

**REGULAR MEETING OF CITY COUNCIL
JUNE 18, 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 EOC Coordinator
Stella E. Sauls City Secretary
Scott Radach Director, Finance Department
Kenneth Petr Director, Planning & Zoning
Jimmy Adams Chief, Police Department
Bruce Roberts Captain, Police Department
Betsy Parks Supervisor, Animal C
Ted B. Dodd Director, Public Works
Ralph Earles Assistant Director, Public Works
Candice Hurst Clerk, Public Works
Rhonda Miller I/T Specialist

VISITORS: John Westman Pastor, St. Andrews Methodist Church
Dan Redd
Ashley McKinney
Brad Carpenter

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.

Police Chief Jimmy Adams introduced Ashley McKinney to the Council and explained that she is an intern from West Texas A & M University finishing up her Degree in Criminal Justice.

MINUTES APPROVED: Following review of the minutes of the regular meeting of June 4, 2013 and the work session of June 13, 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 June 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 June 2013 as submitted. The motion carried by the following vote:

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

BOARD MEMBERS RE-APPOINTED TO BORGER ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS: CEO of the Borger Economic Development Corporation Dan Redd, submitted a letter to the Council requesting Mr. Jud Price and Mr. Mike Scales be re-appointed to the Board of Directors. Following discussion, motion was made by Council Member Gillingham, seconded by Council Member Dickson, to approve the re-appointment of Mr. Jud Price and Mr. Mike Scales to the Board of the Borger Economic Development Corporation for a term beginning on July 1, 2013 and ending on June 30, 2016. The motion carried by the following vote:

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

BORGER ECONOMIC DEVELOPMENT CORPORATION'S 2013-2014 OPERATING BUDGET APPROVED: CEO of the Borger Economic Development Corporation Dan Redd, presented the BEDC's 2013-2014 Operating Budget for the Council's consideration. Following discussion, motion was made by Council Member Vinyard, seconded by Council Member Callahan, to approve the 2013-2014 Operating Budget for the Borger Economic Development Corporation. The motion carried by the following vote:

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

ORDINANCE O-008-13 CONTINUING THE JUVENILE CURFEW ORDINANCE APPROVED: City Manager Eddie Edwards stated that it is required by law that the City revisit this ordinance every three (3) years. Following discussion, motion was made by Council Member Dickson, seconded by Council Member Gillingham, to approve Ordinance O-008-13 continuing the Juvenile Curfew Ordinance. The motion carried by the following vote:

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

The caption of Ordinance O-008-12 reads as follows:

ORDINANCE O-008-13

AN ORDINANCE AMENDING CHAPTER 8, OFFENSES AND NUISANCES, OF THE CODE OF ORDINANCES OF THE CITY OF BORGER, TEXAS CONTINUING AND RENEWING THE CURFEW ORDINANCE; 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

ADVANCE FUNDING AGREEMENT BETWEEN TXDOT AND THE CITY OF BORGER APPROVED: City Manager Eddie Edwards explained to the Council that the bids have been opened for the Roosevelt Street Project and they came in higher than anticipated; the City of Borger will need to fund an additional \$383,000 to continue with said project. Following discussion, motion was made by Council Member Callahan, seconded by Council Member Vinyard to approve Amendment #2 to the Transportation Project Advance Funding Agreement between TxDOT and the City of Borger for the Roosevelt Street upgrades. The motion carried by the following vote:

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

EXECUTIVE SESSION: Mayor Brain stated that in compliance with Chapter 551, Texas Govt. Code, (Open Meetings Law), the Council would retire into executive session relative to Section 551.074 Personnel Matters:

- a. Discuss the confirmation of the Human Resource Officer.

COUNCIL RETURNED TO OPEN SESSION: Following the executive session, Mayor Brain reconvened the regular meeting and announced that the Council discussed items relative to the Texas Govt. Code, Section 551.074 Personnel Matters:

- a. Discussed the confirmation of the Human Resource Officer.

Motion was made by Council Member Dickson, seconded by Council Member Gillingham, to approve the confirmation of Mr. Byron Swafford as Human Resource Officer. The motion carried by the following vote:

Ayes: Council Member's Vinyard, Dickson and Gillingham.
Opposed: Council Member Callahan.

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 aye.

Nays: None.

Mayor

ATTEST:

City Secretary