

MINUTES

BOARD OF COMMISSIONERS

The Board of Commissioners of the City of Burkburnett, Texas, met in a Regular Meeting on Monday, September 21, 2020, at 7:00 p.m. at City Hall-Council Chambers, 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
Marguerite Love	Mayor Pro-Tem
Josh Andrajack	Commissioner
Jeremy Duff	Commissioner
Ted Kwas	Commissioner
Bill Lindenborn	Commissioner

Commissioner Brewster was absent.

Others present were Lawrence Cutrone, City Manager; and Margie Poole, City Clerk.

Present in the City Hall Lobby were: Sarah Culp, Executive Assistant; Richard Gordon, Executive Director, BDC; Trish Holley, Director of Administration, and Fred Tillman, Chief of Police.

ITEM 1. CALL MEETING TO ORDER: MAYOR CARL LAW

Mayor Law called the meeting to order at 7:00 p.m.

ITEM 2. INVOCATION

Rev. Carl E. English, Sr., Pastor; Providence Baptist Church, gave the invocation.

ITEM 3. PLEDGE OF ALLEGIANCE

Commissioner Kwas led the Pledge of Allegiance.

ITEM 4. CONSENT AGENDA

Approval of Minutes from the September 15, 2020 Public Hearing/Special-Called Meeting.

Mayor Pro-Tem Love made a motion, seconded by Commissioner Lindenborn, to approve the Consent Agenda. Motion carried unanimously.

ITEM 5. Mayor Law closed the Regular Meeting at 7:03 p.m. and opened the Public Hearing for the:

A. Case 2020-60: a Specific Use Permit for 7445 Roller Rd to construct a storage building with 16-foot sidewalls.

Ms. Sarah Culp, Executive Assistant, read an email comment received from Mr. John Priddis, of Roller Road stating no issue with this permit.

B. Rezone Application 2020-62: Rezone 16.9 AC ABST 3 Samuel Anderson from R-1 to Agriculture.

Via the conference bridge, Mrs. Laura York addressed the Mayor and Commissioners, stating that they planned to cultivate 10 acres and build a barn.

ITEM 6. Mayor Law closed the Public Hearing and reopened the Regular Meeting at 7:06 p.m. to discuss and take any action necessary for the:

A. Case 2020-60: a Specific Use Permit for 7445 Roller Rd to construct a storage building with 16-foot sidewalls.

Mayor Pro-Tem Love made a motion, seconded by Commissioner Kwas, to approve Case 2020-60: a Specific Use Permit for 7445 Roller Road to construct a storage building with 16-foot sidewalls. Motion carried unanimously.

B. Rezone Application 2020-62: Rezone 16.9 AC ABST 3 Samuel Anderson from R-1 to Agriculture.

Commissioner Lindenborn made a motion, seconded by Commissioner Duff, to approve the Rezone Application 2020-62.

The discussion focused on the City's Comprehensive Plan regarding agricultural zoning. In response to a question from Mayor Pro-Tem Love regarding the plans for the remaining six acres, Ms. York stated that they plan to build a house in the future. To Commissioner Andrajack's statement that there is potential consideration to build living quarters as part of the barn, Ms. York stated that they have no plans to build living quarters in the barn.

Ayes (3): Mayor Law, Commissioner Kwas, and Commissioner Lindenborn

Nays (3): Mayor Pro-Tem Love, Commissioner Andrajack, and Commissioner Duff

Motion failed.

ITEM 7. Discuss and take any action necessary on the Interlocal Agreement for School Resource Officers with the Burkburnett Independent School District.

Fred Tillman, Chief of Police, addressed the Mayors and Commissioners summarizing the Interlocal Agreement for School Resource Officers.

Commissioner Andrajack made a motion, seconded by Commissioner Kwas, to approve the Interlocal Agreement for School Resource Officers with the Burkburnett Independent School District. Motion carried unanimously.

ITEM 8. Discuss and take any action necessary on Resolution Number 685.

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2020 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHED EXHIBIT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; APPROVING AN ATTACHED EXHIBIT REGARDING AMORTIZATION OF REGULATORY LIABILITY; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE

REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL.

Mr. Lawrence Cutrone, City Manager, addressed the Mayors and Commissioners, stating that the City is a member of the Atmos Steering Committee and summarizing the negotiated settlement.

Commissioner Duff made a motion, seconded by Commissioner Lindenborn, to approve Resolution Number 685. Motion carried unanimously.

ITEM 9. Discuss and take any action necessary on Resolution Number 686.

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS, REVISING THE CITY OF BURKBURNETT PERSONNEL POLICY HANDBOOK.

Mr. Lawrence Cutrone, City Manager, addressed the Mayors and Commissioners, stating because of limited residential housing opportunities here within the City, staff requests consideration of this Resolution, allowing department head members (not the city manager) to live a 30-minute response time to the city limits.

The discussion centered on the need for this Resolution in recruiting future city employees, like the Fire Chief.

Mayor Pro-Tem Love made a motion, seconded by Commissioner Kwas, to approve Resolution Number 686.

Ayes (5): Mayor Law, Mayor Pro-Tem Love, Commissioner Duff, Commissioner Kwas, and Commissioner Lindenborn

Nays (1): Commissioner Andrajack

Motion carried.

ITEM 10. CITY MANAGER'S REPORT

A. Friendship Festival – October 3, 2020

ITEM 11. COMMISSIONERS' COMMENTS

There were no Commissioner comments.

ITEM 12. ADJOURNMENT

Commissioner Lindenborn made a motion, seconded by Mayor Pro-Tem Love, to adjourn. The meeting adjourned at 7:41 p.m.

Carl Law, Mayor

ATTEST:

Margie Poole, City Clerk