

MINUTES

BOARD OF COMMISSIONERS

The Board of Commissioners of the City of Burkburnett, Texas, met in a Regular Meeting on Monday, May 15, 2023, 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
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

Commissioner Brinkley was absent.

Others present were Travis Haggard, Executive Director, BDC; Dan King, Fire Chief; Fred Tillman, Interim City Manager; Shae Krc, Administrative Coordinator; Trish Holley, Director of Administration; Nikki Tepfer, Deputy City Clerk; 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 - CHAPLAIN (CAPT.) JESSE STEWART, U.S. AIR FORCE

ITEM 3. PRESENTATION OF COLORS AND PLEDGE OF ALLEGIANCE

ITEM 4. PERSONAL/AUDIENCE COMMENTS

There were no public comments.

ITEM 5. CONSENT AGENDA

Approval of Minutes from the April 17, 2023 Workshop Meeting

Approval of Minutes from the April 17, 2023 Regular Meeting

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

ITEM 6. Discuss and take any action necessary on Ordinance Number 1038.

AN ORDINANCE 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 MAY 6, 2023 TO ELECT COMMISSIONER FOR PLACE 5 AND COMMISSIONER FOR PLACE 6; CANVASSING THE ELECTION RETURNS OF THE SPECIAL CHARTER AMENDMENT ELECTION TO AUTHORIZE AMENDMENT TO THE BURKBURNETT HOME RULE CHARTER, WHICH AMENDMENT WAS ADOPTED.

Mayor Kemp made a motion, seconded by Commissioner Mitchell, to approve Ordinance Number 1038. Motion carried unanimously.

ITEM 7. Oath of Office for the newly elected Commissioners.

Margie Poole, City Clerk, administered the Oath of Office to Commissioner Marguerite Love, Place 5, and Commissioner Bill Lindenborn, Place 6. Commissioners Lindenborn and Love took their respective places on the dais.

ITEM 8. Discuss and take any action necessary to elect the Mayor Pro-Tem for the ensuing year in compliance with Article 4, Section 7 of the City Charter.

Margie Poole, City Clerk, opened the floor for nominations for Mayor Pro Tem. Mayor Kemp made a motion, seconded by Commissioner Mitchell, to nominate Commissioner Michael Richter. No other nominations were made. Motion carried unanimously.

ITEM 9. PUBLIC HEARING: Mayor Kemp closed the Regular Meeting and opened the Public Hearing at 7:09 p.m. for the discussion of properties found to be substandard and dangerous according to the Local Government Code 214.001 and Chapter 150, Building Regulations of the Code of Ordinances of the City of Burkburnett, Section 150.35 – 150.99.

- A. 122 LILAC LN (PROPERTY ID:120145)
LEGAL DESCRIPTION: LOT 32 BLK 1 ROSELAWN
1 structure (house)

After a staff presentation by Rodney Mathews, Code Enforcement Officer, Steven Booker addressed the Mayor and Commissioners with his comments.

- B. 301 W 3RD ST (PROPERTY ID:121192)
LEGAL DESCRIPTION: LOT 6 & 7 BLK 1 L & S 1
4 structures (2 houses, 2 sheds)

After a staff presentation by Rodney Mathews, Code Enforcement Officer, Tonya Harmon addressed the Mayor and Commissioners with her comments.

- C. 309 BROYLES ST (PROPERTY ID:122610)
LEGAL DESCRIPTION: N47' LOT 16 BLK 1 BROYLES
2 structures (house & shed)

After a staff presentation by Rodney Mathews, Code Enforcement Officer, there were no public comments.

- D. 547 1/2 W 3RD ST (PROPERTY ID:119295)
LEGAL DESCRIPTION: 1 ACRE ABST. 335 DUBOSE
1 Structure (house)

After a staff presentation by Rodney Mathews, Code Enforcement Officer, Sarah Ingles, Jesse Chacon, and Cassandra Drullinger addressed the Mayor and Commissioners with their comments.

- E. 703 REAGAN ST (PROPERTY ID:119578)
LEGAL DESCRIPTION: 70.4X140' RRVL BLK 9
1 structure (house)

After a staff presentation by Rodney Mathews, Code Enforcement Officer, there were no public comments.

- F. 806 N AVENUE D (PROPERTY ID:123101)
LEGAL DESCRIPTION: LOTS 4, 5 & 6 LESS NE 2X100' OF LOT 4 BLK 15
ORIGINAL TOWN, BB
1 structure (house).

After a staff presentation by Rodney Mathews, Code Enforcement Officer, Frances Sikes addressed the Mayor and Commissioners with her comments.

ITEM 10. Mayor Kemp closed the Public Hearing and re-opened the Regular Meeting at 8:13 p.m. to discuss and take any action necessary regarding properties found to be substandard and dangerous according to the Local Government Code 214.001 and Chapter 150, Building Regulations of the Code of Ordinances of the City of Burk Burnett, Section 150.35 – 150.99.

- A. 122 LILAC LN (PROPERTY ID:120145)
LEGAL DESCRIPTION: LOT 32 BLK 1 ROSELAWN
1 structure (house)

Commissioner Brewster made a motion, seconded by Commissioner Lindenborn, to give 60 days for probate. Motion carried unanimously.

- B. 301 W 3RD ST (PROPERTY ID:121192)
LEGAL DESCRIPTION: LOT 6 & 7 BLK 1 L & S 1
4 structures (2 houses, 2 sheds)

Commissioner Brewster made a motion, seconded by Mayor Pro-Tem Richter, to proceed with demolition. Motion carried unanimously.

- C. 309 BROYLES ST (PROPERTY ID:122610)
LEGAL DESCRIPTION: N47' LOT 16 BLK 1 BROYLES
2 structures (house & shed)

Commissioner Brewster made a motion, seconded by Mayor Pro-Tem Richter, to proceed with demolition. Motion carried unanimously.

- D. 547 1/2 W 3RD ST (PROPERTY ID:119295)
LEGAL DESCRIPTION: 1 ACRE ABST. 335 DUBOSE
1 Structure (house)

Commissioner Brewster made a motion, seconded by Commissioner Mitchell, to allow six months from March 29, 2023 to complete their demolition. Motion carried unanimously.

- E. 703 REAGAN ST (PROPERTY ID:119578)
LEGAL DESCRIPTION: 70.4X140' RRVL BLK 9
1 structure (house)

Commissioner Brewster made a motion, seconded by Commissioner Mitchell, to proceed with demolition. Motion carried unanimously.

- F. 806 N AVENUE D (PROPERTY ID:123101)
LEGAL DESCRIPTION: LOTS 4, 5 & 6 LESS NE 2X100' OF LOT 4 BLK 15
ORIGINAL TOWN, BB
1 structure (house)

Commissioner Lindenborn made a motion, seconded by Commissioner Mitchell, to honor the permit from May 10, 2023. Motion carried unanimously.

- ITEM 11.** Discuss and take any action necessary regarding Resolution Number 745.
A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF
BURKBURNETT APPROVING THE SUBMISSION OF THE GRANT
APPLICATION FOR A LIFESAVING DEFENSIVE BODY ARMOR GRANT TO
THE OFFICE OF THE GOVERNORS CRIMINAL JUSTICE PROGRAM

After a staff presentation by Fred Tillman, Interim City Manager, and Sergeant Jeff Krc, Commissioner Brewster made a motion, seconded by Commissioner Lindenborn, to approve Resolution Number 745. Motion carried unanimously.

- ITEM 12.** Discuss and take any action necessary regarding Resolution Number 746.
A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF
BURKBURNETT APPROVING THE SUBMISSION OF THE GRANT
APPLICATION FOR NEIGHBORHOOD TRAFFIC SOLUTIONS TO THE OFFICE
OF THE GOVERNORS CRIMINAL JUSTICE PROGRAM.

After a staff presentation by Fred Tillman, Interim City Manager, and Sergeant Jeff Krc, Commissioner Brewster made a motion, seconded by Commissioner Lindenborn, to approve Resolution Number 746. Motion carried unanimously.

- ITEM 13.** Discuss and take any action necessary regarding a permit for the Freebolt Rangers Fastdraw Club to discharge wax projectiles.

After a staff presentation by Fred Tillman, Interim City Manager, Commissioner Mitchell made a motion, seconded by Commissioner Brewster, to issue a variance for the Freebolt Rangers Club to discharge wax projectiles. Motion carried unanimously.

- ITEM 14.** Discuss and take any action necessary regarding the confirmation of Aaron King as the Chairperson for the Tax Increment Financing Zone (TIF) Board.

Commissioner Lindenborn made a motion, seconded by Commissioner Love, to approve Aaron King as Tax Increment Financing Zone (TIF) Board Chair. Motion carried unanimously.

- ITEM 15.** Discuss and take any action necessary regarding extending the Tax Increment Reinvestment Zone (TIRZ) boundary.

Fred Tillman, Interim City Manager, reviewed the existing and proposed TIRZ boundaries with the Mayor and Commissioners.

Motion 1

Commissioner Brewster made a motion to proceed with the TIF on the northern (the Downtown) area and give consideration for the southern portion at a later date.

Motion died due to lack of a second.

Motion 2

Commissioner Lindenborn made a motion, seconded by Mayor Pro-Tem Richter, to approve the extension of the TIRZ zone to include the two proposed zones, the downtown and the south zone.

Ayes (5): Commissioner Mitchell, Mayor Kemp, Commissioner Love, Mayor Pro-Tem Richter, Commissioner Lindenborn

Nays (1): Commissioner Brewster

Motion carried.

ITEM 16. Discuss and take any action necessary regarding the sale of these properties from the City of Burkburnett to the Burkburnett Development Corporation.

- 1) 212 E THIRD STREET
LEGAL DESCRIPTION: LOT 7 BLK26 ORIGINAL TOWN, BB
- 2) 4TH STREET
LEGAL DESCRIPTION: LOTS 4 THRU 8 BLK 38 ORIGINAL TOWN, BB
- 3) 415 N. AVENUE B
LEGAL DESCRIPTION: LOTS 2-A BLK 38 ORIGINAL TOWN, BB
- 4) 414 AVENUE A
LEGAL DESCRIPTION: LOTS 9-10-11-12 BLK 38 ORIGINAL TOWN, BB
- 5) 100 S. RED RIVER EXPRESSWAY
LEGAL DESCRIPTION: 4.27 AC RRVL BLK 106

After a staff presentation by Fred Tillman, Interim City Manager, Commissioner Brewster made a motion, seconded by Commissioner Love, to approve the sale of properties. Motion carried unanimously.

ITEM 17. Discuss and take any action necessary regarding the allocation of American Rescue Plan Act (ARPA) funds to grade the baseball fields so Hayes and Faulk Fields are level.

After a staff presentation by Fred Tillman, Interim City Manager, Mayor Kemp made a motion, seconded by Commissioner Lindenborn, to allocate the necessary funds from ARPA to grade the baseball fields at Hayes and Faulk Fields. Motion carried unanimously.

ITEM 18. BURKBURNETT DEVELOPMENT CORPORATION REPORT

Travis Haggard, Executive Director of the BDC, presented the BDC report to the Mayor and Commissioners.

ITEM 19. CITY MANAGER'S REPORT

Fred Tillman, Interim City Manager, presented the City Manager's report to the Mayor and Commissioners.

ITEM 20. COMMISSIONERS' COMMENTS

Commissioner Brewster thanked Rodney Mathews for bringing these properties forward and for the citizens who came forward to speak. Commissioner Lindenborn thanked everyone for being

here and for re-electing him. Mayor Pro-Tem Richter asked for everyone to support local non-profits by coming out to play bingo.

ITEM 21. 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:

A. Chief Financial Officer / Director of Administration: Trish Holley

B. Interim City Manager: Fred Tillman

Mayor Kemp closed the Regular Meeting at 8:54 p.m. and opened Executive Session.

ITEM 22. RECONVENE

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

Mayor Kemp reconvened the Regular Meeting at 9:43 p.m. No action was taken.

ITEM 23. ADJOURNMENT

Mayor Kemp made a motion, seconded by Commissioner Brewster, to adjourn. Motion carried unanimously, and the meeting adjourned at 9:45 p.m.

Lori Kemp, Mayor

ATTEST:

Margie Poole, City Clerk