

**REGULAR MEETING OF CITY COUNCIL  
MAY 6, 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
	Danny Richards	Coordinator, EOC
	Stella E. Sauls	City Secretary
	Scott Radach	Director, Finance
	Bob Watson	Chief, Fire Department
	Kenneth Petr	Director, Planning & Zoning
	Bruce Roberts	Chief, Police Department
	Anthony “Bud” Griffin	Captain, Police Department
	Terry Webster	Officer, Police Department

<b>VISITORS:</b>	Charlie Morgan	Pastor, First Baptist Church
	Carie Richards	Harry Callahan
	Jara Callahan	John Garrard
	Beverly Benton	Jesse Shuffield
	Joe Raper	Molly Allen
	Mac Sherwood	Brad Carpenter
	Karen Felker	

**NEWS MEDIA:** Nathan Blankenship

**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 April 15, 2014, motion was made by Council Member Dickson, seconded by Council Member’s

Gillingham and Callahan, to approve the minutes for the regular meeting of April 15, 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 April 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 April 2014 as submitted. The motion carried by the following vote:

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

**BORGER YOUTH ADVISORY COUNCIL REQUEST TO USE HOTEL/MOTEL OCCUPANCY TAX FUNDS APPROVED:** Vincent Hearon, Director of Youth and Recreation of the Borger Youth Advisory Council, petitioned the Council for \$10,000 to help promote their July 4th Boomtown with a Bang community event. Following discussion motion was made by Council Member Vinyard, seconded by Council Member Dickson, to approve the request to provide \$10,000 from the Tourism Fund to the Borger Youth Advisory Council. The motion carried by the following vote:

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

**ORDINANCE O-004-14, INTRODUCED ON FIRST READING:** Danielle Brittain, EOC Coordinator of the Borger Youth Advisory Council, explained to the Council that there are no age limits on the e-cigarettes as there is for tobacco thus the necessity for this ordinance. Ms. Brittain further stated that this is important to our community and our youth. Following discussion, motion was made by Council Member Dickson, seconded by Council Members Callahan and Gillingham. The motion carried by the following vote:

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

Ordinance O-004-14 reads as follows:

#### **ORDINANCE O-004-14**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BORGER, TEXAS, REGULATING THE PURCHASE, SALE, POSSESSION, AND/OR INGESTION OF ANY ELECTRONIC CIGARETTE OR ELECTRONIC CIGARETTE RELATED SMOKING PRODUCT TO OR BY ANY MINOR; PROVIDING FOR ENFORCEMENT;**

**PENALTY; SAVINGS, REPEALING, AND SEVERABILITY  
CLAUSES; AND AN EFFECTIVE DATE**

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**TOURISIM SERVICES REPORT FOR FY 2013 – 2014 FROM THE BORGER  
CHAMBER OF COMMERCE RECEIVED AND THE TOURISM SERVICES  
AGREEMENT FOR FY 2013 – 2014 APPROVED:**

Beverly Benton, CEO of the Borger Chamber of Commerce submitted the Chamber's FY 2013-2014 annual tourism service report and a brief overview on the Chamber's tourism activities, events, and plans for the future. Mrs. Benton thanked the City Council for their support. Following discussion, motion was made by Council Member Vinyard, seconded by Council Member Callahan, to accept the 2013 – 2014 Annual Report and approve the FY 2014 – 2015 Tourism Agreement between the Borger Chamber of Commerce and the City of Borger. The motion carried by the following vote:

Ayes: Council Members Brain, Vinyard, Callahan, Dickson.

Nays: None.

Abstained: Council Member Gillingham.

**AGREEMENT BETWEEN THE NATIONAL PARK SERVICE AND THE CITY OF  
BORGER APPROVED:**

Fire Chief Bob Watson submitted an agreement between the National Park Service and the City of Borger for providing mutual fire fighting assistance in and near the Park and the City. Following discussion, motion was made by Council Member Callahan, seconded by Council Member Dickson, to approve the Agreement between the National Park Service and the City of Borger. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

**PLANNING AND ZONING COMMISSION BOARD MEMBERS APPOINTED/RE-  
APPOINTED:**

Director of Planning and Zoning Kenneth Petr submitted a letter of recommendation from the Planning and Zoning Commission requesting the City Council appoint/reappoint three (3) members to the Planning and Zoning Commission. The request is to reappoint Mr. Danny Haynes and Mr. Jimmy Gowdy who are eligible to serve another term and appoint Mr. Joe Raper for the remaining term. Following discussion, motion was made by Council Member Vinyard, seconded by Council Member Gillingham, to reappoint/appoint Mr. Danny Haynes and Mr. Jimmy Gowdy and appoint Mr. Joe Raper to the Planning and Zoning Commission all terms to expire March 31, 2017. 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 the Texas Govt. Code, Section 551.072 Real Property:

- a. Discuss purchase of Rights-of-Way for the Northwest Well Field Project:
  - 1. Steve Pauwels
  - 2. Jerry Thompson
  - 3. Tommy Thompson
  - 4. June Green
  - 5. Janette Bloomfield
  - 6. Phillips 66
- b. Borger Country Club property
- c. Water Supply Agreement

**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 551.072 Real Property:

Following discussion in executive session, motion was made by Council Member Vinyard, seconded by Council Member Gillingham to approve as submitted the Easement Agreements between the City of Borger and the following:

- a.
  - 1. Steve Pauwels
  - 2. Jerry Thompson
  - 3. Tommy Thompson
  - 4. June Green
  - 5. Janette Bloomfield
  - 6. Phillips 66 Company
- b. The Easement Agreement between the City of Borger and the Borger Country Club.

The motion carried by the following vote:

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

A motion was made by Council Member Vinyard, seconded by Council Member Gillingham, to approve as submitted the following:

- c. The Water Sales Agreement between the City of Borger and the Borger Country Club.

The motions 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 Gillingham, seconded by Council Member Callahan, to adjourn the meeting. The 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