

**REGULAR MEETING OF CITY COUNCIL
APRIL 21, 2015 - 1:30 P.M.**

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

ABSENT:	Karen Felker	Council Member
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STAFF:	Eddie Edwards	City Manager
	Danny Richards	Emergency Management Coordinator
	Stella E. Sauls	City Secretary
	Scott Radach	Director, Finance
	Bob Watson	Chief, Fire Department
	Kenneth Petr	Director, Planning & Zoning
	Bruce Roberts	Chief, Police Department
	James Harder	Utilities

VISITORS:	Jeff Whittington	Jason Wright
	Nichole Carroway	Paul Hare
	Rob Vinyard	Brad Carpenter
	Mike McDaniel	David White
	Odis McClellan	

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.

Odis McClellan asked the Council about the City Council Places and if they were like precincts. It was explained to Mr. McClellan that the places were not precinct oriented but were for the Council Members and the citizens, no matter their precinct, would be able to vote.

MINUTES APPROVED: Following review of the minutes of the work session and regular meeting of April 7, 2015 motion was made by Council Member Dickson, seconded by Council Member Gillingham, to approve the minutes for the work session and regular meeting of April 7, 2015 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 2015 were submitted for the consideration of the Council. Following discussion, motion was made by Council Member Gillingham, seconded by Council Members Dickson and Callahan, to approve payment of the expenditures of the first half of April 2015 as submitted. The motion carried by the following vote:

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

DEDICATION OF LAND FOR PUBLIC USE APPROVED: City Manager Eddie Edwards explained to the Council that Agrium decided it would be easier to dedicate the right-of-way the public has been using to access their property than to clear a right-of-way on Hwy 1551 to make an entrance to that area. Following discussion, motion was made by Council Member Callahan, seconded by Council Member Gillingham, to dedicate a 0.030 acre tract of land located in the Northwest Quarter of Section 25, Block Y, A&B Survey by Agrium U.S., Inc. to the City of Borger for use as a public right-of-way and utility easement. The motion carried by the following vote:

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

ANNUAL FINANCIAL REPORT RECEIVED AND APPROVED: Mr. Larry Anderson of J. W. Anderson and Associates submitted an independent auditors report on the governmental activities, business type activities, and remaining supplemental fund information for the year ending September 2014. The report indicates that the City of Borger's financial statements are free of deficiencies and fairly represent the City of Borger's financial position as of September 30, 2014. Following discussion, motion made by Council Member Dickson, seconded by Council Member Callahan, to receive and approve the Annual Financial Statement and Independent Auditor's Report for the year ending September 30, 2014. The motion carried by the following vote:

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

PUBLIC HEARING CONDUCTED – PRELIMINARY AND FINAL PLAT APPROVED: Director of Planning and Zoning Kenneth Petr, submitted a recommendation from the Planning and Zoning Commission on a preliminary and final plat of a 2.181 acre tract of land located in the NE/4 of Section 18, Block "Y", M&C Survey. Mayor Vinyard opened the public hearing

and asked if there were any comments; there being no comments the Mayor closed the public hearing. Motion was made by Council Member Callahan, seconded by Council Member Gillingham, to approve a preliminary and final plat of a 2.181 acre tract of land located in the NE/4 of Section 18, Block “Y”, M&C Survey, City of Borger, Hutchinson, County, Texas, to be known as Whittington Building Site. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

PUBLIC HEARING CONDUCTED – REZONE REQUEST APPROVED: Director of Planning and Zoning Kenneth Petr submitted a recommendation from the Planning and Zoning Commission on a rezoning request from Mr. Jeff Whittington. Mayor Vinyard opened the public hearing and asked if there were any comments; there being no comments the Mayor closed the public hearing. Motion was made by Council Member Callahan, seconded by Council Member Dickson, to approve the request to rezone a 2.181 acre tract of land located in the NE/4 of Section 18, Block “Y”, M&C Survey, City of Borger, Hutchinson, County, Texas, from Estate Agriculture to Light Industrial. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

BOARD MEMBER APPOINTED TO THE BUILDING STANDARDS COMMISSION: Director of Planning and Zoning Kenneth Petr submitted the name of Jesse Shuffield to the Council for appointment to the Building Standards Commission. Following discussion, motion was made by Council Member Dickson, seconded by Council Member Gillingham, to appointment Jesse Shuffield to fill the vacancy on the Building Standards Commission. The term will expire June 30, 2019. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

BOARD MEMBERS RE-APPOINTED TO THE PLANNING AND ZONING COMMISSION: Director of Planning and Zoning Kenneth Petr submitted the names of Kenneth Coleman and June Voigt to the Council for re-appointment to the Planning and Zoning Commission. Following discussion, motion was made by Council Member Dickson, seconded by Council Members Gillingham and Callahan, to re-appoint Kenneth Coleman and June Voigt to fill the vacant positions on the Planning and Zoning Commission to a term ending March 31, 2018. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

CHANGE ORDER FROM SJ LOUIS FOR RELOCATION OF EXISTING WATER LINE AND REIMBURSEMENT AGREEMENT WITH AGRIMUM APPROVED: City Manager Eddie Edwards explained that the pipeline has served Agrium for 40 years. Mr. Edwards stated that due to Agrium’s Plant expansion the pipeline needed to be relocated. The

relocation cost is \$477,000.00 and the City has currently spent \$88,000.00. Agrium has agreed to pay seventy-five percent of the cost to relocate the pipeline. Following discussion, motion was made by Council Member Callahan, seconded by Council Member Dickson, to:

- a. approve the Change Order from SJ Louis in the amount of \$477,470.00 to the Northwest Well Field Transmission Line Project; and
- b. approve the Existing Water Line Relocation Reimbursement Agreement between Agrium U.S. and the City of Borger for reimbursement of up to \$436,000.00.

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 Gillingham, seconded by Council Members Callahan and Dickson, to adjourn the meeting. The motion carried by the following vote:

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

Mayor

ATTEST:

City Secretary