

**REGULAR MEETING OF CITY COUNCIL
SEPTEMBER 19, 2006 1:30 P.M.**

PRESENT:	Jeff Brain	Mayor
	Garrett Spradling	Mayor Pro-tem
	Charles "Pete" Loftis	Council Member
	Charles Gillingham	Council Member
	Leon DeWeese	Council Member
STAFF:	Wanda Klause	City Manager
	Eddie Edwards	Asst. City Manager
	Larry Mullenix	Director, Planning & Zoning
	Jimmy Adams	Chief of Police
	Gayland Darnell	Fire Chief
	Danny Richards	EOC Coordinator
	Henry Veach	Director of Public Works
	Glynn Carlock	Director of Finance
VISITORS:	Judy Mihm	

CONSENT ITEMS APPROVED: The monthly departmental reports were submitted for the consideration of the Council. Following discussion, motion was made by Council Member Loftis, seconded by Council Member Gillingham, to approve the departmental reports as submitted. The motion carried by the following vote:

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

MINUTES APPROVED: Following review of the minutes of the regular meeting of September 5, 2006, motion was made by Mayor Pro-tem Spradling, seconded by Council Member DeWeese, to approve the minutes as written. The motion carried by the following vote:

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

ORDINANCE NO. O-014-06 APPROVED: Ordinance No. O-014-06 fixing and levying of the municipal ad valorem tax rate for fiscal year 2006-2007 was submitted for final reading. The proposed ad valorem tax rate and debt service tax rate is \$0.58039 per \$100 valuation. This rate will raise \$285,249 more than taxes imposed last year. Following discussion, motion was made by Mayor Pro-tem Spradling, seconded by Council Member Loftis, to approve the ordinance as written. 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 FIXING AND LEVYING MUNICIPAL AD
VALOREM TAXES OF THE CITY OF BORGER, TEXAS FOR
THE FISCAL YEAR BEGINNING OCTOBER 1, 2006 AND
ENDING SEPTEMBER 30, 2007 AT THE RATE OF \$0.58039 PER
ONE HUNDRED DOLLARS (\$100.00), AND FOR DIRECTING
THE ASSESSMENT THEREOF; PROVIDING FOR A DATE ON
WHICH SUCH TAXES BECOME DUE AND DELINQUENT
TOGETHER WITH PENALTIES AND INTEREST THEREON;**

PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF

PUBLIC HEARING CONDUCTED - PLAT APPROVED: Mayor Brain opened a public hearing to allow citizens to comment on the re-plat of Blocks 2 & 3, Isom Addition No. 4, and asked if anyone present wished to speak. No comments were heard; therefore, the Mayor closed the public hearing. Motion was made by Council Member DeWeese, seconded by Mayor Pro-tem Spradling, to approve the re-platting of Blocks 2 & 3, Isom Addition No. 4 as requested. The motion carried by the following vote:

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

RECOMMENDATION FROM HUTCHINSON COUNTY APPRAISAL DISTRICT FOR DISPOSITION OF PROPERTY APPROVED: Bill Swink, Chief Appraiser of the Hutchinson County Appraisal District, submitted the following recommendation to dispose of property which did not sell at a tax sale auction:

(a) Lots 13-14, Block 60, Original Townsite

Jeff Whittington submitted a bid of \$500.00 toward the purchase of the property. Mr. Swink stated that the property should bring \$1,500.00. Following discussion, motion was made by Mayor Pro-tem Spradling, seconded by Council Member Loftis, to accept the bid of \$500.00 from Jeff Whittington. The motion carried by the following vote:

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

CITY'S VOTES CAST FOR OFFICIALS TO SERVE ON THE TML INTERGOVERNMENTAL RISK POOL BOARD OF TRUSTEES: Names of candidates to serve a six year term on the Board of Trustees were submitted by the Texas Municipal League Intergovernmental Risk Pool. The City Council was asked to vote for one candidate in Place 11, Place 12, Place 13 and Place 14. Following discussion, motion was made by Council Member Loftis, seconded by Council Member Gillingham, to cast the city's vote in Place 11 for Greg Ingham. The motion carried by the following vote:

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

Motion was made by Council Member Loftis, seconded by Mayor Pro-tem Spradling, to cast the city's vote in Place 12 for Frank Estrada. The motion carried by the following vote:

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

Motion was made by Council Member Loftis, seconded by Council Member DeWeese, to cast the city's vote in Place 13 for Bryon Black. The motion carried by the following vote:

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

Motion was made by Mayor Pro-tem Spradling, seconded by Council Member Loftis, to cast the city's vote in Place 14 for Peter Vargas. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

HOUSING AUTHORITY BOARD APPOINTMENT MADE: Monica Moneymaker, Executive Director of the Housing Authority, submitted a letter stating that the term of David Holmes expired on August 22, 2006 and requested that Mr. Holmes be considered for reappointment. Following discussion, motion was made by Council Member Gillingham, seconded by Council Member Loftis, to reappoint David Holmes as a member of the Housing Authority Board of Directors. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

BID AWARDED: The following bid was received and tabulated for the consideration of the Council.

Item: City of Borger D.E.M. Incident Command Vehicle

<u>BIDDER</u>	<u>AMOUNT</u>
Danny Geer Fritch, TX	\$ 36,000.00

The city of Borger advertised for a fully equipped D.E.M. Incident Command Vehicle and only received one bid; however, the staff believes that this bid represents a fair price for this vehicle. Following discussion, motion was made by Council Member Gillingham, seconded by Council Member Loftis, to award bid to Danny Geer in the amount of \$36,000. The motion carried by the following vote:

Ayes: Jeff Brain, Charles Loftis, Charles Gillingham and Leon DeWeese.

Nays: None.

Abstain: Garrett Spradling (former owner of the vehicle; however, completely divested of the vehicle).

BID AWARDED: The following bids were received and tabulated for the consideration of the Council.

ITEMS: Chemical Supplies for Water & Wastewater Plants

<u>BIDDER</u>	LIQUID CHLORINE 1 TON CYL (23)	LIQUID CHLORINE 150 LB. CYL (30)	SULFUR DIOXIDE 150 LB CYL (83)	ALUMINUM SULFATE 60,000 LB.	TOTAL PRICE
DPC Industries Sweetwater, TX	\$750.00	\$110.00	\$115.00		\$30,095
Brenntag Southwest Borger, TX	\$640.00	\$ 63.00	\$ 99.00		\$24,827
Brenntag Southwest Borger, TX				\$0.22 lb.	\$13,200
General Chemical Parsippany, NJ				\$0.205 lb.	\$12,300

Following discussion, motion was made by Mayor Pro-tem Spradling, seconded by Council Member DeWeese, to award bid for Chlorine and Sulfur Dioxide to Brenntag Southwest, Borger, TX, for their low bid of \$24,827, and award bid for Aluminum

Sulfate to General Chemical, Parsippany, NJ, for their low bid of \$12,300. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

ORDINANCE NO. O-013-06 DESIGNATING REFUSE RATES APPROVED:

Ordinance No. O-013-06 amending Chapter 13, Utilities, Article 13.06, Solid Waste, as it pertains to charges for the collection and removal of refuse was submitted for the final consideration of the Council. Following discussion, motion was made by Council Member Loftis, seconded by Council Member Gillingham, to approve Ordinance No. O-013-06 amending the City's charges for refuse collection and disposal. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

The captioned ordinance reads as follows:

AN ORDINANCE AMENDING THE CITY OF BORGER, CODE OF ORDINANCES, CHAPTER 13, UTILITIES, ARTICLE 13.06, SOLID WASTE, SECTION 13.06.045, CHARGES, (A), (1), (2), (3) AND (5), DESIGNATING CHARGES FOR REFUSE COLLECTION AND REMOVAL

INTERLOCAL AGREEMENT FOR RADIO DISPATCHING SERVICES

APPROVED: Assistant City Manager Eddie Edwards submitted a radio dispatching agreement that sets out terms and conditions for the City of Borger to provide radio dispatching services for Hutchinson County. The City of Borger will provide radio dispatching services twenty-four hours per day, three hundred and sixty-five days per year for the sum of \$75,000 per year. Following discussion, motion was made by Mayor Pro-tem Spradling, seconded by Council Member DeWeese, to approve the agreement as written. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

INTERLOCAL AGREEMENT FOR FIRE PROTECTION SERVICES

APPROVED: Assistant City Manager Eddie Edwards submitted a fire protection services agreement that sets out terms and conditions for the City of Borger to provide this service for Hutchinson County. The City of Borger will provide fire protection services for citizens in the county residing outside the corporate limits of incorporated cities, towns, and villages of the county twenty-four hours per day, three hundred and sixty-five days per year for the sum of \$30,000 per year. Following discussion, motion was made by Mayor Pro-tem Spradling, seconded by Council Member Loftis, to approve the agreement as written. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

INTERLOCAL AGREEMENT FOR THE EXCHANGE OF SERVICES BETWEEN HUTCHINSON COUNTY AND THE CITY OF BORGER APPROVED:

Assistant City Manager Eddie Edwards submitted an Interlocal Agreement that sets out terms and conditions for the City of Borger and Hutchinson County to exchange services. The City of Borger will provide free refuse container service to County Precinct 4 Barn and the Hutchinson County Airport, and free transfer station privileges for work performed by the Commissioners Court within the City and ETJ of the City. In exchange, the City will obtain free surplus road construction material, sand, RAP, other materials, and the use of heavy equipment to be used on City owned property and rights-of-way. Following discussion, motion was made by Council Member Loftis, seconded by Council Member Gillingham, to approve the agreement as written. The motion carried by the following vote:

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

BID AWARDED FOR BANK DEPOSITORY CONTRACT: Following invitation to bid, the following bids were received and tabulated.

Item: Bank Depository Contract

<u>BIDDER</u>	<u>INTEREST INCOME</u>
Amarillo National Bank	\$13,224.00
Wells Fargo	\$11,718.00

Director of Finance Glynn Carlock submitted an analysis of the depository bids prepared by CPA Gary Murrow. The most significant difference in the bids between Amarillo National Bank and Wells Fargo Bank was the interest income. Following discussion, motion was made by Mayor Pro-tem Spradling, seconded by Council Member DeWeese, to award bid to Amarillo National Bank. The motion carried by the following vote:

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

BID AWARDED: The following bids were received and tabulated for the consideration of the Council:

ITEM: Five Police Cars

<u>BIDDER</u>	<u>TOTAL</u>
Country Chevrolet	\$141,945.00
SouthWest Ford	\$150,606.85

City Manager Wanda Klause said the police department currently has two Tahoe's in their fleet. She said that according to the Chief and others the vehicles are not cost effective for use as a patrol vehicle, nor stable enough to be used in pursuit activities. Further, we believe it would be in the best interest of the city to replace the Tahoe's with police cars and utilize the Tahoe's in the Administration and Public Works Departments. Eddie Edwards and Henry Veach both drive V-8 pickups that they believe could be better utilized in the field. By passing these vehicles to individuals in the field, we will satisfy two requests for pickups; thus, apply the budgeted funds for the purchase of pickups toward the purchase of police vehicles.

Following discussion, motion was made by Mayor Pro-tem Spradling, seconded by Council Member Gillingham, to award the bid to Country Chevrolet for the purchase of five police cars and the transfer of other vehicles as proposed. The motion carried by the following vote:

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

EXECUTIVE SESSION: Mayor Brain stated that in compliance with Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, Section 551.072 Real Property, the Council would retire into executive session to discuss a contract between the City of Borger and Degussa Engineered Carbons, Inc., concerning the purchase and/or sale of real property.

COUNCIL RETURNED TO OPEN SESSION: Following the executive session, Mayor Brain reconvened the regular meeting and stated that the Council discussed a

contract between the City of Borger and Degussa Engineered Carbons, Inc. concerning the purchase and/or sale of real property and that no decision was made.

QUESTIONS OR COMMENTS: No questions or comments were heard.

MEETING ADJOURNED: There being no further business, the meeting was adjourned.

Mayor

ATTEST:

City Manager