

**REGULAR MEETING OF CITY COUNCIL
AUGUST 21, 2007**

1:30 P.M.

PRESENT:	Jeff Brain	Mayor
	Charles Gillingham	Council Member
	Marvin Dickson	Council Member
	Garrett Spradling	Council Member
	Leon DeWeese	Council Member
STAFF:	Wanda Klause	City Manager
	Jimmy Adams	Police Chief
	Glynn Carlock	Director of Finance
	Henry Veach	Director of Public Works
	Bob Watson	Asst. Fire Chief
	Jim Harder	Director of Utilities
VISITORS:	Judy Mihm	
	Mike Kegley	Morgan Plating
	Dan Redd	BEDC
NEWS MEDIA:	Michelle Berry	Borger News Herald

MONTHLY DEPARTMENTAL REPORTS APPROVED: Monthly departmental reports for the month of July were submitted for the review of the Council. Following discussion, motion was made by Council Member DeWeese, seconded by Council Member Spradling, to approve the reports. 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 August 7, 2007, motion was made by Council Member Spradling, seconded by Council Member Dickson, 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 Gillingham, seconded by Council Member DeWeese, to approve payment of the expenditures for the first half of August as submitted. The motion carried by the following vote:

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

ORDINANCE NO. O-005-07 APPROVED: Police Chief Jimmy Adams requested the Council's further consideration of Ordinance No. O-005-07 to amend Chapter 9, Personnel, of the City's Code of Ordinances to establish residency within a 60 minute response time for police officers. Chief Adams believes the City will have a better recruiting tool with the adoption of this ordinance. Following discussion, motion was made by Council Member Spradling, seconded by Council Member Dickson, to approve Ordinance No. O-005-07 on final reading. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None

A caption of the ordinance reads as follows:

AN ORDINANCE AMENDING CHAPTER 9, PERSONNEL, OF THE CODE OF ORDINANCES OF THE CITY OF BORGER, TEXAS REVISING THE RESPONSE TIME FOR POLICE PERSONNEL AS IT PERTAINS TO RESIDENCY REQUIREMENTS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING THAT ALL PRIOR ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH OR IN CONFLICT WITH ANY OF PROVISIONS OF THIS ORDINANCE ARE HEREBY EXPRESSLY REPEALED TO THE EXTENT OF ANY SUCH INCONSISTENCY OR CONFLICT

OPERATION FACELIFT APPROVED: Larry Mullenix, Director of Planning and Zoning, submitted an operation facelift contract requesting the demolition of a structure located at 321 N. Main, Lots 6-8, Block 52, Original Townsite. Following discussion, motion was made by Council Member DeWeese, seconded by Council Member Dickson, to approve the operation facelift contract on property located at 321 N. Main. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

SUBORDINATION AGREEMENT TABLED PENDING ADDITIONAL

INFORMATION: Larry Mullenix, Director of Planning & Zoning, submitted a memorandum stating that the McDonald Corporation had requested the City subordinate a portion of a pipeline right of way that is on their property known as Lot 5, Block 1, Cedar Hills and in Tract 1, Johnson Park Nursing Home Addition to the City of Borger. Questions were raised by Council Members that could not be answered due to the absence of Mr. Mullenix. Motion was made by Council Member DeWeese, seconded by Council Member Spradling, to table the subordination agreement pending additional information. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

INTER-LOCAL COOPERATION CONTRACT BETWEEN THE TEXAS

DEPARTMENT OF PUBLIC SAFETY AND THE CITY OF BORGER APPROVED:

Jimmy Adams, Chief of Police, submitted a revised contract between the Texas Department of Public Safety and the City of Borger that provides an avenue for the City to purchase supplies and participate in the Breath Testing and Laboratory Alcohol and Drug Testing Program. Following discussion, motion was made by Council Member Spradling, seconded by Council Member Gillingham, to approve the Inter-local Cooperation Contract between the Texas Department of Public Safety and the City of Borger. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None

WATER SUPPLY AGREEMENT BETWEEN AGRIUM U.S. INC. AND THE CITY BORGER APPROVED:

Jim Harder, Director of Utilities, submitted a water supply agreement between Agrium and the City providing that Agrium may purchase water from the City for a period of five (5) years according to the terms and conditions as set out in the agreement. Following discussion, motion was made by Council Member Gillingham, seconded by Council Member DeWeese, to approve the Water Supply Agreement as written. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None

PROPOSED FY 2007-2008 BUDGET RECEIVED AND PUBLIC HEARING

SCHEDULED: City Manager Wanda Klause submitted the city's proposed budget for 2007-2008 and asked the Council to receive the budget and set a public hearing to review the budget in detail on September 4, 2007. Following discussion, motion was made by Council Member Spradling, seconded by Council Member Dickson, to receive the budget and schedule a public hearing for 7:00 p.m., September 4, 2007. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

VOTE RECORDED ON CITY'S 2007-2008 PROPOSED AD VALOREM TAX RATE AND PUBLIC HEARINGS SCHEDULED:

City Manager Wanda Klause discussed the proposed ad valorem tax rate with the Council. The proposed tax rate of \$0.57997 per \$100.00 valuation is a decrease from last year's tax rate of \$0.58039 per \$100 valuation. Motion was made by Council Member Spradling, seconded by Council Member DeWeese, to approve the proposed tax rate of \$0.57997 per \$100.00 valuation and record the vote. The motion carried by the following vote:

Members voting in favor of the tax decrease:

Mayor Jeff Brain

Council Member Garrett Spradling

Council Member Leon DeWeese

Council Member Charles Gillingham
Council Member Marvin Dickson

Members voting no: None
Members abstaining: None

City Manager Wanda Klause advised the Council that two public hearings were required in order to comply with the Tax Code. Following discussion, motion was made by Council Member Spradling, seconded by Council Member DeWeese, to schedule two public hearings on this new tax rate; one hearing to be conducted at 7:00 p.m., September 4, 2007, and the second hearing to be conducted at 1:30 p.m., September 11, 2007. The motion carried by the following vote:

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

QUESTIONS AND COMMENTS FROM CITIZENS: None.

MEETING ADJOURNED: There being no further business, motion was made by Council Member DeWeese, seconded by Council Member Dickson, to adjourn the meeting.

WORK SESSION CONDUCTED: Dan Redd, Executive Director of the Borger Economic Development Corporation, asked the Council to consider a tax abatement policy which he believes will stimulate economic growth and provide for job creation. The Council advised Mr. Redd that they would take his recommendation under advisement.

Mayor

ATTEST:

City Manager