

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

<b>PRESENT:</b>	Robert Vinyard	Mayor
	Odis McClellan	Council Member
	Karen Felker	Council Member
	Charles Gillingham	Council Member

<b>ABSENT:</b>	Marvin Dickson	Mayor Pro-Tem
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<b>STAFF:</b>	Eddie Edwards	City Manager
	Stella E. Sauls	City Secretary
	Danny Richards	Director, Emergency Management
	Jason Whisler	Emergency Operations Coordinator
	Scott Radach	Director, Finance
	Byron Swafford	Director, Human Resources
	Anthony Griffin	Judge, Municipal Court
	Al Rodela	City Marshal
	Kenneth Petr	Director, Planning and Zoning
	Bruce Roberts	Chief, Police Department
	Ralph Earles	Director, Parks and Recreation
	Ted B. Dodd	Director, Public Works
	Rhonda Miller	IT Specialist

<b>VISITORS:</b>	Rev. Charles Griffin	Pastor, Valley View Baptist
	M. Jennings	Mark Mitchell
	Marty Vinyard	Karen Munger
	Pam Hefler	Judd Hicks
	Jesse Sheffield	Rosalba Aguilera
	Maria Aguilera	Mike Amos
	Beverly Benton	Michael Wright
	Ken Whitworth	Lisa Whitworth

**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.

Mayor Vinyard mentioned that Mr. Ray Ramsey is still having problems with a hole in a concrete pipe.

**MINUTES APPROVED:** Following review of the minutes of October 6, 2015 motion was made by Council Member Gillingham, seconded by Council Member Felker, to approve the minutes for the regular meeting of October 6, 2015 after correction. 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 October 2015 were submitted for the consideration of the Council. Following discussion, motion was made by Council Member Gillingham, seconded by Council Members Felker, to approve payment of the expenditures of the first half of October 2015 as submitted. The motion carried by the following vote:

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

**RESOLUTIONS R-014-15 THROUGH R-018-15 REGARDING ISSUANCE OF CERTIFICATES OF OBLIGATION IN THE AMOUNT OF \$3,150,000.00 APPROVED AND RESOLUTION R-019-15 REGARDING SEED FUNDS FOR THE MULTI-PURPOSE EVENT CENTER TABLED:** City Manager Eddie Edwards explained that these items were discussed during budget preparation. Following discussion, motion was made by Council Member Felker, seconded by Council Member Gillingham, to approve Resolutions R-014-15 through R-018-15 authorizing staff to initiate the issuance of certificates of obligation in an amount not to exceed \$3,150,000.00 for the Central Fire Station, Roosevelt Street Lights, 7<sup>th</sup> & Austin Drainage, Transfer Station, and Municipal Court/Central Dispatch and table Resolution R-019-15 regarding Multi-Purpose Events Center Seed Funding. The motion carried by the following vote:

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

Resolutions R-014-15 thru R-018-15 read as follows:

**RESOLUTION R-014-15**

**A RESOLUTION APPROVING CITY STAFF TO SEEK REMAINING FUNDING REQUIRED FOR THE ADDITION AND RENOVATION OF THE CENTRAL FIRE STATION THROUGH THE ISSUANCE OF CERTIFICATES OF OBLIGATION**

**WHEREAS**, on August 18, 2015 the City Council awarded a bid to Plains Builders in the amount of two million three hundred seventy six thousand eight hundred fifty six dollars for the addition and renovation of the Central Fire Station; and,

**WHEREAS**, the City of Borger FY2015-2016 Budget included previously allocated funding insufficient to complete the addition and renovation of the Central Fire Station; and,

**WHEREAS**, the City Council directs City staff to secure the required remaining funding through the issuance of certificates of obligation in an amount not to exceed one million eight hundred thousand dollars.

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

**THAT**, the City Council directs City staff to secure the required remaining funding through the issuance of certificates of obligation in an amount not to exceed one million eight hundred thousand dollars; and,

**THAT**, this Resolution shall be effective on and after its adoption; and,

**THAT**, this Resolution shall be recorded in the minutes of the City Council and filed for permanent record in the office of the City Secretary.

**PASSED, APPROVED, AND ADOPTED**, on this the 20<sup>th</sup> day of October, 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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**RESOLUTION R-015-15**

**A RESOLUTION APPROVING CITY STAFF TO SECURE FUNDING  
REQUIRED FOR THE INSTALLATION OF STREET LIGHTS ON  
ROOSEVELT STREET THROUGH THE ISSUANCE OF  
CERTIFICATES OF OBLIGATION**

**WHEREAS**, the City of Borger FY2015-2016 Budget included an expenditure for the Roosevelt Street Lighting Project; and,

**WHEREAS**, in the adoption of the City of Borger FY2015-2016 Budget it was anticipated that the required funding for the Roosevelt Street Lighting Project would be secured through the issuance of certificates of obligation; and,

**WHEREAS**, the City Council directs City staff to secure funding required through the issuance of certificates of obligation in an amount not to exceed two hundred seventy five thousand dollars.

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

**THAT**, the City Council directs City staff to secure funding required through the issuance of certificates of obligation in an amount not to exceed two hundred seventy five thousand dollars; and,

**THAT**, this Resolution shall be effective on and after its adoption; and,

**THAT**, this Resolution shall be recorded in the minutes of the City Council and filed for permanent record in the office of the City Secretary.

**PASSED, APPROVED, AND ADOPTED**, on this the 20<sup>th</sup> day of October, 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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**RESOLUTION R-016-15**

**A RESOLUTION APPROVING CITY STAFF TO SECURE FUNDING  
REQUIRED FOR THE SEVENTH AND AUSTIN DRAINAGE PROJECT  
THROUGH THE ISSUANCE OF CERTIFICATES OF OBLIGATION**

**WHEREAS**, the City of Borger FY2015-2016 Budget included an expenditure for the Seventh and Austin Drainage Project; and,

**WHEREAS**, in the adoption of the City of Borger FY2015-2016 Budget it was anticipated that the required funding for the Seventh and Austin Drainage Project would be secured through the issuance of certificates of obligation; and,

**WHEREAS**, the City Council directs City staff to secure funding required through the issuance of certificates of obligation in an amount not to exceed five hundred thousand dollars.

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

**THAT**, the City Council directs City staff to secure funding required through the issuance of certificates of obligation in an amount not to exceed five hundred thousand dollars; and,

**THAT**, this Resolution shall be effective on and after its adoption; and,

**THAT**, this Resolution shall be recorded in the minutes of the City Council and filed for permanent record in the office of the City Secretary.

**PASSED, APPROVED, AND ADOPTED**, on this the 20<sup>th</sup> day of October, 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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**RESOLUTION R-017-15**

**A RESOLUTION APPROVING CITY STAFF TO SECURE FUNDING  
REQUIRED FOR THE REPLACEMENT OF THE CONCRETE FLOOR  
AT THE TRANSFER STATION THROUGH THE ISSUANCE OF  
CERTIFICATES OF OBLIGATION**

**WHEREAS**, the City of Borger FY2015-2016 Budget included an expenditure for the replacement of the concrete floor at the Transfer Station; and,

**WHEREAS**, in the adoption of the City of Borger FY2015-2016 Budget it was anticipated that the required funding for the replacement of the concrete floor at the Transfer Station would be secured through the issuance of certificates of obligation; and,

**WHEREAS**, the City Council directs City staff to secure funding required through the issuance of certificates of obligation in an amount not to exceed seventy five thousand dollars.

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

**THAT**, the City Council directs City staff to secure funding required through the issuance of certificates of obligation in an amount not to exceed seventy five thousand dollars; and,

**THAT**, this Resolution shall be effective on and after its adoption; and,

**THAT**, this Resolution shall be recorded in the minutes of the City Council and filed for permanent record in the office of the City Secretary.

**PASSED, APPROVED, AND ADOPTED**, on this the 20<sup>th</sup> day of October, 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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**RESOLUTION R-018-15**

**A RESOLUTION APPROVING CITY STAFF TO SECURE FUNDING REQUIRED FOR THE REMODEL OF THE OLD POLICE STATION INTO THE MUNICIPAL COURT AND CENTRAL DISPATCH CENTER THROUGH THE ISSUANCE OF CERTIFICATES OF OBLIGATION**

**WHEREAS**, the City of Borger FY2015-2016 Budget included an expenditure for the remodel of the old Police Station into the Municipal Court and Central Dispatch Center; and,

**WHEREAS**, in the adoption of the City of Borger FY2015-2016 Budget it was anticipated that the required funding for the remodel of the old Police Station into the Municipal Court and Central Dispatch Center would be secured through the issuance of certificates of obligation; and,

**WHEREAS**, the City Council directs City staff to secure funding required through the issuance of certificates of obligation in an amount not to exceed five hundred thousand dollars.

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

**THAT**, the City Council directs City staff to secure funding required through the issuance of certificates of obligation in an amount not to exceed five hundred thousand dollars; and,

**THAT**, this Resolution shall be effective on and after its adoption; and,

**THAT**, this Resolution shall be recorded in the minutes of the City Council and filed for permanent record in the office of the City Secretary.

**PASSED, APPROVED, AND ADOPTED**, on this the 20<sup>th</sup> day of October, 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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**PUBLIC HEARING CONDUCTED – SPECIFIC USE PERMIT DENIED:** Director of Planning and Zoning Kenneth Petr submitted a recommendation from the Planning and Zoning Commission on a Specific Use Permit from Juan and Rosalba Aguilera. 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 Gillingham, seconded by

Council Member Felker, to deny a request for a Specific Use Permit to locate a manufactured home in General Residence zoned district, located at 701-705 Lee Street (Lots 1-2, Block 48, Isom Addition). The motion carried by the following vote:

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

**POLICE DEPARTMENT VEHICLE PURCHASE APPROVED:** Police Chief Bruce Roberts of the Borger Police Department presented to the Council for approval, the bid information from Defender Supply, LLC on the purchase of two (2) fully equipped 2016 police package Ford Interceptor SUV's and WatchGuard video systems. Following discussion, motion was made by Council Member Gillingham, seconded by Council Member Felker, to award a bid in the amount of \$82,311.44 for two fully equipped 2016 police package Ford Interceptor SUV's and WatchGuard video systems to Defender Supply. The motion carried by the following vote:

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

**EXECUTIVE SESSION:** Mayor Vinyard stated that in compliance with Chapter 551, Texas Govt. Code, (Open Meetings Law), the Council would retire into executive session relative the Texas Govt. Code, Section 551.072 Real Property.

- a. Discuss purchase of a 4.4 acre tract of land in the E/2 of Section 21, Block Y, A&B survey, Phillips Municipal Golf Course.

**COUNCIL RETURNED TO OPEN SESSION:** Following the executive session, Mayor Vinyard reconvened the regular meeting and announced that the Council discussed items relative the Texas Govt. Code, Section 551.072 Real Property.

- a. Discussed purchase of a 4.4 acre tract of land in the E/2 of Section 21, Block Y, A&B survey, Phillips Municipal Golf Course.

Motion was made by Council Member Felker, seconded by Council Member Gillingham, to authorize the City Manager to negotiate a deal for the purchase of 4.4 acres of real property including improvements in the E/2 of Section 21, Block Y, A&B Survey. 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 Member Felker, to adjourn the meeting. The motion carried by the following vote:

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

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Mayor

**ATTEST:**

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City Secretary