The Board of Commissioners of the City of Burkburnett, Texas, met in a Regular Meeting on Monday, September 18, 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
Cory Brinkley Commissioner, Place 1
Susan Mitchell Commissioner, Place 3
Michael Richter Mayor Pro-Tem, Commissioner, Place 4
Marguerite Love Commissioner, Place 5
Bill Lindenborn Commissioner, Place 6

Commissioner Brewster was absent.

Others present were Travis Haggard, Executive Director, BDC; Fred Tillman, City Manager; Raika Rowe, City Attorney; Dan King, Fire Chief; Doug Martella, President of GoVirtual CFO; Trish Holley, Director of Administration; Nikki Tepfer, Deputy City Clerk; and Margie Poole, City Clerk.

ITEM 1. CALL MEETING TO ORDER:
Mayor Kemp called the meeting to order at 7:00 p.m.

ITEM 2. INVOCATION
Commissioner Mitchell gave the invocation.

ITEM 3. PLEDGE OF ALLEGIANCE
Mayor Kemp led the Pledge of Allegiance.

ITEM 4. CONSENT AGENDA
Approval of Minutes from the August 21, 2023 Special-Called Meeting
Approval of Minutes from the August 21, 2023 Regular Meeting

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

ITEM 5. PERSONAL/AUDIENCE COMMENTS
Russell Miller addressed the Mayor and Commissioner with his public comments.

ITEM 6. Discuss and take any action necessary on Ordinance Number 1043.
AN ORDINANCE APPOINTING STACY KOSUB AS MUNICIPAL JUDGE FOR A TWO-YEAR TERM COMMENCING ON THE EFFECTIVE DATE OF THIS ORDINANCE AND ENDING SEPTEMBER 30, 2025; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.
After a staff presentation by Fred Tillman, City Manager, Commissioner Brinkley made a motion, seconded by Commissioner Lindenborn, to approve Ordinance Number 1043. Motion carried unanimously.

ITEM 7. Discuss and take any action necessary on the appointment of Melinda Dyer as Director of Community Planning

After a staff presentation by Fred Tillman, City Manager, Commissioner Mitchell made a motion, seconded by Commissioner Brinkley, to approve the appointment of Melinda Dyer. Motion carried unanimously.

ITEM 8. PUBLIC HEARING: Mayor Kemp closed the Regular Meeting at 7:14 p.m. and opened the Public Hearing to discuss the condemnation of the following properties:
A. 401-409 East 8th Street, Burkburnett, Texas
   Legal Description: APN#'s 123112, 472883, 472884, 472885, 472886, 472887, 472888, 472889

Justin Cox addressed the Mayor and Commissioners with his public comments.

B. 610-618 N. Avenue C, Burkburnett, Texas
   Legal Description: APN #'s 5A0116201, 5A011620500, 5A011620400, 5A011620300, 5A011620200

Justin Cox and Tom Dillman addressed the mayor and Commissioner with their public comments.

ITEM 9. Mayor Kemp closed the Public Hearing and re-opened the Regular Meeting at 7:39 p.m. to discuss and take any action necessary regarding the condemnation of the following properties:
A. 401-409 East 8th Street, Burkburnett, Texas
   Legal Description: APN#’s 123112, 472883, 472884, 472885, 472886, 472887, 472888, 472889

Commissioner Lindenborn made a motion, seconded by Mayor Pro-Tem Richter, to order the removal of the structure, restoring the lot to the original grade, removal of all debris, seed, and straw the lot, and require reimbursement for mold assessment costs. Motion carried unanimously.

B. 610-618 N. Avenue C, Burkburnett, Texas
   Legal Description: APN #’s 5A0116201, 5A011620500, 5A011620400, 5A011620300, 5A011620200

Commissioner Lindenborn made a motion, seconded by Commissioner Mitchell, ordering the removal of the structure, restoring the lot to original grade, removal of all debris, seed, and straw the lot, and reimbursement for mold assessment costs. Motion carried unanimously. 

"Commissioner Brinkley was absent from this vote."

In addition to the above motions, Commissioner Lindenborn made a motion, seconded by Commissioner Love, to declare these buildings substandard. Motion carried unanimously.

"Commissioner Brinkley was absent for this vote."
ITEM 10. Discuss and take any action necessary on the Fiscal Year 2024 Budget of the Burkburnett Development Corporation.

After a staff presentation by Fred Tillman, City Manager, Commissioner Lindenborn made a motion, seconded by Mayor Kemp, to approve the Burkburnett Development Corporation Fiscal Year 2024 Budget. Motion carried unanimously.

ITEM 11. PUBLIC HEARING: Mayor Kemp closed the Regular Meeting at 7:51 p.m. and opened the Public Hearing to discuss the Fiscal Year Operating Budget for October 1, 2023 through September 30, 2024, for the City of Burkburnett, Texas.

No public comments.

ITEM 12. Mayor Kemp closed the Public Hearing and re-opened the Regular Meeting at 7:51 p.m. to discuss and take any action necessary on Ordinance Number 1044.

AN ORDINANCE ADOPTING THE FISCAL YEAR OPERATING BUDGET OCTOBER 1, 2023 – SEPTEMBER 30, 2024 FOR THE CITY OF BURKBURNETT, TEXAS, AND APPROPRIATING THE SEVERAL SUMS SET UP THEREIN TO THE OBJECTS AND PURPOSES THEREIN NAMED AND PROVIDING AN EFFECTIVE DATE.

After a staff presentation by Fred Tillman, City Manager, Commissioner Lindenborn made a motion, seconded by Commissioner Love, to adopt Ordinance Number 1044.

Ayes (6): Mayor Kemp, Commissioner Brinkley, Commissioner Mitchell, Mayor Pro-Tem Richter, Commissioner Love, and Commissioner Lindenborn

Nays (0):

Abstained (0):

Absent (1): Commissioner Brewster

Motion carried unanimously.

ITEM 13. Discuss and take any action necessary to ratify the property tax reflected in the Fiscal Year 2024 Budget.

After a staff presentation by Fred Tillman, City Manager, Mayor Pro-Tem Richter made a motion, seconded by Mayor Kemp, to ratify the property tax reflected in the fiscal year 2024 budget.

Ayes (6): Mayor Kemp, Commissioner Brinkley, Commissioner Mitchell, Mayor Pro-Tem Richter, Commissioner Love, and Commissioner Lindenborn

Nays (0):

Abstained (0):

Absent (1): Commissioner Brewster

Motion carried unanimously.

ITEM 14. PUBLIC HEARING: Mayor Kemp closed the Regular Meeting and opened the Public Hearing at 7:57 p.m. to discuss the Levying of an Annual Ad Valorem Tax for the Year 2023.

No public comments.
ITEM 15. Mayor Kemp closed the Public hearing and re-opened the Regular Meeting at 7:57 p.m. to discuss and take any action necessary on Ordinance Number 1045.

AN ORDINANCE LEVYING AN ANNUAL AD VALOREM TAX FOR THE YEAR 2023 SETTING SPECIFIC TAX RATES, APPLICABLE TO ALL REAL, PERSONAL, AND MIXED PROPERTY SITUATED WITHIN THE CITY OF BURKBURNETT CITY LIMITS; SETTING THE DUE DATE, AND PROVIDING FOR PENALTIES AND INTEREST ON DELINQUENT TAXES.

After a staff presentation by Fred Tillman, City Manager, Mayor Pro-Tem Richter made a motion, seconded by Commissioner Mitchell, that the maintenance/operations tax rate of $0.492104/$100 and the interest and sinking debt tax rate of $0.146082/$100 be adopted.

Ayes (6): Mayor Kemp, Commissioner Brinkley, Commissioner Mitchell, Mayor Pro-Tem Richter, Commissioner Love, and Commissioner Lindenborn

Nays (0):

Abstained (0):

Absent (1): Commissioner Brewster

Motion carried unanimously.

Commissioner Love made a motion, seconded by Commissioner Lindenborn, that the property tax rate be increased by the adoption of a tax rate of $0.638186, which is effectively a 6.01 percent increase in the tax rate.

Ayes (6): Mayor Kemp, Commissioner Brinkley, Commissioner Mitchell, Mayor Pro-Tem Richter, Commissioner Love, and Commissioner Lindenborn

Nays (0):

Abstained (0):

Absent (1): Commissioner Brewster

Motion carried unanimously.

ITEM 16. Discuss and take any action necessary on Resolution Number 749.

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS, APPROVING AND ADOPTING THE AMENDED BURKBURNETT DEVELOPMENT CORPORATION NEIGHBORHOOD REINVESTMENT PROGRAM POLICY.

After a staff presentation by Fred Tillman, City Manager, Mayor Kemp made a motion, seconded by Mayor Pro-Tem Richter, to approve Resolution Number 749. Motion carried unanimously.

ITEM 17. Discuss and take any action necessary on the re-appointment of the officers of the Burkburnett Development Corporation for the fiscal year 2024 – Jonathan Ellzey, President; Dale Lewis, Vice President; and Stacy Hopkins, Secretary/Treasurer.

Mayor Kemp made a motion, seconded by Commissioner Brinkley, to approve the re-appointment of the Officers.
ITEM 18: Discuss and take any action necessary on Ordinance Number 1046.

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS AMENDING CHAPTER 150, BUILDING REGULATIONS BY ADDING THE INTERNATIONAL EXISTING BUILDING CODE®, 2018 EDITION REGULATING THE REPAIR, ALTERATION, CHANGE OF OCCUPANCY, CHANGE OF OWNERSHIP, ADDITION TO AND RELOCATION OF EXISTING BUILDINGS EXCEPT ONE AND TWO FAMILY DWELLINGS AND MULTIPLE SINGLE FAMILY DWELLINGS (TOWNHOUSES) IN THE CITY OF BURKBURNETT; PROVIDING FOR THE ADOPTION OF LOCAL AMENDMENTS IN THE CODE OF ORDINANCES; PROVIDING A PENALTY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION AND PROVIDING AN EFFECTIVE DATE.

After a staff presentation by Fred Tillman, City Manager, Mayor Kemp made a motion, seconded by Commissioner Lindenborn, to approve Ordinance Number 1046.

ITEM 19. CITY MANAGER'S REPORT

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

Mayor Kemp thanked the BOC and City Staff for their hard work with the Budget. Mayor Pro-Tem Richter said that Texoma Gives was down this year overall, but Boomtown was going in the opposite direction of the trend as they were up. Commissioner Lindenborn provided the Commissioners and staff with an invitation to a poverty simulation event. Commissioner Brinkley wanted to give his appreciation to the City Staff.

ITEM 20. ADJOURNMENT

Mayor Kemp made a motion, seconded by Commissioner Love, to adjourn. The meeting adjourned at 8:19 p.m.

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Lori Kemp, Mayor

ATTEST:

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Margie Poole, City Clerk