

STATE OF TEXAS :
COUNTY OF HOWARD :
CITY OF BIG SPRING :

The City Council of the City of Big Spring, Texas, met in a REGULAR AGENDA in the City Council Chambers located at 307 E. 4th St., Big Spring, Texas, at 5:30 PM, September 13, 2022, with the following members present in person:

ROBERT H. MOORE	Mayor
NICK ORNELAS	Mayor Protem
DIANE YANEZ	Council Member
CODY HUGHES	Council Member
GLORIA MCDONALD	Council Member
TROY TOMPKINS	Council Member
MAURY SMITH	Council Member

Same and constituting a quorum, for which four Councilmembers must be present; and the following staff in person;

TODD DARDEN	City Manager
JOHN MEDINA	Assistant City Manager
ANDREW HAGEN	City Attorney
SHANE BOWLES	Public Works Director
CHAD WILLIAMS	Police Chief
CRAIG FERGUSON	Fire Chief
MIKE FEELEY	Airpark Director
SANDY SMITH	Finance Director
TAMI DAVIS	City Secretary
TIM GREEN	Municipal Judge

Open Session

Call to Order

Invocation

Steve Moses gave the invocation

Pledge of Allegiance to the United States Flag and to the Texas State Flag

Mayor Moore led the Pledge of Allegiance to the United States Flag and to the Texas Flag.

Public Comment

Public Comment

There were no comments made at this time.

Announcements, Presentations and Public Hearings

PUBLIC HEARING - Annual Budget for Fiscal Year 2022-2023

MOTION WAS MADE BY Council Member Smith to open the above captioned public hearing, seconded by Council Member Tompkins.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith

NAYS: None

MOTION PASSED

No comments were made regarding the annual budget at this time.

MOTION WAS MADE BY Council Member Tompkins to close the above captioned public hearing, seconded by Council Member Hughes.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith

NAYS: None

MOTION PASSED

PUBLIC HEARING - Proposed Tax Rate for Year 2022

MOTION WAS MADE BY Council Member Tompkins to open the above captioned public hearing, seconded by Council Member Hughes.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith

NAYS: None

MOTION PASSED

Sandy Smith, Finance Director, explained the staff recommendation was to stay at the current tax rate of \$0.673163.

MOTION WAS MADE BY Council Member McDonald to close the above captioned public hearing regarding the proposed tax rate, seconded by Council Member Yanez.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, Council Member Hughes, Council Member McDonald, Council Member Tompkins, Council Member Smith **7**
0
NAYS: None

MOTION PASSED

PUBLIC HEARING for Consideration and Possible Action Concerning Abatement of Public Nuisance at 1309 GRAFA STREET, BIG SPRING, TEXAS 79720 - LT 17, BK 15, MONTICELLO ADDITION - OWNER: JUDY AND DAVID SAUSMAN, 1601 VINES AVE, BIG SPRING, TEXAS 79720

PUBLIC HEARING for Consideration and Possible Action Concerning Abatement of Public Nuisance at 610 E. 12TH STREET, BIG SPRING, TEXAS 79720 - LT 6, BK 7, COLE & STRAYHORN ADDITION - OWNER: RUTH SOLEDAD CANO, 610 E. 12TH STREET, BIG SPRING, TEXAS 79720

PUBLIC HEARING for Consideration and Possible Action Concerning Abatement of Public Nuisance at 1006 E. 12TH STREET, BIG SPRING, TEXAS 79720 - LT 4, BK 29, COLE & STRAYHORN ADDITION - OWNER: RHETT DAYLON DEDMON, 1006 E. 12TH STREET, BIG SPRING, TEXAS 79720
Rhett Daylon Dedmon spoke as to his business at his residence is selling scrap metal.

PUBLIC HEARING for Consideration and Possible Action Concerning Abatement of Public Nuisance at 1217 LINDBERG, BIG SPRING, TEXAS 79720 - LT 20 BK 4, WRIGHT'S AIRPORT ADDITION - OWNER: MISSY PUGA, 1217 LINDBERG, BIG SPRING, TEXAS 79720

PUBLIC HEARING for Consideration and Possible Action Concerning Abatement of Public Nuisance at 2802 APACHE STREET, BIG SPRING, TEXAS 79720 - LT 8 BK 5, WESTERN HILLS ADDITION - OWNER: KAYCIE SAUCEDO, 2802 APACHE STREET, BIG SPRING, TEXAS 79720

PUBLIC HEARING for Consideration and Possible Action Concerning Abatement of Public Nuisance at 209 N. JOHNSON STREET, BIG SPRING, TEXAS 79720 - LT SC 42 BK 42, WILLIAM B CURRIE ADDITION - OWNER: CAYETANO RESENDEZ SALDIVAR, 209 N. JOHNSON STREET, BIG SPRING, TEXAS 79720

PUBLIC HEARING for Consideration and Possible Action Concerning Abatement of Public Nuisance at 405 DONLEY, BIG SPRING, TEXAS 79720 - LT 10 & S/2 OF 11,

BK 15, BOYDSTUN ADDITION - OWNER: JOHNNY RUDDA, 405 DONLEY, BIG SPRING, TEXAS 79720

PUBLIC HEARING for Consideration and Possible Action Concerning Abatement of Public Nuisance at 1100 N. GREGG STREET, BIG SPRING, TEXAS 79720 - LT SW/4, BK 44, BAUER ADDITION - OWNER: POWERHOUSE CHURCH OF GOD IN CHRIST, P.O. BOX 2407, BIG SPRING, TEXAS 79720

PUBLIC HEARING for Consideration and Possible Action Concerning Abatement of Public Nuisance at 2705 ANN DRIVE, BIG SPRING, TEXAS 79720 - LT LESS N/2 OF LT3, BK 15, KENTWOOD ADDITION - OWNER: THOMAS OLIVER BRADBERRY, 2705 ANN DRIVE, BIG SPRING, TEXAS 79720

PUBLIC HEARING for Consideration and Possible Action Concerning Abatement of Public Nuisance at 604 NE 10TH STREET, BIG SPRING, TEXAS 79720 - LT SE/4 OF SC 42, BK 32, WILLIAM B. CURRIE ADDITION - OWNER: THE ESTATE OF ADDIE OLIVER, 1002 NORTH MAIN, APT 36, BIG SPRING, TEXAS 79720

MOTION WAS MADE BY Mayor Pro Tem Ornelas to open all the above captioned public hearings (#7 - #16 on the agenda) regarding abatement properties, seconded by Council Member Yanez.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith
NAYS: None

MOTION PASSED

Andrew Hagen, City Attorney, and the Code Officers for the City of Big Spring presented evidence on each of the above listed properties.

MOTION WAS MADE BY Mayor Pro Tem Ornelas to approve the orders of abatement on all of the above listed properties and to vacate all the above listed properties except #9 (1006 E. 12th Street) and #11 (2802 Apache Street), seconded by Council Member Smith.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith
NAYS:0

MOTION PASSED

MOTION WAS MADE BY Council Member Tompkins to close the above captioned public hearings, seconded by Council Member McDonald.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7

**Council Member Hughes, Council Member McDonald, Council Member
Tompkins, Council Member Smith** 0
NAYS: 0

MOTION

City Manager's Report

City Manager's report on the following items:

- Large Item Pickup, District 3 - Sept. 21, 2022
- Update - Large Trucks Traveling Thru Town

Todd Darden, City Manager, gave an update on the above captioned items.

Consent Items

Approval of the City Council Minutes of the Regular Meeting of August 23, 2022

MOTION WAS MADE BY Mayor Pro Tem Ornelas to approve the above listed minutes, seconded by Council Member Hughes.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith
NAYS: None

MOTION PASSED

Final Reading of a Resolution Repealing City Council Resolution 003-2016 Which Set the Goal of Ending the Euthanization of Homeless Pets; Providing for Severability; and Providing an Effective Date

MOTION WAS MADE BY Council Member McDonald to approve the above listed resolution, seconded by Council Member Smith.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith
NAYS: None

MOTION PASSED

Final Reading of an Ordinance Amending the Ordinance Establishing the Animal Rescue Committee to Reassign the Committee's Responsibility to the Shelter Manager and to Exclude from Such Responsibility Providing Assistance to the City in Becoming a No-Kill Shelter; and Amending Various Sections of Chapter 8 "Animals" to Balance a Policy Favoring Adoption and Placement of Animals into Permanent Homes

where Possible with a Policy of Protecting Public Safety by Maintaining Safe and Adequate Space at the Animal Shelter, to Promote Microchipping and Other Identification Methods of Animals, and Amending and Repealing Various Sections for Clarity; and Stating the Sense of City Council on Expanding Public Access to the Animal Shelter, Providing for Severability; and Providing an Effective Date

Acknowledge Receipt of the Big Spring Economic Development Corporation Board of Director's Minutes of the Regular Meeting of July 19, 2022

Acknowledge Receipt of the Zoning Board of Adjustments Minutes of the Regular Meeting of May, 25, 2022

Acknowledge Receipt of the Planning & Zoning Commission Minutes of the Regular Meeting of June 21, 2022

MOTION WAS MADE BY Council Member Tompkins to approve the above captioned ordinance and acknowledge the above captioned board minutes, seconded by Council Member Hughes.

**YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith
NAYS: None**

MOTION PASSED

Vouchers

Vouchers for 08/25/22 \$ 444,158.17
Manual Cks & Drafts \$ 567,269.15

Council Member Yanez reviewed the above captioned vouchers.

MOTION WAS MADE BY Council Member Yanez to approve the above captioned vouchers, seconded by Council Member Hughes.

**YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith
NAYS: None**

MOTION PASSED

Vouchers for 09/01/22 \$ 128,307.39
Vouchers for 09/08/22 \$ 955,824.94
Manual Cks & Drafts \$ 562,074.38

Council Member Hughes reviewed the above captioned vouchers.

MOTION WAS MADE BY Council Member Hughes to approve the above captioned vouchers, seconded by Council Member Yanez.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith

NAYS: None

MOTION PASSED

Bids

TABLED - Consideration and Possible Action on Awarding a Bid for Fencing at the Big Sandy Landfill and Authorizing the City Manager or His Designee to Execute any Necessary Documents

MOTION WAS MADE BY Council Member Smith to remove the above captioned bid off the table, seconded by Council Member Hughes.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith

NAYS: None

MOTION PASSED

No further action was taken on the above captioned bid.

New Business

Consideration and Possible Action Regarding Big Spring Economic Development Corporation's Annual Budget for 2022-2023

Mark Willis, Executive Director of the Big Spring Economic Development Corporation, presented the annual budget for 2022-2023.

MOTION WAS MADE BY Council Member McDonald to approve the above captioned budget, seconded by Council Member Yanez.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith

NAYS: None

MOTION PASSED

First Reading of a Resolution Seeking Permission to Apply for a Grant Through the Office of the Governor, Public Safety Office Criminal Justice Division for Funding of Bullet-Resistant Shields.

MOTION WAS MADE BY Council Member Tompkins to approve the above captioned resolution, seconded by Council Member Hughes.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0

Tompkins, Council Member Smith
NAYS: None

MOTION PASSED

First Reading of a Resolution Amending the Authorized Representatives Empowered to Transmit and Withdraw Funds from Texpool; and Declaring an Effective Date

MOTION WAS MADE BY Council Member Yanez to approve the above captioned resolution, seconded by Council Member Hughes.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith

NAYS: None

MOTION PASSED

First Reading of a Resolution Reviewing and Approving the Investment Policy of the City of Big Spring

MOTION WAS MADE BY Council Member Yanez to approve the above captioned resolution, seconded by Council Member McDonald.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith

NAYS: None

MOTION PASSED

First Reading of an Ordinance Amending Chapter 50 of the Code of Ordinances Entitled "Utilities," Article IV Entitled "Utility Service Charges" by Amending Section 50-92 Entitled "Charges for Water Rates" Subsection B and Section 50-94 Entitled "Wastewater Rates" to Adjust Rates; Providing for Publication; and Providing an Effective Date

MOTION WAS MADE BY Council Member Smith to approve the above captioned ordinance, seconded by Council Member Hughes.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith

NAYS: None

MOTION PASSED

First Reading of an Ordinance Amending Chapter 44 of the Big Spring Code of Ordinances Entitled "Solid Waste," Article I "In General," Section 44-11 "Permit for Private Collectors;" Amending Chapter 44 of the Big Spring Code of Ordinances Entitled "Solid Waste," Article II "Collections and Landfill Fees" Section 44-41 "Rates" to Amend the Rate Schedule; Providing for Severability; Providing for Publication; and Providing an Effective Date

MOTION WAS MADE BY Council Member Smith to approve the above captioned ordinance, seconded by Council Member Yanez.

**YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith**

NAYS: None

MOTION PASSED

First Reading of an Ordinance Fixing and Levying Municipal Ad Valorem Taxes for Said City for the Year 2022; Directing the Assessment and Collection Thereof; Providing for Severability; and Establishing an Effective Date

MOTION WAS MADE BY Mayor Moore to approve the property tax rate to be increased by the adoption of a tax rate of \$0.673163 which is effectively an 11.85789 percent increase in the tax rate, seconded by Council Member Hughes.

**YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 6
Council Member Hughes, Council Member McDonald, Council Member 1
Smith**

NAYS: Council Member Tompkins

MOTION PASSED

First Reading of an Ordinance Adopting an Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023; Providing for Severability; Providing for Publication; and Providing an Effective Date

MOTION WAS MADE BY Council Member Hughes to approve the above captioned ordinance, seconded by Mayor Pro Tem Ornelas.

**YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith**

NAYS: None

MOTION PASSED

First Reading of an Ordinance Establishing the Pay Schedule for Classified Positions Within the Police Department for the Fiscal Year 2022-23; Providing for Repeal of Ordinances in Conflict Herewith; and Providing for an Effective Date

MOTION WAS MADE BY Council Member McDonald to approve the above captioned ordinance, seconded by Council Member Yanez.

**YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith**

NAYS: None

MOTION PASSED

First Reading of an Ordinance Establishing the Fire Department Pay Scale for the Fiscal Year 2022-23 in Accordance with Chapter 143 of the Texas Local Government Code; Providing for the Repeal of Ordinances in Conflict Herewith; and Providing for an Effective Date

MOTION WAS MADE BY Mayor Pro Tem Ornelas to approve the above captioned ordinance, seconded by Council Member Hughes

**YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith**

NAYS: None

MOTION PASSED

First Reading of An Ordinance of the City Council Of Big Spring, Texas, Amending Chapter 32 of The Big Spring City Code Entitled "Licenses, Taxation And Miscellaneous Business," Article Ii "Taxation," Division 2 "Hotel Occupancy Tax," Section 32-65 "Revenues-Use" to Add A New Subsection 3 to Waive the 5-Year Limitation on Assistance; and Amending Chapter 40 of the Big Spring City Code Entitled "Parks, Recreation And Cultural Affairs", Article Iv "Dora Roberts Community Center", Section 40-110 "Administration" Subsection (B) to Make Exceptions to the Board's Duties; Providing For Severability; And Providing An Effective Date.

MOTION WAS MADE BY Council Member Tompkins to approve the above captioned ordinance, seconded by Council Member Hughes.

**YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith**

NAYS: None

MOTION PASSED

Consideration and Possible Action on a Recycling Agreement with Keep Texas Recycling and Authorizing the City Manager or His Designee to Execute any Necessary Documents

MOTION WAS MADE BY Council Member Smith to approve the above captioned agreement, seconded by Council Member Hughes.

**YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith**

NAYS: None

MOTION PASSED

Discussion Regarding a Railroad Quiet Zone

Mayor Moore asked the Council to review a request from a citizen regarding a railroad quiet zone and possibly bring back to the Council for further discussion or possible action.

Council Input

Input

Council Member McDonald invited everyone to the Ports to Plains meeting that starts tomorrow at the Settles Hotel.

Council Member Tompkins asks that everyone continue to look for solutions regarding the animal shelter.

Executive Session

ADJOURN into Executive Session in Matters Covered by Texas Government Code Section 551.074 "Personnel Matters; Closed Meeting" to Deliberate the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline or Dismissal of the following:

City Attorney

City Manager

ADJOURN into Executive Session in Matters Covered by Texas Government Code Section 551.074 "Personnel Matters; Closed Meeting" to Deliberate the Appointment, Employment, Evaluation and Duties of Municipal Judge

MOTION WAS MADE BY Council Member Tompkins to adjourn into the above captioned executive sessions at 7:31 p.m., seconded by Council Member Yanez.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez,	7
Council Member Hughes, Council Member McDonald, Council Member Tompkins, Council Member Smith	0
NAYS: None	

MOTION PASSED

RECONVENE into Open Session and Take any Necessary Action on Executive Session Items

Mayor Moore reconvened into open session at 8:31 p.m.

MOTION WAS MADE BY Council Member Hughes to increase the City Attorney's annual salary to \$135,000 plus vehicle allowance, seconded by Council Member Yanez.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez,	7
Council Member Hughes, Council Member McDonald, Council Member Tompkins, Council Member Smith	0
NAYS: None	

MOTION PASSED

MOTION WAS MADE BY Mayor Pro Tem Ornelas to give the City Manager a 4% raise, seconded by Council Member Tompkins.

**YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith**

NAYS: None

MOTION PASSED

No action was taken regarding the executive session on the Municipal Judge.

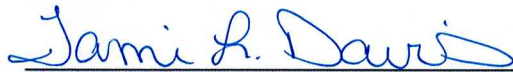
ADJOURN

Mayor Moore adjourned the council meeting at 8:35 p.m.



Robert H. Moore III, Mayor

ATTEST:



Tami L. Davis, City Secretary