

**REGULAR MEETING OF CITY COUNCIL
MAY 6, 2008 - 1:30 P.M.**

PRESENT:	Jeff Brain Garrett Spradling Charles Gillingham Leon DeWeese Marvin Dickson	Mayor Council Member Council Member Council Member Council Member
STAFF:	Wanda Klause Larry Mullenix Bob Watson Danny Richards Glynn Carlock Ted B. Dodd Ralph Earles Kathy Harber Bruce Roberts Bruce Lemery Jim Harder	City Manager Director of Planning & Zoning Fire Chief EOC Coordinator Director of Finance Director of Public Works Assistant to the DPW Administrative Secretary Police Captain Police Lieutenant Director of Utilities
VISITORS:	Judy Flanders John Ray Vernon Taylor Frances Taylor Robert Vinyard Beverly Benton	
NEWS MEDIA:	Michelle Berry	Borger News Herald

MINUTES APPROVED: Following review of the minutes of the regular meeting of April 15, 2008, 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: The expenditures for the last half of April were submitted for the consideration of the Council. Following discussion, motion was made by Council Member DeWeese, seconded by Council Member

Gillingham, to approve payment of the expenditures for the last half of April as submitted. The motion carried by the following vote:

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

RECOMMENDATIONS FROM BUILDING STANDARDS COMMISSION

APPROVED: After proper notice and hearings, the Building Standards Commission of the City of Borger has determined and declared the building(s) located on the property described herein as substandard and cannot reasonably be repaired and has ordered the demolition thereof as provided in the Substandard Building Ordinance.

The properties in question are located at the following sites:

- a. 806 Monroe (rear), Lot 7-8, Block 46, Isom
- b. 326 A. Coble, Lot 30-32, Block 50, Original Townsite
- c. 713 McPherson, Lot 9, Block 11, Rock Creek

Director of Planning and Zoning Larry Mullenix informed the Council that the owners of 806 Monroe have requested an Operation Facelift for that property. Following discussion, motion was made by Council Member Spradling, seconded by Council Member Gillingham, to approve the recommendation submitted by the Building Standards Commission on properties b and c. The motion carried by the following vote:

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

RESOLUTION R-009-08 APPROVED: Lieutenant Bruce Lemery explained Resolution R-009-08, pertaining to a grant application to the Texas Department of Transportation for the “Click-it or Ticket Program.” Following discussion, motion was made by Council Member DeWeese, seconded by Council Member Spradling, to approve Resolution R-009-08 as submitted. The motion carried by the following vote:

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

The resolution reads as follows:

RESOLUTION NO. R-009-08

**A RESOLUTION BY THE CITY COUNCIL OF THE
CITY OF BORGER, TEXAS, AUTHORIZING THE
SUBMISSION OF A FY 2008 GRANT APPLICATION**

**TO THE TEXAS DEPARTMENT OF
TRANSPORTATION AND DESIGNATING THE
BORGER POLICE CHIEF TO ACT AS THE CITY'S
AUTHORIZED REPRESENTATIVE IN ALL
MATTERS PERTAINING TO THE CITY'S
PARTICIPATION IN THE CLICK-IT OR TICKET
GRANT PROGRAM**

WHEREAS, the Texas Transportation Code, the Traffic Safety Act of 1967 and the Highway Safety Plan for 2008 authorize grant funds for the traffic safety program "Click-it-or-Ticket"; and,

WHEREAS, the need to increase occupant restraint in all passenger vehicles is paramount to the safety of lives; and,

WHEREAS, The City of Borger desires to address this need by conducting an intense and highly visible enforcement effort, coupled with public information and education during the Memorial Day Holiday period.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF
THE CITY OF BORGER, TEXAS: THAT**

1. an FY 2008 Grant Application is hereby authorized to be filed on behalf of the City of Borger with the Texas Department of Transportation.
2. an application be for the maximum amount of funds available.
3. the City Council of the City of Borger directs and designates the Borger Police Chief to act as the City of Borger's authorized official, and that he be given the power to apply for, accept, reject, alter, or terminate the Grant on behalf of the City of Borger.
4. in the event of loss or misuse of grant funds, the governing body assures that funds will be returned to the Texas Department of Transportation in full.

PASSED, APPROVED, AND ADOPTED, on this the 6th day of May, 2008, at a regular meeting of the City Council of the City of Borger, Texas which meeting was held in compliance with the Open Meetings Act, Tex Gov't Code, §551.001, et.seq. at which meeting a quorum was present and voting.

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SALE OF “STRUCK OFF” PROPERTY APPROVED: Hutchinson County Appraisal District Chief Appraiser Diana’ Hooks submitted an offer on property that has been “Struck Off” in the name of the taxing entities. Following discussion, motion was made by Council Member Spradling, seconded by Council Member DeWeese, to accept the bid of \$880.00 for property at 723 N. Harvey (S/2 of Lot 4 and the N/2 of Lot 5, Block 22, Original Townsite) as submitted. The motion carried by the following vote:

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

TOURISM SERVICES CONTRACTS APPROVED: City Manager Wanda Klause discussed in detail the proposed Tourism Services Contracts with the Borger Chamber of Commerce, Friends of the Hutchinson County Historical Museum, and the Tri-City Community Concert Association. Council Member Gillingham stated that he was personally involved with each of these organizations and would abstain from voting on the proposed contracts. Following discussion, each of the contracts was voted on as follows:

Motion was made by Council Member Spradling, seconded by Council Member Dickson, to approve the Tourism Services Contract between the Borger Chamber of Commerce and the City of Borger. The motion carried by the following vote:

Ayes: Dickson, Spradling, Brain, DeWeese.
Nays: None.
Abstained: Gillingham.

Motion was made by Council Member Dickson, seconded by Council Member DeWeese, to approve the Tourism Services Contract between the Friends of the Hutchinson County Historical Museum and the City of Borger. The motion carried by the following vote:

Ayes: Dickson, Spradling, Brain, DeWeese.
Nays: None.
Abstained: Gillingham.

Motion was made by Council Member DeWeese, seconded by Council Member Dickson, to approve the Tourism Services Contract between the Tri-City Community Concert Association and the City of Borger. The motion carried by the following vote:

Ayes: Dickson, Spradling, Brain, DeWeese.
Nays: None.
Abstained: Gillingham.

JAIL SERVICES AGREEMENT APPROVED: City Manager Wanda Klause presented a Jail Services Contract between Hutchinson County and the City of Borger. Following discussion, motion was made by Council Member DeWeese, seconded by Council Member Dickson, to approve the contract as submitted. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

BANNER REQUEST APPROVED: Administrative Secretary Kathy Harber explained a request from Coffee Memorial Blood Bank asking permission to hang a banner on City Hall or across Main Street. The banner reads “Blood Drive Today.” Following discussion, motion was made by Council Member Spradling, seconded by Council Member Dickson, to approve the request. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

SUPPLEMENTAL ENVIROMENTAL PROJECT APPROVED: City Manager Wanda Klause explained that the High Plains Resource Conservation and Development Council has authorized funds of \$45,660.00 plus interest to remove and dispose of unauthorized trash dumping in the Rock Creek Addition. Following discussion, motion was made by Council Member Gillingham, seconded by Council Member Dickson, to accept the funding and authorize the project. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

DEVELOPMENT OF PLANS, SPECIFICATIONS, AND BIDDING

DOCUMENTS FOR WATER WELL #13 APPROVED: City Manager Wanda Klause submitted a proposal for professional services and an opinion of probable cost from Parkhill, Smith, and Cooper to prepare plans, specifications, and bidding documents for Water Well #13. Following discussion, motion was made by Council Member Gillingham, seconded by Council Member Spradling, to approve the proposal as submitted. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

QUESTIONS OR COMMENTS: None.

EXECUTIVE SESSION: Mayor Brain stated that in compliance with Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, the Council would retire into executive session relative to Section 551.071, Consultations with Attorney and Section 551.072, Deliberations about Real Property.

- a. Discuss ongoing litigation (Garcia/Ramos vs. City of Borger).
- b. Discuss possible sale of Lots 1-3, Block 24, Thompson Addition.

COUNCIL RETURNED TO OPEN SESSION: Following the executive session, Mayor Brain reconvened the regular meeting and stated that the Council discussed ongoing litigation and the sale of real property. No decisions were made and no action was taken.

MEETING ADJOURNED: Motion was made by Council Member DeWeese, seconded by Council Member Gillingham, to adjourn the meeting.

Mayor

ATTEST:

City Manager