

**REGULAR MEETING OF CITY COUNCIL**  
**JUNE 15, 2010 - 1:30 P.M.**

<b>PRESENT:</b>	Jeff Brain	Mayor
	Robert Vinyard	Council Member
	Charles Gillingham	Council Member
<b>ABSENT:</b>	Marvin Dickson	Council Member
	Leon DeWeese	Council Member
<b>STAFF:</b>	Eddie Edwards	City Manager
	Stella E. Sauls	City Secretary
	Kathie Harber	Deputy City Secretary
	Danny Richards	E.O.C. Director
	Jimmy Adams	Chief, Police Department
	Bruce Roberts	Captain, Police Department
	Anthony Griffin	Lieutenant, Police Department
	Ted Dodd	Director, Public Works
	Ralph Earles	Assistant Director, Public Works
	Martin Crump	Superintendent, Parks Department
	Kristi Powell	Clerk, Public Works
	Larry Mullenix	Director, Planning and Zoning
	Larry Byrd	Code Enforcement Officer II
	Scott Radach	Director, Finance Department
<b>VISITORS:</b>	Terry Stegall	Executive Pastor, Grace Church
	Judy Mihm	Meryl Barnett
	Roy Haley	Joy Haley
	Fred Bartram	Vernon Taylor
	Gerald Gueschke	Bobby Kenimer
	Barbara Dennis	David McGinley
	Joe Cummings	Juanita Phares
	Henry Phares	Denise Rhea
	Missy Chatwell	Jamie Bell
	Amber Reed	Shiloh Reed
	Ann Hines	Richard Maxwell
	Ken Vessels	Debra Vessels
	Kristie Woods	Mary Harrington
	Robin Harrington	Brad Carpenter
	Bob Edmiaston	Karen Rangel
	Garry Hannon	Larry Hulsey
	Heather Hulsey	Sheryl Franks
	Bill Carder	Spanky Whitworth
	E. C. Huffine	Janet Huffine
	Stanley A. Franks	Marshall Ford
	Odis McClellan	Susan Bochart

**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 June 1, 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 June were submitted for the consideration of the Council. Following discussion, motion was made by Council Member Vinyard, seconded by Council Member Gillingham, to approve payment of the expenditures for the first half of June as submitted. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

**PUBLIC HEARING CONDUCTED – ORDINANCE O-002-10 INTRODUCED:** City Manager Eddie Edwards gave a brief history of the Curfew Ordinance and asked the Council to modify said Ordinance. Captain Bruce Roberts explained the procedure used to enforce the Curfew Ordinance and its effect on the community. Mayor Brain opened a public hearing on the Curfew Ordinance and asked if anyone present wished to comment. Mrs. Janet Huffine thanked the Council for the Curfew Ordinance and stated that since it has been in effect debris left in front of businesses on Main Street have been greatly reduced. There were no further comments; therefore, the Mayor closed the public hearing. Following discussion, motion was made by Council Member Gillingham, seconded by Council Member Vinyard, that Ordinance O-002-10 modifying the Curfew Ordinance be introduced on first reading. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

The caption of Ordinance O-002-10 reads as follows:

**ORDINANCE O-002-10**

**AN ORDINANCE AMENDING CHAPTER 8, OFFENSES AND NUISANCES, OF THE CODE OF ORDINANCES OF THE CITY OF BORGER, TEXAS MODIFYING THE CURFEW ORDINANCE; AS IS MORE FULLY SET OUT HEREIN; PROVIDING FOR PENALTIES AND AN EFFECTIVE DATE; AND PROVIDING THAT ALL PRIOR ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH OR IN CONFLICT WITH ANY OF THE PROVISIONS OF THIS ORDINANCE ARE HEREBY EXPRESSLY REPEALED TO THE EXTENT OF ANY SUCH INCONSISTENCY OR CONFLICT**

\*\*\*\*\*

**RECOMMENDATION FROM BUILDING STANDARDS COMMISSION APPROVED:**

After proper notice and hearings, the Building Standards Commission of the City of Borger has determined and declared the building(s) located on the property described herein as substandard and cannot reasonably be repaired and has recommended the demolition thereof as provided in the Substandard Building Ordinance.

This property is question is located at the following site:

1. 1224 Hazelwood, (Lot 9, Block 6, Gateway Addition).

Following discussion, motion was made by Council Member Vinyard, seconded by Council Member Gillingham; to approve demolition of property located at 1224 Hazelwood, (Lot 9, Block 6, Gateway Addition). The motion carried by the following vote:

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

**PUBLIC HEARING SCHEDULED TO CONSIDER APPEAL OF BUILDING**

**STANDARDS COMMISSION:** Larry Mullenix, Director of Planning & Zoning, reviewed events following submission of the recommendation from the Building Standards Commission to demolish property located at 1224 Hazelwood, (Lot 9, Block 6, Gateway Addition). The owner of said property, Mr. Dale Milner, filed a request to appeal the recommendation of the Building Standards Commission. Following discussion, motion was made by Council Member Gillingham, seconded by Council Member Vinyard; to schedule a public hearing for July 6, 2010 appealing recommendation from the Building Standards Commission to demolish the structure at 1224 Hazelwood, (Lot 9, Block 6, Gateway Addition). The motion carried by the following vote:

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

**PUBLIC HEARING CONDUCTED – RE-PLAT DENIED:** Larry Mullenix, Director of Planning and Zoning, reviewed the re-plat of Block 9, Huber Camp Section 2, containing 2.7435 acres, located in the NE/4 of Section 24, Block “Y”, A & B Survey, to be platted as the Penn Avenue Addition. Mayor Brain opened a public hearing on the re-plat and asked if anyone wished to comment. Numerous citizens voiced their opposition to the re-plat as presented. Following the citizens comments, Mayor Brain closed the public hearing. City Manager Eddie Edwards, recommended denying the re-plat until an agreement which would allow public access for the residents along the east side of Block 9 could be reached. Motion was made by Council Member Gillingham, seconded by Council Member Vinyard, to deny re-plat of Block 9, Huber Camp Section 2, containing 2.7435 acres, located in the NE/4 of Section 24, Block “Y”, A & B Survey, to be platted as the Penn Avenue Addition. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

**ONE (1) OPERATION FACELIFT CONTRACT APPROVED:** One operation facelift contract was submitted for consideration of demolition and cleanup of rear structure(s) located on the following property:

1. 1111 Coble Street, (Lot 8, Block 12, Phillips Addition)

Motion was made by Council Member Vinyard, seconded by Council Member Gillingham, to approve the Operation Facelift Contract between Mrs. Thacker and the City of Borger to remove structure in the rear of 1111 Coble. 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 Vinyard, seconded by Council Member Gillingham, to adjourn. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

---

Mayor

**ATTEST:**

---

City Secretary