

## ***MINUTES***

### ***BOARD OF COMMISSIONERS***

The Board of Commissioners of the City of Burkburnett, Texas, met in a Regular Meeting on Monday, October 17, 2022, 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:

Lori Kemp	Mayor
Cory Brinkley	Commissioner, Place 1
Randy Brewster	Commissioner, Place 2
Susan Mitchell	Commissioner, Place 3
Michael Richter	Mayor Pro-Tem, Commissioner, Place 4
Marguerite Love	Commissioner, Place 5
Bill Lindenborn	Commissioner, Place 6

Guests present were: Chief Manuel Borrego, Wichita Falls Police Department; Connie Provost, AMR; Shawn Holbert, AMR; Scott Shurtz, AMR; Justin Baker, Burkburnett Fire Department; Jeb Baxley, Burkburnett Fire Department; Scott Bright, Burkburnett Police Department; Jackson Towery, Burkburnett Fire Department; Robby Swanson, City of Burkburnett; and Stephen Ford, City of Burkburnett.

Staff present were: Fred Tillman, Interim City Manager; Mike Guevara, City Attorney; Brent Battista, Director of Parks and Recreation; Sarah Culp, Planning Director; Mike Whaley, Director of Public Works; Dan King, Interim Fire Chief; Shane Culp, Captain, Burkburnett Police Department; Travis Haggard, Executive Director, BDC; Sarah Culp, Director of Community Planning; Shae Krc, Public Safety Coordinator; Trish Holley, Director of Administration; and Margie Poole, City Clerk.

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

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

#### **ITEM 2. INVOCATION**

Commissioner Richter gave the invocation.

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

Commissioner Mitchell led the Pledge of Allegiance.

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

Approval of Minutes from the September 19, 2022 Regular Meeting

Approval of Minutes from the September 30, 2022 Special-Called Meeting

Mayor Pro-Tem Richter made a motion, seconded by Commissioner Brinkley, to approve the minutes from the September 19<sup>th</sup> and September 30<sup>th</sup> meetings. Motion carried unanimously.

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

There were no public comments.

**ITEM 6.** Presentation of Accreditation Certificate to the Burkburnett Police Department.

Fred Tillman, Interim City Manager, introduced Chief Manuel Borrego with the Wichita Falls Police Department representing the Texas Police Chiefs Association Accreditation Program. Chief Borrego addressed the Mayor and Commissioners and presented the Burkburnett Police Department with a certificate of accreditation for achieving compliance with the Texas Law Enforcement Best Business Practices. There are currently over 2700 law enforcement agencies in Texas, and only 187 agencies are accredited by this program. The Burkburnett Police Department is officially recognized as the 185<sup>th</sup> accredited agency in the State of Texas.

**ITEM 7.** Presentation of Life Saving Awards for exceptional and professional effort during a cardiac arrest, resulting in the preservation of quality of life to Justin Baker, Jeb Baxley, Scott Bright, Robby Swanson, and Jackson Towery.

After a staff presentation by Fred Tillman, Interim City Manager, Connie Provost from American Medical Response (AMR) and Stephen Ford, City of Burkburnett, presented Life Saving Awards to Shawn Holbert, AMR; Scott Shurtz, AMR; Justin Baker, Burkburnett Fire Department; Jeb Baxley, Burkburnett Fire Department; Jackson Towery, Burkburnett Fire Department; Officer Scott Bright, Burkburnett Police Department; and Robby Swanson, Water Department Superintendent, City of Burkburnett.

**ITEM 8.** Discuss and take any action necessary on Ordinance Number 1029.  
AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS, AMENDING ORDINANCE NUMBER 782 PRESENTLY CODIFIED AS CHAPTER 118: LODGING ESTABLISHMENTS IN THE CODE OF ORDINANCES, PROVIDING FOR SEVERABILITY, FINDING THAT THIS ORDINANCE WAS ADOPTED AT AN OPEN MEETING AND FOR AN EFFECTIVE DATE.

After a staff presentation by Fred Tillman, Interim City Manager, Commissioner Brewster made a motion, seconded by Commissioner Brinkley, to approve Ordinance Number 1029. Motion carried unanimously.

**ITEM 9.** Discuss and take any action necessary on Resolution Number 737.  
A RESOLUTION OF THE CITY OF BURKBURNETT, TEXAS, FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S ("ONCOR" OR "COMPANY") APPLICATION TO CHANGE RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

After a staff presentation by Fred Tillman, Interim City Manager, Commissioner Brewster made a motion, seconded by Commissioner Lindenborn, to approve Resolution Number 737. Motion carried, with Commissioner Love abstaining.

**ITEM 10.** Discuss and take any action necessary regarding the approval of the Burkburnett Development Corporation to amend their fiscal year 2023 budget to obligate funds in the amount of up to \$14,375 to install a generator for the Senior Citizens Activity Center.

Before the meeting, Mayor Pro-Tem Richter completed and signed an Affidavit of Conflict of Interest. Mayor Pro-Tem Richter left the dais at 7:22 p.m. when Mayor Kemp called this agenda item.

After a staff presentation by Fred Tillman, Interim City Manager, Commissioner Lindenborn made a motion, seconded by Commissioner Mitchell, to amend their budget for up to \$14,375. Motion carried, with Mayor Pro-Tem Richter abstaining.

Mayor Pro-Tem Richter returned to the dais at 7:24 p.m.

**ITEM 11.** Discuss and take any action necessary on the election of Danny Taylor to the Burkburnett Development Corporation Board as a voting member.

Commissioner Brewster made a motion, seconded by Commissioner Love, to approve the election of Danny Taylor to the Burkburnett Development Corporation Board as a voting member. Motion carried unanimously.

**ITEM 12.** Discuss and take any action necessary on the re-election of the officers of the Burkburnett Development Corporation for the Fiscal Year 2023 – Jonathan Ellzey, President; Dale Lewis, Vice President; and Stacy Hopkins, Secretary/Treasurer.

Commissioner Brewster made a motion, seconded by Commissioner Brinkley, to approve the re-election of the officers of the Burkburnett Development Corporation. Motion carried unanimously.

**ITEM 13.** Discuss and take any action necessary to award the bid for Executive Recruitment Services for the City Manager, City of Burkburnett, to Strategic Government Resources.

After a staff presentation by Fred Tillman, Interim City Manager, Commissioner Brinkley made a motion, seconded by Commissioner Brewster, to award the bid to Strategic Government Resources (SGR).

Ayes (4): Commissioner Brinkley, Commissioner Brewster, Commissioner Lindenborn, and Commissioner Love

Nays (3): Mayor Kemp, Mayor Pro-Tem Richter, and Commissioner Mitchell

Motion carried.

#### **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 matter:

**SECTION 551.074** – Discuss the appointment, employment, evaluation, reassignment, duties, discipline, dismissal of, or to hear, a complaint against the public officer or employee: Fred Tillman, Interim City Manager.

Mayor Kemp closed the meeting at 7:46 p.m. and opened an Executive Session.

**ITEM 15. RECONVENE**

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

Mayor Kemp reconvened the meeting at 9:30 p.m.

Mayor Kemp made a motion, seconded by Commissioner Lindenborn, to draft a contract to formally appoint Chief Tillman as the Interim City Manager with an additional stipend of \$1000 per month for compensation. Motion carried unanimously.

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

Fred Tillman, Interim City Manager, commented that a Special-Called meeting would be needed to discuss ARPA funding and the Golf Course. It was agreed that 4:00 p.m. works best for special-called meetings, but not Wednesdays or Fridays.

**ITEM 17. COMMISSIONERS' COMMENTS**

Commissioner Lindenborn appreciated the candy. Commissioner Brinkley thanked staff for the reservations to the annual TML conference. Commissioner Mitchell announced the arrival of grandbaby number 18. Fred Tillman, Interim City Manager, announced that Lt. Justin Baker's mom passed away, and her funeral is Friday at 11:00 a.m. Mayor Pro-Tem Richter thanked the City of Burkburnett for supporting the Meals on Wheels Fish Fry. Mayor Kemp thanked Fred Tillman, Interim City Manager, for all his work, due diligence, and communication. Mayor Kemp expressed her congratulations regarding the accreditation of the Police Department, with Commissioner Lindenborn commenting that a press release was needed.

**ITEM 18. ADJOURNMENT**

Commissioner Lindenborn made a motion, seconded by Commissioner Love, to adjourn. Motion carried unanimously, and the meeting adjourned at 9:39 p.m.

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Lori Kemp, Mayor

**ATTEST:**

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Margie Poole, City Clerk