

**REGULAR MEETING OF CITY COUNCIL  
OCTOBER 20, 2009**

**1:30 P.M.**

<b>PRESENT:</b>	Jeff Brain Leon DeWeese Charles Gillingham Marvin Dickson Robert Vinyard	Mayor Council Member Council Member Council Member Council Member
<b>STAFF:</b>	Wanda Klause Eddie Edwards Larry Mullenix Danny Richards Ted Dodd Jimmy Adams Bruce Roberts Bob Watson	City Manager Asst. City Manager Planning & Zoning Director Director EOC Director of Public Works Chief of Police Lieutenant Fire Chief
<b>VISITORS:</b>	Johnny Robertson Meryl Barnett Jesse Shuffield Pat Rendon Judy Mihm	Pastor, First United Methodist  Xcel Energy Xcel Energy
<b>NEWS MEDIA:</b>	Michelle Berry	Borger News Herald

**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 October 6, 2009, motion was made by Council Member Gillingham, seconded by Council Member Dickson, to approve the minutes with one correction; under Visitors change name from Robert Ratchford to Bill Ratchford. 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 Dickson, to approve payment of the expenditures for the first half of October as submitted. The motion carried by the following vote:

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

**ORDINANCE NO. O-009-09 AMENDING CHAPTER 13, UTILITIES, SECTION 13.02.039, UPDATED DROUGHT CONTINGENCY PLAN APPROVED:** Ordinance No. O-009-09 amending Chapter 13, Utilities, Section 13.02.039 with an updated drought contingency plan was submitted on final reading for the consideration of the City Council. Following discussion, motion was made by Council Member Dickson seconded by Council Member Gillingham, to approve Ordinance No. O-009-09 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 OF THE CITY COUNCIL OF THE CITY OF BORGER, TEXAS, PROVIDING FOR INCORPORATION; AMENDING CHAPTER 13, UTILITIES, SECTION 13.02.039, DROUGHT RESPONSE STAGES BY ADDING BEST MANAGEMENT PRACTICES TO EACH RESPONSE STAGE; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE ☆**

**PLANNING AND ZONING COMMISSION MEMBER APPOINTED:** Director of Planning and Zoning Larry Mullenix submitted a recommendation for appointment of one individual to fill the unexpired term of David Brown on the Planning and Zoning Commission. Term to expire March 31, 2012. Following discussion, motion was made by Council Member Vinyard, seconded by Council Member DeWeese, to appoint Jesse Shuffield to serve an unexpired term on the Planning and Zoning Commission, expiring March 31, 2012. The motion carried by the following vote:

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

**RESOLUTION NO. R-015-09 APPROVED:** Director of Planning & Zoning Larry Mullenix submitted a resolution requesting the Council authorize the Mayor to sign a contract between the City and Xcel Energy for the installation of a street lighting system in the right-of-way along the south end of Florida Street. Following discussion, motion was made by Council Member Vinyard, seconded by Council Member Dickson, to approve Resolution No. R-015-09 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-015-09**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BORGER:**

**SECTION 1.**

That the certain agreement dated October 20, 2009 between the State of Texas and the City of Borger, for the installation, construction, existence, use, operation, and maintenance of certain highway traffic signals/lighting at the locations(s) shown on EXHIBIT 1, attached hereto and made a part hereof, in the City of Borger, be and the same is hereby approved and Xcel Energy is hereby authorized to execute said contract on behalf of said city and to transmit the same to the State of Texas for appropriate action.

**SECTION 2.**

That this Resolution shall take effect immediately upon its passage. ☆

**AGREEMENT BETWEEN NATIONAL PARK SERVICE AND CITY OF BORGER**

**APPROVED:** Assistant City Manager Eddie Edwards submitted an agreement between the National Park Service and the City of Borger for providing mutual fire fighting assistance in and near the Park and the City, and requested that the agreement be approved as submitted. Following discussion, motion was made by Council Member Dickson, seconded by Council Member Gillingham, to approve the agreement for mutual fire fighting assistance as submitted. 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 Gillingham, seconded by Council Member DeWeese, to adjourn the meeting. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

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Mayor

**ATTEST:**

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City Manager

