

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., October 13, 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;

SHANE BOWLES	Interim City Manager/Public Works Director
JOHN MEDINA	Assistant City Manager
ANDREW HAGEN	City Attorney
SHANE BOWLES	Public Works Director
CHAD WILLIAMS	Police Chief
JIM LITTLE	Airpark Director
HAYLEY HERRERA	Community Services Director

### **INVOCATION & PLEDGE OF ALLEGIANCE**

Councilmember McDonald gave the invocation and Mayor Thomason led the Pledge of Allegiance to the American and Texas Flags.

### **PUBLIC COMMENT**

One citizens spoke about some concerns on the structural standard ordinance regarding restrictions on older homes.

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

#### **PROCLAMATION DECLARTING OCTOBER 24, 2020 AS WORLD POLIO DAY**

Mayor Thomason read a proclamation declaring October 24, 2020 as World Polio Day and presented it to Gloria McDonald, Hayley Herrera and Debbye Valverde.

#### **PRESENTATION VIDEO FROM NEON CLOUD**

A video was shown from Neon Cloud showing various locations within the City of Big Spring.

## **CITY MANAGER'S REPORT**

Shane Bowles, Interim City Manager, gave an update on the following:

- Large Item Pickup Update – District 4 will be on October 21, 2020
- Sewer Line Replacement Update
- AWOS Update
- Census 2020 Update

## **CONSENT ITEMS**

**APPROVAL OF THE CITY COUNCIL MINUTES OF THE REGULAR MEETING OF SEPTEMBER 22, 2020**

**FINAL READING OF A RESOLUTION AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO JOINTLY NEGOTIATE WITH AND RETAIN OUTSIDE LEGAL COUNSEL FOR THE PURPOSES OF REPRESENTING THE CITY IN AN EMINENT DOMAIN PROCEEDING RELATING TO 1505 EAST SECOND STREET; DECLARING THAT THIS ACTION IS NECESSARY AS THE PROPERTY WILL BE USED FOR A VALID PUBLIC PURPOSE; AND PROVIDING AN EFFECTIVE DATE**

**FINAL READING OF AN ORDINANCE AMENDING ORDINANCE NUMBER 029-2020 WHICH ADOPTED THE ANNUAL BUDGET FOR THE CITY OF BIG SPRING, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021 BY INCREASING THE GENERAL FUND BUDGET TO PURCHASE ADDITIONAL EQUIPMENT FOR THE SPECIALTY BUILT INFECTIOUS DISEASE AMBULANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE**

**FINAL READING OF A RESOLUTION AMENDING THE BIG SPRING PERSONNEL POLICIES AND PROCEDURES CHAPTER VII ENTITLED "COMPENSATION," SECTION 2 "ADMINISTRATION OF RANGE/STEP SALARY SCHEDULES," SUBSECTION C TO REMOVE EMPLOYEE MERIT RAISES; AND AMENDING CHAPTER XII ENTITLED "NON-DISCIPLINARY SEPARATION," BY REPEALING SECTION 4 "RETIREMENT" IN ITS ENTIRETY IN ORDER TO REMOVE MANDATORY RETIREMENT OF EMPLOYEE AT AGE 70; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE**

**FINAL READING OF A RESOLUTION AMENDING CHAPTER IX OF THE BIG SPRING PERSONNEL POLICIES AND PROCEDURES ENTITLED "CONDUCT," SECTION 7 "RELATIONS WITH MAYOR/COUNCIL" TO LIMIT THE DEFINITION OF THE TERM "INFORMATION"; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE**

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

## **VOUCHERS**

Councilmember McDonald reviewed the following vouchers;

Vouchers for 09/24/2020	\$	739,576.58
Vouchers for 10/01/2020	\$	156,666.37
Vouchers for 10/08/2020	\$	783,360.40

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

## **BIDS**

**AWARD THE BID TO ZOLL MEDICAL CORPORATION FOR EMS EQUIPMENT AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS**

Motion was made by Mayor Pro Tem Strande to award the above captioned bid to Zoll Medical Corporation in the amount of \$42,660.00, seconded by Councilmember McDonald, with all members of the Council present voting "aye."

## **NEW BUSINESS**

**DISCUSSION AND POSSIBLE ACTION REGARDING MAIN STREET BUSINESSES SEEKING DONATIONS FOR UPGRADES TO MAIN STREET**

After a brief discussion motion was made by Mayor Thomason allowing Main Street Businesses to proceed with their project, seconded by Councilmember McDaniel, with all members of the Council present voting "aye."

**CONSIDERATION AND POSSIBLE ACTION REGARDING RECRUITING FIRMS FOR THE CITY MANAGER POSITION**

After a brief discussion it was decided to have the presentations at the next council meeting.

**DISCUSSION REGARDING CITIZENS ADVISORY BOARD AND OTHER BOARD APPOINTMENTS**

Mayor Thomason recommendation was to have a citizens from each district to serve on the Citizens Advisory Board for good representation. After a brief discussion, no action was taken on this item.

APPROVAL OF THE CONVENTION AND VISITORS BUREAU COMMITTEE MINUTES  
FOR THE MEETINGS OF MARCH 4, 2020 AND JULY 27, 2020

Motion was made by Councilmember DePauw to approve the above captioned minutes, seconded by Councilmember McDaniel with all members of the Council present voting "aye."

FIRST READING OF A RESOLUTION DESIGNATING THE FOLLOWING AS A  
NOMINEE TO FILL A VACANCY ON THE HOWARD COUNTY JOINT TAX APPRAISAL  
DISTRICT BOARD OF DIRECTORS FOR THE 2020-21 TERM; AND PROVIDING FOR AN  
EFFECTIVE DATE

Motion was made by Mayor Thomason to nominate Sandy Smith to fill a vacancy on the Howard County Joint Tax Appraisal District Board of Directors for the 2020-21 Term, seconded by Councilmember Hartman, with all members of the Council present voting "aye."

FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NO. 004-2020  
DECLARING THE CITY OF BIG SPRING A SANCTUARY CITY FOR THE UNBORN BE  
AMENDING THE TITLE OF THE ORDINANCE TO "SAFE HAVE FOR THE UNBORN";  
AMENDING SECTION B "DECLARATIONS"; PROVIDING FOR SEVERABILITY;  
PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

Motion was made by Councilmember McDonald to approve the above captioned ordinance, seconded by Councilmember DePauw, with Councilmembers Hartman, McDaniel, Thomason, McDonald, Strande and DePauw voting "aye." Councilmember Marquez abstained. Motion passed six to one.

FIRST READING OF AN ORDINANCE AMENDING CHAPTER 34 OF THE BIG SPRING  
CODE ENTITLED "MUNICIPAL COURT" BY ADDING A NEW SECTION 34-5  
ENTITLED "ATTORNEYS REPRESENTING THE STATE IN CRIMINAL  
PROSECUTIONS" AUTHORIZING THE CITY COUNCIL TO APPOINT A DEPUTY  
PROSECUTOR AND THE MUNICIPAL JUDGE TO APPOINT AN ATTORNEY PRO TEM  
IN CASES IN WHICH THE CITY ATTORNEY HAS A CONFLICT; PROVIDING FOR  
SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

Motion was made by Councilmember DePauw to approve the above captioned ordinance, seconded by Mayor Pro Tem Strande. After a brief discussion, motion was made by Mayor Thomason to table the above captioned ordinance. There was no second to Mayor Thomason's motion and the motion dies. Motion was again made by Councilmember DePauw to approve the above captioned ordinance, 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 the passage of same. Motion passed five to two.

FIRST READING OF AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER  
12 OF THE BIG SPRING CODE ENTITLED "BUILDINGS AND BUILDING  
REGULATIONS," ARTICLE II "BUILDING CODES," TO CORRECT THE TITLE OF THE

VARIOUS CODES, DECLARING IT UNLAWFUL TO VIOLATE THE PROVISION REGARDING "SIGNS AND BILLBOARDS," AND ADDING A NEW SECTION 12-49 ENTITLED "ENFORCEMENT" AUTHORIZING THE BUILDING OFFICIAL OR HIS/HER DESIGNEE TO ENFORCE THE CODES; REPEALING ARTICLE III "VIOLATIONS" IN ITS ENTIRETY IN ORDER TO REINSTATE THE ICC PENALTIES; AND AMENDING CHAPTER 24 OF THE BIG SPRING CITY CODE ENTITLED "FIRE PREVENTION AND PROTECTION," ARTICLE I "GENERAL," SECTION 24-1 "FIRE CODE ADOPTED" TO CORRECT THE TITLE OF THE CODE ; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

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

FIRST READING OF AN ORDINANCE AMENDING STRUCTURAL STANDARDS ORDINANCE OF THE CITY OF BIG SPRING IN ITS ENTIRETY; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE OF SAID ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION AND PENALTY

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

FIRST READING OF AN ORDINANCE AMENDING CHAPTER 12 OF THE BIG SPRING CITY CODE ENTITLED "BUILDINGS AND BUILDING REGULATIONS," SECTION 12-2 "GREASE TRAPS" TO CLARIFY ENFORCEMENT PERSONNEL, TO REQUIRE RETENTION OF MAINTENANCE SCHEDULES FOR FIVE YEARS, AND PROVIDE FOR APPEALS OF THESE REGULATIONS THROUGH THE STRUCTURAL STANDARDS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

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

FIRST READING OF AN ORDINANCE AMENDING CHAPTER 36 OF THE BIG SPRING CITY CODE ENTITLED "NUISANCES," ARTICLE III "VERMENT CONTROL," BY ADDING A NEW SECTION 36-65 ENTITLED "ENFORCEMENT" IN ORDER TO PROVIDE FOR ABATEMENT OF VERMENT CONTROL ORDINANCE VIOLATIONS AND RESOLVING THE CONFLICT WITH VARIOUS ICC CODES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

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

FIRST READING OF AN ORDINANCE AMENDING CHAPTER 44 OF THE BIG SPRING CITY CODE ENTITLED "SOLID WASTE" BY ADDING A NEW ARTICLE III "ILLEGAL DUMPING AND LITTER CONTROL," IN ORDER TO ADOPT REGULATIONS FOR

**ILLEGAL DUMPING AND LITTER CONTROL WITHIN THE CITY LIMITS OF BIG SPRING AND ITS EXTRATERRITORIAL JURISDICTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE**

Motion was made by Councilmember Marquez to approve the above captioned ordinance, seconded by Councilmember DePauw. After a brief discussion, motion was made by Mayor Thomason to amend this ordinance by taking out the “temporary signs and unserviceable or derelict vehicle” definitions, seconded by Councilmember Marquez with Councilmembers Marquez, Hartman, McDaniel, Thomason, McDonald and Strande voting “aye.” Councilmember DePauw, being opposed of the amendment, voting “nay” for passage of same. A final motion was made by Councilmember Marquez to approve the above captioned ordinance with the amendment, seconded by Councilmember DePauw, with all members of the Council present voting “aye.”

**FIRST READING OF AN ORDINANCE AMENDING CHAPTER 36 OF THE BIG SPRING CITY CODE ENTITLED “NUISANCES,” BY RENAMING ARTICLE I TO “PROPERTY MAINTENANCE CODE” AND ADDING NEW SECTIONS 36-11 ENTITLED “TIMELY REPAIR OF BROKEN WINDOWS,” AND 36-12 ENTITLED “GRAFFITI REMOVAL” TO ESTABLISH MAINTENANCE STANDARDS FOR REPAIR OF BROKEN WINDOWS IN THE DOWNTOWN AREA AND REMOVAL OF GRAFFITI WITHIN CITY LIMITS; 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 McDaniel, 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.

**FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NUMBER 029-2020 WHICH ADOPTED THE ANNUAL BUDGET FOR THE CITY OF BIG SPRING, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021 BY INCREASING THE LANDFILL FUND BUDGET TO BE USED FOR WOOD CHIPPING SERVICES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE**

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

**CONSIDERATION AND POSSIBLE ACTION OF A CHANGE ORDER WITH J&H SERVICES, INC. AS RECOMMENDED BY JACOB AND MARTIN FOR THE WATER LINE IMPROVEMENTS AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS**

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

**CONSIDERATION AND POSSIBLE ACTION OF AN INTERLOCAL AGREEMENT WITH HOWARD COUNTY TAX ASSESSOR COLLECTOR FOR THE COLLECTION OF PROPERTY TAXES AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS**

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

**CONSIDERATION AND POSSIBLE ACTION OF AN AGREEMENT WITH WES-TEX TELECOMMUNICATIONS, LTD. FOR THE INSTALLATION OF A FIBER OPTIC CABLE AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS**

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

**CONSIDERATION AND POSSIBLE ACTION OF AN INTERLOCAL AGREEMENT WITH SOUTH PLAINS ASSOCIATION OF GOVERNMENTS FOR ADMINISTRATIVE SERVICES FOR BIG SPRING'S 2020 CDBG GRANT AND AUTHORIZING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS**

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

**CONSIDERATION AND POSSIBLE ACTION OF A WARRANTY GIFT DEED FOR THE POLLY MAYES ANNEX BUILDING AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS**

Motion was made by Mayor Thomason to reconsider the original warranty gift deed and consider some of the roof issues on the Polly Mayes Annex Building, seconded by Councilmember Marquez, with all members of the Council present voting "aye." Motion was made by Mayor Pro Tem Strande to approve a new warranty gift deed, seconded by Councilmember McDaniel, with all members of the Council present voting "aye."

**COUNCIL INPUT**

Mayor Thomason reminded everyone to fill out their Census 2020 report and expressed how important it is to each city district and also that early voting starts on Tuesday, October 13<sup>th</sup>. Mayor Thomason also reminded everyone that Halloween is coming up and ask citizens to be smart and keep a social distance and wear a mask. Also to help control the pet population spay or neuter your pets.

Councilmember DePauw thanked the Legal Department.

Mayor Pro Tem Strande updated the citizens on a complaint she received.

Councilmember Marquez thanked the city staff.

**ADJOURN**

Mayor Thomason adjourned the meeting at 8:45 p.m.



Shannon D. Thomason, Mayor

ATTEST:



Tami L. Davis, Assistant City Secretary