

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. 4<sup>th</sup> St., Big Spring, Texas, at 5:30 p.m., April 10, 2018, with the following members present:

LARRY McLELLAN	Mayor
RAUL MARQUEZ	Mayor Pro Tem
CARMEN HARBOUR	Councilmember
TERRY MCDANIEL	Councilmember
HOWARD STEWART	Councilmember
RAUL BENAVIDES	Councilmember
JIM DEPAUW	Councilmember

Same and constituting a quorum; and

TODD DARDEN	City Manager
JOHN MEDINA	Assistant City Manager/ Human Resource Director
MARIANNE BANKS	City Attorney
CRAIG FERGUSON	Fire Chief
CHAD WILLIAMS	Police Chief
JOHNNY WOMACK	Director of Public Works
DON MOORE	Finance Director/City Secretary
JIM LITTLE	Airpark Director
TIM GREEN	Municipal Court Judge
DEBBIE WEGMAN	Community Services Director

## **INVOCATION & PLEDGE OF ALLEGIANCE**

Pastor Mike Willard, Cornerstone Covenant Church, gave the invocation and Mayor McLellan led the Pledge of Allegiance to the American and Texas Flags.

## **ANNOUNCEMENTS AND PUBLIC HEARINGS**

**PUBLIC HEARING – REGARDING ABANDONMENT OF AN APPROXIMATELY 80’ X 300’ SEGMENT OF JOHNSON STREET BETWEEN 3<sup>RD</sup> AND 4<sup>TH</sup> STREETS**

Motion was made by Mayor Pro Tem Marquez, seconded by Councilmember Harbour, with all members present voting “aye” to open the above captioned public hearing. No comments were made at this time. Motion was made by Councilmember Benavides, seconded by Councilmember Stewart, with all members present voting “aye” to close the above captioned public hearing.

**PUBLIC HEARING – REGARDING MICROBREWERIES, MICRODISTILLERIES, AND WINERIES**

Motion was made by Councilmember Harbour, seconded by Councilmember McDaniel, with all members present voting “aye” to open the above captioned public hearing. No comments were made at this time. Motion was made by Councilmember Harbour, seconded by Mayor Pro Tem Marquez, with all members present voting “aye” to close the above captioned public hearing.

**PROCLAMATION – “THANK A VETERAN DAY”**

Mayor McLellan read a proclamation to several veterans that were in the audience for “Thank a Veteran Day”.

**DISPOSITION OF MINUTES**

**APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF MARCH 27, 2018.**

Motion was made by Councilmember DePauw, seconded by Mayor Pro Tem Marquez, with all members of the Council present voting “aye” approving the above listed minutes.

**CONSENT ITEMS**

**FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NUMBER 034-2017 WHICH ADOPTED THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2017 AND ENDING SEPTEMBER 30, 2018 TO INCREASE THE MOTEL TAX FUND BUDGET FOR THE PURPOSE OF RE-ROOFING THE POTTON HOUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE**

**APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE BIG SPRING MCMAHON-WRINKLE AIRPORT AND INDUSTRIAL PARK DEVELOPMENT BOARD HELD ON JANUARY 25, 2018**

**APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION HELD ON NOVEMBER 03, 2017**

**COUNCILMEMBER HARBOUR REVIEWED THE VOUCHERS IN THE AMOUNT OF \$743,880.92 (03/29/18) AND \$555,323.37 (04/05/18).**

Motion was made by Councilmember Benavides, seconded by Mayor Pro Tem Marquez, with all members of the Council present voting “aye” approving the second and final readings of the above captioned ordinance, minutes and vouchers.

## **BIDS**

### **PERMISSION TO ADVERTISE FOR PROPOSALS FOR A UTILITY CONTRACTOR SERVICES**

Motion was made by Mayor Pro Tem Marquez, seconded by Councilmember Stewart, with all members of the Council present voting "aye" approving permission to advertise the above captioned services.

### **AWARD THE BID FOR TWO (2) UTILITY VEHICLES FOR THE PARKS DEPARTMENT AND MOSS LAKE TO SOUTH PLAINS IMPLEMENT AND AUTHORIZE THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS**

Motion was made by Mayor Pro Tem Marquez, seconded by Councilmember Stewart, with all members of the Council present voting "aye" awarding the above captioned bid to South Plains Implement in the amount of \$22,729.20.

### **AWARD THE BID FOR TWO (2) ZERO TURN MOWERS FOR THE PARKS DEPARTMENT AND CEMETERY AND AUTHORIZE THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOUCMENTS**

Motion was made by Mayor Pro Tem Marquez, seconded by Councilmember DePauw, with all members of the Council present voting "aye" awarding the above captioned bid to South Plains Implement in the amount of \$18,133.44.

### **AWARD THE BID FOR EARLY WARNING SYSTEM TO SENTRY SIREN**

Motion was made by Councilmember Harbour, seconded by Mayor Pro Tem Marquez, with all members of the Council present voting "aye" awarding the above captioned bid to Sentry Siren in the amount of \$85,913.82.

## **NEW BUSINESS**

### **PRESENTATION AND APPROVAL OF COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR YEAR ENDED SEPTEMBER 30, 2017**

Tyler Canady, Audit Manager with Bolinger, Segars, Gilbert & Moss, L.L.P., presented the Comprehensive Annual Financial Report for year ended September 30, 2017. Motion was made by Mayor Pro Tem Marquez, seconded by Councilmember DePauw, with all members of the Council present voting "aye" approving the above captioned presentation.

### **FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NUMBER 034-2017, WHICH ADOPTED THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2017 AND ENDING SEPTEMBER 30, 2018 TO INCREASE THE GENERAL FUND BUDGET FOR THE PURPOSE OF DEMOLISHING A DILAPIDATED**

STRUCTURE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION;  
AND PROVIDING AN EFFECTIVE DATE

Motion was made by Councilmember DePauw, seconded by Councilmember Stewart, with all members of the Council present voting "aye" approving the above captioned ordinance.

FIRST READING OF AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE ZONING ORDINANCE TO PROVIDE FOR DEFINITIONS, SPECIFIC USE PERMITTING REQUIREMENTS, NON-RESIDENTIAL VEHICLE PARKING REGULATIONS, AND DISTRICT USE REGULATIONS TO ALLOW FOR MICROBREWERIES, MICRODISTILLERIES, AND WINERIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

Motion was made by Councilmember Benavides, seconded by Councilmember Stewart, with all members of the Council present voting "aye" approving the above captioned ordinance.

CONSIDERATION AND ACCEPTANCE OF A PETITION TO ANNEX TWO VACANT TRACTS OF LAND TOTALING APPROXIMATELY 17.58 ACRES

Motion was made by Councilmember DePauw, seconded by Mayor Pro Tem Marquez, with all members of the Council present voting "aye" approving the above captioned annex petition.

APPROVAL OF AN AGREEMENT WITH PARKHILL, SMITH & COOPER, LLC FOR THE LANDFILL AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

After a brief discussion about interviewing different engineering firms, motion was made by Councilmember McDaniel, seconded by Mayor Pro Tem Marquez, with Councilmembers Marquez, Harbour, McDaniel, McLellan and Stewart voting "aye" approving the above captioned agreement with Parkhill, Smith & Cooper, LLC. Councilmembers Benavides and DePauw, being opposed, voting "nay" for passage of same. Motion passes five to two.

CONSIDERATION AND APPROVAL OF A REQUEST TO ABANDON AN APPROXIMATELY 80' X 300' SEGMENT OF JOHNSON STREET BETWEEN 3<sup>RD</sup> AND 4<sup>TH</sup> STREETS

Motion was made by a Councilmember Benavides, seconded by Councilmember DePauw, with all members of the Council present voting "aye" approving the above captioned request.

APPROVAL OF AMENDMENTS TO THE INVESTMENT POLICY

Motion was made by a Councilmember DePauw, seconded by Councilmember Harbour, with all members of the Council present voting "aye" approving the above captioned amendment.

## **CITY MANAGER'S REPORT**

Todd Darden, City Manager, announced that the annual E-Waste will be at the landfill on Saturday, April 14<sup>th</sup> and Mr. Darden also thanked everyone who participated in the April 6<sup>th</sup> Cleanup by the city employees.

## **COUNCIL INPUT**

Mayor McLellan thanked everyone that attended the council meeting.

Councilmember DePauw announced that citizens picked up over 15,000 lbs. of trash on the Texas Trash Off day.

Councilmember McDaniel was glad to see the staff moving forward on the demolition of the structure on Scurry St.

## **EXECUTIVE SESSION**

ADJOURN INTO EXECUTIVE SESSION IN ACCORDANCE WITH TEXAS GOVERNMENT CODES SECTION 551.071(1)(A) TO CONSULT WITH THE CITY ATTORNEY CONCERNING PENDING OR CONTEMPLATED LITIGATION (QUARTERLY UPDATE); AND

ADJOURN INTO EXECUTIVE SESSION WITH CITY MANAGER, CITY ATTORNEY AND STAFF IN ACCORDANCE WITH TEXAS GOVERNMENT CODE SECTION 511.072 TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY AT 7:04 P.M.

RECONVENE IN OPEN SESSION AND TAKE ANY NECESSARY ACTION AT 7:30 P.M.

No action was taken on the first executive session and there was no discussion on the second executive session.

## **ADJOURN**

Mayor McLellan adjourned the meeting at 7:30 p.m.

  
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Larry McLellan, Mayor

ATTEST:

  
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Tami L. Davis, Assistant City Secretary