

**REGULAR MEETING OF CITY COUNCIL
MAY 5, 2009**

1:30 P.M.

PRESENT: Jeff Brain Mayor
Leon DeWeese Council Member
Robert Vinyard Council Member
Charles Gillingham Council Member

ABSENT: Marvin Dickson Council Member

STAFF: Wanda Klause City Manager
Eddie Edwards Asst. City Manager
Kathie Harber Administrative Asst.
Planning & Zoning
Bruce Roberts Captain, Police Department
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
Jerry Langwell Fire Marshal

VISITORS: Nellie Villasenor
C.J. Young
Joyce Young
Carter Young
Pat Rendon
Annadon Keys
Charlie Keys
Judy Mihm

NEWS MEDIA: Michelle Berry Borger News Herald
Nancy Young Hutchinson County Highlights
Judy Allen Hutchinson County Highlights

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 April 21, 2009, motion was made by Council Member Vinyard, 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 Council Member Gillingham, seconded by Council Member Vinyard, 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.

ORDINANCE NO. O-003-09 INTRODUCED: Assistant City Manager Eddie Edwards submitted Ordinance No. O-003-09 repealing Article 1.06, Parks and Recreation, Sections 1.06.001 through 1.06.120 of the City of Borger Code of Ordinances for the consideration of the Council. Following discussion, motion was made by Council Member Gillingham, seconded by Council Member DeWeese, to introduce Ordinance No. O-003-09 repealing Article 1.06, Parks and Recreation, Sections 1.06.001 through 1.06.120 of the City of Borger Code of Ordinances on first reading. The motion carried by the following vote:

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

STAFF AUTHORIZED TO ESTABLISH ESCROW ACCOUNT FOR ALLEY PAVING PROJECT: Administrative Assistant of Planning & Zoning Kathie Harber submitted a letter from Dean Meyer, 100 Cottonwood Street, requesting the city establish an escrow account to receive funds in the amount of \$2,360 to be used for the installation of curb and gutter along the west side of 100 Cottonwood Street. Following discussion, motion was made by Council Member Vinyard, seconded by Council Member DeWeese, to authorize the staff to establish an escrow account to be used for the installation of curb and gutter along the west side of 100 Cottonwood Street as requested, and to schedule the project when all monies have been deposited into the escrow account. The motion carried by the following vote:

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

PUBLIC HEARING SCHEDULED: Kathie Harber, Administrative Assistant of Planning & Zoning, submitted a request from Domingo and Nellie Villasenor to re-plat their property known as the Villasenor Building Site containing 0.274 acres, located in Block Y, M & C Survey, Hutchinson County, Texas. Following discussion, motion was made by Council Member Vinyard, seconded by Council Member Gillingham, to receive the re-plat of the Villasenor Building Site and schedule a public hearing for 1:30 p.m., May 19, 2009 to allow for public comment. 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 Domingo and Nellie Villasenor for a specific use permit for the installation of a manufactured home at 107 South Line Road. 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 107 South Line Road and set a public hearing for June 2, 2009 to hear public comments. The motion carried by the following vote:

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

STREET LIGHT REQUEST APPROVED: Nellie Villasenor, 107 South Line Road, submitted a request for four (4) street lights along South Line Road. Kathie Harber, Administrative Assistant, Planning & Zoning Department, advised the Council of her conversation with a representative of XCEL Energy concerning the installation of four street lights in this area. These discussions led to XCEL recommending the installation of three (3) street lights. Following discussion, motion was made by Council Member Gillingham, seconded by Council Member Vinyard, to approve the installation of three (3) street lights along South Line Road as recommended by XCEL. 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 DeWeese, seconded by Council Member Gillingham, to adjourn the meeting. The motion carried by the following vote:

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

Mayor

ATTEST:

City Manager