

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 26, 2023, with the following members present in person:

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

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

Trent Thrasher, 14th & Main 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

One citizen (Mike Martin) spoke regarding concerns over a previous abatement located at 709 Pine St.

Announcements, Presentations and Public Hearings

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

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

NAYS: None

MOTION PASSED

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

PUBLIC HEARING Regarding a Possible One-Time Retention Stipend of \$1,500.00 to be Paid to Employees from Current Funds for the Purpose of Promoting Employee Morale when Those Employees are Supervised Directly or Indirectly by the City Manager and are Continuously Employed from October 16, 2023 to October 20, 2023 John Medina, Assistant City Manager, explained the one-time retention stipend pay of \$1,500.00 to each employee of the City of Big Spring.

**PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 801 PINE ST, BIG SPRING, TEXAS 79720 - LEGAL
DESCRIPTION: SC 26 BK 33 1N 51X280 109.04 ACQ 03292017 BLK/TRACT 33 1N 0.33 ACRES - OWNER: MARIA BURCIAGA**

No action taken on the above captioned property.

**PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 901 NW 2ND ST, BIG SPRING, TEXAS 79720 - LEGAL
DESCRIPTION: LTS 1-2 BK J MOORE IRR 85 ACQ 06232015 BLK/TRACT J 0.518 ACRES - OWNER: ROYAL BRAWLEY**

MOTION WAS MADE BY Council Member McDonald to abate the above captioned property (901 NW 2nd St.), seconded by Council Member Smith.

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

NAYS: None

MOTION PASSED

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 506 N JOHNSON, BIG SPRING, TEXAS 79720 - LEGAL DESCRIPTION: SE/4 OF SC 42 BK 32 1N TR 41 WILLIAM B CURRIE 75X80 REAR 798 0.57 ACRES - OWNER: RUPERT BROWN

MOTION WAS MADE BY Council Member Hughes to abate the above captioned property (506 N. Johnson), seconded by Council Member Yanez.

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

NAYS: None

MOTION PASSED

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 509 NW 8TH, BIG SPRING, TEXAS 79720 - LEGAL DESCRIPTION: LT 5 BK 19 BAUER 50X140 530 BLK/TRACT 19 0.161 ACRES ACQ 01142019 - OWNER: DANY SOM

MOTION WAS MADE BY Council Member McDonald to abate the back structure at the above captioned property (509 NW 8th), seconded by Council Member Hughes.

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

NAYS: None

MOTION PASSED

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

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

NAYS: None

MOTION PASSED

City Manager's Report

City Manager's report on the following items:

- Update - Large Item Pickup, District 3
- Recognition of the Retirement of Michelle Sanchez in Code Enforcement

Todd Darden, City Manager, reported on the above captioned items as follows:
District 3 large item pickup picked up 9 tons; Recognized the retirement of Michelle Sanchez and reminded everyone that many staff and council will be attending the TML Conference next week - Oct 4-6.

Consent Items

Approval of the City Council Minutes of the Regular Meeting of September 12, 2023.

Final Reading of an Ordinance Due to Increased Costs of Operating the Water Utilities by Amending Chapter 50 of the Code of Ordinance Entitled "Utilities," Article iv Entitled "Utility Service Charges," Section 50-92 Entitled "Charges for Water Rate" Subsection B; Providing for Publication; and Providing an Effective Date

Final Reading of an Ordinance Directing the City Manager to Direct the Placement of Stop Signs for a Three-Way Stop at Coronado Avenue and Craigmont Drive, and Four-Way Stops at Crestline Road and Avondale Drive, and at Melrose Lane and Belvedere Road; Providing for the Penalty Under State Law; Providing for Severability; Finding and Determining that the Meetings at Which the Ordinance was Discussed were Open to the Public as Required by State Law; Providing for Publication; and Providing an Effective Date

Final Reading of an Ordinance Amending the Big Spring City Code, Article VI "Tow Trucks," Chapter 48 "Traffic and Vehicles," Section 48-206 "License and Permit Fees," to Increase the Annual License Fee of Towing Companies Performing Nonconsent Tows to \$100.00 Per Year or "\$200.00 Per Year for a Rotation Permit; Providing for Repeal of Conflicting Ordinances; Providing for 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 Establishing an Effective Date

Final Reading of an Ordinance Amending the Big Spring Zoning Ordinance Article 6 "District Regulation," Section 6-6 Districts and Permitted Uses, to 50% of the Total Lot Area that May be Covered by the Combined Area of the Main Buildings and Accessory Buildings for the Following Districts; A, Agriculture District, Currently 20%; SF-1, Single-Family Dwelling District, Currently 35%; SF-2, Single-Family Dwelling District, Currently 35%; SF-3, Single-Family Dwelling District, Currently 35%; 2F, Two-Family Dwelling District, Currently 40%; GR, General Residential District, Currently 45%; Providing for the Repeal of Conflicting Ordinances; Providing for a Severability Clause; Finding and Determining that the Meetings at Which the Ordinance was Discussed were Open to the Public as Required by Law; and Establishing an Effective Date

MOTION WAS MADE BY Mayor Pro Tem Ornelas to approve the above captioned minutes and ordinances, seconded by Council Member McDonald.

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

MOTION PASSED

Old Business

Final Reading of an Ordinance Fixing and Levying Municipal Ad Valorem Taxes for Said City for the Year 2023; Directing the Assessment and Collection Thereof; Providing for Severability; and Establishing an Effective Date

MOTION WAS MADE BY Council Member Hughes to approve the above captioned ordinance and adopt the No-New-Revenue Tax Rate of \$0.636039, seconded by Council Member Smith.

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

MOTION PASSED

Final Reading of an Ordinance Approving and Adopting an Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2023 and Ending September 30, 2024; 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, Council Member Hughes, Council Member Tompkins, 7
Mayor Pro Tem Ornelas, Council Member Smith, Council Member Yanez, 0
Council Member McDonald
NAYS: None

MOTION PASSED

Vouchers

Vouchers for 09/15/23	\$	481,949.07
Vouchers for 09/21/23	\$	321,814.52
Drafts	\$	1,066,681.08

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

NAYS: None

MOTION PASSED

Bids

Consideration and Possible Action on Awarding a Bid for the Fire Hydrants Replacement Project 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 bid to Double K Construction for a total amount of \$95,800.00, seconded by Council Member Smith.

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

NAYS: None

MOTION PASSED

Consideration and Possible Action on Awarding a Bid for the Wastewater SCADA Improvements Project and Authorizing the City Manager or His Designee to Execute Any Necessary Documents

MOTION WAS MADE BY Council Member Hughes to award the above captioned bid to James Cooke & Hobson, Inc. for a total amount of \$191,095.00, seconded by Council Member Smith.

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

NAYS: None

MOTION PASSED

Consideration and Possible Action on Awarding a Bid for Birdwell Lift Station and Authorizing the City Manager or His Designee to Execute Any Necessary Documents

MOTION WAS MADE BY Council Member Hughes to award the above captioned bid to Texas Water & Soil Co. in the amount of \$2,237,453.00, seconded by Council Member McDonald.

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

NAYS: None

MOTION PASSED

Consideration and Possible Action of Awarding a Stop Loss Agreement with Sun Life and Authorizing the City Manager or His Designee to Execute any Necessary Documents

MOTION WAS MADE BY Council Member Hughes to award the above captioned Stop Loss Agreement to Sun Life, seconded by Council Member Yanez.

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

NAYS: None

MOTION PASSED

New Business

Consideration and Possible Action Regarding the Big Spring Economic Development Corporation's Annual Budget for 2023-2024

Mark Willis, Executive Director, presented to the Council the above captioned budget.

After a brief discussion, MOTION WAS MADE BY Council Member Hughes to approve the above captioned budget, seconded by Council Member Tompkins.

**YEAS: Council Member Hughes, Council Member Tompkins, Council 3
Member McDonald 4**

**NAYS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Smith,
Council Member Yanez**

MOTION FAILED

Consideration and Possible Action Regarding the Howard County 9-1-1 Communications District's Proposed Budget for 2023-2024

MOTION WAS MADE BY Mayor Moore to approve the above captioned budget, seconded by Council Member Tompkins.

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

NAYS: None

MOTION PASSED

Consideration and Possible Action Granting the Fire Department Permission to Apply for the Assistance to Firefighters Grant (AFG)

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

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

NAYS: None

MOTION PASSED

First Reading of a Resolution Designating the Following as Nominees for the Position of Director on the Howard Central Appraisal District Board of Directors for the Years 2024

and 2025; and Providing for an Effective Date

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

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

NAYS: None

MOTION PASSED

First Reading of a Resolution to Temporarily Amend the Personnel Policies of the City of Big Spring to Provide for a One-Time Retention Stipend of \$1,500.00 to Employees Continuously Employed Between October 16, 2023 and October 20, 2023 to be Paid from Current Funds; and Finding and Determining that the Meetings at Which the Resolution were Discussed were Open to the Public as Required by Law; and Establishing an Effective Date

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

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

NAYS: None

MOTION PASSED

Consideration and Possible Action Regarding Two Engineering Agreements for Fire Hydrant Replacement Project and Oak Glen Drive Paving Project and Authorizing the City Manager or His Designee to Execute Any Necessary Documents

MOTION WAS MADE BY Council Member Hughes to approve the below listed agreements, seconded by Council Member McDonald.

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

NAYS: None

MOTION PASSED

Fire Hydrant Replacement Project

Oak Glen Paving Project

Boards and Committees

Consideration and Possible Action on the Below Listed Board Members as Follows:

MOTION WAS MADE BY Mayor Moore to appoint and reappoint the below listed board members, seconded by Council Member Smith.

YEAS: Mayor Moore, Council Member Hughes, Council Member Tompkins, 7

Mayor Pro Tem Ornelas, Council Member Smith, Council Member Yanez, 0
Council Member McDonald
NAYS: None

MOTION PASSED

McMahon/Wrinkle Aviation Advisory Board

Johnathan Ray - Reappoint - Dist. One
Joseph Harrison - Removal - Dist. Four
Shane Schaffner - Appoint - Dist. Four

Zoning Board of Adjustments

Debbie Ramirez - Reappoint - Dist. One
Carrie Rodman - Reappoint - Dist. Three

Zoning Board of Adjustments - Alternates

Maria Padilla - Reappoint - Dist. One

Animal Rescue & Adoption Committee

Amanda Williams - Reappoint - Dist. One
Brittany Hankins - Reappoint - Dist. Five

Big Spring Economic Development Corporation

Cody Williams - Reappoint - Dist. One

Council Input

Input

Council Member Tompkins corrected a statement he made earlier to a citizen about raises for employees.

Executive Session

MOTION WAS MADE BY Mayor Moore to adjourn into executive session at 7:00 p.m., seconded by Council Member Tompkins.

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

MOTION PASSED

Adjourn into Executive Session in Matters Covered by Texas Government Code Section 551.074 "Personnel Matters; Closed Meeting" to Deliberate the Employment of the following:

- City Manager

- Fire Chief

7:00

Adjourn into Executive Session in Accordance with the Purposes Permitted by the Open Meeting 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 Potential Litigation

Adjourn into Executive Session in Accordance with the Purposes Permitted by the Open Meeting Act, Section 551.087, Texas Government Code, "Deliberation Regarding Economic Development Negotiations; Closed Meeting" to Discuss and Deliberate Economic Development Negotiations

Reconvene into Open Session and Take Any Necessary Action on Executive Session Items

Mayor Moore reconvened into open session at 8:20 p.m.

MOTION WAS MADE BY Mayor Moore to approve the amendments to the City Manager's contract as discussed in executive session, seconded by Council Member McDonald.

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

NAYS: None

MOTION PASSED

No action was taken on any of the other above listed executive session items.

Adjourn

Mayor Moore adjourned the City Council meeting at 8:23 p.m.



Robert H. Moore III, Mayor

ATTEST:



Tami L. Davis, City Secretary