

**REGULAR MEETING OF CITY COUNCIL  
JANUARY 20, 2015 - 1:30 P.M.**

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

<b>STAFF:</b>	Eddie Edwards	City Manager
	Stella E. Sauls	City Secretary
	Scott Radach	Director, Finance
	Bruce Roberts	Chief, Police Department
	Jim Harder	Director, Utilities
	Rhonda Miller	IT Specialist

<b>VISITORS:</b>	Danny Sneed	Pastor, Church of Christ
	Shawna Lamb	Anita Crabtree
	Jamie Neumann	Kirk Barnett
	Meryl Barnett	Skip Woegner
	Mike McDaniel	Jesse Shuffield
	Ralph White	

**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.

Shawna Lamb spoke on behalf of the Borger Downtown Merchants Association about their concern for parking on Main Street once the Police Department moves into the Xcel Building.

**MINUTES APPROVED:** Following review of the minutes of the work session and regular meeting of January 6, 2015, motion was made by Council Member Dickson, seconded by Council Member Callahan, to approve the minutes for the work session and regular meeting of January 6, 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 January 2015 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 of the first half of January 2015 as submitted. The motion carried by the following vote:

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

**AMENDMENTS TO THE WATER PRICING AGREEMENTS APPROVED:** City Manager Eddie Edwards explained to the Council the amendments to the Water Pricing Agreement. Following discussion, motion was made by Council Member Callahan seconded by Council Members Felker and Dickson, to approve the amendments to the Water Pricing Agreements with the following companies:

- a. Agrium U.S. Inc. – Amendment #1
- b. Sid Richardson Carbon Co. – Amendment #10

The motion carried by the following vote:

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

**SALE OF “STRUCK OFF” PROPERTY APPROVED:** City Manager Eddie Edwards presented a recommendation from the Hutchinson County Tax Assessor Collector for “struck off” property to the Council. Following discussion motion was made by Council Member Dickson, seconded by Council Member Gillingham, to accept a bid of \$500.00 from Les Reeves for property located at 203 Frontera Street (Lot 2, Block 6, Bunavista Addition). The motion carried by the following vote:

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

**DIRECTED ENGINEERING STUDY – AUTOMATIC WATER METER READING SYSTEM (ARM) APPROVED:** City Manager Eddie Edwards introduced Mr. Mike McDaniel with McKinstry Essention, LLC who gave a presentation on how automatic water meters could help prevent water waste, over reads for customers, and save the City money. Following discussion, motion was made by Council Member Callahan, seconded by Council Member Felker, to approve the Directed Engineering Study for Utilities Infrastructure Improvements from McKinstry Essention, LLC. The motion carried by the following vote:

Ayes: Council Members Callahan, Felker, Dickson, and Gillingham.  
Nays: Mayor Vinyard.

**ORDER OF ELECTION, RESOLUTION R-003-15 ORDERING REGULAR GENERAL CITY ELECTION, NOTICE OF ELECTION FOR OFFICERS TO BE HELD ON MAY 9, 2015 AND JOINT ELECTION AGREEMENT BETWEEN THE CITY OF BORGER, BORGER INDEPENDENT SCHOOL DISTRICT, AND THE HUTCHINSON COUNTY HOSPITAL DISTRICT APPROVED:** City Secretary E. Sauls submitted the following items for consideration by the Council:

- a. An order to call a Regular General City Election.
- b. Resolution R-003-15 ordering a Regular General City Election to be held on the 9<sup>th</sup> Day of May 2015, providing details for the holding of an election for one (1) member of the Borger City Council.
- c. A notice of Election to be conducted on May 9, 2015.
- d. A Joint Election Agreement between the City of Borger, Borger Independent School District, and the Hutchinson County Hospital District.

Following discussion, motion was made by Council Member Dickson, seconded by Council Member Gillingham, to approve the Order of Election, Resolution R-003-15 calling the 2015 General Election, Notice of Election, and the Joint Election Agreement. The motion carried by the following vote:

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

The Resolution reads as follows:

**RESOLUTION R-003-15**

**A RESOLUTION OF THE CITY OF BORGER, TEXAS, ORDERING A REGULAR CITY GENERAL ELECTION TO BE HELD ON THE 9<sup>TH</sup> DAY OF MAY, 2015; DESIGNATING POLLING PLACES; DIRECTING THE GIVING OF NOTICE TO SUCH ELECTION; AND PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION**

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

**Section 1:**

It is hereby ordered that a Regular General Election be held in the City of Borger the second Saturday, the 9<sup>th</sup> day of May, 2015, at which election the following officers shall be elected by the qualified voters of the City:

One (1) Council Member, at large, Place One (1)

## **Section 2:**

Certain County voting precincts shall be combined constituting three election voting places for the purposes of such election, and shall be as follows:

County voting precincts 33 and 42 (City Polling Place No. 1) shall vote at the Paul Belton Early Childhood Center, 800 N. McGee.

County voting precinct 11 (City Polling Place No. 2) shall vote at the Borger Middle School, 1200 S. Florida.

County voting precincts 14 & 23 (City Polling Place No. 3) shall vote at the Fairlanes Baptist Church, 3000 Fairlanes Boulevard.

The City Secretary, upon selection of judges, is here by authorized and directed to provide a copy of the Resolution of the judges as written notice of their appointment as required by Section 32.009 of the Texas Election Code.

The Judges shall have the authority to appoint no more than ten (10) clerks to assist in the holding of such election, but in no event shall the Judge appoint less than two clerks.

The Judges shall be compensated at the hourly rate of \$12, and Clerks shall be compensated at an hourly rate of \$10 as provided by Title 3, Section 32.091(a) of the State Election Code. The Judge shall be compensated in the amount of \$25 for the delivery of election equipment and supplies as provided by Title 3, Section 32.091(a) of the State Election Code.

## **Section 3:**

The appointment of a Judge and deputy or clerks for early voting shall be made by the City Secretary in accordance with Section 83.001 et seq. of the Texas Election Code. The place designated as:

City Hall  
City of Borger  
600 North Main Street  
Borger, Texas 79007

Said judge and clerks shall keep said office open during the hours that the City Hall is regularly open for business, that is, from eight o'clock (8:00) a.m. until five o'clock (5:00) p.m. on each day for early voting which is not a Saturday, a Sunday, or an official State holiday. As required under Section 85.005(d). Election Code, early voting by personal appearance at the main early voting polling place shall be conducted for at least 12 hours; in two weekdays, if the early voting period consists of six or more weekdays; therefore, early voting by personal appearance shall be conducted for 12 hours on Monday, May 4, 2015 and Tuesday May 5, 2015.

Said judge and clerk shall not permit anyone to vote early by personal appearance on any day which is not a regular working day for the clerk's office, and under no circumstances shall they permit anyone to vote early by personal appearance at any time when such office is not open to the public. The above-described place for early voting is also the clerks mailing address to which ballot applications and ballots voted by mail may be sent. The early voting clerk, in accordance with the provisions of the Texas Election Code, shall maintain a roster listing each person who votes early by personal appearance and each person to whom a ballot to be voted by mail is sent. The roster shall be maintained in a form approved by the Secretary of State.

## **Section 4:**

All ballots shall be prepared in accordance with the Texas Election Code. Paper ballots shall be used for early voting by mail and Paper Ballots and Hart InterCivic eSlate Voting Stations, Direct Recording Electronic (DRE) Voting System shall be used for early voting by personal appearance and voting on Election Day. The City Council hereby adopts for use in early and Election Day voting the Hart InterCivic eSlate Ballot Stations, Direct

Recording Electronic (DRE) Voting System as approved by the Secretary of State. All city expenditures necessary for the conduct of the election, the purchase of materials, and the employment of all election officials is here by authorized.

**Section 5:**

The City Secretary is hereby authorized and directed to furnish all necessary election supplies to conduct such election.

**Section 6:**

Notice of the election shall be given in accordance with the provisions of the Texas Election code and returns of such notice shall be made as provided for in said Code. The Mayor shall issue all necessary orders and writs for such election, and returns of such election shall be made to the City Secretary after the closing of the polls.

**Section 7:**

Said election shall be held in accordance with Texas Election Code and Federal Voting Rights Act of 1965, as amended.

**PASSED, APPROVED, AND ADOPTED**, on this the 20<sup>th</sup> day of January, 2015, 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 Callahan, seconded by Council Member Gillingham, 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