

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., July 28, 2020, with the following members present in person:

SHANNON THOMASON	Mayor
CAMILLA STRANDE	Mayor Pro Tem
RAUL MARQUEZ	Councilmember
DOUG HARTMAN	Councilmember
TERRY MCDANIEL	Councilmember
GLORIA MCDONALD	Councilmember
JIM DEPAUW	Councilmember

Same and constituting a quorum; and the following staff in person;

TODD DARDEN	City Manager
JOHN MEDINA	Assistant City Manager
DON MOORE	Finance Director/City Secretary
ANDREW HAGEN	City Attorney
SHANE BOWLES	Public Works Director
CRAIG FERGUSON	Fire Chief
CHAD WILLIAMS	Police Chief
JIM LITTLE	Airpark Director
HAYLEY HERRERA	Community Services Director

## **INVOCATION & PLEDGE OF ALLEGIANCE**

Joel Miller with the Emergency Services Chaplain gave the invocation and Mayor Thomason led the Pledge of Allegiance to the American and Texas Flags.

## **PUBLIC COMMENT**

Several citizens spoke on the following items: Concerns about the air conditioning at the animal control shelter; The Census 2020 update and request to put a reminder on the water bills; District 1 citizens appreciated the Large Item Pickup and some concerns were addressed regarding some issues on the west side of town; and a suggestion was made to have a monitor present at Council meetings regarding parliamentary procedures and also request a code enforcement update.

## **ANNOUNCEMENTS, PRESENTATIONS AND PUBLIC HEARINGS**

No announcements or public hearings at this time.

## **CITY MANAGER'S REPORT**

Todd Darden, City Manager, gave an update on the following:

- Boards & Committee Vacancies
- Large Item Pickup Update
- Reliever Route Grand Opening – August 5, 2020
- Discussion of a possible property agreement with West Texas Community Mediation Center

## **CONSENT ITEMS**

APPROVAL OF THE CITY COUNCIL MINUTES OF THE REGULAR MEETING OF JULY 14, 2020

FINAL READING OF A RESOLUTION APPROVING THE INVESTMENT POLICY OF THE CITY OF BIG SPRING

FINAL READING OF AN ORDINANCE AMENDING CHAPTER 12 OF THE CODE OF ORDINANCES ENTITLED "MISCELLANEOUS," TO ADD NEW SECTIONS 12-56 ENTITLED "REMOVAL OF THE MENTAL STATE ELEMENT FOR OFFENSES PUNISHABLE BY A \$500 FINE OR LESS AND ADMINISTRATIVE SEARCH WARRANTS"; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

Motion was made by Mayor Pro Tem Strande to approve the above captioned minutes, resolution and ordinance, seconded by Councilmember McDaniel with all members of the Council present voting "aye."

## **VOUCHERS**

Mayor Pro Tem Strande reviewed the following vouchers.

Vouchers for 07/16/2020	\$ 1,088,308.99
Vouchers for 07/23/2020	\$ 534,227.10

Motion was made by Mayor Pro Tem Strande to approve the above captioned vouchers, seconded by Councilmember McDonald with all members of the Council present voting "aye".

## **NEW BUSINESS**

**TABLED** – FIRST READING OF A RESOLUTION ASSERTING THAT TWO LEGAL MEMORANDA ON INTERPRETATION OF THE CHARTER WITH REGARD TO RECALL OF OFFICERS ARE NO LONGER SUBJECT TO CONFIDENTIALITY, PRIVILEGE, OR WORK PRODUCT IMMUNITY

Motion was made by Councilmember McDonald to remove the above captioned item off the table, seconded by Councilmember DePauw, with all members of the Council voting "aye." Motion was made by Councilmember McDonald to approve the above captioned resolution, seconded by Mayor Pro Tem Strande, with Councilmembers Marquez, McDaniel, Thomason, McDonald, Strande and DePauw voting "aye." Councilmember Hartman, being opposed, voting "nay" for passage of same. Motion passed six to one.

#### CERTIFICATION OF SIGNATURES ON RECALL PETITIONS

Don Moore, City Secretary, certified that there were 111 valid signatures out of 100 required signatures on a petition to recall Councilmember Jim DePauw and notice was given to Mr. DePauw that he had five days to resign before a recall election would be called. No action was required on this item.

#### EMERGENCY READING OF AN ORDINANCE CALLING FOR A SPECIAL ELECTION TO BE HELD NOT LESS THAN TEN (10) NOR MORE THAN TWENTY (20) DAYS FROM TODAY'S DATE FOR THE PURPOSE OF VOTING FOR OR AGAINST THE RECALL OF CITY DISTRICT 6 COUNCILMEMBER JIM DEPAUW

The five day notice was given to Councilmember DePauw by the above captioned certification and that this ordinance for calling a special election will be brought back after the five days are expired.

#### FIRST READING OF AN ORDINANCE AMENDING CHAPTER 1 OF THE CODE OF ORDINANCES ENTITLED "ADMINISTRATION," SECTION 1-170 "CITY COUNCIL," SUBSECTION C "PARLIAMENTARY STANDARD" TO ALLOW THE CITY ATTORNEY TO PARTICIPATE IN CITY COUNCIL DISCUSSIONS BUT NOT GRANTING THE CITY ATTORNEY TO RIGHT TO VOTE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

Motion was made by Councilmember DePauw to approve the above captioned ordinance, seconded by Councilmember McDaniel. After a brief discussion, Mayor Thomason ruled the motion out of order. Councilmember DePauw moved to appeal Mayor Thomason's decision, seconded by Mayor Pro Tem Strande. After another brief discussion, Mayor Pro Tem Strande moved the previous question (to end the discussion), seconded by Councilmember DePauw, with all members of the Council present voting "aye." A vote on whether the sustain the decision of the chair was made with Councilmembers Marquez, Hartman, McDaniel, McDonald, Strande and DePauw voted "nay." Mayor Thomason voted yes. Motion was made by Councilmember DePauw to approve the above captioned ordinance, seconded by Councilmember McDaniel, with Councilmembers Marquez, Hartman, McDaniel, McDonald, Strande and DePauw voting "aye." Mayor Thomason, being opposed, voting "nay" for passage of same. Motion passed six to one.

#### FIRST READING OF A RESOLUTION AMENDING CHAPTER IX OF THE BIG SPRING PERSONNEL POLICY ENTITLED "CONDUCT," TO ADD A NEW SECTION 7 ENTITLED "RELATIONS WITH MAYOR AND CITY COUNCIL," IN ORDER TO ESTABLISH

**STANDARDS FOR RELATIONS BETWEEN CITY COUNCIL AND STAFF AND PROVIDING AN EFFECTIVE DATE**

Motion was made by Councilmember DePauw to approve the above captioned resolution, seconded by Mayor Pro Tem Strande. After a brief discussion and debate over a few issues, Mayor Pro Tem Strande requested her reasons for this item to be put on the agenda to be reflected in the minutes, which include the following:

“...the mayor went and got all of Mr. Hagen’s emails and all of his texts which, you know, he’s entitled to do, but he did all of that for months so that he would know when and where he was in communication with us. ... I need the record to reflect that he is coming unglued at staff meeting, at people. Sending out emails with curse words in them, I got copied on one of them... [gesturing to Mayor] you copied me on that email. You, yourself, copied me on that email. That you’re cursing at employees in email while telling them that they have done something wrong. This kind of behavior is unacceptable, and this is the reason we’re having to discuss conduct and what is acceptable and what is not acceptable.”

Councilmember DePauw moved the previous question, seconded by Mayor Pro Tem Strande, with all members of the Council voting “aye.” Motion was made by Councilmember DePauw to approve the above captioned resolution, seconded by Mayor Pro Tem Strande, with Councilmembers Marquez, McDaniel, McDonald, Strande and DePauw voting “aye.” Mayor Thomason and Councilmember Hartman, being opposed, voting “nay” for passage of same. Motion passed five to two.

**FIRST READING OF AN ORDINANCE AUTHORIZING THE CITY MANAGER TO DIRECT THE PLACEMENT OF TRAFFIC CONTROL SIGNS AT VARIOUS UNCONTROLLED INTERSECTIONS; DESIGNATING A CROSSWALK; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE**

Motion was made by Councilmember McDaniel to approve the above captioned ordinance, seconded by Councilmember Hartman, with all members of the Council present voting “aye.”

**FIRST READING OF AN ORDINANCE AMENDING THE BIG SPRING ZONING ORDINANCE BY REZONING (Z20-04) ALL OF BLOCK 9, BAUER ADDITION, KATE MORRISON SCHOOL, BLK/TRACK 9, 4.132 ACRES IN BIG SPRING, HOWARD COUNTY, TEXAS, LOCATED AT THE NE CORNER OF N. AYLESFORD STREET AND N.W. 7<sup>TH</sup> STREET, FROM SINGLE-FAMILY DWELLING SF-3 TO SINGLE-FAMILY DWELLING SF-4; PROVIDING FOR PUBLICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE**

Motion was made by Councilmember McDaniel to approve the above captioned ordinance. There was no second therefore the motion dies.

FIRST READING OF AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF BIG SPRING, TEXAS; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

Motion was made by Mayor Pro Tem Strande to approve the above captioned ordinance, seconded by Councilmember McDonald, with all members of the Council voting "aye."

FIRST READING OF AN ORDINANCE AMENDING CHAPTER 13 OF THE BIG SPRING CODE OF ORDINANCES ENTITLED "HEALTH, SAFETY, AND NUISANCES," ARTICLE 3 "ABANDONED, INOPERATIVE, OR JUNKED VEHICLES" TO RE-ALIGN THE SUBJECT REGULATIONS WITH STATE LAW AND ENSURE DUE PROCESS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

Motion was made by Mayor Pro Tem Strande to approve the above captioned ordinance, seconded by Councilmember DePauw, with all members of the Council voting "aye."

#### **COUNCIL INPUT**

Mayor Thomason reminded everyone to stay safe and keep taking precautions against COVID-19 and to help control the pet population, spay or neuter your pets.

Several Councilmembers thanked the staff and the audience for coming to the council meeting.


#### **ADJOURN**

Mayor Thomason adjourned the meeting at 8:00 p.m.



Shannon D. Thomason, Mayor

ATTEST:



Tami L. Davis, Assistant City Secretary