

## AGENDA

Notice is hereby given of a meeting of the **Board of Commissioners of Burkburnett** to be held on **Monday, May 17, 2021, 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.

### **RIGHT TO ENTER INTO EXECUTIVE SESSION:**

The Board of Commissioners for the City of Burkburnett reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any matters listed on this agenda, as authorized by the Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development).

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

All persons desiring to address a specific agenda item must submit a "**Public Comments**" form to the City Clerk, Margie Poole, before the reading of the agenda item. 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 CARL LAW**

### **ITEM 2. INVOCATION**

### **ITEM 3. PLEDGE OF ALLEGIANCE**

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

Approval of Minutes from the May 6, 2021 Special Called Meeting.

### **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. 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. The Mayor may adjust time limits 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. Discuss and take any action necessary on Resolution Number 705, annual three percent merit increase, Lawrence Cutrone, City Manager.**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS AUTHORIZING A SALARY ADJUSTMENT TO THE CITY MANAGER.**

### **ITEM 7. Mayor to close the Regular Meeting and open the Public Hearing to discuss:**

- A. Case 2021-3: Carport Overlay District for the 1300 Block of Eleanor St. Burkburnett, Texas
- B. Case 2021-P1: Final Plat for Lots 7A, 7B, 8A, 8B, and 8C Avenue C Crossing Addition (a replat of lots 7&8 Block 20 Original Town Burkburnett.)

- ITEM 8.** Mayor to close the Public Hearing and re-open the Regular Meeting to discuss and take any action necessary on:
- A. Case 2021-3: Carport Overlay District for the 1300 Block of Eleanor St. Burkburnett, Texas
  - B. Case 2021-P1: Final Plat for Lots 7A, 7B, 8A, 8B, and 8C Avenue C Crossing Addition (a replat of lots 7&8 Block 20 Original Town Burkburnett.)

**ITEM 9.** Discuss and take any action necessary on the Development Agreement with Lipscomb Chevrolet and the Tax Increment Financing District.

**ITEM 10.** Discuss and take any action necessary on Ordinance Number 1001.  
AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 113: BODY ART ESTABLISHMENTS; REMOVING COSMETIC TATTOOING FROM THE DESCRIPTION OF BODY ART; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**ITEM 11.** Discuss and take any action necessary regarding the Texas Downtown Association City of Burkburnett - Downtown Assessment Proposal.

**ITEM 12.** Discuss and take any action necessary regarding the purchase of Fire Fighting Hose Equipment for the Fire Department.

**ITEM 13.** Discuss and take any action necessary on Ordinance Number 1002.  
AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS AMENDING THE FISCAL YEAR 2021 GENERAL FUND FIRE DEPARTMENT FOR FIRE FIGHTING HOSE EQUIPMENT: FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

**ITEM 14. 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 551.074 – Discuss the appointment, employment, evaluation, reassignment, duties, discipline, dismissal of, or to hear a complaint against the public officer or employee.
  - a. Annual evaluation of Lawrence Cutrone, City Manager
- B. SECTION 551.071 – Consult with Attorney
  - a. Wichita County's Proposed Agreement for the Fire Protection and First Responder Services and Dispatch Services with the City of Burkburnett
  - b. Gexa Energy Storm Recovery Agreement Invoice
- C. SECTION 551.074 – Discuss the appointment, employment, evaluation, reassignment, duties, discipline, dismissal of, or to hear a complaint against the public officer or employee.
  - a. Employment agreement for Chief of Police
  - b. Employment agreement for Fire Chief

**ITEM 15. RECONVENE**

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

**ITEM 16. CITY MANAGER'S REPORT**

A. City offices will be closed on Monday, May 31, 2021 in observance of Memorial Day.

**ITEM 17. 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 salutary 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 18. 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 4:40 pm on May 14, 2021, in compliance with the Open Meetings Act Chapter 551.

Margie Poole

Margie Poole, City Clerk  
Posted 5/14/2021 @ 4:40pm

I certify that the attached notice of the Board of Commissioners' Meeting was removed by me from the glass front door of City Hall on the \_\_\_\_\_ day of \_\_\_\_\_ 2021 at \_\_\_\_\_

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

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.