

STATE OF TEXAS :
COUNTY OF HOWARD :
CITY OF BIG SPRING :

The City Council of the City of Big Spring, Texas, met in a REGULAR MEETING in the City Council Chambers located at 307 E. 4th St., Big Spring, Texas, at 5:30 PM, February 13, 2024, with the following members present in person:

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

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

Ricky Carstensen, First Methodist 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

One citizens spoke regarding work at the sports complex in order to have a fall season of soccer; and one citizens spoke regarding a complaint with the police department and felt that he was treated unfairly.

Announcements, Presentations and Public Hearings

MOTION WAS MADE BY Mayor Moore to open the below listed public hearings, 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

PUBLIC HEARING - Regarding a Proposed 2024 Master Parks Plan
Hayley Lewis, Community Services Director, reported that this was the second public hearing and that she was making a few changes to the proposed 2024 Master Parks Plan. No comments were made at this time.

PUBLIC HEARING - Regarding a Zone Change (Z23-01) From General Residential (GR) to Heavy Commercial (HC) Zoning for 3.450 Acres of Land in Section 32, Block 33, T-1-N, T&P RR. Co. Survey, Big Spring, Howard County, Texas. Generally Located on W. Business 20 East of Old State Highway 80.

Shane Bowles, Public Works Director, explained that this zone change would allow Oncor Electric to build a new transmission station. No comments were made at this time.

Each public hearing listed below regarding the abatement were presented to the Council with an abatement order and pictures. No citizens spoke regarding any of the properties listed below.

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

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

YEAS: Mayor Moore, Council Member Yanez, Council Member Hughes,

6

Council Member McDonald, Council Member Tompkins, Council Member Smith

NAYS: None

0

ABSTAIN: Mayor Pro Tem Ornelas

1

MOTION PASSED

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 1400 STATE PARK, BIG SPRING, TEXAS 79720 – LEGAL DESCRIPTION: LTS 5-6 BK 2 MOUNTAIN VIEW 100X140 216 0.321 ACRES – OWNER: EARL D. KOLDEN

MOTION WAS MADE BY Council Member McDonald to abate the above captioned property (1400 State Park), seconded by Council Member Hughes.

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

6

NAYS: None

0

ABSTAIN: Mayor Pro Tem Ornelas

1

MOTION PASSED

MOTION WAS MADE BY Mayor Moore to close the above 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

City Manager's Report

City Manager's report on the following items:

- Large Item Pickup, District 2 - February 21
- City Holiday - President's Day - February 19
- Update - Atmos Lane Closure for Maintenance
- Update - Road Maintenance - Birdwell Lane from 25th to FM700
- Update - Opening of the Auditorium
- Installation of the Cardboard Recycling Bailer

Todd Darden, City Manager, reported on the above captioned items as follows:
Large item pickup for District 2 will be on February 21, 2024; City offices will be closed Monday, February 19, 2024 in observance of President's Day; Atmos will

be closing a lane between 3rd St and the railroad track for a major line replacement; Road maintenance is still in progress on Birdwell Lane from 25th Street to FM 700; The City Auditorium will open back up this weekend for concert from the Big Spring Symphony; Cardboard bailer is open and running.

Presentation Regarding Staff Recommendations for Police/Fire Retention and Recruitment

Todd Darden, City Manager, updated the Council regarding some staff recommendations for retention and recruitments within the Police and Fire Departments. (Social Media, Career Fairs, Online Recruitment, Site Visits to various academies, etc.)

Report on the Administrative Hearings Held on February 7th, 2024, Concerning Abatement of Premises Nuisance Violations.

Andrew Hagen, City Attorney, updated the Council on some public nuisance hearings for accumulated items.

Consent Items

Approval of the City Council Minutes of the Regular Meeting of January 23, 2024.

Final Reading of a Resolution Calling for a General Election to be Held on May 4, 2024 for the Purpose of Electing One Person to Serve as City Council Member for District Two; One Person to Serve as City Council Member for District Four; and One Person to Serve as City Council Member for District Six; Providing for the Conduct of the Election; Designating Several Polling Places Within the City; Authorizing the Mayor to Execute Notice and Have the Notice Posted for the Purpose of Notifying the Public of Said Election; and Providing for Severability

Final Reading of a Resolution Authorizing Continued Participation with the Steering Committee of Cities Served by Oncor; and Authorizing the Payment of Ten Cents Per Capita to the Steering Committee to Fund Regulatory and Legal Proceedings and Activities Related to Oncor Electric Delivery Company, LLC; and Providing an Effective Date

Final Reading of a Resolution Authorizing and Appointing the City Manager to Submit an Application to the Office of the Governor, Criminal Justice Division to Secure Funding for Rifle-Resistant Body Armor Through the Rifle-Resistant Body Armor Grant Program; and Providing an Effective Date

Final Reading of an Ordinance Granting to Vero Fiber Networks, LLC, a Colorado Limited Liability Company, a Right-of-Way License to Own, Maintain, Operate, and Control in Accordance with Regulations Promulgated by the Federal Communications Commission and the Texas Public Utilities Commission, and this Ordinance, a Fiber-Based Telecommunications Network Serving Customers within the Municipal

Boundaries of the City and to the Residents and Businesses Located therein
Prescribing the Term of Such License and Rights; 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 minutes, resolutions and ordinances, seconded by Council Member
Smith.**

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

NAYS: None 0

MOTION PASSED

Vouchers

Vouchers for 01/25/24 \$ 2,483,416.15

Drafts \$ 810,808.93

Mayor Pro Tem Ornelas reviewed the above captioned vouchers.

**MOTION WAS MADE BY Mayor Pro Tem Ornelas 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
Tompkins, Council Member Smith**

NAYS: None 0

MOTION PASSED

Vouchers for 02/01/24 \$ 462,389.05

Vouchers for 02/09/24 \$ 1,172,676.32

Drafts \$ 926,096.75

**Council Member Yanez was unable to review the above captioned vouchers and
asked for them to be moved to the next agenda.**

Bids

Consideration and Possible Action on Awarding a Bid for the Installation of Eight A/C
Units at the Waste Water Treatment Plant and Authoring 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 SKC A/C LLC in the total amount of \$127,927.00, seconded by Council
Member McDonald.**

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

Tompkins, Council Member Smith
NAYS: None

0
MOTION PASSED

Consideration and Possible Action on Awarding a Bid for the 2024 Crack Seal Project and Authorizing the City Manager or His Designee to Execute any Necessary Documents

MOTION WAS MADE BY Council Member Yanez to award the above captioned bid to JR Compass, LLC in the amount of \$146,466.04, 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
NAYS: None

7
0
MOTION PASSED

Consideration and Possible Action on Awarding a Bid for a Gooseneck Tilt Trailer for the Airpark 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 Texas Pride Trailer Sales in the amount of \$14,182.50, 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
NAYS: None

7
0
MOTION PASSED

New Business

Report on the Big Spring Police Department 2023 Racial Profiling Analysis
Chad Williams, Police Chief, gave a brief report on the 2023 Racial Profiling Analysis.

Acknowledge Receipt of the Investment Report for the Quarter Ending December 31, 2023

Acknowledge Reciept of the Quarterly Financial Report
Sandy Smith, Finance Director, gave a report on the above captioned Investment Report and Quarterly Financial Report.

First Reading of a Resolution of the City of Big Spring, Texas, Amending the Big Spring City Code to Amend Resolutions 005-2023 and 012-2023 and the Underlying Real Estate Purchase Agreement with 3-D Development as Amended to Provide for a Third

Inspection Period; Providing for Repeal of Conflicting Resolutions; Finding and Determining that the Meetings at Which the Resolution Were Discussed Were Open to the Public as Required by Law; Providing a Savings and Severability Clause; Establishing an Effective Date

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

First Reading of a Resolution Authorizing and Appointing the City Manager to Submit an Application to the Edward Byrne Memorial Justice Grant Program to Secure Funding for a SWAT Transport Van; and Providing an Effective Date

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

First Reading of a Resolution Accepting a Grant from the Texas Department of Transportation (TxDOT) for the Funding of Striping and Marking on the Runway and Taxiways at the McMahon-Wrinkle Airport and Industrial Park; and Providing an Effective Date

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

First Reading of an Ordinance Authorizing Z-23-01, Amending the Big Spring Zoning Ordinance by Rezoning Approximately 3.450 Acres of Land in Section 32, Block 33, T-1-S, T&P RR. Co. Survey, Big Spring, Howard County, Texas, From General Residential (GR) to Heavy Commercial (HC); Providing a Savings and Severability Clause; Providing for Repeal of Conflicting Ordinances; Providing for Publication; 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 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

Final 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 Airpark Fund Budget for the Purpose of Budgeting the Additional Matching Share of the Texas Department of Transportation Grant for Striping and Marking the Airport Runway and Taxiways; Providing for Severability; 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, Council Member Hughes, Council Member McDonald, Council Member Tompkins, Council Member Smith **7**

NAYS: None **0**

MOTION PASSED

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 Transferring Capital Funds into Expense Accounts for the Purpose of Leasing Vehicles through the Enterprise Lease Program for Various Departments; Providing for Severability; Providing for Publication; and Providing an Effective Date

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

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

NAYS: Council Member Hughes **1**

MOTION PASSED

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 Budget to Provide for the City's Matching Share of the CDBG Grant CDV21-1065; 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 Smith.

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

Tompkins, Council Member Smith
NAYS: None

0
MOTION PASSED

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 Landfill Budget for the Purpose of Purchasing a Bulldozer; Providing for Severability; 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 Yanez.

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

NAYS: None
0
MOTION PASSED

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 General Fund Budget for the Purpose of Conducting a Compensation Market Study; Providing for Severability; Providing for Publication; and Providing an Effective Date

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

NAYS: None
0
MOTION PASSED

Consideration and Possible Action to Authorize the City Manager to Negotiate and Execute an Agreement to conduct a Compensation Market Study with Evergreen Solutions, LLC.

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

NAYS: None
0
MOTION PASSED

Consideration and Possible Action to Authorize the City Manager to Negotiate and Execute a Lease for a Term of Up to 50 Years with Vero Fiber Networks, LLC for the Parcel Commonly Known as 405 Nolan Street, Big Spring, Texas, in the Records of

Howard County as: N 3/4' OF LT 8 ALL LT 9 BK 32 ORIGINAL TOWN 87.5X140
PARKING LOT FOR BIG SPRING POLICE DEPT 0533 BLK/TRACT 32 0.283 ACRES

**MOTION WAS MADE BY Council Member Hughes to approve the above
captioned lease, seconded by Council Member Smith.**

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

NAYS: None 0

MOTION PASSED

Discussion and Possible Acceptance of 2024 Parks Master Plan

**Hayley Lewis, Community Services Director, reported that a resolution needed to
be brought back to Council for approval of the 2024 Parks Master Plan and an
updated copy will be attached. No action taken at this time.**

Discussion and Possible Action Regarding Russ McEwen Family Aquatic Center Grant
Funded Capital Projects.

**MOTION WAS MADE BY Council Member Smith to approve the capital projects
for the Russ McEwen Family Aquatic Center, seconded by Council Member
McDonald.**

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

NAYS: None 0

MOTION PASSED

Discussion and Possible Action to Direct Staff to Draft an Ordinance to Amend the
Budget to Add One Full Time Equivalent (FTE) at the Sports Complex

**MOTION WAS MADE BY Council Member Tompkins to direct staff to do a budget
amendment to add one full time equivalent at the Sports Complex, seconded by
Mayor Pro Tem Ornelas.**

**YEAS: Mayor Pro Tem Ornelas, Council Member Yanez, Council Member 5
McDonald, Council Member Tompkins, Council Member Smith**

NAYS: Mayor Moore, Council Member Hughes 2

MOTION PASSED

Council Input

Input

Mayor Pro Tem reported that he has received several calls about loose dogs in the
Banks Addition; and he appreciates the citizens for their concerns and reaching out to
him

Council Member Yanez thanked the Code Enforcement department

Council Member Hughes explained his recent vote against the addition of a new staff member to the sports complex and not being able to give the public safety departments a raise

Council Member McDonald announced that tickets are available for the Feb. 24th Texas Forever

Council Member Tompkins thanked staff for getting grants; Would like to visit with Sandy on budget; He has been receiving good reviews on the animal coordinator; Notice to Kentwood residence that there will some road construction going on
Council Member Smith thanked Mr. Bowles for getting the bailer going for recycling cardboard; Thanked staff for their professionalism; Asked Jay to help with the applicants; Should be the owners responsibility for loose dogs

Adjourn

Mayor Moore adjourned the City Council meeting at 7:40 p.m.



Robert H. Moore III, Mayor

ATTEST:



Tami L. Davis, City Secretary