

**REGULAR MEETING OF CITY COUNCIL
MAY 18, 2010 - 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: Eddie Edwards City Manager
Kathie Harber Deputy City Secretary
Danny Richards E.O.C. Director
Larry Mullenix Planning & Zoning Director
Jimmy Adams Chief, Police Department
Bruce Roberts Captain, Police Department
Bob Watson Fire Chief
Jerry Langwell Fire Marshal
Ted Dodd Public Works Director
Ralph Earles Public Works Assistant Director
Scott Radach Finance Director

VISITORS: William Adams Pastor Eternal Light Church
John Ray
Judy Flanders
Judy Mihm
Bob Tiffany
Marilyn Pearce
Dan Redd
E. C. Huffine
Janet Huffine

NEWS MEDIA: 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 heard.

MINUTES APPROVED: Following review of the minutes of the regular meeting of May 4, 2010, motion was made by Council Member Gillingham, seconded by Council Member Vinyard, to approve the minutes as submitted. The motion carried by the following vote:

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

PAYMENT OF EXPENDITURES APPROVED: The expenditures for the first half of May were submitted for the consideration of the Council. Following discussion, motion was made by Council Member DeWeese, seconded by Council Member Gillingham, to approve payment of the expenditures for the first half of May as submitted. The motion carried by the following vote:

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

RETURNS OF CITY OFFICER'S ELECTION CANVASSED – RESOLUTION R-007-10

APPROVED: Mayor Brain and the City Council canvassed the election returns of the May 8, 2010 City Officer's Election for Place 4 and Place 5. Mayor Brain stated that in Place 4, unopposed incumbent Marvin "Bubba" Dickson received 290 votes; and in Place 5, incumbent Charles Gillingham received 215 votes, and Brandy Callahan received 141 votes. Following canvassing of the election returns, Resolution R-007-10 canvassing the votes and declaring the successful candidates in the City Officer's Election conducted on May 8, 2010 was submitted for the consideration of the Council, motion was made by Council Member Vinyard, seconded by Council Member Gillingham, to approve Resolution R-007-10 as submitted. The motion carried by the following vote:

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

The resolution reads as follows:

RESOLUTION R-007-10

**A RESOLUTION AND ORDER CANVASSING THE RETURNS
AND DECLARING RESULTS OF A CITY OFFICER'S
ELECTION TO FILL A VACANCY IN PLACE 4 AND PLACE 5
ON THE BORGER CITY COUNCIL**

WHEREAS, on the 8th day of May, 2010, a General Election was held for the purpose of electing one (1) Council Member to Place 4, and one (1) Council Member to Place 5 of the City Council of the City of Borger to serve three year terms, and such election having been called, notice given, and held, as is required under the Charter of the City of Borger and the laws of the State of Texas; and

WHEREAS, the City Council of the City of Borger in a regular meeting for the purpose of canvassing the returns of the above mentioned election, due notice having been given to the members of said City Council of said meeting, and after having canvassed said returns from said following candidates received the following votes:

CITY COUNCIL MEMBER, PLACE 4, THREE YEAR TERM

	PAUL BELTON ELEMENTARY SCHOOL	BORGER MIDDLE SCHOOL	FAIRLANES CHURCH	EARLY VOTING	TOTAL VOTES
Marvin "Bubba" Dickson	64	55	63	108	290

CITY COUNCIL MEMBER, PLACE 5, THREE YEAR TERM

	PAUL BELTON ELEMENTARY SCHOOL	BORGER MIDDLE SCHOOL	FAIRLANES CHURCH	EARLY VOTING	TOTAL VOTES
Charles Gillingham	56	39	50	70	215
Brandy Callahan	23	32	26	60	141

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

THAT the election held on the 8th day of May, 2010, for the purpose of electing one (1) Council Member to Place 4, and one (1) Council Member to Place 5 for three (3) year terms, was duly and legally called and held in compliance with the Charter of the City of Borger and the laws of the State of Texas, that the successful candidate in Place 4 was Marvin "Bubba" Dickson; and, that the successful candidate in Place 5 was Charles Gillingham, and that the election held on the 8th day of May, 2010, was duly called and held in compliance in the Charter of the City of Borger and the laws of the State of Texas, and as authorized to be submitted to the voters under the Order passed on the 2nd day of February, 2010, were duly resolved at said election.

PASSED, APPROVED, AND ADOPTED, on this the 18th day of May, 2010, 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.

OATH OF OFFICE ADMINISTERED TO NEWLY ELECTED COUNCIL MEMBER:

Kathie Harber, Deputy City Secretary, administered the Oath of Office and Statement of Elected Officer to Charles Gillingham. Mayor Brain presented Mr. Gillingham with a Certificate of Election.

MID-YEAR REPORT FOR BORGER ECONOMIC DEVELOPMENT CORPORATION

APPROVED: Dan Reed, CEO, Borger Economic Development Corporation, submitted the BEDC's mid-year report and asked the Council to consider same. Following discussion, motion

was made by Council Member Vinyard, seconded by Council Member Gillingham, to accept the Mid-Year Report from the BEDC as submitted. The vote carried by the follow vote:

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

TOURISM SERVICES REPORTS FOR FY 2009-2010 FROM THE TRI-CITY COMMUNITY CONCERT ASSOCIATION AND FRIENDS OF HUTCHINSON COUNTY HISTORICAL MUSEUM RECIEVED AND TOURISM CONTRACTS FOR FY 2010-2011 APPROVED:

Judy Flanders, President, Tri-City Community Concert Association, and Co-Chair of Friends of Hutchinson County Historical Museum, submitted the FY 2009-2010 annual tourism service reports for both organizations. Ms. Flanders gave a brief overview on each Association's tourism activities, events, and plans for the future.

Following discussion, motion was made by Council Member Vinyard, seconded by Council Member DeWeese to receive the FY 2009-2010 annual tourism service report for the Tri-City Community Concert Association and approve a new Tourism Services Contract for FY 2010-2011 between the Tri-City Community Concert Association and the City of Borger. The motion carried by the following vote:

Ayes: Mayor Brain, Council Member DeWeese and Council Member Vinyard
Nays: None.
Abstained: Council Member Gillingham

Motion was made by Council Member Vinyard, seconded by Council Member DeWeese, to receive the FY 2009-2010 annual tourism services report for the Friends of Hutchinson County Historical Museum and approve a new Tourism Services Contract for FY 2010-2011 between Friends of Hutchinson County Historical Museum and the City of Borger. The motion carried by the following vote:

Ayes: Mayor Brain, Council Member DeWeese and Council Member Vinyard
Nays: None.
Abstained: Council Member Gillingham

ONE (1) OPERATION FACELIFT APPROVED: Larry Mullenix, Director of Planning and Zoning, explained to the Council that this is a voluntary demolition submitted by Mr. Sam Shelton. Following discussion, motion was made by Council Member DeWeese, seconded by Council Member Gillingham, to approve the Operation Facelift for 500 Short Street. The motion carried by the following vote:

Ayes: All members present voted.
Nays: None.

MEETING ADJOURNED: There being no further business, motion was made by Council Member Gillingham, seconded by Council Member Vinyard, to adjourn the meeting. The motion carried by the following vote.

Ayes: All members present voted.
Nays: None.

Mayor

ATTEST:

City Secretary