

**REGULAR MEETING OF CITY COUNCIL
OCTOBER 6, 2015 - 6:30 P.M.**

PRESENT: Marvin Dickson Mayor Pro-Tem
Odis McClellan Council Member
Karen Felker Council Member
Charles Gillingham Council Member

ABSENT: Robert Vinyard Mayor

STAFF: Eddie Edwards City Manager
Stella E. Sauls City Secretary
Scott Radach Director, Finance
Danny Richards Director, Emergency Management
Jason Whisler Emergency Management
Kenneth Petr Director, Planning and Zoning
Bruce Roberts Chief, Police Department
Ralph Earles Assistant Director, Public Works
Rhonda Miller IT Specialist

VISITORS: Tom Hinles Alden Wilson
Corbin McGill C. J. McDaniel
Luke Wyatt Brandon Autrey
Charles Loftis
Rhon Munoz Vannesa Munoz
Iayla Carrillo Jodi McClellan
Tracy Poole Efren Munoz
Davona Munoz Hagen Young
Vincent Hearo Anfernee Glover
Grace Autrey Stephanie Autrey
Barbara Emert Earl McDaniel
Amanda McGill Collier McGill
Justin McGill Alden Wilson
Kim Wilson Mackenzie Wilson
Hayli Young Layla Hearon

NEWS MEDIA: Tabitha Fleming

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.

MINUTES APPROVED: Following review of the minutes of September 15, 2015 motion was made by Council Member Gillingham, seconded by Council Member Felker, to approve the minutes for the regular meeting of September 15, 2015. 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 September 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 last half of September 2015 as submitted. The motion carried by the following vote:

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

INTERLOCAL AGREEMENT FOR FIRE PROTECTION BETWEEN HUTCHINSON COUNTY AND THE CITY OF BORGER APPROVED: City Manager Eddie Edwards explained to the Council the purpose of this agreement. Following discussion, motion was made by Council Member Gillingham, seconded by Council Member McClellan, to approve the Interlocal Agreement for Fire Protection Services between Hutchinson County and the City of Borger. The motion carried by the following vote:

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

WATER SUPPLY AGREEMENT BETWEEN THE CITY OF BORGER AND RAY MAC ENERGY , DBA GRACED LAND EAST APPROVED: City Manager Eddie Edwards explained to the Council that this a standard contract. He state that is the same with all industry. Following discussion, motion was made by Council Member Gillingham, seconded Council Member Felker, to approve the Water Supply Agreement between the City of Borger and Ray Mac Energy, DBA Graced Land East. The motion carried by the following vote:

Ayes: Mayor Pro-Tem Dickson, Council Member Felker, and Council Member Gillingham.
Nays: None.
Abstained: Council Member McClellan.

WATER SUPPLY AGREEMENT BETWEEN THE CITY OF BORGER AND WRB

REFINING APPROVED: City Manager Eddie Edwards stated that the City has had an agreement with WRB since the 90's. Following discussion, motion was made by Council Member Felker, seconded by Council Members McClellan and Gillingham, to approve the Water Supply Agreement between the City of Borger and WRB Refining. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

SALE OF STRUCK-OFF PROPERTY AT 1027 HARRINGTON APPROVED:

City Manager Eddie Edwards presented a letter from Carrie Kimmell, Hutchinson County Tax Assessor/Collector indicating Mr. Edwardo Estrada submitted a bid of \$2,800.00 for property located at 1027 Harrington. Following discussion, motion was made by Council Member Gillingham, seconded by Council Member McClellan, to accept a bid of \$2,800.00 from Mr. Edwardo Estrada for the property located at 1027 Harrington St. (Lot 14, Block 36, Gateway Addition) conditioned upon the property being immediately secured and debris removed within 60 days after the completed sale. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

SPECIFIC USE PERMIT RECEIVED AND PUBLIC HEARING SCHEDULED:

Director of Planning and Zoning Kenneth Petr explained to the Council that the Planning and Zoning Commission held a public hearing on Monday, September 28, 2015, and voted to deny the Specific Use Request from Juan and Rosalba Aguilera. Following discussion, motion was made by Council Member Felker, seconded by Council Member Gillingham, to receive and consider the request from Juan and Rosalba Aguilera for a Specific Use Permit to locate a manufactured home in General Residence zoned district, located at 701-705 Lee St. (Lot 1-2, Block 48, Isom Addition) and schedule a public hearing for October 20, 2015. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

EXECUTIVE SESSION: Mayor Pro-Tem Dickson 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 551.074 Personnel Matters:

- a. Discuss the Mayor's designation of Mr. Jason Whisler as the Emergency Management Coordinator for the City of Borger.
- b. Discuss City Manager's appointment of Mr. Ralph Earles as Director of Parks and Recreation.

COUNCIL RETURNED TO OPEN SESSION: Following the executive session, Mayor Pro-Tem Dickson reconvened the regular meeting and announced that the Council discussed items relative the Texas Govt. Code, Section 551.074 Personnel Matters.

- a. Discussed the Mayor's designation of Mr. Jason Whisler as the Emergency Management Coordinator for the City of Borger.
- b. Discussed City Manager's appointment of Mr. Ralph Earles as Director of Parks and Recreation.

Motion was made by Council Member Felker, seconded by Council Member McClellan, to approve Resolution R-013-15 approving the Mayor's designation of Mr. Jason Whisler as the City of Borger's Emergency Management Coordinator.

Ayes: All members present voted aye.

Nays: None.

Resolution R-013-15 reads as follows:

RESOLUTION R-013-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BORGER, TEXAS, APPROVING THE DESIGNATION OF AN EMERGENCY MANAGEMENT COORDINATOR FOR THE CITY OF BORGER

WHEREAS, Section 418.1015 of the Texas Government Code, designates that the presiding officer of an incorporated city is designated as the "Emergency Management Director" for the officer's political subdivision; and,

WHEREAS, Section 418.1015(c) of the Texas Government Code, allows the Emergency Management Director to designate a person to serve as the Emergency Management Coordinator to serve as the assistant to the Emergency Management Director for emergency management purposes; and,

WHEREAS, the Mayor of the City of Borger does hereby designate Jason Whisler as the "Emergency Management Coordinator" for the City of Borger.

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

THAT, the findings set out in the preamble are in all things hereby approved.

THAT, the Mayor's designation of Jason Whisler as the City of Borger's Emergency Management Coordinator is approved in all aspects.

PASSED, APPROVED, AND ADOPTED, on this the 6th 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.

Motion was made by Council Member Felker, seconded by Council Member Gillingham, to approve the City Manager's appointment of Mr. Ralph Earles as the Director of Parks and Recreation.

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.

Mayor

ATTEST:

City Secretary