

**REGULAR MEETING OF CITY COUNCIL  
FEBRUARY 2, 2016 - 6:30 P.M.**

|                 |                    |                |
|-----------------|--------------------|----------------|
| <b>PRESENT:</b> | Robert Vinyard     | Mayor          |
|                 | Marvin Dickson     | Mayor Pro-Tem  |
|                 | Karen Felker       | Council Member |
|                 | Odis McClellan     | Council Member |
|                 | Charles Gillingham | Council Member |

|               |                 |                              |
|---------------|-----------------|------------------------------|
| <b>STAFF:</b> | Eddie Edwards   | City Manager                 |
|               | Stella E. Sauls | City Secretary               |
|               | Scott Radach    | Director, Finance Department |
|               | Anthony Griffin | Judge, Municipal Court       |
|               | Bruce Roberts   | Chief, Police Department     |
|               | Rhonda Miller   | IT Specialist                |

|                  |                 |                         |
|------------------|-----------------|-------------------------|
| <b>VISITORS:</b> | Rev. Gary Gore  | Pastor, Central Baptist |
|                  | Anfernee Glover | C. J. McDaniel          |
|                  | Corbin McGill   | Kyle Alders             |
|                  | A. J. Wilson    | Vannesa Munoz           |
|                  | Rhon Munoz      | Luke Wyatt              |
|                  | Martha Vinyard  | Nellie Villasenor       |
|                  | Paula Griffin   | Milton R. Ooley         |
|                  | Brad Carpenter  | Davona Munoz            |
|                  | Arlie Washer    | Lisa Vinyard            |
|                  | Robert Vinyard  |                         |

**NEWS MEDIA:** Tabitha Fleming

**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.

Milton Ooley thanked the Council for their hard work.

**MINUTES APPROVED:** Following review of the minutes of the regular meeting of January

19, 2016, motion was made by Council Member Dickson, seconded by Council Member Gillingham, to approve the minutes of the regular meeting of January 19, 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 January 2016 were submitted for the consideration of the Council. Following discussion, motion was made by Council Member Gillingham, seconded by Council Members Dickson, to approve payment of the expenditures of the last half of January 2016 as submitted. The motion carried by the following vote:

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

**PUBLIC HEARING CONDUCTED – ORDINANCE O-001-16 INTRODUCED:** City Manager Eddie Edwards explained that the Council has gone through this process before but original paper work was returned due to error in the address; everything has to be re-submitted. Mayor Vinyard opened the public hearing and asked if there were any comments; there being no comments the Mayor closed the public hearing. Motion was made by Council Member Dickson, seconded by Council Member Gillingham, to introduce on first reading Ordinance O-001-16 nominating the Borger Phillips 66 Facility to the Office of the Governor Economic and Tourism through the Economic Development Bank. The motion carried by the following vote:

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

Caption of Ordinance O-001-16 reads as follows:

**ORDINANCE O-001-16**

**AN ORDINANCE AUTHORIZING THE CITY OF BORGER TO PARTICIPATE IN THE TEXAS ENTERPRISE ZONE PROGRAM UNDER THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE; PROVIDING TAX INCENTIVES; NOMINATING PHILLIPS 66 COMPANY (“P66”) TO THE OFFICE OF THE GOVERNOR ECONOMIC DEVELOPMENT AND TOURISM THROUGH THE ECONOMIC DEVELOPMENT BANK (THE “BANK”) FOR DESIGNATION AS AN ENTERPRISE PROJECT UNDER THE ACT; DESIGNATING A LIAISON FOR OVERSEEING ENTERPRISE PROJECTS AND COMMUNICATING WITH INTERESTED PARTIES; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR PUBLICATION AND AN EFECTIVE DATE**

\*\*\*\*\*

**CHANGE ORDER #2 FOR THE NORTHWEST WELL FIELD PROJECT APPROVED:**

City Manager Eddie Edwards explained the changes on the Northwest Well Field Project. Following discussion, motion was made by Council Member Felker, seconded by Council Member Dickson, to approve Change Order #2 changing the total amount of the Contract between the City of Borger and S. J. Lewis for the Northwest Well Field Transmission Line from \$15,179,053.70 to \$15,262,173.78. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

**RESOLUTION R-002-16 RE-APPOINTING BOARD MEMBERS TO THE BORGER EVENTS CENTER BOARD APPROVED:**

City Manager Eddie Edwards stated this Resolution will re-appoint all members on the Board. Following discussion, motion was made by Council Member Dickson, seconded by Council Member Gillingham, to approve Resolution R-002-16 re-appointing members to the Borger Events Center Board. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

Resolution R-002-16 reads as follows:

**RESOLUTION R-002-16**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BORGER, TEXAS RE-APPOINTING MEMBERS TO THE BORGER EVENTS CENTER BOARD; DECLARING AN EFFECTIVE DATE; AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT**

**ON THIS**, the 2<sup>nd</sup> day of February, 2016, the City Council of the City of Borger, Texas, met in regular session, when among other business transacted, the following action was taken:

The Mayor introduced the following resolution:

**WHEREAS**, the City Council of the City of Borger heretofore adopted Resolution R-004-13 establishing the Borger Events Center Board (“Board”); and,

**WHEREAS**, the term(s) of several members of the Board have expired and the City Council upon recommendation from the Board, desires to re-appoint said members.

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

1. **That**, Leon Roberts be re-appointed from his/her initial term to his/her first full term beginning on February 1, 2014 and ending on January 31, 2017.

2. **That**, Jud Hicks be re-appointed from his/her initial term to his/her first full term beginning on February 1, 2014 and ending on January 31, 2017.
3. **That**, Mike Amos be re-appointed from his/her initial term to his/her first full term beginning on February 1, 2014 and ending on January 31, 2017.
4. **That**, Jerry Hefner be re-appointed from his/her initial term to his/her first full term beginning on February 1, 2015 and ending on January 31, 2018.
5. **That**, Mark Mitchell be re-appointed from his/her initial term to his/her first full term beginning on February 1, 2015 and ending on January 31, 2018.
6. **That**, Shawna Lamb be re-appointed from his/her initial term to his/her first full term beginning on February 1, 2015 and ending on January 31, 2018.
7. **That**, Robert Vinyard be re-appointed for a second full term beginning on February 1, 2016 and ending on January 31, 2019.
8. **That**, Beverly Benton be re-appointed for a second full term beginning on February 1, 2016 and ending on January 31, 2019.
9. **That**, Patty Kasch be re-appointed for a second full term beginning on February 1, 2016 and ending on January 31, 2019.
10. **That**, this Resolution shall become effective from and after its passage.

**PASSED, APPROVED, AND ADOPTED**, on this the 2<sup>nd</sup> day of February, 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.

\*\*\*\*\*

**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 located at the following locations:

- a. 211 11<sup>th</sup> St. (Lots 16-17, Block 6, North Side Addition) \$800 Fransisca Hernandez
- b. 210 Monroe St. (Lots E/21.5' of 23, 24-25, W/7.5" of 26, Block 15, Isom Addition) \$1,000 Tyler McDonald and James Wolfe.

Following discussion, motion was made by Council Member Felker, seconded by Council Member McClellan on the following:

- a. to accept a bid of \$800.00 from Fransisca Hernandez for the property located at 211 11<sup>th</sup> St. (Lots 16-17, Block 6, North Side Addition).
- b. to accept a bid of \$1,000.00 from Tyler McDonald and James Wolfe for the property located at 210 Monroe St. (Lots E/21.5' of 23, 24-25, W/7.5" of 26, Block 15, Isom Addition).

The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

**RACIAL PROFILING REPORT RECEIVED FROM CITY OF BORGER POLICE**

**DEPARTMENT:** Chief Bruce Roberts explained that this report has to be submitted to the governing body and the State. Chief Roberts stated the Borger Police Department does not racial profile and that this report is based on traffic stops and demographics. Following discussion, motion was made by Council Member Gillingham, seconded by Council Member Felker, to accept the 2015 Borger Police Department racial profiling report. 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 Gillingham, to adjourn the meeting. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

---

Mayor

**ATTEST:**

---

Secretary