

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, December 13, 2022, with the following members present in person:

COUNCIL MEMBER CODY HUGHES
COUNCIL MEMBER GLORIA MCDONALD
COUNCIL MEMBER TROY TOMPKINS
MAYOR PRO TEM NICK ORNELAS
COUNCIL MEMBER DIANE YANEZ
COUNCIL MEMBER MAURY SMITH
MAYOR ROBERT MOORE

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
HAYLEY LEWIS	Community Services Director
TAMI DAVIS	City Secretary
MANDY HAYNES	Municipal Judge

Open Session

Call to Order

Mayor Moore called the City Council meeting to order at 5:30 p.m.

Invocation

Owen Davis, Main Street Church of Christ, 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 State Flag.

Public Comment

Public Comment

Several citizens spoke regarding the following items; enforcing the sign ordinance, a carport request, some changes to the wrecker ordinance and consideration of the transitional housing ordinance.

Announcements, Presentations and Public Hearings

Presentation Over Section 3 Workers for Active TDA TXCDBG Grant CDM21-0350
Chelsey Baldivia, South Plains Association of Governments (SPAG), presented an update to the Council on the above captioned grant.

MOTION WAS MADE BY Council Member Yanez to open all of the public hearings listed below, 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

PUBLIC HEARING – Consideration and Possible Action Concerning Abatement of Public Nuisance, at **1801 JOHNSON, BIG SPRING, TEXAS 79720 – N/2 OF LT 11 ALL LT 12, BK 2, COLLEGE HEIGHTS ADDITION** – OWNER: NORA GALVAN, 1801 JOHNSON, BIG SPRING, TEXAS 79720

PUBLIC HEARING – Consideration and Possible Action Concerning Abatement of Public Nuisance, at **1524 E 17TH STREET, BIG SPRING, TEXAS 79720 – SC 5, BK 32 1S, BROWN ADDITION** – OWNER: SHERRI KELLEY, 1524 E 17TH STREET, BIG SPRING, TEXAS 79720

PUBLIC HEARING – Consideration and Possible Action Concerning Abatement of Public Nuisance, at **1400 MESA, BIG SPRING, TEXAS 79720 – LT 6, BK 5, MOUNTAIN VIEW ADDITION** – OWNER: INES JESUS GONZALES AND KRISTINA GONZALES, 1400 MESA, BIG SPRING, TEXAS 79720

PUBLIC HEARING – Consideration and Possible Action Concerning Abatement of Public Nuisance, at **202 WASHINGTON BLVD, BIG SPRING, TEXAS 79720 – LTS 4-5, BK 9, WASHINGTON PLACE ADDITION** – OWNER: KATHRYN CRENSHAW MILCH, 202

WASHINGTON, BIG SPRING, TEXAS 79720

MOTION WAS MADE BY Mayor Pro Tem Ornelas to abate the above captioned properties and to secure the property located at 1524 E. 17th 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: None

MOTION PASSED

PUBLIC HEARING – Consideration and Possible Action Concerning Abatement of Public Nuisance, at 101 AIRBASE ROAD, BIG SPRING, TEXAS 79720 – W/40 S/100 OF LT 2 & PART LT 4, BK 3, SETTLES HEIGHTS ADDITION – OWNER: JAMES TUBBS, 101 AIRBASE ROAD, BIG SPRING, TEXAS 79720

PUBLIC HEARING – Consideration and Possible Action Concerning Abatement of Public Nuisance, at 407 AUSTIN, BIG SPRING, TEXAS 79720 – LT 7, BK 58, ORIGINAL TOWN(BK3 PORTER) – OWNER: JUAN H PARRAS, 407 AUSTIN, BIG SPRING, TEXAS 79720

MOTION WAS MADE BY Mayor Pro Tem Ornelas to extend the abatements for sixty days to the above listed properties, 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

MOTION WAS MADE BY Council Member Yanez to close all of the above captioned public hearings, 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

City Manager's Report

City Manager's report on the following items:

- Update on Large Item Pickup, District 5 - Nov. 16, 2022
- Large Item Pickup, District 6 - Dec. 21, 2022

- City Holidays - **Christmas**, Dec. 23rd & 26th; **New Year's Day**, Jan. 2nd
- Sanitation Schedule
- Festival of Lights began on Dec. 4th
- Reminder of Upcoming Meeting - Howard County Day, Jan. 25 & 26, 2023; Chamber Banquet, Feb. 16, 2023; Summit Meeting, Feb. 28, 2023
- Update on I-27 Meeting
- Resolution Received from Howard College

Todd Darden, City Manager, updated the council on the above captioned items as follows:

Large item pickup for District 5 picked up 5 tons of items; Large item pickup for District 6 will be on December 21, 2022; City offices will be closed on December 23rd & 26th for Christmas and January 2nd for New Year's Day; A public service announcement was given to the public on the sanitation schedule for the holidays; Mr. Darden thanked the Parks Dept. for setting up for festival of lights and the City of Big Spring was nominated in the top 20 percent nation wide for our lights. I-27 Board elected new board members & reviewed planning documents; and also a Resolution was given to the Fire Department/Emergency Services from Howard College for their involvement during the covid-19 pandemic.

Consent Items

Approval of the City Council Minutes of the Two Regular Meetings of November 08, 2022 and of the Special Meeting of November 9, 2022.

Acknowledge Receipt of the Big Spring Economic Development Corporation Board of Director's Minutes for the Regular Meeting of October 11, 2022.

Final Reading of an Ordinance Amending Ordinance Number 038-2022 Which Adopted the Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023 by Increasing the Special Revenue Fund, Senior Center, Budget for the Purpose of Purchasing a New Vehicle for the Senior Center; Providing for Repeal of Ordinances in Conflict Herewith; Providing for Publication; and Providing an Effective Date

Final Reading of an Ordinance Amending Ordinance Number 038-2022 Which Adopted the Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023 by Increasing the Utility Fund Budget for the Purpose of Purchasing a Jetter Trailer; Providing for Repeal of Ordinances in Conflict Herewith; Providing for Publication; and Providing an Effective Date

Final Reading of an Ordinance Authorizing Z-22-03, Amending the Big Spring Zoning Ordinance by Rezoning Approximately 4.58 Acres Out of Sec. 45, Blk 32, T-1-N, T & P R.R. Co. Survey, in Big Spring, Howard County, Texas from SF-2, Single-Family Dwelling District to PD, Planned Development for Housing; Providing for Severability;

Providing for Publication; and Providing an Effective Date

MOTION WAS MADE BY Mayor Pro Tem Ornelas to approve the final readings of the above captioned minutes and ordinances, 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

Other Business

Final Reading of an Ordinance of the City Council of the City of Big Spring, Texas, Amending the Big Spring Zoning Ordinance, Article 2 "Definitions," Section 2-1 "Definition of Words and Terms" by Adding a New Definition "Transitional Housing" and Amending Article 7 "Special Applications," Section 7-2 "Specific Use Permits," Subsection b(72) to Add Transitional Housing for Temporary Lodging on a Non-Profit Basis for Persons Undergoing Services to Those Uses Requiring a Specific Use Permit in Certain Zoning Districts; Providing for Severability; Providing for Publication; and Providing an Effective Date.

There was no motion for the second and final reading of the above captioned ordinance. This item dies due to lack of no motion.

Vouchers

Vouchers for 11/10/22 \$ 1,004,246.54
Vouchers for 11/17/22 \$ 275,791.27
Manual Cks. \$ 1,868,293.77

MOTION WAS MADE BY Council Member Tompkins to approve the above captioned vouchers as listed except the manual cks for only the amount of \$596,783.18, seconded by Council Member Hughes. Council Member Tompkins will review the balance of the manual checks for the next council meeting.

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 12/01/22 \$ 797,945.25
Vouchers for 12/08/22 \$ 609,699.12
Manual Ck. \$ 595,229.29

MOTION WAS MADE BY Council Member Smith 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

Consideration and Possible Action on Awarding a Bid for Debt Collection Services and Authorizing the City Manager or His Designee to Execute any Necessary Documents

Consideration and Possible Action on Awarding a Bid for Upfitting of Budgeted Ford Police Interceptor Units and Authorizing the City Manager or His Designee to Execute any Necessary Documents

Consideration and Possible Action on Awarding a Bid for 10 (ten) 30 Yard Trash Containers and Authorizing the City Manager or His Designee to Execute any Necessary Documents

Consideration and Possible Action on Awarding a Bid for a 72" John Deere Zero Turn Mower for the Waste Water Treatment Plant and Authorizing the City Manager or His Designee to Execute any Necessary Documents

Consideration and Possible Action on Awarding a Bid for a John Deere Gator for the Airpark Department and Authorizing the City Manager or His Designee to Execute any Necessary Documents

Consideration and Possible Action on Awarding a Bid for a 2022 Kubota UTV for Waste Water Treatment Plant and Authorizing the City Manager or His Designee to Execute any Necessary Documents

Consideration and Possible Action on Awarding a Bid for Two (2) 7 Ton Capacity Tilt Trailers for the Distribution and Collections Department and Authorizing the City Manager or His Designee to Execute any Necessary Documents

Consideration and Possible Action on Awarding a Bid for the Asbestos Abatement and Demolition of the Mid-Tex Property and Authorizing the City Manager or His Designee to Execute any Necessary Documents

Consideration and Possible Action on Awarding a Bid for LED Lighting at the Roy Anderson Sports Complex and Authorizing the City Manager or His Designee to Execute any Necessary Documents

MOTION WAS MADE BY Council Member McDonald to award the above

captioned bids as follows, seconded by Council Member Smith:

Debt Collection Services to MVBA;
Upfitting for four (4) Ford Police Interceptors to Cap Fleet Upfitting in the amount of \$23,873.00;
Ten (10) 30 yard trash containers to Roll-Offs USA in the amount of \$59,620.00;
72" John Deere Zero Turn Mower to South Plains Implement in the amount of \$12,507.88;
John Deere Gator to South Plains Implement in the amount of \$18,701.86;
2022 Kubota UTV to Kubota in the amount of \$20,943.22;
Two (2) 7 ton capacity tilt trailers to Texas Pride Trailers in the amount of \$17,477.50;
Mid-Tex Asbestos Abatement & Demolition to Corrol Consultants in the amount of \$624,300.00; and
Roy Anderson Sports Complex LED Lighting to Qualite Sports Lighting in the amount of \$187,516.00.

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

New Business

Acknowledge Receipt of the Quarterly Claims and Litigation Report from the City Attorney

The above captioned item has been moved to the next council meeting.

Consideration and Possible Action to Accept a Donation from the Broughton Foundation to the Police Department.

Consideration and Possible Action to Accept a Donation from Scott Emerson to the Police/Animal Control Department

MOTION WAS MADE BY Council Member Hughes to accept the above captioned donations from the Broughton Foundation in the amount of \$28,798.00 and from Scott Emerson not to exceed \$25,000.00, 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 Amending Ordinance Number 038-2022 Which Adopted the Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023 by Increasing the General Fund

Budget for the Purpose of Additional Funding for the Roy Anderson Sports Complex Lighting Project; Providing for Repeal of Ordinances in Conflict Herewith; Providing for Publication; 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

First Reading of an Ordinance Amending Ordinance Number 038-2022 Which Adopted the Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023 by Increasing the General Fund Budget for the Purpose of Purchasing a Key/Equipment Locker System for the Police Department; Providing for Repeal of Ordinances in Conflict Herewith; Providing for Publication; and Providing an Effective Date

First Reading of an Ordinance Amending Ordinance Number 038-2022 which Adopted the Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023 by Transferring Capital Funds Within the Airpark Fund Budget for the Purpose of Purchasing a Utility Vehicle; Providing for Repeal of Ordinances in Conflict Herewith; Providing for Publication; and Providing an Effective Date

MOTION WAS MADE BY Council Member McDonald to approve the two (2) above captioned ordinances, 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

First Reading of an Ordinance Amending Ordinance Number 038-2022 which Adopted the Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023 by Increasing the Motel Tax Fund Budget for the Purpose of Increasing the Dues and Subscription Account; Providing for Repeal of Ordinances in Conflict Herewith; Providing for Publication; and Providing an Effective Date

MOTION WAS MADE BY Council Member Tompkins 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 Amending Ordinance Number 038-2022 which Adopted the Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023 by Increasing the General Fund Budget for the Purpose of a Cleanup Regarding some Cross Contamination Caused by Pigeons in Several Areas Above the City Council Chambers; Providing for Repeal of Ordinances in Conflict Herewith; Providing for Publication; and Providing an Effective Date

MOTION WAS MADE BY Council Member Tompkins to approve the above captioned ordinance, 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

First Reading of an Ordinance Amending Ordinance Number 038-2022 Which Adopted the Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023 by Transferring Capital Funds into Expense Accounts for the Purpose of Leasing Vehicles Through the Enterprise Lease Program for Various Departments; Providing for Repeal of Ordinances in Conflict Herewith; 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 the Big Spring City Code, Chapter 48, "Traffic and Vehicles" Article VI "Wreckers,," by Renaming the Article "Tow Trucks," and amending the Article to Adjust Towing Fees, Modify Regulations, Set Penalties; Prohibit Violations of the Article; Provide for Hearings; and Lift Suspensions of Any Towing Companies Issued Prior to the Effective Date of the Ordinance; Providing for Severability; Providing for Publication; and Providing an Effective Date

MOTION WAS MADE BY Council Member Yanez to approve the above captioned ordinance, 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

Consideration and Possible Action of a First Amendment to the Service Agreement with TML Health Benefits Pool (TMLHBP) for Administrative Services for Employee Health Insurance and Authorizing the City Manager or His Designee to Execute any Necessary Documents

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

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

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NAYS: None

MOTION PASSED

Consideration and Possible Action to Form and Appoint the Charter Review Committee with the Intent of Reviewing and Recommending Amendments to the Charter of the City of Big Spring Pursuant to the Article XIII of the Charter

Mayor Pro Tem Ornelas requested a Charter Review Committee to be appointed to review several issues regarding the last charter update.

MOTION WAS MADE BY Mayor Pro Tem Ornelas to appoint a Charter Review Committee, seconded by Council Member Yanez.

YEAS: Mayor Pro Tem Ornelas, Council Member Yanez, Council Member Hughes

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NAYS: Mayor Moore, Council Member McDonald, Council Member Tompkins, Council Member Smith

MOTION FAILED

Discussion Without the Possibility of Action Concerning Whether City Council Should Direct that Signs be Posted At and During City Council Meetings to Disallow the Carrying of Handguns—Openly or Concealed—by Those Holding a License to Carry; to Authorize the City Manager to Provide Oral or Written Communications to Persons to Disallow Such Carrying; or To Direct that Such Notice Not Be Given.

A brief discussion regarding some citizens concern about posting the openly or concealed carry signs during a City Council meeting. Council Member Hughes directed the staff to bring a resolution to the council to prohibit openly carrying.

Boards & Committees

Big Spring Economic Development Board

Shane Seaton - Acceptance of Resignation Letter Effective December 31, 2022

Council accepted Shane Seaton's resignation letter effective December 31, 2022.

Anna Scott - Nominated by Council Member Yanez, Dist. 2, Effective January 1, 2023

MOTION WAS MADE BY Council Member Smith to appoint Anna Scott to the Big

Spring Economic Development Board effective January 1, 2023, 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

Zoning Board of Adjustments

Veronica Zuniga - Nominated for Reappointment by Council Member Tompkins, Dist. 5

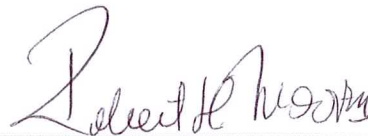
MOTION WAS MADE BY Council Member Tompkins to reappoint Veronica Zuniga to the Zoning Board of Adjustments, seconded by Council Member Hughes.

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

ADJOURN

Mayor Moore adjourned the City Council meeting at 7:44 p.m.



Robert H. Moore III, Mayor

ATTEST:



Tami L. Davis, City Secretary