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, October 24, 2023, with the following members present in person:

COUNCIL MEMBER TROY TOMPKINS
COUNCIL MEMBER MAURY SMITH
COUNCIL MEMBER CODY HUGHES
COUNCIL MEMBER DIANE YANEZ
COUNCIL MEMBER GLORIA MCDONALD
MAYOR PRO TEM NICK ORNELAS
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
JAY HOLT	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
Pamela Moietz with the Salvation Army 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 at this time.

Announcements, Presentations and Public Hearings

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

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

MOTION PASSED

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

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 4209 OAK ST, BIG SPRING, TEXAS 79720 - LEGAL DESCRIPTION: LT 5 BK 3 MESA 50X130 052 ACQ 02282022 BLK/TRACT 331S 0.149 ACRES - OWNER: RAUL MARQUEZ

MOTION WAS MADE BY Council Member McDonald to abate the above captioned property (4209 Oak St.) for 60 days, seconded by Council Member Smith.

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

MOTION PASSED

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 4005 W HWY 80, BIG SPRING, TEXAS 79720 - LEGAL DESCRIPTION: LTS 3-5 BK 4 WRIGHTS AIRPORT 75X130 MITCHEM SALVAGE YARD 021 BLK/TRACT 4 0.224 ACRES ACQ 1132014 COMBINED 287591,287589,287588WITH 87590 .598 - OWNER: JAMES ORN

MOTION WAS MADE BY Council Member Hughes to abate the above captioned property (4005 W. Hwy 80), seconded by Council Member McDonald.

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

MOTION PASSED

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 2208 MAIN, BIG SPRING, TEXAS 79720 - LEGAL DESCRIPTION: LT 5 BK 31 COLLEGE HEIGHTS 50X1401400 0.161 ACRES ACQ 08042015 - OWNER: HET LLC

MOTION WAS MADE BY Council Member McDonald to abate the garage at the above captioned property (2208 Main), seconded by Council Member Smith.

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

MOTION PASSED

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 507 NW 8TH, BIG SPRING, TEXAS 79720 - LEGAL DESCRIPTION: LT 4 BK 19 BAUER 50X140 531 BLKT/TRACT 19 0.161 ACRES- OWNER: GUCEMINDO M DEANDA

MOTION WAS MADE BY Mayor Pro Tem Ornelas to abate two storage building at the above captioned property (507 NW 8th), seconded by Council Member Hughes.

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

MOTION PASSED

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 610 NW 7TH , BIG SPRING, TEXAS 79720 - LEGAL DESCRIPTION: LT 7 BK 20 BAUER 60X140 515 BLK/TRACT 20 0.193 ACRES - OWNER: VENTURA A. CALDERON AND CONCEPION CALDERON

MOTION WAS MADE BY Mayor Pro Tem Ornelas to abate the above captioned property (610 NW 7th), 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**
NAYS: None **0**

MOTION PASSED

City Manager's Report

City Manager's report on the following items:

- Update - Large Item Pickup, District 4

- City Employee Appreciation Picnic - November 3rd
- City Holiday - November 10th - Veterans Day

Todd Darden, City Manager, reported on the above captioned items as follows: Large item pickup for District 4 picked up over 4 tons of items; The city employee appreciation picnic will be on November 3rd at noon and invited the Council Members to attend; and November 10th is a city holiday.

Consent Items

Approval of the City Council Minutes of the Regular Meeting of October 10, 2023.

Final Reading of an Ordinance Repealing Chapter 34, Section 34-5 "Attorneys Representing the State in Criminal Prosecutions," from the Big Spring City Code in Recognition of State Law Now Providing for an Attorney Pro Tem to be Appointed in the Event One is not Available in the Municipal Court, Providing for Repeal of Conflicting Ordinances; Providing for 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 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, Council Member Hughes, Council Member McDonald, Council Member Tompkins, Council Member Smith **7**
NAYS: None **0**

MOTION PASSED

Vouchers

Vouchers for 10/12/23	$	661,765.46
Vouchers for 10/19/23	$	1,602,582.04
Drafts	$	1,175,528.37

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 Smith.

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

MOTION PASSED

Bids

Consideration and Possible Action on Awarding a Bid for a Side Load Truck for the Sanitation Department 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 Bond Equipment Company Inc. in the amount of $332,889.00, 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**
NAYS: None **0**

MOTION PASSED

Consideration and Possible Action to Accept a Proposal or Reject Proposal(s) for the Sale of Real Property Pursuant to RFP 24-013 for Three Lots NW Corner of Nolan and East 5th and Authorizing the City Manager or His Designee to Negotiate and Execute Any Necessary Documents, concerning property in the City of Big Spring and Howard County as follows:

- 408 Nolan Street, LT 4 BK 31 ORIGINAL TOWN 50X140 0538 ACQ 040302 0.161 ACRES
- 410 Nolan Street, LT 5 BK 31 ORIGINAL TOWN 50X140 0539 ACQ 0403020 0.161 ACRES
- 412 Nolan Street, LT 6 BK 31 ORIGINAL TOWN 50X140 0540 ACQ 040302 0.161 ACRES

MOTION WAS MADE BY Council Member Tompkins to accept a proposal for the above captioned properties from MG Pepperoni Holdings LLC (Mr Gatti's Pizza), seconded by Council Member Hughes.

YEAS: Mayor Moore, Council Member Hughes, Council Member McDonald, Council Member Tompkins, Council Member Smith **5**
NAYS: Mayor Pro Tem Ornelas, Council Member Yanez **2**

MOTION PASSED

New Business

Acknowledge Receipt of the Investment Report for the Quarter Ending September 30, 2023

City Council Members acknowleded receipt of the above captioned investment report.

Consideration and Possible Action to Accept the Following Donations:

Dora Roberts Rehabilitation Center for an ADA Accessible Playground Equipment at Comanche Trail Park

MOTION WAS MADE BY Council Member Yanez to accept the above captioned donation in the amount of $750,000.00, seconded by Council Member Hughes.

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

MOTION PASSED

Amphitheater Improvement Board for Upgrades to the Comanche Trail Amphitheater

MOTION WAS MADE BY Council Member Yanez to accept the above captioned donation in order to fund Phase 2 upgrades at the Comanche Trail Amphitheater, seconded by Mayor Pro Tem Ornelas.

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

MOTION PASSED

Broughton Foundation to the Big Spring Police Department

MOTION WAS MADE BY Council Member Hughes to accept the above captioned donation in the amount of $101,330.00 to purchase patrol rifles for the Big Spring Police Department, seconded by Council Member McDonald.

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

MOTION PASSED

Circle H Auto Sales to the Comanche Trail Golf Course

MOTION WAS MADE BY Council Member Hughes to accept the above captioned donation in the amount of $5,374.74 for the purchase of range balls at the Comanche Trail Golf Course, 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**
NAYS: None **0**

MOTION PASSED

Consideration and Possible Action to Reschedule the Regular City Council Meeting on December 26, 2023 at 5:30 pm to December 12, 2023 at 6:00 pm

MOTION WAS MADE BY Mayor Moore to approve the above captioned rescheduling of the second regular City Council meeting in December 2023.

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

MOTION PASSED

Discussion and Possible Action Regarding an Engineering Study to Improve the Drainage at the Parkway and Alamesa Intersection, and General Discussion of Drainage Issues in the City

Council Member withdrew the above captioned item.

Mayor Moore adjourned the City Council meeting for a short break at 6:47 p.m.

Mayor Moore reconvened the City Council meeting at 6:52 p.m.

Discussion and Possible Action Regarding the Following Facilities:

Demolition of the Bailer Building Located at the Old Landfill

Council Member Hughes expressed his concerns of the burned bailer building at the old landfill and asked if it could be torn down due to being visible from the street. Todd Darden, City Manager, explained that the city has received money from insurance but has issues with the amount and is going to protest for more. No action taken at this time.

Demolition of the Dora Roberts Community Center (DRCC)

Todd Darden, City Manager, also explained that the above captioned property also has issues with the insurance company and the amount has not been settled but will proceed with the demolition as soon as possible.

Replacement of the DRCC Building with a New Metal Sided Building with a Limestone Facade on the Lower 3rd to Match the SM Energy Pavillion; Placement of the Builidng with a Recommendation of Moving it to the Hill Next to the Existing SM Energy Pavilion; and Direct City Staff to get Preliminary Estimates from Local and Regional Metal Building Contractors for a Roughly 11,950 Square Foot Metal Building with Coved or Cathedral Ceilings

After a brief discussion,

MOTION WAS MADE BY Council Member Hughes to direct staff to activate the CVB Board (Convention and Visitors Bureau Board) to review ideas of what a new community should consist of, seconded by Mayor Pro Tem Ornelas.

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

MOTION PASSED

Consideration and Possible Action Regarding a Cash Award Leading to the Arrest and Conviction of Any Suspect Responsible for the DRCC Fire

MOTION WAS MADE BY Council Member Smith to approve the above captioned cash award in the amount of $4,500.00, seconded by Council Member McDonald.

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

MOTION PASSED

First Reading of an Ordinance to Rename the City Street "Sage Circle" to "Shroff Circle" and Authorizing the City Manager to Take all Necessary Action to Effect this Change; 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; and Establishing an Effective Date

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

YEAS: Council Member Hughes, Council Member Tompkins **2**
NAYS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, Council Member McDonald, Council Member Smith **5**

MOTION FAILED

First Reading of an Ordinance Amending Ordinance Number 049-2023 Which Adopted the Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2023 and Ending September 30, 2024 by Increasing the Utility Fund for the Water Office Department for the Purpose of Replacing the Front Door for ADA Compliance; 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 Council Member McDonald.

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

MOTION PASSED

First Reading of a Resolution Casting Vote(s) to Elect Directors for the Howard Central Appraisal District for the Years 2024 and 2025; and Directing the City Secretary to Submit the Official Ballot to the Chief Appraiser of the Howard Central Appraisal District Before December 15, 2023

MOTION WAS MADE BY Mayor Pro Tem Ornelas to approve the above captioned resolution and giving the total number of the City of Big Spring's allotted votes (339.7) to Jordan Partee, seconded by Council Member Tompkins.

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

MOTION PASSED

Consideration and Possible Action Regarding an Agreement with Monsido, LLC for the Purchase of Monsido Software for Web Governance and Web Accessibility 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 Tompkins.

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

MOTION PASSED

Consideration and Possible Action Regarding an Agreement with Corral Environmental Consulting Inc. for the Asbestos Abatement and Subsequent Demolition of the Dora Roberts Community Center 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 McDonald.

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

MOTION PASSED

Boards and Committees

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

MOTION WAS MADE BY Mayor Moore to appoint Brent Strande to the Big Spring Economic Development Corporation Board of Directors to represent District 5, seconded by Council Member Hughes.

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

Tompkins, Council Member Smith
NAYS: None

MOTION PASSED

Big Spring Economic Development Corporation
Brent Strande - Appointment - Dist. Five

Council Input

Input
Mayor Pro Tem Ornelas thanked employees and that he would not be able to attend the city picnic
Council Member Yanez thanked Peter Gonzalez with Oncor and Mike Feeley
Council Member Tompkins had some questions about doing a feasibility study on the amphitheater; and also would like to the staff to work on some way to inform citizens of flood zone areas

Adjourn
Mayor Moore adjourned the City Council meeting at 7:37 p.m.

Robert H. Moore III, Mayor

ATTEST:

Tami L. Davis, City Secretary