each agenda item for which they have requested to be heard. Comments will be limited to three (3) minutes with a maximum of a two (2) minute extension following approval by a majority of the Commissioners.

### **ITEM 1. CALL MEETING TO ORDER: MAYOR**

### **ITEM 2. INVOCATION: CHRIS GRANT, PASTOR; ABUNDANT LIFE CHURCH**

### **ITEM 3. PLEDGE OF ALLEGIANCE: CUB SCOUT PACK 600 PRESENTS COLORS**

### **ITEM 4. CONSENT AGENDA**

A. Approval of Minutes from September 16, 2019.

### **ITEM 5. PERSONAL/AUDIENCE COMMENTS**

The Board of Commissioners invites citizens to speak on any topic. Please fill out a **“Public Comments”** form and submit the form before 7:00 p.m. to the City Clerk, Margie Poole. Public comments are limited to five (5) minutes with a possible two (2) minute extension following the approval by a majority vote of the Commissioners. Time limits can be adjusted by the Mayor to accommodate more or fewer speakers. Unless the item is specifically noted on this agenda, the Board of Commissioners is required under the Texas Open Meetings Act to limit its response to a statement of specific factual information or reciting the City’s existing policy on that issue.

### **ITEM 6. Mayor to close the Regular Meeting and open the Public Hearing for the following Rezoning Applications:**

A. **Case #2019-46:** Rezone application for the 600 Block of N. Avenue C, rezoned from Residential (R2) to Residential (R-1). Legal descriptions:

Lots 5-6 BLK 20  
Original Town, BB

Lots 7-8 BLK 20  
Original Town, BB

The Planning and Zoning Commission is recommending the block in the City Limits be rezoned from Residential-2 (R-2) to Residential-1 (R-1).

- B. **Case #2019-47:** Rezone application for the 400 Blocks of W. College and Buckner rezoned from Residential (R2) to Residential (R-1). Legal descriptions:

55 X 218' BLK 2 BUCKNER  
W55X218' BLK 2 BUCKNER  
90 X 218' BLK 2 BUCKNER  
50'X150' OF LOT 1 BLK 2 BUCKNER  
50 X 150' BLK 2 BUCKNER

The Planning and Zoning Commission is recommending the block in the City Limits be rezoned from Residential-2 (R-2) to Residential-1 (R-1).

- ITEM 7.** Mayor to close the Public Hearing and reopen the Regular Meeting to take any action necessary on the Rezoning Applications:

- A. **Rezone Case 2019-46:** Rezone application for the 600 Block of N. Avenue C, rezoned from Residential (R2) to Residential (R-1). Legal descriptions:

Lots 5-6 BLK 20  
Original Town, BB  
Lots 7-8 BLK 20  
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The Planning and Zoning Commission is recommending the block in the City Limits be rezoned from Residential-2 (R-2) to Residential-1 (R-1).

- ITEM 8.** Discuss and take any action necessary on the Interlocal Agreement Between Burkburnett Independent School District and the City of Burkburnett.

- ITEM 9.** Discuss and take any action necessary on the Four (4) Tax Deeds and Property Cards for Trust Property in the City of Burkburnett from Texas Communities Group: (1) 126 Avenue F; (2) 709 E College Street; (3) 625 E 3rd Street; and (4) 508 E 5th Street.

- ITEM 10.** Resolution Number 666. First Reading.

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.

**ITEM 11.** Discuss and take any action necessary on Ordinance Number 957.

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 102: SMOKING IN PUBLIC PLACES TO ADD CITY OWNED FACILITIES TO PUBLIC PLACES, TO RAISE THE SMOKING AGE AND TO BAN THE SALE OF FLAVORED LIQUID AND AEROSOLS; REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING AN OPEN MEETINGS CLAUSE; AND PROVIDING FOR RELATED MATTERS.

**ITEM 12.** Discuss and take any action necessary on Ordinance Number 958.

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS, AMENDING THE CODE OF ORDINANCES BY REPEALING AND REPLACING CHAPTER 75: GOLF CARTS; REGULATING THE OPERATION OF GOLF CARTS WITHIN THE CITY LIMITS OF BURKBURNETT; REPEALING OF ALL PORTIONS OF THE CODE OF ORDINANCES IN CONFLICT; PROVIDING A PENALTY; PROVIDING FOR PUBLISHED NOTICE; PROVIDING AN OPEN MEETINGS CLAUSE; AND PROVIDING FOR RELATED MATTERS.

**ITEM 13. 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 – Consult with Attorney
  - a. Pending Police Department State Office of Administrative Hearing (SOAH) Matter

**ITEM 14. RECONVENE**

Reconvene to regular session and take action, if any, on matters discussed in Executive Session.

**ITEM 15. CITY MANAGER'S REPORT**

- A. Friendship Festival Summary.
- B. Waste Connections Texas Cities Got Talent Competition at the Texas Municipal League Annual Conference.
- C. Sheppard Military Affairs Committee (SMAC) Dinner: October 24, 2019.
- D. SAFB Open House and Air Show 2019: October 26-27, 2019 (SAFB).
- E. Painted Pumpkin Roll: November 3, 2019, at Friendship Park.

**ITEM 16. COMMISSIONERS' COMMENTS**

Pursuant to Government Code Section 551.0415, City Commissioner Members may make a report about items of Community interest during a meeting of the governing body without having given notice of the report. Items of community interest include:

- Expressions of thanks, congratulations, or condolence;
- Information regarding holiday schedules;
- An honorary or salutary recognition of a public official, public employee, or another citizen, except that a discussion regarding a change in the status of the person's public

office of public employment is not an honorary or salutory recognition for purposes of this subdivision;

- A reminder about an upcoming event organized or sponsored by the governing body;
- Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and
- Announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

### ITEM 17. ADJOURNMENT

I, Margie Poole, City Clerk for the City of Burkburnett, Texas do hereby certify that I posted this agenda on the glass front door of the City Hall, facing the outside at 2:15pm on October 18, 2019, in compliance with the Open Meetings Act Chapter 551.

Margie Poole

Margie Poole, City Clerk

Posted 10/18/19 @ 2:15pm

This facility is wheelchair accessible, and accessible parking spaces are available. If any accommodations for a disability are required, please notify the City Clerk's Office at 940.569.2263 at least 72 hours before the meeting date. Concerning any item, the Board of Commissioners may take various actions, including but not limited to rescheduling an item in its entirety or for particular action at a future date or time.

I certify that the attached notice of the Board of Commissioners was removed by me from the glass front door of City Hall on the \_\_\_\_\_ day of \_\_\_\_\_ 2019 at \_\_\_\_\_.

\_\_\_\_\_  
Title: \_\_\_\_\_