

**REGULAR MEETING OF CITY COUNCIL
HELD VIA VIDEO CONFERENCE
JUNE 2, 2020 – 1:30 P.M.**

PRESENT:	Karen Felker	Acting Mayor
	Marvin Dickson	Council Member
	James Marrs II	Council Member
	Charles Loftis	Council Member
	Milton Ooley	Council Member

STAFF:	Eddie Edwards	City Manager
	Garrett Spradling	Assistant City Manager
	Stella E. Sauls - Online	City Secretary
	Bruce Roberts	Chief, Police Department

VISITORS:	Patricia Ramirez	Steve Ramirez
	Liza Hipolito	Grace Hipolito
	Cheyenne Peterson	Courtney Marrs
	Katie Lingor	

NEWS MEDIA:

AWARD PRESENTATION: Council Member Marrs presented Certificates of Scholarship to Steve Ramirez and Grace Hipolito, graduating seniors of Borger High School, in the amount of \$1,500.00 each for their outstanding work on the Borger Youth Advisory Council.

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.

MINUTES APPROVED: Following review of the minutes of the regular meeting of May 19, 2020, motion was made by Council Member Marrs, seconded by Council Member Ooley, to approve the minutes of the regular meeting of May 19, 2020. The motion carried by the following vote:

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

PAYMENT OF EXPENDITURES APPROVED: Following review of the expenditures for the last half of May 2020, motion was made by Council Member Marrs, seconded by Council Members Ooley, to approve payment of the expenditures for the last half of May 2020. The motion carried by the following vote:

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

CURRENT STATUS OF THE COVID-19 PANDEMIC AS IT RELATES TO THE VARIOUS CITY DEPARTMENTS – RESOLUTION R-018-20 ADOPTED: City Manager Eddie Edward reported that as of June 1, 2020 City Hall is now open to the public as well as the City Council meetings being open to the public with social distancing. Mr. Edwards stated that in the coming weeks the Governor would begin to relax some guidelines. Other building openings have been left to the discretion of the Department’s Directors. The Transfer Station is open, lobby of Police Department has remained open, and Municipal Court is open. There will be no organized park and recreation this year as far as in Huber Park but there will be some upcoming events that will be publicized. The Johnson Park Swimming Pool will open at 25 percent capacity on June 10, 2020. Due to limited community spread of COVID-19, staff recommends rescinding Resolution R-018-20 local declaration of disaster, we are however, still under the State Declaration of Disaster. All things considered interactive (gaming facilities, splash pad, bowling alley, etc.) are still closed.

Following discussion, motion was made by Council Member Ooley, seconded by Council Member Loftis, to adopt Resolution R-018-20 rescinding the March 20, 2020 Mayoral Declaration of Local State of Disaster and Resolution R-009-20 which continued that Declaration. The motion carried by the following vote:

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

Resolution R-018-20 reads as follows:

RESOLUTION R-018-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BORGER, TEXAS, RESCINDING THE MARCH 20, 2020 MAYORAL DECLARATION OF STATE OF LOCAL DISASTER AND RESOLUTION R-009-20 THAT CONTINUED AND RENEWED THE MARCH 20, 2020, MAYORAL DECLARATION OF LOCAL STATE OF DISASTER DUE TO PUBLIC HEALTH EMERGENCY

WHEREAS, beginning in December 2019, a novel coronavirus, now designated SARS-CoV2 which causes the disease COVID-19, has been declared a global pandemic by the World Health Organization; and,

WHEREAS, the symptoms of COVID-19 can range from mild to severe illness and cause further complications including death; and,

WHEREAS, COVID-19 virus mainly spreads between people who are in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes; and,

WHEREAS, on March 13, 2020, the President of the United States declared a state of emergency related to the outbreak of COVID-19 and urged citizens to practice social distancing protocols; and,

WHEREAS, on March 13, 2020, the Governor of the State of Texas issued a Proclamation certifying that COVID-19 poses an imminent threat of disaster in the State of Texas and declaring a state of disaster for all counties in Texas; and,

WHEREAS, on March 19, 2020, Texas Governor Greg Abbott declared a second state of emergency related to the outbreak of COVID-19 and ordered: (1) that every person in Texas shall avoid social gatherings in groups of more than 10 people; (2) that people are prohibited from eating or drinking at bars, restaurants and food courts (except by drive-thru, pickup or delivery); (3) that people shall not visit nursing homes or retirement or long-term care facilities unless to provide critical assistance; and (4) that all schools in Texas shall be closed until April 3, 2020; and,

WHEREAS, on March 20, 2020, Hutchinson County Judge, Cindy Irwin, declared a local state of disaster for Hutchinson County related to COVID-19; and,

WHEREAS, on March 20, 2020, City of Borger Mayor, Marvin Dickson, declared a local state of disaster for the City of Borger related to COVID-19; and,

WHEREAS, on March 23, 2020, the Hutchinson County Commissioners Court continued and renewed the Hutchinson County Judge's March 20, 2020, Declaration of a local state of disaster; and,

WHEREAS, on March 26, 2020, the Borger City Council adopted Resolution R-009-20 continuing and renewing the City of Borger's March 20, 2020, Mayoral Declaration of a local state of disaster; and,

WHEREAS, on March 31, 2020, Texas Governor Greg Abbott issued Executive Order No. GA-14 relating to Statewide continuity of essential services and activities related to the COVID-19 disaster through April 30, 2020; and,

WHEREAS, on April 12, 2020, the Governor of the State of Texas issued a Proclamation renewing the March 13, 2020 Disaster Proclamation certifying that COVID-19 continues to pose an imminent threat of disaster in the State of Texas and continuing the declaration of a state of disaster for all counties in Texas; and,

WHEREAS, on April 21, 2020, Texas Governor Greg Abbott issued Executive Order No. GA-16 to replace Executive Order No. GA-14 continuing the same social-distancing restriction and other obligations for Texans through April 30, 2020, but relaxing and allowing a strategic first step to Open Texas, including permitting all retail businesses to offer pick-up and delivery services; and,

WHEREAS, on April 27, 2020, Texas Governor Greg Abbott issued Executive Order No. GA-18 relating to the expanded reopening of services as part of a safe, strategic plan to Open Texas in response to the COVID-19 disaster; and,

WHEREAS, on May 18, 2020, Texas Governor Greg Abbott issued Executive Order No. GA-23 relating to Phase 2 of the expanded reopening of services as part of a safe, strategic plan to Open Texas in response to the COVID-19 disaster; and,

WHEREAS, in response to the expanded reopening of services in all Texas counties, the Borger City Council finds that conditions related to COVID-19 within the City of Borger, no longer warrant the continuance of a declaration of local state of disaster within the City of Borger; and,

WHEREAS, the Mayoral Declaration of local state of disaster issued on March 20, 2020 and renewed and continued by the City Council upon the adoption of Resolution R-009-20 on March 26, 2020 should be immediately rescinded.

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

SECTION 1. That, the Declaration of a local state of disaster for public health emergency declared by Mayor Marvin Dickson on March 20, 2020 for the City of Borger, Texas, is hereby immediately rescinded.

SECTION 2. That, Resolution R-009-20 adopted by the Borger City Council on March 26, 2020, renewing and continuing the March 20, 2020, Mayoral Declaration of a local state of disaster for public health emergency, is hereby immediately rescinded.

PASSED, APPROVED, AND ADOPTED, on this the 2nd day of June, 2020, 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, Texas Gov't Code, §551.001, et. seq. at which meeting a quorum was present and voting.

TEXAS COMMUNITIES GROUP PROPERTY BID ACCEPTED: Assistant City Manager Garrett Spradling explained to the Council that one (1) entity owned property has been purchased through Texas Communities Group, it is as follows:

R12824 (713 McPherson) \$750.00 – Dorothy and Jason Brown (Borger, TX)

Following discussion, motion was made by Council Member Loftis, seconded by Council Member Marrs, to accept all winning bids from the Texas Communities Group online bidding process for one (1) property located in the City of Borger and to authorize the Acting Mayor to sign and execute the Tax Deed for each property on behalf of the City. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

PUBLIC HEARING CONDUCTED – RE-PLAT OF LOTS 1 - 2, BLOCK 1, CHURCH OF GOD BUILDING SITE APPROVED: Director of Planning and Development Larry Byrd explained that on Thursday, May 28, 2020 the Planning and Zoning Commission held a meeting and conducted a public hearing to hear the request of CE Haynes, LLC and Jamal Enterprises to re-plat property located at 1400 W. Wilson. Re-plat was approved by the Planning and Zoning Commission. Acting Mayor Felker opened a public hearing and asked if there were any comments. There being no comments the Acting Mayor closed the public hearing. Following discussion, motion was made by Council Member Marrs, seconded by Council Member Ooley, to approve the re-plat of a 4.861-acre tract of land, located in the north half of Section No. 23, Block “Y”, Arnold and Barnett Survey, Abstract 4, Hutchinson County Texas to be known as the Chicken Express Addition. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

FEE PROPOSAL AND AGREEMENT FOR PROFESSIONAL SERVICES APPROVED:

City Manager Eddie Edwards explained how the City obtained the Aluminum Dome from Hutchinson County. Now after the feasibility assessments, it is time to proceed into the design phase, the City will need to enter into a Fee Proposal and Agreement for Professional Services with Parkhill, Smith and Cooper. Following discussion, motion was made by Council Member Loftis, seconded by Council Member Marrs, to approve the Fee Proposal and Agreement for Professional Services for the Borger Dome Convention Center Project. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

EXECUTIVE SESSION: Acting Mayor Felker stated in compliance with Chapter 551, Texas Gov't. Code, (open Meetings Law), the Council would retire into executive session relative to Texas Gov't. Code, Section 551.074 Personnel Matters.

- a. Discuss City Manager Annual Evaluation.
- b. Discuss appointment of a new Board Member to the Borger Economic Development Corporation.

RETURNED TO OPEN SESSION: Following the executive session, Acting Mayor Felker reconvened the regular meeting and announced that the Council discussed items relative to the Texas Gov't. Code, Section 551.074 Personnel Matters.

- a. Discussed City Manager Annual Evaluation

No action taken.

- b. Discussed appointment of a new Board Member to the Borger Economic Development Corporation.

Following discussion, motion was made by Council Member Ooley, seconded by Council Member Marrs, to appoint Nicholas Vincent to fill the expiring term of Norm Sargent. 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 Marris, seconded by Council Member Dickson, to adjourn the meeting. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

Acting Mayor

ATTEST:

City Secretary