

MINUTES

BOARD OF COMMISSIONERS

The Board of Commissioners of the City of Burkburnett, Texas, met in a Special-Called Meeting on Monday, November 16, 2020, at 6:00 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
Randy Brewster	Commissioner
Jeremy Duff	Commissioner
Ted Kwas	Commissioner
Bill Lindenborn	Commissioner

Others present were Lawrence Cutrone, City Manager; Margie Poole, City Clerk; and Mike Guevara with Shahan Guevara Decker Arrott, Attorneys at Law.

Present in the City Hall Lobby were: Commissioner Elect John Beard; Commissioner Elect Michael Tugman; Sarah Culp, Director of Planning; Trish Holley, Director of Administration; Harold Watkins, Fire Chief; and Fred Tillman, Chief of Police.

ITEM 1. CALL MEETING TO ORDER: MAYOR CARL LAW

Mayor Law called the meeting to order at 6:00 p.m.

ITEM 2. Discuss and take any action regarding Ordinance Number 984, amending the alcohol ordinance.

AN ORDINANCE OF THE CITY OF BURKBURNETT, TEXAS AMENDING CHAPTER 117 OF TITLE XI OF THE CODE OF ORDINANCES OF THE CITY OF BURKBURNETT, TEXAS ESTABLISHING REGULATIONS FOR BUSINESSES THAT SELL ALCOHOL; PROVIDING PENALTIES FOR VIOLATIONS OF SUCH PROVISIONS; AND PROVIDING FOR SEVERABILITY.

Director of Planning, Ms. Sarah Culp, addressed the Mayor and Commissioners, stating that we are seeking to amend Chapter 117 to allow more flexibility with the sale of alcohol in the Downtown District. Currently, there is a requirement that locations wishing to sell alcohol must be 300 feet from a church, school, or hospital. Staff is seeking to remove this requirement only in the Downtown District to attract new business. Questions and discussion then ensued regarding Section 117.03(B), Section 117.07(C), and potential discrimination for churches and schools in the Downtown District.

Main Motion: Commissioner Andrajack made a motion, seconded by Commissioner Duff, to adopt the modification to Ordinance Number 984 as presented, with the singular change being the removal of Section 117.03(B).

Chief FC Tillman addressed the Mayor and Commissioners regarding special events and the changes he would like incorporated into the Section 117.07(C)(1) language.

Amend Motion: Commissioner Andrajack amended his motion, seconded by Commissioner Duff, to include the following change to Section 117.07(C)(1) to now read: *The entire special event and/or programing area, including the area for beer and/or wine and vinous liquor dispensing and consumption, shall be located in an area with a defined ingress and egress point monitored by off-duty city police officers at a ratio of at least one officer per 100 anticipated patrons, or more or less as determined by the facility manager/supervisor City Manager and Chief of Police; and*

Amend Motion:

Ayes (6): Mayor Pro-Tem Love, Commissioner Andrajack, Commissioner Duff, Commissioner Brewster, Commissioner Kwas, and Commissioner Lindenborn

Abstain (1): Mayor Law

Motion carried.

Main Motion:

Ayes (6): Mayor Pro-Tem Love, Commissioner Andrajack, Commissioner Duff, Commissioner Brewster, Commissioner Kwas, and Commissioner Lindenborn

Nays (1): Mayor Law

Motion carried.

ITEM 3. Discuss and take any action regarding Ordinance Number 985, updating the fee schedule.

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS, AMENDING TITLE XV: LAND USAGE OF THE CODE OF ORDINANCES BY ADDING CHAPTER 156: LAND USAGE FEE SCHEDULE; SETTING BUILDING INSPECTION, PLAN REVIEW, AND OTHER PERMIT FEES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.

Mr. John Priddis of Roller Road submitted an email to the Mayor and Commissioners, which the City Clerk, Ms. Margie Poole, read. In response to Commissioner Brewster's question, Ms. Sarah Culp, Director of Planning, stated the average fee increase was 20%. The approximate increase for a total house build was 35%. Ms. Culp confirmed that no new fees were added.

Commissioner Brewster made a motion, seconded by Commissioner Lindenborn, to adopt Ordinance Number 985. Motion carried unanimously.

ITEM 4. Discuss and take any action necessary on Resolution Number 689.

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS CANVASSING THE ELECTION RETURNS AND DECLARING ELECTION RESULTS IN THE GENERAL ELECTION HELD IN THE CITY OF BURKBURNETT ON NOVEMBER 3, 2020 TO ELECT FOUR COMMISSIONERS.

Commissioner Andrajack made a motion, seconded by Commissioner Duff, to adopt Resolution Number 689. Motion carried unanimously.

Mayor Law changed the agenda order to address the Resolutions of Gratitude before the Oath of Office.

ITEM 5. Oath of Office for the newly elected Commissioners.

Ms. Margie Poole, City Clerk, administered the Oath of Office to Commissioner Michael Tugman, Place 3; Commissioner John Beard, Place 4; Commissioner Marguerite Love, Place 5; and Commissioner Bill Lindenborn, Place 6.

ITEM 6. Election of Mayor Pro-Tem for the ensuing year in compliance with Article 4, Section 7 of the City Charter.

Ms. Margie Poole, City Clerk, opened the floor for nominations for Mayor Pro-Tem.

Commissioner Lindenborn nominated Commissioner Marguerite Love to serve as Mayor Pro-Tem for the next ensuing year, seconded by Commissioner Tugman.

Ms. Poole asked if there were any other nominations. There being none, the floor was closed for nominations. Motion carried unanimously to elect Marguerite Love as the Mayor Pro-Tem for the ensuing year.

ITEM 7. Discuss and take any action necessary on Resolution Number 690. A Resolution of gratitude for Commissioner Josh Andrajack.

Mayor Law presented the Resolution of Gratitude and a gift of appreciation to Commissioner Josh Andrajack for having served with distinction and honor as a member of the Board of Commissioners for six years.

Commissioner Lindenborn made a motion, seconded by Commissioner Brewster, to adopt Resolution Number 690. Motion carried.

ITEM 8. Discuss and take any action necessary on Resolution Number 691. A Resolution of gratitude for Commissioner Jeremy Duff.

Mayor Law presented the Resolution of Gratitude and a gift of appreciation to Commissioner Jeremy Duff for having served with distinction and honor as a member of the Board of Commissioners for four years.

Commissioner Lindenborn made a motion, seconded by Commissioner Kwas, to adopt Resolution Number 691. Motion carried.

ITEM 9. COMMISSIONERS' COMMENTS

Commissioner Tugman thanked the voters and Commissioner Lindenborn, along with Mayor Law, thanked the two Commissioners leaving the Board and welcomed Commissioners Tugman and Beard, thanking each of them for their willingness to serve.

ITEM 7. ADJOURNMENT

The meeting adjourned at 7:12 p.m.

Carl Law, Mayor

ATTEST:

Margie Poole, City Clerk