

**REGULAR MEETING OF CITY COUNCIL
JUNE 16, 2009**

1:30 P.M.

PRESENT:

Jeff Brain	Mayor
Leon DeWeese	Council Member
Robert Vinyard	Council Member
Charles Gillingham	Council Member
Marvin Dickson	Council Member

STAFF:

Wanda Klause	City Manager
Eddie Edwards	Asst. City Manager
Larry Mullenix	Director, Planning & Zoning
Glynn Carlock	Director of Finance
Jimmy Adams	Chief of Police
Danny Richards	EOC Coordinator
Jim Harder	Director of Utilities
Ted Dodd	Director of Public Works
Ralph Earles	Asst. to Director of Public Works
Kristi Powell	Clerk, Public Works

VISITORS:

Judy Mihm	
Dan Redd	BEDC

NEWS MEDIA:

Michelle Berry	Borger News Herald
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QUESTIONS AND COMMENTS FROM CITIZENS: Citizens who have indicated their desire to speak to the City Council will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter is on the agenda, City Council members are prevented from acting on the subject and may respond only with statements of factual information or existing city policy; however, City Council members may request city staff to place the subject matter on a future agenda. Citizens are limited to three (3) minutes for their presentation to the City Council.

No comments were heard.

MINUTES APPROVED: Following review of the minutes of the regular meeting of June 2, 2009, motion was made by Council Member Dickson, seconded by Council Member Vinyard, to approve the minutes as written. The motion carried by the following vote:

Ayes: All members present voted aye.
Nays: None.

PAYMENT OF EXPENDITURES APPROVED: Following review, motion was made by

Council Member DeWeese, seconded by Council Member Dickson, to approve payment of the expenditures for the first half of June as submitted. The motion carried by the following vote:

Ayes: All members present voted aye.
Nays: None.

ORDINANCE NO. O-004-09 APPROVED AMENDING THE 2008-2009 BUDGET:

Assistant City Manager Eddie Edwards submitted for final consideration of the Council Ordinance No. O-004-09 amending the City's budget for fiscal year 2008-2009, as adopted by Ordinance No. O-009-08, providing for supplemental appropriations and transfer of certain funds. The ordinance calls for an increase in the current operating budget of \$459,440. Following discussion, motion was made by Council Member Vinyard, seconded by Council Member Gillingham to approve Ordinance No. O-004-09 amending the City of Borger FY 2008-2009 Operating Budget as requested. The motion carried by the following vote:

Ayes: All members present voted aye.
Nays: None.

The captioned ordinance reads as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BORGER, TEXAS, AMENDING THE CITY'S BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008 AND ENDING SEPTEMBER 30, 2009 AS ADOPTED BY ORDINANCE NO. O-009-08; PROVIDING FOR SUPPLEMENTAL APPROPRIATIONS AND TRANSFER OF CERTAIN FUNDS; PROVIDING A CUMULATIVE REPEALER CLAUSE; AND PROVIDING FOR SEVERABILITY

JOHNSON PARK YOUTH CENTER CONSTRUCTION CHANGE REQUESTS

APPROVED: Eddie Edwards, Assistant City Manager, submitted change requests 24, 25, 26 & 27 in the amount of \$20,742.00 from Plains Builders, Inc. for the Johnson Park Youth Center Complex. Following discussion, motion was made by Council Member DeWeese, seconded by Council Member Dickson, to approve construction change requests 24, 25, 26 & 27 as submitted by Plains Builders, Inc. The motion carried by the following vote:

Ayes: All members present voted aye.
Nays: None.

AUTHORIZED AGENTS ON DEPOSITORY AGREEMENT DESIGNATED:

Assistant City Manager Eddie Edwards addressed the investment of city reserves and the interest rate earned on these reserves. Edwards said that Happy State Bank was offering a greater interest rate on a \$750,000 certificate of deposit than other banking institutions that they checked. Edwards asked the Council to authorize both he and Director of Finance Glynn Carlock to be designated agents of a depository account with Happy State Bank on behalf of the City of Borger. Following discussion, motion was made by Council Member Dickson, seconded by Council Member Gillingham, to authorize Finance Director Glynn Carlock and Assistant City

Manager Eddie Edwards to be designated agents of the depository account with Happy State Bank. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

CITY AUTHORIZED TO PARTICIPATE IN A REGIONAL PROJECT THROUGH THE PANHANDLE REGIONAL PLANNING COMMISSION AS A RESULT OF THE AMERICAN REINVESTMENT AND RECOVERY ACT OF 2009:

Assistant City Manager Eddie Edwards advised the Council that as a result of the American Reinvestment Act of 2009 the Panhandle region will be receiving a one-time allocation of \$1,033,126 to be disbursed by the Panhandle Regional Planning Commission. PRPC is currently developing a regional project that requires consent of the City Council in order for the City to participate. Following discussion, motion was made by Council Member Gillingham, seconded by Council Member Dickson, to allow the PRPC to include the City of Borger in the regional project and execute the authorization and consent form between the City and the PRPC to reflect same. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

PUBLIC HEARING CONDUCTED – SPECIFIC USE PERMIT APPROVED:

Mayor Jeff Brain opened a public hearing on a request for a Specific Use Permit to place a manufactured home on property at 107 South Line Road, and asked if anyone wished to address the Council concerning this request. No comments were heard; therefore, Mayor Brain closed the public hearing. Motion was made by Council Member Vinyard, seconded by Council Member Dickson, to approve the request for a Specific Use Permit for the installation of a manufactured home at 107 South Line Road as requested. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

ONE (1) OPERATION FACELIFT CONTRACT APPROVED: One operation facelift contract was submitted for consideration of demolition and cleanup of structure(s) located on the following property:

1. 637 E. Tenth Street, Lots 11-16, Block 34, Coronado Addition, (metal building portion only)

Following discussion, motion was made by Council Member Vinyard seconded by Council Member DeWeese, to approve demolition of the structure located at 637 E. Tenth Street (metal building portion only) as requested. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

ONE (1) OPERATION FACELIFT CONTRACT APPROVED: One operation facelift contract was submitted for consideration of demolition and cleanup of structure(s) located on the following property:

- 1, 609 Madison, Lot 3, Block 39, Isom Addition

Following discussion, motion was made by Council Member Vinyard seconded by Council Member Dickson, to approve demolition of the structure located at 609 Madison, Lot 3, Block 39, Isom Addition as requested. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

SPECIFIC USE REQUEST RECEIVED – PUBLIC HEARING SET: Planning and Zoning Department Administrative Assistant Kathie Harber presented a request from Uréls Porras for a Specific Use Permit for the installation of a manufactured home at 427 N. Harvey. Following discussion, motion was made by Council Member DeWeese, seconded by Council Member Gillingham, to receive the request for a specific use permit for the installation of a manufactured home at 427 N. Harvey and set a public hearing for July 7, 2009 to hear public comments. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

STATUS OF PROPERTY LOCATED AT 211 EAST SECOND STREET REVIEWED AND EXTENSION GRANTED: Following an update of improvements to property located at 211 E. 2nd Street, Lots 15-16, Block 59, Original Townsite, that was originally scheduled for demolition, motion was made by Council Member Vinyard, seconded by Council Member Dickson, not to take any action on this property at this time; however, schedule a review to consider all conditions of the property at the August 18, 2009 Council meeting. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

POLICE BENEVOLENT FUND ESTABLISHED AND DONATION RECEIVED: Bruce Lemery, Lieutenant, asked the Council to consider establishing a Police Benevolent Fund in order to properly account for a \$5,000 donation from the Veterans of Foreign Wars, Adobe Walls Post 1789, and for any future donations. Following discussion, motion was made by Council Member Dickson, seconded by Council Member Vinyard, to approve the establishment of a Police Benevolent Fund to assist police officers and their families in time of need, and to accept a donation of \$5,000 from the Veterans of Foreign Wars, Adobe Walls Post 1789,

specifically earmarked for deposit into the Police Benevolent Fund. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

MEETING ADJOURNED: There being no further business, motion was made by Council Member Gillingham, seconded by Council Member Dickson, to adjourn the meeting. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

Mayor

ATTEST:

City Manager