

**REGULAR MEETING OF CITY COUNCIL  
JUNE 7, 2016 - 6:30 P.M.**

<b>PRESENT:</b>	Robert Vinyard	Mayor
	Marvin Dickson	Mayor Pro-Tem
	Karen Felker	Council Member
	Milton Ooley	Council Member

<b>ABSENT:</b>	Odis McClellan	Council Member
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<b>STAFF:</b>	Eddie Edwards	City Manager
	Stella E. Sauls	City Secretary
	Scott Radach	Director, Finance Department
	Anthony Griffin	Judge, Municipal Court
	Kenneth Petr	Director, Planning and Zoning
	Bruce Roberts	Chief, Police Department
	Rhonda Miller	IT Specialist

<b>VISITORS:</b>	Bill Browning	Pastor, Broadway Baptist Church
	Judy Flanders	Marty Vinyard
	Jesse Shuffield	Keisey Maupin
	Kandee Ooley	

**NEWS MEDIA:** April Davis

**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 heard.

**MINUTES APPROVED:** Following review of the minutes of the regular meeting of May 17, 2016, motion was made by Council Member Dickson, seconded by Council Member Felker, to approve the minutes of the regular meeting of May 17, 2016. 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 May 2016 were submitted for the consideration of the Council. Following discussion, motion was made by

Council Member Felker, seconded by Council Member Dickson, to approve payment of the expenditures of the last half of May 2016 as submitted. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

**2016-2017 SCHOOL RESOURCE OFFICER PROGRAM INTERLOCAL AGREEMENT BETWEEN THE BORGER INDEPENDENT SCHOOL DISTRICT AND THE CITY OF BORGER APPROVED:**

City Manager Eddie Edwards explained that this a standing agreement between the School District and the City of Borger. Following discussion, motion was made by Council Member Dickson, seconded by Council Member Felker, to approve the Interlocal Agreement between the Borger Independent School District and the City of Borger for the 2016-2017 School Resource Officer Program. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

**TOURISM SERVICES AGREEMENT MODIFICATION FOR THE TRI-CITY COMMUNITY CONCERT ASSOCIATION AND THE FRIENDS OF THE HUTCHINSON COUNTY HISTORICAL MUSEUM FOR 2016-2017 APPROVED:**

City Manager Eddie Edwards explained that by legislative action taken in 2007 or 2009 the percentage donated by the City could be increased to help the Arts in the City of Borger. Following discussion, motion was made by Council Member Felker, seconded by Mayor Vinyard, to approve the modification of the FY 2016-2017 Tourism Agreements between both the Tri-City Community Concert Association and the Friends of the Hutchinson County Historical Museum. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

**SALE OF ENTITY OWNED PROPERTY APPROVED:** City Manager Eddie Edwards presented a letter from Carrie Kimmell, Hutchinson County Tax Assessor/Collector with a bid on property at the following location(s):

- a. 1406 Burch St. (Lot 4, Block 22, Coronado Addition)

Following discussion motion was made by Council Member Dickson, seconded by Mayor Vinyard, to accept a bid of \$1,000.00 from Richard Rosebrugh for the property located at 1406 Burch St. (Lot 4, Block 22, Coronado Addition). The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

**RESOLUTION R-008-16, REVIEWING THE CITY'S CURRENT INVESTMENT POLICY APPROVED:**

Director of Finance Scott Radach explained to the Council that pursuant to the Texas Government Code the City is required to review our current investment policy and pass a resolution modifying the policy or declaring it good for another year. Mr.

Radach further explained that there have been changes in personnel who sign checks. Following discussion, motion was made by Council Member Dickson, seconded by Council Member Felker, to approve Resolution R-008-16, reviewing the City's current Investment Policy pursuant to the Public Funds Investment Act and authorizing representatives to act on the City's behalf in matters pertaining to the City's public funds. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

Resolution R-008-16 reads as follows:

**RESOLUTION R-008-16**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BORGER, TEXAS, REVIEWING THE CITY OF BORGER'S INVESTMENT POLICY PURSUANT TO THE PUBLIC FUNDS INVESTMENT ACT; AND AUTHORIZING REPRESENTATIVES TO ACT ON BEHALF OF THE CITY IN ALL MATTERS PERTAINING TO THE CITY'S PUBLIC FUNDS**

**WHEREAS**, the Public Funds Investment Act (Texas Government Code, Chapter 2256) requires that a municipality annually review its investment policy with respect to the investment of public funds; and,

**WHEREAS**, City staff has reviewed the City of Borger's ("City") current Investment Policy dated April 2010 ("Policy") and recommends that one change be made to said Policy, and one housekeeping item regarding the deletion of an authorized representative due to a retirement of a staff member; and,

**WHEREAS**, the City Council of the City of Borger, Texas, having reviewed said Policy, concurs with staff's recommendation and finds that it is in the public interest to continue said Policy as hereinafter attached; and,

**WHEREAS**, the City Council of the City of Borger, Texas, hereby authorizes the hereinafter mentioned individuals to act on behalf of the City in matters pertaining to the City's public funds.

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

**Section 1**

**That**, the findings set out in the preamble are in all things hereby approved.

**Section 2**

**That**, the Investment Policy dated April 2010 continues to be the approved Public Funds Investment Policy of the City of Borger, with one minor change to Section VI, Financial Instruments, the maximum amount of funds invested in Certificates of Deposits be revised from 60% to 75%. During initial periods of time after receiving bond proceeds and before the expenditure period, these excess funds may be placed into certificates of deposits to earn a higher interest rate than investment pools.

**Section 3**

**That**, the individuals, whose signatures appear in this Resolution, are "authorized representatives" of the City and are each hereby authorized to hereinafter take actions deemed necessary and appropriate with the City's public funds.

The following listing of City staff is hereby approved as “authorized representatives” to open, close, deposit, withdraw, transfer, and perform any other legal or necessary action whether by paper or electronic methods for obligations of, or obligations guaranteed by governmental entities; certificates of deposit and share certificates; repurchase agreements; bankers acceptances; commercial paper; mutual funds; investment pools; checking accounts; lease purchase and or installment loan accounts:

Eddie E. Edwards  
City Manager  
806-273-0954

\_\_\_\_\_  
Authorized Signature

Scott M. Radach  
Director of Finance  
806-273-0912

\_\_\_\_\_  
Authorized Signature

The following listing of City staff is hereby approved as “authorized representatives” with the limited ability to be signatories of written checks on the City’s checking accounts:

Stella Sauls  
City Secretary  
806-273-0902

\_\_\_\_\_  
Authorized Signature

Kenneth Petr  
Director of Planning & Zoning  
806-273-0910

\_\_\_\_\_  
Authorized Signature

The following listing of City staff is hereby approved as “authorized representatives” with the limited ability of electronic access to the City’s checking accounts for the purpose of uploading approved EFTs, drafts, direct deposits; and/or approved transfer of funds between accounts:

Kristi Powell  
Administrative Assistant  
806-273-0921

\_\_\_\_\_  
Authorized Signature

Sheila McCarty  
Accounts Payable Clerk  
806-273-0920

\_\_\_\_\_  
Authorized Signature

Liesa Whiteley  
Payroll Clerk  
806-273-0914

\_\_\_\_\_  
Authorized Signature

Wanda King  
Customer Service Supervisor  
806-273-0915

\_\_\_\_\_  
Authorized Signature

Rhonda Miller  
IT Specialist  
806-273-0903

\_\_\_\_\_  
Authorized Signature

**Section 4**

**That**, an “authorized representatives” may be deleted by a written instrument signed by two authorized representatives provided that the deleted “authorized representative” is assigned job duties that no longer require access to the City’s public funds, or is no longer employed by the City.

**Section 5**

**That**, this Resolution and its authorization shall be effective immediately upon its passage and shall continue in full force and effect until amended, revoked, or superseded by the City Council of the City of Borger, Texas; and until the participating institution receives a copy of any such amendment or revocation.

**This Resolution supersedes all prior “authorized representative” designations.**

**PASSED, APPROVED, AND ADOPTED**, on this the 7<sup>th</sup> day of June, 2016, 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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**ORDINANCE O-005-16 AMENDING CHAPTER 14, ZONING, SECTION 14.02.002, DIRECTING CHANGES TO THE ZONING DISTRICTS, AND UPDATING THE ZONING DISTRICT MAP:**

Director of Planning and Zoning Kenneth Petr explained that this is the final reading of Ordinance O-005-16 to update the Zoning Districts and Zoning District Map. Following discussion, motion was made by Council Member Felker, seconded by Council Member Dickson, to approve Ordinance O-005-16 amending Chapter 14, Zoning, Section 14.02.002, directing changes to the Zoning Districts, and updating the Zoning District Map. The motion carried by the following vote:

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

The caption for Ordinance O-005-16 reads as follows:

**ORDINANCE O-005-16**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BORGER, TEXAS, AMENDING CHAPTER 14, ZONING, SECTION 14.02.002, ZONING DISTRICT MAP OF THE CITY OF BORGER, TEXAS, BY REZONING THE FOLLOWING PROPERTIES: LOTS 9-12, BLOCK 56, ORIGINAL TOWNSITE FROM GENERAL RESIDENCE AND RETAIL TO COMMERCIAL; LOTS 1-11, BLOCK 2, PHILVIEW UNIT 4 SECTION 1 FROM GENERAL RESIDENCE TO COMMERCIAL; PROVIDING FOR SEVERABILITY; PROVIDING A**

**REPEALER; PROVIDING A SAVINGS CLAUSE; AND PROVIDING  
FOR AN EFFECTIVE DATE**

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**PLANNING AND ZONING COMMISSION MEMBER APPOINTED:** Director of Planning and Zoning Kenneth Petr submitted a recommendation for the appointment of one individual to fill the vacancy on the Planning and Zoning Commission. Following discussion, motion was made by Council Member Dickson, seconded by Council Member Felker, to appoint Mr. Ralph White to fill the vacancy on the Planning and Zoning Commission to a term ending March 31, 2019. The motion carried by the following vote:

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

**OPERATION FACELIFT CONTRACT APPROVED:** Director of Planning and Zoning Kenneth Petr explained to the Council that the property owner signed an Operation Facelift Contract and has paid a deposit of \$150.00, so demolition can begin. Following discussion, motion was made by Council Member Felker, seconded by Council Member Dickson, to approve the Operation Facelift Contract between Mr. Tooms and the City of Borger for the removal of the mobile home at 1207 Wisconsin (Lot 34, Block 8, Huber Addition). 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 Dickson, seconded by Council Member Felker, to adjourn the meeting. The motion carried by the following vote:

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

\_\_\_\_\_  
Mayor

**ATTEST:**

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City Secretary