

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, May 9, 2023, with the following members present in person:

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

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
JAY HOLT	Interim 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

Manny Negron with Life Church 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

There were no public comments made at this time.

Announcements, Presentations and Public Hearings

PROCLAMATION - National Police Week

Mayor Moore presented a proclamation declaring May 15 - 21, 2023 as National Police Week to Chief Williams and several police officers.

Public hearings regarding a zone change and abatements of public nuisances

MOTION WAS MADE BY Council Member Yanez to open all the public hearings listed below, 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 Regarding a Zone Change (Z22-04) from Agricultural (A) to Single Family Residential (SF-2) for Approximately 5.08 Acres of Land Out of N/2 of Section 8, Block 32, T-1-S, T&P RR. Co. Survey, Big Spring, Howard County, Texas.

No comments were made at this time regarding the above captioned zone change.

Each public hearing listed below was presented to the Council with an abatement order and pictures.

The following citizens spoke regarding their property;

Brittany M. Salazar - 804 Johnson Street

Kasey D. Rawls - 1321 Elm Street

MOTION WAS MADE BY Council Member McDonald to remove the next two properties off the table (2104 Runnels & 604 Abrams), 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

TABLED - Consideration and Possible Action Concerning Abatement of Public Nuisance at, 2104 RUNNELS ST BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: S/50 NE/4 & N/50 SE/4 OF BK 37 COLLEGE HEIGHTS 100X140 1262 BLK/TRACT 37 0.321 ACRES- OWNER: TINA CUNNINGHAM

MOTION WAS MADE BY Council Member Yanez to abate the above captioned property (2104 Runnels), seconded by Council Member McDonald.

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

MOTION PASSED

TABLED - Consideration and Possible Action Concerning Abatement of Public Nuisance at, 604 ABRAMS ST BIG SPRING, TEXAS 79720 - LEGAL ADDRESS:LT 3 BK 15 EARLES 50X130 897 0.149 ACRES - OWNER: LUPE CHAVARRIA , ESTATE OF EDWARD CHAVARRIA

MOTION WAS MADE BY Mayor Pro Tem Ornelas to abate the above captioned property (604 Abrams St.), 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

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 305 E 9TH STREET, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS:PT S/50' OF LT 3 BK 74 ORIGINAL TOWN 50X140 1059 0.161 ACRES ACQ 06102020 - OWNER: NOE G SOLIZ , SR.

MOTION WAS MADE BY Council Member McDonald to abate the above captioned property (305 E. 9th St.), 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 - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 804 JOHNSON STREET, BIG SPRING, TEXAS 79720 - LEGAL

ADDRESS: S/75' LT BK 73 ORIGINAL TOWN 75X140 1067 ACQ 02162022 0.241
ACRES - OWNER: BRITTANY M SALAZAR

MOTION WAS MADE BY Council Member Hughes to abate the two story building in the back of the above captioned property (804 Johnson St.), 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

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 1302 SYCAMORE STREET, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: LT 18 BK 1 MCEWEN 60X125 1226 ACQ BLK/TRACT 32 1N 0.172 ACRES - OWNER: BROWN FAMILY TRUST, CARROLL J AND EVELYN M TRUSTEES

MOTION WAS MADE BY Council Member Yanez to abate the above captioned property (1302 Sycamore St.), 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 1008 E 13TH STREET, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: LT 5 BK 32 COLE & STRAYHORN 50X140 412 ACQ 07142021 BLK/TRACT 32 0.161 ACRES - OWNER: ROGER G ALPHIN JR AND SANTANA DELEON

MOTION WAS MADE BY Council Member Smith to abate the above captioned property (1008 E. 13th St.), 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

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 1302 MAIN STREET, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: LT 11 BK 7 MCDOWELL HEIGHTS 50X140 236 BLK/TRACT 7 0.161 ACRES - OWNER: JACK AND MARJORIE WALLIS

MOTION WAS MADE BY Council Member Smith to abate the above captioned property (1302 Main St.), 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 1321 ELM STREET, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: LT 11 BK 4 MESA 50X142 019 ACQ 11062015 BLK/TRACT 331S 0.163 ACRES - OWNER: KASEY D RAWLS

MOTION WAS MADE BY Council Member McDonald to abate the above captioned property for 60 days (1321 Elm St.), 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

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 411 NW 8TH STREET, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: LTS 4-6 BK 18 BAUER S HWY 539 0.17 ACRES- OWNER: JIMMY ALEMAN

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 413 NW 8TH STREET, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: PART LTS 5-6 BK 18 BAUER 539 BLK/TRACT 18 0.17 ACRES - OWNER: JIMMY ALEMAN

MOTION WAS MADE BY Mayor Pro Tem Ornelas to abate the two above captioned properties (411 NW 8th St. & 413 NW 8th St.), 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

MOTION WAS MADE BY Council Member Hughes to close all of 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 0
Tompkins, Council Member Smith
NAYS: None

MOTION PASSED

City Manager's Report

City Manager's report on the following items:

- Large Item Pickup, District 5 - May 17, 2023
- Splash Pad Update
- Right-of-Ways Update
- Bid Opening for Birdwell Park Detention Pond

Todd Darden, City Manager, reported on the above captioned items as follows: Large item pickup for District 5 will be May 17th; The splash pad for Bert Andries Park has been approved and marked the location in which to put the splash pad; Right-of-way clean ups are going well; Bid opening for the Birdwell Park Detention Pond was opened today and hopefully bring back on next agenda.

Consent Items

Approval of the City Council Minutes of the Regular Meeting of April 25, 2023.

Acknowledge Receipt of the Planning & Zoning Minutes of the Regular Meeting of April 4, 2023

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 General Fund Budget for the Purpose of the Continuance of the Property Abatement Program; Providing for Severability; 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 General Fund Budget for the Purpose of the Continued Funding of the Fire Department Employees that were Funded through the Safer Grant; Providing for Severability; 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 General Fund Budget for the Purpose of Purchasing a Tractor for Moss Creek Lake; Providing for Severability; Providing for Publication; and Providing an Effective Date

MOTION WAS MADE BY Mayor Pro Tem Ornelas to approve the above captioned minutes and ordinances, 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 04/27/23 \$ 246,033.34

Drafts \$ 11,869.35

Council Member McDonald reviewed the above captioned vouchers.

MOTION WAS MADE BY Council Member McDonald 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

Vouchers for 05/04/23 \$ 356,257.61

Drafts \$ 590,896.49

Council Member Tompkins reviewed the above captioned vouchers.

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

Bids

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

MOTION WAS MADE BY Council Member Tompkins to award the above captioned bid to Tyler Technologies to implement the absorbed model for all departments and the convenience fee model for the Municipal Court, 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

New Business

Administer the Oath of Office to Duly Elected Council Member for District One and Council Member for District Three

Judge Haynes administered the oath of office to Mayor Pro Tem Ornelas for District One and Cody Hughes for District Three as they were unopposed in the May 6, 2023 election.

Consideration and Possible Action Authorizing Event Funding Requests from CVB for Coach Roy Green Hidden Gems Basketball Event-Basketball Tournament

MOTION WAS MADE BY Mayor Pro Tem Ornelas to approve the above captioned event funding, 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

TABLED - First Reading of an Ordinance Amending Chapter 38, Section 38-11 of the Big Spring City Code Authorizing Code Enforcement Officers to be Issued Administrative Search Warrants to Broaden the Authorization to Code Enforcement Officials; to Move the Ordinance to Chapter 2, Section 2-59 the Big Spring City Code and providing for Miscellaneous Amendments; Providing for Repeal of Conflicting Ordinances; Providing a Savings and Severability Clause; Finding and Determining that the Meetings at which the Ordinance Was Discussed and Acted on Were Open to the Public as Required by Law; Providing for Publication; and Establishing an Effective Date

MOTION WAS MADE BY Mayor Moore to remove the above captioned ordinance off the table, 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

MOTION WAS MADE BY Mayor Moore to indefinitely postpone the above captioned ordinance, seconded by Council Member Tompkins.

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

Tompkins

NAYS: Council Member Smith

MOTION PASSED

First Reading of an Ordinance Authorizing Z-22-04, Amending the Big Spring Zoning Ordinance by Rezoning Approximately 5.08 Acres of Land out on N/2 of Section 8, Block 32, T-1-S, T&P RR. Co. Survey, Big Spring, Howard County, Texas, from Agricultural (A) to Single-Family Residential (SF-2), Single-Family Dwelling District; Providing a Savings and Severability Clause; Providing for Repeal of Conflicting Ordinances; Providing for Publication; and Providing an Effective Date; and Finding and Determining that the Meeting at Which the Ordinance was Discussed was Open to the Public as Required by Law

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 Amending the Big Spring City Code, Chapter 40, "Parks, Recreation, and Cultural Affairs," Article V, "Moss Creek Lake," Section 40-151, "Admission Regulations," to Clarify Moss Creek Lake Fees; to Clarify Moss Creek Lake Rules; to Confirm that Moss Creek Lake May Not be Used as a Permanent Residence Except for the Caretaker, and to Delegate the Authority to Make Policies and Regulations for Moss Creek Lake Not Inconsistent with Article V to the City Manager, and With the City Manager's Permission, to the Public Works Director, Providing for Repeal of Conflicting Ordinances; Providing for a Savings and Severability Clause; Establishing an Effective Date; Providing for Publication; and Finding and Determining that the Meeting at Which the Ordinance was Discussed was Open to the Public as Required by Law

MOTION WAS MADE BY Council Member Hughes to approve the above captioned ordinance with some adjustments to the fees, 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

Boards & Committees

CRMWD Board of Directors

Term - June 1, 2023 through May 31, 2025

Rick Watkins
Ernie Morgan

Mayor Moore asked that the above captioned nominations to the CRMWD Board be postponed until the next council meeting in order for the Council to have time to nominate someone if they choose to. Council Member Tomkins added that he would like to add Roy Worthy to the list of nominations.

Big Spring Economic Development Board

Kristy Tyra - Notice of Resignation

Kevin Armstrong - Nominated by Council Member Smith, Dist. 6

MOTION WAS MADE BY Council Member Smith to accept Kristy Tyra's resignation and appoint Kevin Armstrong to the Big Spring Economic Development Board, seconded by Mayor Moore.

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

McMahon/Wrinkle Aviation Advisory Board

Steven Boatenhamer - Nominated by Council Member Smith, Dist. 6

MOTION WAS MADE BY Council Member Smith to appoint Steven Boatenhamer to the McMahon/Wrinkle Aviation Advisory Board, 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

Council Input

Input

Mayor Pro Tem Ornelas spoke regarding his term and promises to continue to support his district.

Council Member Yanez thanked Todd and congratulated Mayor Pro Tem Ornelas and Cody Hughes.

Council Member Hughes said that has enjoyed serving on council and thanked staff. Mayor Moore thanked staff.

Council Member McDonald announced that May 6th was Nurses day and the City of Big Spring is very lucky to have well staffed hospital; also May 16th Senic Mountain Medical Center will host a COPS coffee honoring Police Week.

Council Member Tompkins appreciates the staff quarterly report and that it is public record and encouraged citizens to look at it.

Council Member Smith thanked the Police Department.

Executive Session

Adjourn into Executive Session in Accordance with the Purposes Permitted by the Open Meetings Act, Section 551.071, Texas Government Code, "Consultation with Attorney; Closed Meeting," and the Texas Disciplinary Rules of Professional Conduct, to Provide Legal Advice and Counsel with Respect to Litigation. 118th District Court: Fabian Butler v. City of Big Spring (No. 54252); City of Big Spring v. Jake Tiner Construction, LLC (No. 54929).

MOTION WAS MADE BY Council Member McDonald to adjourn into the above captioned executive session at 6:57 p.m., 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

Reconvene into Open Session and Take any Necessary Action on Executive Session Item

Council reconvened into open session at 7:29 p.m.

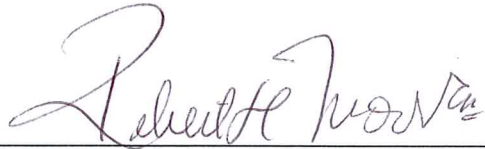
MOTION WAS MADE BY Council Member Tompkins authorizing the City Manager to execute the agreement regarding the Butler case per the stipulations that are in the current agreement, seconded by Council Member Hughes.

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

ADJOURN

Mayor Moore adjourned the City Council meeting at 7:35 p.m.



Robert H. Moore III, Mayor

ATTEST:



Tami L. Davis, City Secretary