

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 p.m., September 10, 2019, with the following members present:

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

(Councilmember McDaniel was not present at this meeting.)

Same and constituting a quorum; and

TODD DARDEN	City Manager
JOHN MEDINA	Assistant City Manager
MARIANNE BANKS	City Attorney
CHAD WILLIAMS	Police Chief
CRAIG FERGUSON	Fire Chief
JIM LITTLE	Airpark Director
SHANE BOWLES	Public Works Director
TIM GREEN	Municipal Court Judge
DON MOORE	Finance Director/City Secretary
HAYLEY HERRERA	Community Services Director

INVOCATION & PLEDGE OF ALLEGIANCE

Lt. Ben Godwin with the Salvation Army gave the invocation and Mayor Thomason led the Pledge of Allegiance to the American and Texas Flags.

PUBLIC COMMENT

Ms. Kim York expressed concern by the increased crime rate in Big Spring and asked the Police Department to take reports on every call.

PUBLIC HEARINGS

SECOND PUBLIC HEARING – PROPOSED TAX RATE FOR FISCAL YEAR 2019-20

Mayor Thomason opened the above captioned public hearing. There were no comments made at this time. Mayor Thomason closed the above captioned public hearing.

PUBLIC HEARING – ANNUAL BUDGET FOR FISCAL YEAR 2019-2020

Mayor Thomason opened the above captioned public hearing. There were no comments made at this time. Mayor Thomason closed the above captioned public hearing.

ANNOUNCEMENTS OR PRESENTATION

PROCLAMATION OF THE 90TH ANNIVERSARY OF THE BIG SPRING HARLEY DAVIDSON DEALERSHIP

Mayor Thomason presented a proclamation to Robert and Vicky Walker, owners of the Big Spring Harley Davidson Dealership.

RECOGNITION – DONATION TO THE BIG SPRING POLICE DEPARTMENT FROM THE CORNERSTONE COVENANT CHURCH IN THE AMOUNT OF \$2,860.06 TO PURCHASE A VEHICLE WRAP

Chad Williams, Police Chief, recognized the Cornerstone Covenant Church for their donation of \$2,860.06 to purchase a vehicle wrap for the Police Volunteer vehicle.

CITY MANAGER'S REPORT

Todd Darden, City Manager, had no announcements at this time.

CONSENT ITEMS

APPROVAL OF THE CITY COUNCIL MINUTES OF THE REGULAR MEETING OF AUGUST 27, 2019

FINAL READING OF A RESOLUTION APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE EXECUTIVE COMMITTEE OF CITIES SERVED BY ATMOS WEST TEXAS ("CITIES") AND ATMOS ENERGY CORP., WEST TEXAS DIVISION REGARDING THE COMPANY'S 2019 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHED EXHIBIT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; APPROVING AN ATTACHED

EXHIBIT REGARDING AMORTIZATION OF REGULATORY LIABILITY; REQUIRING THE COMPANY TO REIMBURSE CITIES' REASONABLE RATE MAKING EXPENSES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE CITIES' LEGAL COUNSEL

FINAL READING OF AN ORDINANCE AMENDING CHAPTER 18 ENTITLED "TRAFFIC," SECTION 18-46 "QUORUM" BY AMENDING THE REQUIRED NUMBER OF AFFIRMATIVE VOTES FOR PASSAGE OF A MEASURE FROM FOUR MEMBERS TO A MAJORITY OF THE MEMBERS PRESENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

APPROVAL OF THE BIG SPRING MCMAHON-WRINKLE AIRPORT AND INDUSTRIAL PARK DEVELOPMENT BOARD MINUTES OF THE REGULAR MEETING OF FEBRUARY 28, 2019

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

BID AWARDS

AWARD THE BID FOR STOP LOSS FOR THE 2019-2020 PLAN YEAR TO ISU/COMPANION LIFE AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Councilmember McDonald to award the above captioned bid to ISU/Companion Life, seconded by Councilmember Hartman, with all members of the Council present voting "aye."

AWARD THE BID FOR LIFE/AD&D, LONG TERM DISABILITY AND VOLUNTARY LIFE TO DEARBORN NATIONAL AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Councilmember McDaniel to award the above captioned bid to Dearborn National, seconded by Councilmember Hartman, with all members of the Council present voting "aye."

VOUCHERS

Councilmember McDonald reviewed the following vouchers;

VOUCHERS FOR 08/29/19	\$	1,068,187.76
VOUCHERS FOR 09/05/19	\$	1,092,245.49

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

NEW BUSINESS

FIRST READING OF AN ORDINANCE ADOPTING A TAX RATE OF \$0.743800 PER \$100 OF TAXABLE VALUE, OR DIFFERENT TAX RATE, AND LEVYING MUNICIPAL AD VALOREM TAXES FOR SAID CITY FOR THE YEAR 2019; DIRECTING THE ASSESSMENT AND COLLECTION THEREOF; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

After a brief discussion and a couple of comments from citizens against the proposed tax rate Mayor Thomason requested that the tax rate be lowered to the original workshop tax rate of \$0.72000 per \$100 of taxable value. Motion was made by Mayor Thomason to approve adopting a tax rate of \$0.72000 per \$100 of taxable value, seconded by Councilmember Hartman, Councilmembers Hartman, Thomason and McDonald voting "aye". Councilmembers Marquez, Strande and DePauw, being opposed, voting "nay" for passage of same. Motion fails due to lack of a majority vote.

Motion was made by Councilmember DePauw to approve the above captioned and proposed tax rate of \$0.743800 per \$100 of taxable value, seconded by Councilmember Marquez, with Councilmembers Marquez, McDonald, Strande and DePauw voting "aye". Councilmembers Thomason and Hartman, being opposed, voting "nay" for passage of same. Motion passes four to two.

FIRST READING OF AN ORDINANCE APPROVING AND ADOPTING AN ANNUAL BUDGET FOR THE CITY OF BIG SPRING, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020; PROVIDING FOR SEVERABILITY; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

Motion was made by Councilmember DePauw to adopt the City Manager's proposed budget with the addition of transferring the excess of 9/30/20 budget General Fund Fund Balance over \$7,410,000 to the Utility Fund and increasing account 405-021-710-6316 Distribution Line Replacement by said amount, seconded by Councilmember McDonald, with all members of the Council present voting "aye."

FIRST READING OF AN ORDINANCE GRANTING A PARTIAL RESIDENCE HOMESTEAD EXEMPTION FOR TAX YEAR 2019; GRANTING A PARTIAL RESIDENCE HOMESTEAD EXEMPTION TO ANY INDIVIDUAL WHO IS DISABLED OR AGE 65 OR OLDER; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

Motion was made by Mayor Thomason to approve the above captioned ordinance, seconded by Councilmember Marquez, with all members of the Council present voting "aye".

FIRST READING OF AN ORDINANCE PROVIDING FOR AN ADDITIONAL TWENTY PERCENT (20%) PENALTY TO DEFRAID COSTS OF COLLECTING DELINQUENT TAXES THAT REMAIN DELINQUENT ON JULY 1 OF THE YEAR IN WHICH THEY BECOME DELINQUENT; PROVIDING FOR SEVERABILITY; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

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

FIRST READING OF AN ORDINANCE ESTABLISHING THE FIRE DEPARTMENT PAY SCALE FOR THE FISCAL YEAR 2019-20 IN ACCORDANCE WITH CHAPTER 143 OF THE TEXAS LOCAL GOVERNMENT CODE; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE

Motion was made by Councilmember McDonald to approve the above captioned ordinance, seconded by Councilmember Marquez, with all members of the Council present voting "aye".

FIRST READING OF AN ORDINANCE ESTABLISHING THE PAY SCHEDULE FOR CLASSIFIED POSITIONS WITHIN THE POLICE DEPARTMENT FOR THE YEAR 2019-20; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE

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

FIRST READING OF A RESOLUTION AUTHORIZING THE CITY TO CONTINUE TO RECEIVE A SHARE OF BINGO PRIZE FEES AFTER JANUARY 1, 2020; REPEALING CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE

Motion was made by Councilmember Hartman to approve the above captioned resolution, seconded by Councilmember McDonald, with all members of the Council present voting "aye".

APPROVAL OF THE INVESTMENT REPORT FOR THE QUARTER ENDING JUNE 30, 2019

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

DISCUSSION ITEMS

DISCUSSION AND DELIBERATION OF THE DEPLOYMENT, OR SPECIFIC OCCASIONS FOR IMPLEMENTATION, OF SECURITY PERSONNEL OR DEVICES

Councilmember Marquez expressed his concerns about carrying guns and safety issues in Council Meetings. There were several comments from citizens and councilmembers both in favor and against the issue of allowing anyone to carry a gun into the Council Chambers during a City Council meeting.

DISCUSSION AND DELIBERATION OF THE DUTIES OF THE MAYOR AND COUNCILMEMBERS

Councilmember DePauw expressed his concern that the Mayor has made some decisions on behalf of the City Councilmembers without their consent. After a brief discussion it was decided to have a council work session to discuss this matter in detail.

COUNCIL INPUT

Mayor Thomason invited everyone to attend the 13th annual 911 service at Spring Creek, 5:30 p.m. on September 11th. Mayor Thomason also expressed that he disagrees with the Governor's Red Flag proposal in wake of the recent Odessa shooting. The Mayor also reminded everyone to spay or neuter your pets.

Councilmember Marquez asked for two minutes of silence in respect of the Odessa shooting.

EXECUTIVE SESSION

ADJOURN INTO EXECUTIVE SESSION WITH CITY ATTORNEY AND STAFF IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE SECTION 551.072 TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY

- a. 401 East 4th Street
- b. 305 Johnson Street
- c. Airpark Sublease

ADJOURN INTO EXECUTIVE SESSION UNDER THE TEXAS GOVERNMENT CODE SECTION 551.074 TO DELIBERATE THE EVALUATIONS OF THE:

- a. Municipal Judge
- b. City Attorney

AT 8:01 P.M.

RECONVENE IN OPEN SESSION AND TAKE ANY NECESSARY ACTIONS AND AUTHORIZE THE MAYOR OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS AT 10:24 P.M.

First Executive Session

Item a - 401 East 4th Street

No action taken.

Item b – 305 Johnson Street

No discussion on this item.

Item c – Airpark Sublease

Motion was made by Mayor Thomason to approve DNI Silica Sublease to Big Spring Rail, seconded by Councilmember DePauw, with all members of the Council present voting “aye”.

Second Executive Session

Item a – Municipal Judge

No action taken.

Item b – City Attorney

No action taken.

ADJOURN

Mayor Thomason adjourned the meeting at 10:26 p.m.



Shannon D. Thomason, Mayor

ATTEST:



Tami L. Davis, Assistant City Secretary