

**MINUTES**

**BOARD OF COMMISSIONERS**

The Board of Commissioners of the City of Burkburnett, Texas, met in a Special-Called Meeting on Friday, August 14, 2020, at noon 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
Randy Brewster ( <i>departed at 12:30 p.m.</i> )	Commissioner
Jeremy Duff	Commissioner
Ted Kwas ( <i>departed at 2:21 p.m.</i> )	Commissioner
Bill Lindenborn	Commissioner

Others present were Lawrence Cutrone, City Manager; Trish Holley, Director of Administration; and Margie Poole, City Clerk.

Present in the City Hall Lobby were: Mike Whaley, Director of Public Works; Brent Battista, Director of Parks and Recreation; Richard Gordon, Executive Director of Burkburnett Development Corporation (BDC); Fred Tillman, Chief of Police; and Sarah Culp, Executive Assistant.

**ITEM 1. CALL MEETING TO ORDER: MAYOR CARL LAW**

Mayor Law called the meeting to order at noon.

**ITEM 2. INVOCATION**

Commissioner Brewster gave the invocation.

**ITEM 3. PLEDGE OF ALLEGIANCE**

Mayor Pro-Tem Love led the Pledge of Allegiance.

**ITEM 4. CONSENT AGENDA**

Approval of Minutes from the July 20, 2020 Regular Meeting.

Commissioner Lindenborn made a motion, seconded by Mayor Pro-Tem Love, to approve the July 20, 2020 Regular Meeting minutes. Motion carried unanimously.

**ITEM 5. Discuss and take any action necessary on Ordinance Number 979.**

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS, ORDERING A GENERAL ELECTION TO BE HELD ON NOVEMBER 3, 2020 TO ELECT COMMISSIONER FOR PLACE 3, COMMISSIONER FOR PLACE 4, COMMISSIONER FOR PLACE 5 AND COMMISSIONER FOR PLACE 6; DESIGNATING THE POLLING PLACE AND PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION.

Commissioner Brewster made a motion, seconded by Commissioner Duff, to approve Ordinance Number 979. Motion carried unanimously.

**ITEM 6.** Discuss and take any action necessary on the Enterprise for Fleet Services Addendum.

Mr. Lawrence Cutrone, City Manager, addressed the Mayor and Commissioners, stating that staff forgot to include all items to be requested from Enterprise on the vehicle specifications. Per Nick Hardwick, the Enterprise Representative, there should not be any additional costs.

Commissioner Andrajack made a motion, seconded by Commissioner Lindenborn, to approve the Enterprise for Fleet Services Addendum. Motion carried unanimously.

**ITEM 7.** Discuss and take any action necessary on the selection of the non-revolving Line of Credit bid for the Waste-Water Treatment Plant Outfall Line Replacement Project.

This agenda item was postponed from the July 20, 2020 meeting. In response to Commissioner Duff's question, the Mayor confirmed that this agenda item required Commissioners Lindenborn, Andrajack, and Brewster to not participate in the discussion or the vote.

Motion 1: Mayor Pro-Tem Love made a motion, seconded by Commissioner Duff, to accept the Texoma Community Credit Union bid (5 years).

Ayes (1): Mayor Pro-Tem Love

Nays (3): Mayor Law, Commissioner Duff, and Commissioner Kwas

Motion failed.

Motion 2: Commissioner Kwas made a motion, seconded by Commissioner Duff, to accept the First Bank bid (5 years).

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

Nays (1): Mayor Pro-Tem Love

Motion failed.

Motion 3: Mayor Pro-Tem Love made a Motion to Reconsider the motion, seconded by Mayor Law, to accept the First Bank bid (5 years).

Ayes (4): Mayor Law, Mayor Pro-Tem Love, Commissioner Duff, and Commissioner Kwas

Nays (0)

Motion carried unanimously.

*(Commissioner Brewster left the meeting at 12:30 p.m. and was not present for any upcoming votes.)*

**ITEM 8.** Discuss and take any action necessary on the bond proposition for Water Meter Replacements.

Mr. Mike Whaley, Director of Public Works, addressed the Mayor and Commissioners, stating that staff is looking for instruction as to whether the Board would be interested in proceeding with further research and request for proposals from Master Meter, Badger Meter, Neptune, and Census.

Commissioner Lindenborn made a motion, seconded by Commissioner Kwas, to move forward with approval to request proposals from each company with the end result being the issuance of a Water Meter Revenue Bond. Motion carried unanimously.

**ITEM 9.** Discuss and take any action necessary on the bond proposition for Street and Drainage Reconstruction.

Mr. Mike Whaley, Director of Public Works, addressed the Mayor and Commissioners, stating that staff is looking for instruction as to whether the Board would be interested in proceeding with issuing General Obligation Bonds for reconstruction and repair of the road infrastructure.

Commissioner Lindenborn made a motion, seconded by Commissioner Duff, to include all five (5) propositions on the November 3, 2020 ballot.

Ayes (1): Commissioner Lindenborn

Nays (5): Mayor Law, Mayor Pro-Tem Love, Commissioner Andrajack, Commissioner Duff, and Commissioner Kwas

Motion failed.

**ITEM 10.** Discuss and take any action necessary on Resolution Number 683.

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS DIRECTING WICHITA COUNTY TAX ASSESSOR TO CALCULATE THE VOTER-APPROVAL TAX RATE OF THE CITY OF BURKBURNETT IN THE MANNER PROVIDED FOR A SPECIAL TAXING UNIT BY USING AN 8% THRESHOLD FOR NEW REVENUE INSTEAD OF 3.5% AS AUTHORIZED BY TEXAS TAX CODE SECTION 26.04(C-1) DUE TO THE GOVERNOR'S STATE-WIDE DECLARATION OF DISASTER IN RESPONSE TO THE COVID-19 PANDEMIC AND DECLARING AN EFFECTIVE DATE.

Mr. Lawrence Cutrone, City Manager, addressed the Mayor and Commissioners, stating that per the COVID-19 disaster declared by the U.S. President and the Texas Governor, cities can pass a resolution recognizing the disaster declaration and direct the assessor to use a different formula for the voter-approved rate (VAR).

The current formula per the tax cap legislation is:

No-new-revenue (NNR) M&O rate X 1.035 + Current Debt rate

If the resolution passes the new formula would be:

No-new-revenue (NNR) M&O rate X 1.08 + Current Debt rate

The vote for this item was taken at the end of the meeting. Commissioner Andrajack made a motion, seconded by Commissioner Lindenborn, to adopt Resolution Number 683. Motion carried unanimously.

**ITEM 11.** Discussion about the Fiscal Year 2021 proposed budget and tax rate.

Mr. Lawrence Cutrone, City Manager, presented the Mayor and Commissioners the proposed budget and tax rate options, with discussion from the Board.

The meeting recessed for a break at 1:25 p.m. and resumed at 1:30 p.m.

*(Commissioner Kwas left the meeting at 2:21 p.m. and was not present for any upcoming votes.)*

Following more discussion and staff presentations, the meeting recessed for a break at 2:51 p.m. and resumed at 3:00 p.m.

The Board of Commissioners agreed with the following decision points:

- Revised VAR
- Promotion of Executive Assistant Sarah Culp to Planning Director with a salary increase to \$51,000
- Permit Fee Increases

The Board of Commissioner agreed with the following decision points for FY-21 Proposed CIP and O&M Requests with Revised VAR with the following:

- Commissioned EMTs to Fire Department (6)
- 48-month Sweeper
- No Rifles for Police Department
- Step-Grade Salary
- Bump anticipated sales tax revenues by 7K

The Board of Commissioner agreed with the following decision points:

- Planning Director administer for and salary from TIF & HOT
- Keep current BFAC rate structure
- Increase beyond CPI to \$1.75 for creation of Street Overlay Program
- Keep current Stormwater rate structure

The Board of Commissioner agreed with the following decision points for the Water Fund:

- Keep current water rate structure
- Keep current sewer rate structure

## **ITEM 12. CITY MANAGER'S REPORT**

Mr. Lawrence Cutrone, City Manager, thanked the Board for their recommendations.

## **ITEM 13. COMMISSIONERS' COMMENTS**

There were no Commissioners' comments.

## **ITEM 14. ADJOURNMENT**

Mayor Pro-Tem Love made a motion, seconded by Mayor Law, to adjourn. The meeting adjourned at 4:50 p.m.

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Carl Law, Mayor

**ATTEST:**

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Margie Poole, City Clerk