

**REGULAR MEETING OF CITY COUNCIL  
JANUARY 5, 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
	Jason Pender	Fire Marshal
	Anthony Griffin	Judge, Municipal Court
	Kenneth Petr	Director, Planning and Zoning
	Larry Byrd	Combination Building Inspector
	John Montoya	Code Enforcement Officer
	Bruce Roberts	Chief, Police Department
	Rhonda Miller	IT Specialist

<b>VISITORS:</b>	Jesse Shuffield	Luke Wyatt
	Efren Munoz	Kyle Alders
	Brandon Autley	Rhon Munoz
	Vennesa Munoz	A.J. Wilson
	Bianet Urizar	Corbin McGill
	Pete Loftis	A.L. Hannon
	Devona Munoz	Efren Munoz
	Garry Hannon	

**NEWS MEDIA:** Alex Mann

**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.

City Manager Eddie Edwards gave the Council a brief synopsis of the projects currently ongoing in the City.

Mr. Edwards explained that the work on the new police department will be finished on schedule while the fire department will not be finished until the first of September possibly. The Planning and Zoning Department is working with Apex who needs a signed agreement from all entities (Hutchinson County/Hospital District, College District, Borger Independent School District, and the City) on the Black Hotel asbestos abatement.

**MINUTES APPROVED:** Following review of the minutes of the regular meeting of December 15, 2015, motion was made by Council Member Dickson, seconded by Council Member Gillingham, to approve the minutes of the regular meeting of December 15, 2015. 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 December 2015 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 December 2015 as submitted. 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 located at 1306 Jim Hall St. (Lot 21, Block 7, North Side Addition). Following discussion, motion was made by Council Member Gillingham, seconded by Council Member Dickson, to accept a bid of \$500.00 from Mr. Ricky Horton for property located at 1306 Jim Hall St. (Lot 21, Block 7, North Side Addition). The motion carried by the following vote:

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

**PUBLIC HEARING HELD TO CONSIDER APPEAL OF BUILDING STANDARDS DECISION TO DEMOLISH – ITEM TABLED:** Kenneth Petr, Director of Planning & Zoning, reviewed events leading to the recommendation from the Building Standards Commission to demolish property located at 312 Veta (Lot 7, Block B, North Hills Addition). The owner of record is Jerry Hannon but Mr. A. L. Hannon filed the request to appeal the recommendation of the Building Standards Commission.

Mayor Vinyard opened the public hearing and asked if there were any comments. Mr. A. L. Hannon explained to the Council that he's been working on the property; he stated he boxed in the garage and cleaned up all the trash and debris. Mr. Hannon stated the house is about finished and ready to sell. There being no further comments the Mayor closed the public hearing. Following discussion, motion was made by Council Member McClellan, seconded by Council

Member Gillingham, to table this item to allow Mr. Hannon & staff to gather more information. The motion carried by the following vote:

Ayes: Council Member's Felker, McClellan, Dickson, Gillingham.  
Opposed: Mayor Vinyard.

**ACCEPTANCE OF GRANT FROM PHILLIPS 66 FOR THE PURCHASE OF A BULLEX FIRE AND WEATHER SAFETY TRAILER APPROVED:** Jason Pender, Fire Marshal explained to the Council this trailer will be used for the training of city fire personnel and will be used as an educate school children on fire safety. Following discussion, motion was made Council Member Dickson, seconded by Council Member Gillingham, to:

- a. accept a Grant from Phillips 66 in the amount of \$83,000 for the purchase of an educational Safety Trailer.

The motion carried by the following vote:

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

Following discussion motion was made by Council Member Felker, seconded by Council Member Dickson, to:

- b. authorize staff to purchase the Safety Trailer pursuant to the terms of the Grant in an amount not to exceed \$83,000.

The motion carried by the following vote:

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

**EXECUTIVE SESSION:** Mayor Vinyard stated that in compliance with Chapter 551, Texas Govt. Code, (Open Meetings Law), the Council would retire into executive session relative the Texas Govt. Code, Section 551.071 Consultation with Attorney.

- a. Discuss condemnation proceedings against T. P. Gas Company, Ltd. (commonly known as Momentum Oil) to acquire: rights-of-way, sanitary control easements, fee simple interests and overhead powerline easements, for property located in the James P. Price Survey and Section 3 of the Mary L. Anglin Survey, for the production of water from water rights owned by the City.

**COUNCIL RETURNED TO OPEN SESSION:** Following the executive session, Mayor Vinyard reconvened the regular meeting and announced that the Council discussed items relative the Texas Govt. Code, Section 551.071 Consultation with Attorney.

Following discussion motion was made by Council Member McClellan, seconded by Council Member Felker, to authorize staff to continue negotiating with T. P. Gas Company, Ltd. (Momentum Oil) to reach an amicable agreement; and authorize staff through legal representation to proceed with condemnation proceedings for property located in the James P. Price Survey and Section 3 of the Mary L. Anglin Survey, to obtain the rights necessary for the City to produce water from the wells it owns, including: rights-of-way, sanitary control easements, fee simple interests and overhead powerline easements. 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.

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Mayor

**ATTEST:**

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City Secretary