

**REGULAR MEETING OF CITY COUNCIL  
MARCH 4, 2014 – 6:30 P.M.**

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

<b>STAFF:</b>	Eddie Edwards	City Manager
	Stella E. Sauls	City Secretary
	Scott Radach	Director, Finance
	Annadon Keys	Coordinator, Youth/Recreation
	Bruce Roberts	Chief, Police Department
	Anthony “Bud” Griffin	Captain, Police Department
	Terry Webster	School Resource Officer
	Chris Ingram	Assistant Director, Utilities
	Rhonda Miller	I/T Specialist

<b>VISITORS:</b>	Conny Moore	Pastor, Buna Vista Baptist Church
	Linda Moore	Dawn Brittain
	Davona Munoz	Rhon Munoz
	Carl Duso	Pat Lemery
	Karen Felker	Mike McDaniel
	Skip Woessner	Matt Ammerman
	Brad Carpenter	Elwood Lee
	Edwin Ortiz	Samantha Ingram
	Rick Oliver	Efron Munoz
	Ben Conner	Anna Beth Conner

**NEWS MEDIA:**

**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 were heard.

**MINUTES APPROVED:** Following review of the minutes of the regular meeting of February 18, 2014, motion was made by Council Member Dickson, seconded by Council Member Vinyard, to approve the minutes for the regular meeting of February 18, 2014 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 last half of February 2014 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 last half of February 2014 as submitted. The motion carried by the following vote:

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

**THE DOWNTOWN MERCHANTS ASSOCIATION REQUEST TO USE HOTEL OCCUPANCY TAX FUNDS APPROVED:** Council Member Callahan petitioned the Council, on the behalf of the Downtown Merchants Association, for \$6,000.00 to help with advertising for the 26<sup>th</sup> Annual Beach Bash. Following discussion, motion was made by Council Member Vinyard, seconded by Council Member's Dickson and Gillingham, to approve the donation of \$6,000.00 to the Downtown Merchants Association for advertising. The motion carried by the following vote:

Ayes: Council Members Brain, Vinyard, Dickson, Gillingham.  
Nays: None.  
Abstained: Council Member Callahan.

**PRESENTATION BY THE BORGER YOUTH ADVISORY COUNCIL:** The Borger Youth Advisory Council thanked the Council for the opportunity to attend the Youth Summit in Rockwall, Texas. They also presented a slideshow depicting the speakers and other Youth Council's.

**RESOLUTION BYAC R-001-14 PERTAINING TO ELECTRONIC CIGARETTES, LIQUID NICOTENE AND FLAVORED VAPORS APPROVED:** Youth Council Member Danielle Brittain, EOC Coordinator, presented their Resolution BYAC R-001-14 pertaining to the Electronic Cigarettes and/or E-Cigarettes and liquid nicotine and flavored vapors. Ms. Brittain gave handouts to the Council of MSDS sheets that explained the contents of E-Cigarettes and the damage they can cause. Various Youth Council Members expressed their concerns about minors being able to buy and smoke the cigarettes. Following the discussion the Mayor thanked the Youth Advisory Council for their passion and the information that was given.

Mayor Brain stated that this information would be taken under advisement to generate a resolution that will begin to regulate this problem.

**INTERLOCAL AGREEMENT BETWEEN THE BORGER INDEPENDENT SCHOOL DISTRICT AND THE CITY OF BORGER APPROVED:**

City Manager Eddie Edwards explained that this agreement is to set out the obligations and responsibilities in the building and maintenance of the new boy's locker rooms at the Huber Park Baseball Field. Mr. Edwards stated that this agreement also included the locker rooms at Agnes Howe Softball Field. Following discussion, motion was made by Council Member Dickson, seconded by Council Member Callahan, to approve the Interlocal Agreement between the Borger Independent School District and the City of Borger for construction, use, and maintenance of locker rooms. The motion carried by the following vote:

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

**ORDINANCE O-001-14 AMENDING THE HOURS FOR SALE, SERVING, AND CONSUMPTION OF ALCOHOLIC BEVERAGES INTRODUCED:**

City Manager Eddie Edwards explained to the Council that the Texas Alcoholic Beverage Code has provisions for standard hours and extended hours. The standard hours are in effect presently and an Ordinance has been prepared to adopt the extended hours. Following discussion, motion was made by Council Member Vinyard, seconded by Council Member Callahan, to introduce Ordinance O-001-14 amending the hours for sale, serving, and consumption of alcoholic beverages. The motion carried by the following vote:

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

The caption of the Ordinance reads as follows:

**ORDINANCE O-001-14**

**AN ORDINANCE AMENDING THE CITY OF BORGER CODE OF ORDINANCES, ARTICLE 4.02, ALCOHOLIC BEVERAGES AMENDING THE HOURS FOR SALE, SERVING, AND CONSUMPTION; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF**

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**RESOLUTION R-008-14 UPDATING THE CITY OF BORGER'S WATER CONSERVATION PLAN:**

City Manager Eddie Edwards explained to the Council that the Texas Water Development Board requires the Water Conservation Plan be updated every five (5)

years. It is time for the update and no changes to the plan were made. Following discussion, motion was made by Council Member Callahan, seconded by Council Member Gillingham, to approve Resolution R-008-14, updating the City of Borger's Water Conservation Plan. Motion carried by the following vote:

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

The resolution reads as follows:

**RESOLUTION NO. R-008-14**

**A RESOLUTION OF THE CITY OF BORGER  
TEXAS, ADOPTING A WATER CONSERVATION  
PLAN FOR THE CITY OF BORGER MUNICIPAL  
WATER SYSTEM**

**Whereas**, the City Council of the City of Borger, Texas, recognizes that the amount of water available to the Borger Municipal Water System and its customers is limited and subject to depletion during periods of extended drought; and,

**Whereas**, the City Council of the City of Borger, Texas, recognizes that natural limitations due to drought conditions and other acts of God cannot guarantee an uninterrupted water supply for all purposes; and,

**Whereas**, Title 30, Section 288.2, Texas Administrative Code requires all public water supply systems in Texas to prepare a water conservation plan; and,

**Whereas**, as authorized under law, and in the best interests of the customers of the City of Borger Municipal Water System, the City Council deems it expedient and necessary to establish policies for the efficient management of limited water supplies,

**Whereas**, the City Council further finds, determines and declares that the meeting at which this resolution has been considered and acted upon was held in strict compliance with the Open Meetings Act, Tex Gov't Code, §551.001, et.seq.

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

SECTION 1. The revised Water Conservation Plan attached hereto as Exhibit "1" is hereby adopted as the official policy of the City of Borger Municipal Water System.

SECTION 2. The Management Staff and Employees of the City of Borger Municipal Water System are hereby directed to implement, administer and enforce the Water Conservation Plan.

SECTION 3. This resolution shall take effect immediately upon its passage.

PASSED, APPROVED AND ADOPTED, on this the 4<sup>th</sup> day of March, 2014, 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.

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**MEETING ADJOURNED:** There being no further business, motion was made by Council Member Dickson, seconded by Council Member Vinyard to adjourn. 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