

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 23, 2023, with the following members present in person:

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

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
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

David Allman, Hillside Christian 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

Several citizens spoke regarding agenda items and one citizen asked the council to consider allowing livestock within the city limits.

Public hearings regarding abatements of public nuisances

MOTION WAS MADE BY Council Member Hughes to open the below listed public hearings, seconded by Council Member Yanez.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 6
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins
NAYS: None

MOTION PASSED

Each public hearing listed below was presented to the Council with an abatement order and pictures. The following citizen spoke regarding their property; Tyra Lendermon - 1008 E. 12th St.

Announcements, Presentations and Public Hearings

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 1008 E 12TH STREET, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: LT 5 BK 29 COLE & STRAYHORN 50X140 251 AXQ 032206 BLK/TRACT 29 0.161 ACRES - OWNER: TYRA LENDERMON.

MOTION WAS MADE BY Council Member Yanez to abate the above captioned property (1008 E. 12th St.), seconded by Council Member McDonald.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 6
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins
NAYS: None

MOTION PASSED

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 803 ROSEMONT STREET, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: N/2 OF LT 3 & S61 OF LT 4 BK 2 CENTRAL PARK IRR 1153 0.261 ACRES - OWNER: ESTATE OF M.L JOHNSON.

Code Enforcement withdrew the above captioned property (803 Rosemont St.) as the owner has complied with the order.

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 820 W 7TH STREET, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: LT 17 BK 4 CEDAR CREST 50X133.5 917 0.153 ACRES ACQ 05252017- OWNER: ELISABETH PORTER, MANUEL LOPEZ JR, ELEANOR LOPEZ, EVE RUMSEY, AND ESTHER FROMAN

MOTION WAS MADE BY Council Member Hughes to abate the above captioned property (820 W. 7th St.), seconded by Council Member Yanez.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 6
Council Member Hughes, Council Member McDonald, Council Member 0

Tompkins

NAYS: None

MOTION PASSED

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 910 W 4TH STREET, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: LT 12 BK 2 JONES VALLEY 50X150 528 0.172 ACRES- OWNER: ROSA G CANTU AND ESTATE OF ADOLFO CANTU.

MOTION WAS MADE BY Mayor Moore to abate the back part of the property and secure the front part (910 W. 4th St.), seconded by Council Member Hughes.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 6
Council Member Hughes, Council Member McDonald, Council Member 0

Tompkins

NAYS: None

MOTION PASSED

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 1603 LEXINGTON STREET, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: LT 2 BK 1 WILEY TERRACE 78X115 692 BLK/TRACT 1 0.206 ACRES- OWNER: ROBERT AND EDA FAYE SCHAAF.

MOTION WAS MADE BY Mayor Pro Tem Ornelas to abate the above captioned property (1603 Lexington St.), seconded by Council Member Yanez.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 6
Council Member Hughes, Council Member McDonald, Council Member 0

Tompkins

NAYS: None

MOTION PASSED

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 703 E 14TH STREET, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: LT 11 BK 11 COLE & STRAYHORN 50X140 451 BLK/TRACT 11 0.161 ACRES ACQ 6192017- OWNER: SONIA WYRICK AND TERESA HARMON

MOTION WAS MADE BY Council Member McDonald to abate the above captioned property (703 E. 14th St.), seconded by Council Member Hughes.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, Council Member Hughes, Council Member McDonald, Council Member Tompkins 6
NAYS: None 0

MOTION PASSED

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 605 BELL STREET, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: LTS 9-10 BK 41 ORIGINAL TOWN 00140 0855 ACQ 1012017 1.321 ACRES- OWNER: NORMA C LOPEZ

MOTION WAS MADE BY Council Member McDonald to abate the back part of the main structure (an addition) and the garage in the back yard and leave the main structure alone as it is a historic home (605 Bell St.), seconded by Council Member Hughes.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, Council Member Hughes, Council Member McDonald, Council Member Tompkins 6
NAYS: None 0

MOTION PASSED

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 609 BELL STREET, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: LT 8 BK 41 ORIGINAL TOWN 50X140 0854 ACQ 030612 BLK/TRACT 41 0.161 ACRES- OWNER: ROBERT AND EDA FAYE SCHAAF

Staff asked to postpone the above captioned property (609 Bell St.) until the next council meeting as the wrong owner is currently listed.

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 1206 MAIN STREET, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: S/2 OF LT 3 & N/2 OF LT 4 BK 6 HATHCOCK HEIGHTS 50X150 145 ACQ 031222018 BLK/TRACT 6 0.172 ACRES- OWNER: FERNANDO HERRERA AND MAYRA GUIRADO

MOTION WAS MADE BY Council Member Yanez to abate the above captioned property (1206 Main St.), seconded by Council Member Hughes.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, Council Member Hughes, Council Member McDonald, Council Member Tompkins 6
NAYS: None 0

MOTION PASSED

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

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

Council Member Hughes, Council Member McDonald, Council Member
Tompkins 0
NAYS: None

MOTION PASSED

City Manager's Report

City Manager's report on the following items:

- Aquatic Center to Open June 3rd
- Update on Large Item Pickup, District 5
- Update on Seal Coating
- City Holiday - Memorial Day, May 29th

Todd Darden, City Manager, reported on the above captioned items as follows: The aquatic center is scheduled to open on June 3rd; Large item picked up in District 5 picked up 9 1/2 tons of trash; Street seal coating is scheduled to begin in June; and the city will be closed on Monday, May 29th in observance of Memorial Day.

Consent Items

Approval of the City Council Minutes of the Regular Meeting of May 9, 2023.

Acknowledge Receipt of the Planning & Zoning Minutes of the Regular Meeting of April 18, 2023

Final 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 minutes and ordinance, seconded by Council Member McDonald.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 6
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins
NAYS: None

MOTION PASSED

Final Reading of an Ordinance Addressing Safety, Efficiency, Coverage, and Budgetary Concerns for the Fire Department, Establishing Classifications and Number of Positions for the Fire Department Pursuant to Section 143.021, Texas Local Government Code; Decreasing the Number of Sworn Fire Department Personnel by Ten (10) from Seventy-Four (74) to Sixty-Four (64) Through Attrition with No Current Positions Being Eliminated; Improving Safety, Efficiency, and Coverage by Consolidating from Five to Four Fire Stations; Providing for Repeal of Conflicting Ordinances; Providing a Severability Clause; Finding and Determining that the Meetings at Which the Ordinance was Discussed were Open to the Public as Required by Law; Providing for Publication; and Providing for an Effective Date

The above captioned ordinance regarding the Fire Department Safer Grant was tabled at the special meeting on May 22, 2023.

Other Business

Final 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 Mayor Moore to approve the above captioned ordinance as amended, seconded by Council Member Hughes.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 6
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins

NAYS: None

MOTION PASSED

Vouchers

Vouchers for 05/11/23	\$	763,398.55
Vouchers for 05/18/23	\$	852,382.53
Drafts	\$	1,188,560.45

Council Member Tompkins did not have a chance to review the above captioned vouchers and will be added to the next agenda.

Bids

Consideration and Possible Action on Awarding a Bid for Birdwell Park Detention Pond

Improvements Project and Authorizing the City Manager or His Designee to Execute any Necessary Documents. This Project Included Repairs and Improvements to the Existing Birdwell Park Detention Pond.

MOTION WAS MADE BY Council Member Yanez to award the above captioned bid to Bontke Brothers Construction in the amount of \$296,692.50, seconded by Mayor Pro Tem Ornelas.

**YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 6
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins**

NAYS: None

MOTION PASSED

New Business

Consideration and Possible Action to Accept a Donation from Big Spring Jr. High National Junior Honor Society to the Big Spring Police Department.

MOTION WAS MADE BY Council Member McDonald to accept the above captioned donation in the amount of \$406.12 to be used for the Animal Control Division, seconded by Council Member Hughes.

**YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 6
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins**

NAYS: None

MOTION PASSED

First Reading of an Ordinance Granting a Partial Ad Valorem Tax Exemption for Tax Year 2023 for the Homestead of any Married or Unmarried Adult; Finding and Determining That the Meetings at Which the Ordinance was Discussed were Open to the Public as Required by Law; Providing for Severability; Providing for Repeal of Conflicting Ordinances; Providing for Publication; and Providing an Effective Date

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

**YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 6
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins**

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 the Rebuilding of the Detention Pond Dam at Birdwell Park: Providing for Severability; 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, 6
Council Member Hughes, Council Member McDonald, Council Member Tompkins 0

NAYS: None

MOTION PASSED

Consideration and Possible Action of a Third Amendment to the Service Agreement with TML Health Benefits Pool (TMLHBP) for Administrative Services for Employee Health Insurance to Reflect TML Health's Fee in Connection with Claims, Items, and Services that are Subject to the No Surprises Act (NSA) and Disputed by a Provider Through the Independent Dispute Resolution Process, to be Paid by Big Spring, to be Governed by its Terms and Conditions Thereby 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 amendment, seconded by Council Member Hughes.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 6
Council Member Hughes, Council Member McDonald, Council Member Tompkins 0

NAYS: None

MOTION PASSED

Consideration and Possible Action on an Engineering Service Agreement with Jacob Martin for Birdwell Liftstation and Authorizing the City Manager or His Designee to Execute any Necessary Documents

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

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 6
Council Member Hughes, Council Member McDonald, Council Member Tompkins 0

NAYS: None

MOTION PASSED

Consideration and Possible Action of an Agreement with Spectrum Voip/GDT Providing the City of Big Spring Services to Upgrade the Phone System, Internet and Long-Distance Phone Services and Authorizing the City Manager or His Designee to Execute any Necessary Documents

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

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 6
Council Member Hughes, Council Member McDonald, Council Member Tompkins 0

NAYS: None

MOTION PASSED

Consideration and Possible Action on an Engineering Agreement for Big Spring Wastewater Treatment Plant (WWTP) Grit and Filter Improvement Study and Authorizing the City Manager or His Designee to Execute any Necessary Documents

MOTION WAS MADE BY Mayor Moore to approve the above captioned agreement with Freese and Nichols, Inc., seconded by Council Member Hughes.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 6
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins

NAYS: None

MOTION PASSED

Boards & Committees

CRMWD Board of Directors

Term - June 1, 2023 through May 31, 2025

Rick Watkins

Ernie Morgan

Roy Worthy

Council Member Tompkins announced that Roy Worthy was not interested and asked to be removed from the nomination list.

MOTION WAS MADE BY Council Member Tompkins to appoint Rick Watkins and Ernie Morgan to the CRMWD Board of Directors, seconded by Mayor Pro Tem Ornelas.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 6
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins

NAYS: None

MOTION PASSED

Zoning Board of Adjustments - Alternate

Jose Olivias - Nominated by Council Member Yanez (Dist. 2)

MOTION WAS MADE BY Mayor Moore to appoint Jose Olivias to the Zoning Board of Adjustments as an alternate, seconded by Council Member Yanez.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 6
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins

NAYS: None

MOTION PASSED

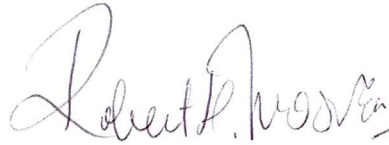
Council Input

Input

Council Member Yanez thanked Todd.
Council Member Tompkins asked for a CRMWD update on the lake levels.

Adjourn

Mayor Moore adjourned the City Council meeting at 6:49 p.m.

A handwritten signature in black ink, appearing to read "Robert H. Moore III", written over a horizontal line.

Robert H. Moore III, Mayor

ATTEST:

A handwritten signature in blue ink, appearing to read "Tami L. Davis", written over a horizontal line.

Tami L. Davis, City Secretary