

**REGULAR MEETING OF CITY COUNCIL
DECEMBER 5, 2006**

1:30 P.M.

PRESENT:	Jeff Brain Garrett Spradling Charles "Pete" Loftis Charles Gillingham Leon DeWeese	Mayor Mayor Pro-tem Council Member Council Member Council Member
STAFF:	Wanda Klause Eddie Edwards Larry Mullenix Jimmy Adams Glynn Carlock Henry Veach Gayland Darnell Bob Watson	City Manager Asst. City Manager Director, Planning & Zoning Police Chief Finance Director Director of Public Works Fire Chief Asst. Fire Chief
VISITORS:	Jim Robbins Judy Mihm	
NEWS MEDIA:	Michelle Berry	Borger News Herald

MINUTES APPROVED: Following review of the minutes of the Regular Meeting of November 21 and Special Meeting of November 29, 2006, motion was made by Council Member Loftis, seconded by Council Member Gillingham, 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 Mayor Pro-tem Spradling, seconded by Council Member DeWeese, to approve payment of the expenditures for the last half of November 2006 as submitted. The motion carried by the following vote:

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

PUBLIC HEARING SCHEDULED TO HEAR SPECIFIC USE PERMIT REQUEST:

Director of Planning & Zoning Larry Mullenix submitted a request from Lucille Carpenter for a specific use permit in order to place a mini-storage building in a General Residence Zoned District at 708 N. Deahl, Original Townsite. Following discussion, motion was made by Council Member Loftis, seconded by Council Member DeWeese, to receive the request and schedule a public hearing for 1:30 p.m., January 2, 2007 to allow for citizen comments. The motion carried by the following vote:

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

**PUBLIC HEARING CONDUCTED ON REQUEST TO AMEND CHAPTER 3,
BUILDING REGULATIONS, CODE OF ORDINANCES – ORDINANCE NO. O-013-06**

APPROVED: Mayor Jeff Brain opened a public hearing on a request to amend Chapter 3, Building Regulations, Article 3.03, Energy Conservation Code, and to consider approval of Ordinance No. O-013-06 to implement the change. Mayor Brain asked if anyone present wished to comment. No comments were heard; therefore, the Mayor closed the public hearing. Motion was made by Mayor Pro-tem Spradling, seconded by Council Member Loftis, to approve the request and approve Ordinance No. O-013-06 on final reading. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

The captioned ordinance reads as follows:

AN ORDINANCE AMENDING CHAPTER 3, BUILDING REGULATIONS, ARTICLE 3.03, ENERGY CONSERVATION CODE, SECTION 3.03.001, ADOPTED, AND IN SECTION 3.03.002 AMENDMENTS, OF THE CODE OF ORDINANCES, CITY OF BORGER, TEXAS

PUBLIC HEARING CONDUCTED ON REQUEST TO AMEND CHAPTER 3, BUILDING REGULATIONS, CODE OF ORDINANCES – ORDINANCE NO. O-014-06

APPROVED: Mayor Jeff Brain opened a public hearing on a request to amend Chapter 3, Building Regulations, Article 3.10, Residential Code, and to consider approval of Ordinance No. O-014-06 to implement the change. Mayor Brain asked if anyone present wished to comment. No comments were heard; therefore, the Mayor closed the public hearing. Motion was made by Council Member Loftis, seconded by Council Member Gillingham, to approve the request and approve Ordinance No. O-014-06 on final reading. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

The captioned ordinance reads as follows:

AN ORDINANCE AMENDING CHAPTER 3, BUILDING REGULATIONS, ARTICLE 3.10, RESIDENTIAL CODE, SECTION 3.10.001, ADOPTED, AND IN SECTION 3.10.002 AMENDMENTS, OF THE CODE OF ORDINANCES, CITY OF BORGER, TEXAS

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) Lot 11, Block 3, Gateway Heights, 1114 Sterling

Don Griffin submitted a bid of \$500.00 toward the purchase of the property. Mr. Swink recommended that the bid be accepted. Following discussion, motion was made by Mayor Pro-tem Spradling, seconded by Council Member Loftis, to accept the bid of \$500.00 from Don Griffin. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

FIRE DEPARTMENT AUTHORIZED TO SOLICIT SEALED BIDS: Assistant Fire Chief Bob Watson submitted information on a 2001 American LaFrance Aerial Ladder Truck, or equal, and a 2004 American LaFrance Pumper, or equal, and requested authority to invite sealed bids. A lengthy discussion ensued during which time the city's options were discussed. One option was to seek bids immediately on a demo ladder truck and wait one year prior to seeking bids on a new engine. Following further discussion, motion was made by Mayor Pro-tem Spradling, seconded by Council Member Loftis, to authorize the staff to invite sealed bids on a 2001 American LaFrance Aerial Ladder Truck, or equivalent, and move forward with pricing on a new engine. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

QUESTIONS AND COMMENTS FROM CITIZENS: None were heard.

EXECUTIVE SESSION: Mayor Brain stated that in compliance with Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, Section 551.074 Personnel, the Council would retire

into executive session to discuss the following:

1. Discuss confirming appointment of Thomas L. Edmonds to serve as Municipal Court Prosecutor and Assistant City Attorney.

COUNCIL RETURNED TO OPEN SESSION: Following the executive session, Mayor Brain reconvened the regular meeting and stated that the Council discussed the confirmation of Thomas L. Edmonds to serve as Municipal Court Prosecutor and Asst. City Attorney. Following discussion, motion was made by Mayor Pro-tem Spradling, seconded by Council Member Gillingham, to confirm the appoint of Thomas L. Edmonds as Municipal Court Prosecutor and Assistant City Attorney. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

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

ATTEST:

Mayor

City Secretary