

**REGULAR MEETING OF CITY COUNCIL
APRIL 16, 2013 – 1:30 P.M.**

PRESENT:	Jeff Brain	Mayor
	Robert Vinyard	Mayor Pro-Tem
	Brandy Callahan	Council Member
	Marvin Dickson	Council Member
	Charles Gillingham	Council Member

STAFF:	Eddie Edwards	City Manager
	Danny Richards	Director, E.O.C.
	Stella E. Sauls	City Secretary
	Kenneth Petr	Director, Planning and Zoning
	Jimmy Adams	Chief, Police Department
	Bruce Roberts	Captain, Police Department
	Ted B. Dodd	Director, Public Works
	Candice Hurst	Clerk, Public Works
	Chris Ingram	Assistant Director, Utilities

VISITORS:	Shaun Dunigan	Pastor, Fellowship Baptist
	John Ray	Harvey Hathaway
	Meryl Barnett	D. E. Rice
	Jack Kaplan	Robert Archer
	Robert Bradley	Jerry Nolen
	Dan Redd	

NEWS MEDIA: Michelle Berry

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.

Mr. John Ray complimented the Police Department on the arrest made involving synthetic drugs. Mr. Ray asked the Council who we (*the citizens*) needed to go to now to help push the effort through the courts and keep pressure on so this doesn't get settled out of court or plea bargained

out; make a point that this is Borger and we (*the citizens*) want our town back.

Council Member Callahan stated she thought the citizens not only of Borger, but of the County should call the D.A., send him an e-mail and say hey this is our community and we're going to keep fighting for it, we want to support you in the prosecution of these issues.

Mr. Ray reminded the Council and citizens of the next town hall meeting tonight.

MINUTES APPROVED: Following review of the minutes of the regular meeting and work session of April 2, 2013 motion was made by Council Member Dickson, seconded by Council Member Gillingham, 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 April 2013 were submitted for the consideration of the Council. Following discussion, motion was made by Council Member Gillingham, seconded by Council Member Dickson, to approve payment of the expenditures for the first half of April 2013 as submitted. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

NON-DISCLOSURE AGREEMENT BETWEEN BLAUS WASSER AND THE CITY OF BORGER APPROVED: City Manager Eddie Edwards explained that the City is considering the expansion of the current well field and the probable cost range is between 30 to 40 million dollars; we are exploring ways to fund this project. Mr. Edwards further stated that this Agreement is not a commitment of any kind just something Blaus Wasser wants in place before beginning talks for funding options. Following discussion, motion was made by Council Member Dickson, seconded by Council Member Vinyard, to approve the Non-disclosure Agreement between Blaus Wasser and the City of Borger. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

SALE OF "STRUCK OFF" PROPERTIES APPROVED: City Manager Eddie Edwards explained that these properties failed to sell at the Sheriff's sale and was then struck off the tax roll. Following discussion, motion was made by Council Member Vinyard, seconded by Council Member Gillingham, to approve the sale of the following properties:

- a. 805 N. Cedar (Lot 3, Block 4, Thompson Addition) for a bid of \$1000.00 from Mr.

- Greg Forte.
- b. 317 W. Grand (Lot 9 – 10, Block 21, Isom Addition) for a bid \$300.00 from Mr. Dennis Cook.
- c. 105 Arline (Lot 44, Block 9, North Hills) for a bid of \$600.00 from Mr. Alejo Morales.

The motion carried by the following vote:

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

ORDINANCE O-005-13 AMENDING THE ZONING AND ZONING DISTRICT MAP APPROVED: Director of Planning and Zoning Kenneth Petr acknowledged that this is the second and final reading of Ordinance O-005-13. Following discussion, motion was made by Council Member Vinyard, seconded by Council Member Gillingham, to approve on final reading Ordinance O-005-13 amending Zoning and Zoning District Map. The motion carried by the following vote:

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

Caption for Ordinance O-002-13 reads as follows:

Ordinance # O-005 -13

AN ORDINANCE AMENDING THE ZONING AND ZONING DISTRICT MAP OF THE CITY OF BORGER, TEXAS

OPERATION FACELIFT CONTRACT APPROVED: Director of Planning and Zoning Kenneth Petr explained to the Council that the property owner has signed an Operation Facelift Contract and paid the predetermined \$1,500 fee. Following discussion, motion was made by Council Member Gillingham, seconded by Council Member Callahan, to approve the Operation Facelift Contract between Ms. Graves and the City of Borger for the removal of structures at 211 Maple (Lot 3, Block 3, Philview II Addition). 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 has signed an Operation Facelift

Contract and paid a down payment in the amount of \$500.00 per the payment agreement, leaving a balance of \$2,000.00 to be paid out. Following discussion, motion was made by Council Member Dickson, seconded by Council Member Vinyard, to approve the Operation Facelift Contract between Ms. Terry and the City of Borger for the removal of the garage at 1229 Lindsey (Lot 4, Block 4, Phillips Addition). The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

AIR CURTAIN BURNER BID AWARDED: Director of Public Works Ted B. Dodd explained to the Council that this piece of equipment will replace our big tub grinder that burned and this is basically an incinerator that will burn the limbs and at the end of the day all that is needed is to shovel out the ashes. There was only one bidder. Following discussion, motion was made by Council Member Vinyard, seconded by Council Member Dickson, to award the Air Curtain Burner bid to Air Burners, Inc. in the amount of \$86, 875.00. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

BID AWARDED: The following bids were received and tabulated for a backhoe to be used in the Utilities Department:

<u>BIDDER</u>	<u>MAKE</u>	<u>AMOUNT</u>
Associated Supply Co., Inc.	Volvo BL70-B	\$74,975.00
Associated Supply Co., Inc.	Case 580 SN	\$84,000.00
Yellowhouse Machinery	John Deere 310SK	\$88,500.00
Warren Cat	CAT 420F	\$89,099.68

Assistant Utilities Director Chris Ingram reviewed the bids and recommended the bid be awarded to Associated Supply for the Volvo BL70-B backhoe. Following discussion, motion was made by Council Member Callahan, seconded by Council Member Vinyard, to award the bid to Associated Supply in the amount of \$74,975.00. 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:

City Secretary