

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

The City Council of the City of Big Spring, Texas, met in a special meeting in the City Council Chambers located at 307 E. 4th St., Big Spring, Texas, at 5:30 p.m., October 29, 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
CHAD WILLIAMS	Police Chief
CRAIG FERGUSON	Fire Chief
DON MOORE	Finance Director/City Secretary
JIM LITTLE	Airpark Director
HAYLEY HERRERA	Community Services Director

INVOCATION & PLEDGE OF ALLEGIANCE

A citizen, Scott Emerson, gave the invocation and Mayor Thomason led the Pledge of Allegiance to the American and Texas Flags.

PUBLIC COMMENT

Several citizens spoke in support of the SAFER Grant.

ANNOUNCEMENTS, PRESENTATIONS AND PUBLIC HEARINGS

PROCLAMATION DECLARTING NOVEMBER 2-6, 2020 AS MUNICIPAL COURT WEEK

Mayor Thomason read a proclamation declaring November 2-6, 2020 as Municipal Court Week and presented it to Judge Tim Green.

PRESENTATION VIDEO - LANDFILL

A video was shown of the new city landfill, Big Sandy Draw.

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
- Wood Chipping RFP Update
- RFQ for Risk and Resilience Study Update
- Completion of Land Purchase for the Airpark Road Project
- Award of Texas Department of Agriculture (TDA) Community Development Fund (CD) of \$400k in Support of Water Improvements
- Utility Department Overstaffing
- Amphitheater Ribbon Cutting – October 22nd
- Veteran's Day November 11, 2020 – City Offices Closed

CONSENT ITEMS

APPROVAL OF THE CITY COUNCIL MINUTES OF THE REGULAR MEETING OF OCTOBER 13, 2020

FINAL 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

FINAL 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

FINAL 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

FINAL READING OF AN ORDINANCE AMENDING CHAPTER 36 OF THE BIG SPRING CITY CODE ENTITLED "NUISANCES," ARTICLE III "VERMIN CONTROL," BY ADDING A NEW SECTION 36-65 ENTITLED "ENFORCEMENT" IN ORDER TO PROVIDE FOR ABATEMENT OF VERMIN CONTROL ORDINANCE VIOLATIONS AND

RESOLVING THE CONFLICT WITH VARIOUS ICC CODES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

FINAL 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

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 LANDFILL FUND BUDGET TO BE USED FOR WOOD CHIPPING SERVICES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

CONSIDERATION AND POSSIBLE ACTION TO CANCEL THE FOLLOWING REGULAR CITY COUNCIL MEETINGS: NOVEMBER 24, 2020 AND DECEMBER 22, 2020

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

FINAL 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 McDonald, with all members of the Council present voting "aye."

OLD BUSINESS

FINAL 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 Mayor Pro Tem Strande to approve the above captioned ordinance, seconded by Councilmember Marquez, 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.

FINAL 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 McDonald, with all members of the Council present voting "aye."

FINAL READING OF AN ORDINANCE AMENDING THE 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 DePauw. After a brief discussion, motion was made by Mayor Pro Tem Strande to make a few minor amendments, seconded by Councilmember McDonald, with all members of the Council present voting "aye." Original motion was made by Mayor Pro Tem Strande to approve the above captioned amended ordinance, seconded by Councilmember DePauw, 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.

VOUCHERS

Mayor Pro Tem Strande reviewed the following vouchers;

Vouchers for 10/15/2020	\$	763,465.29
Vouchers for 10/22/2020	\$	2,074,052.89

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

BIDS

CONSIDERATION AND POSSIBLE ACTION REGARDING THE PROPOSALS FOR RECRUITING FIRMS TO ASSIST IN FILLING THE POSITION OF CITY MANAGER

Motion was made by Mayor Thomason to award the above captioned proposal to Government Professional Solutions (GPS), seconded by Councilmember DePauw, with all members of the Council present voting "aye."

CONSIDERATION AND POSSIBLE ACTION REGARDING BIDS FOR SANITATION TRUCKS

Motion was made by Councilmember McDaniel to award the above captioned bid to Southwestern Equipment Company for a total amount of \$461,511.36, seconded by Councilmember McDonald, with all members of the Council present voting "aye."

NEW BUSINESS

APPROVAL OF THE ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTOR'S MINUTES FOR THE MEETING OF SEPTEMBER 15, 2020

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

ACKNOWLEDGE QUARTERLY REPORT ON CLAIMS AND LITIGATION FROM CITY ATTORNEY SENT OCTOBER 13, 2020; POSSIBLE DISCUSSION IN EXECUTIVE SESSION

All Councilmembers acknowledged receipt of the City Attorney's quarterly report and no executive session is necessary at this time.

DISCUSSION AND POSSIBLE ACTION REGARDING THE VIABILITY OF EXPLORING A TAX INCREMENT REINVESTMENT ZONE (TIRZ) IN THE DOWNTOWN AREA

Mark Willis, Big Spring Economic Development Corporation Executive Director, explained the pros and cons of developing a TIRZ area downtown. Motion was made by Mayor Pro Tem Strande to direct the Interim City Manager and City Staff to proceed with investigating the viability of establishing a TIRZ in the downtown area, seconded by Councilmember DePauw with all members of the Council present voting "aye."

DISCUSSION AND POSSIBLE ACTION ON THE CITY OF BIG SPRING POLICIES AND PROCEDURES REGARDING ACCEPTING, HANDLING, AND RESPONDING TO INFORMATION REQUESTS UNDER THE TEXAS PUBLIC INFORMATION ACT

Mayor Thomason placed this item on the agenda concerning some open record request complaints that the records were not being released in a timely manner. After a brief discussion,

Interim City Manager, Shane Bowles, assured the Council that the staff would come up with a solution to better accommodate the open record requests. No action was taken.

DISSCUSSION AND POSSIBLE ACTION TO TERMINATE THE SAFER GRANT FROM FEMA AND REIMBURSE MONIES RECEIVED TO DATE AND DIRECTING THE INTERIM CITY MANAGER OR HIS DESIGNEE TO NOTIFY FEMA AND EXECUTE ANY NECESSARY DOCUMENTS

After a brief discussion motion was made by Mayor Thomason to direct staff to bring an emergency budget amendment to fully fund the SAFER Grant, seconded by Mayor Pro Tem Strande, with all members of the Council present voting "aye."

Motion was made by Councilmember DePauw to authorize staff to reimburse money to FEMA, there was no second. Motion dies for lack of second.

EMERGENCY READING OF A RESOLUTION DECLARING THE OFFICIAL INTENT OF THE CITY OF BIG SPRING (LESSEE) TO BE REIMBURSED FOR CERTAIN CAPITAL EXPENDITURES FROM PROCEEDS OF A LEASE PURCHASE AGREEMENT PROVIDING FOR AN EFFECTIVE DATE

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

FIRST READING OF A RESOLUTION AUTHORIZING AND APPOINTING THE INTERIM CITY MANAGER TO SUBMIT AN APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION TO SOLICIT FUNDING FROM THE CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING (CESF) PROGRAM FOR PERSONAL PROTECTIVE EQUIPMENT (PPE) AND SUPPLIES FOR USE BY THE BIG SPRING POLICE DEPARTMENT, HOWARD COUNTY SHERIFF'S OFFICE AND DETENTION CENTER, AND EMERGENCY MEDICAL SERVICES (EMS) TO PREVENT, PREPARE FOR, AND RESPOND TO THE CORONAVIRUS; REPEALING RESOLUTION 011-2020; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

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

FIRST READING OF A RESOLUTION AUTHORIZING AND APPOINTING THE INTERIM CITY MANAGER TO SUBMIT AN APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, FOR A GRANT TO SECURE FUNDING FOR NEGOTIATORS CRISIS RESPONSE THROW PHONE; REPEALING RESOLUTION NO. 001-2020; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

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

FIRST READING OF AN ORDINANCE AMENDING CHAPTER 2 OF THE BIG SPRING CITY CODE ENTITLED "ADMINISTRATION" BY ADDING A NEW ARTICLE IX ENTITLED "REASONABLE ACCOMMODATIONS POLICY" IN ORDER TO ESTABLISH A POLICY TO ADDRESS GRIEVANCES CONCERNING ACCESSIBILITY TO CITY SERVICES AND DESIGNATING THE CITY MANAGER OR HIS/HER DESIGNEE AS THE ADA COORDINATOR; PROVIDING FOR SEVERABILITY; 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 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 BY PURCHASING AN UPGRADE TO THE CITY'S ERP SOFTWARE SYSTEM AND APPLYING FOR REIMBURSEMENT FROM THE CORONA VIRUS RELIEF FUND FROM THE STATE OF TEXAS CARES ACT; 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 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 UTILITY FUND BUDGET TO BE USED FOR ADDITIONAL EQUIPMENT AND THE GENERAL FUND BUDGET TO BE USED FOR A NEW SERVER; PROVIDING FOR SEVERABILITY; 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."

CONSIDERATION AND POSSIBLE ACTION REGARDING AMENDMENT FIVE TO THE AGREEMENT FOR FLEET MANAGEMENT AND MAINTENANCE SERVICES WITH VECTOR FLEET MANAGEMENT, LLC

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

COUNCIL INPUT

All Councilmembers were pleased on the outcome of the SAFER Grant.

Councilmembers Marquez and McDaniel expressed their appreciation to the staff and enjoyed working with the them and the council.

Mayor Thomason recognized the Fire and Police Departments as October 28 was National First Responders Day and also asked citizens to “help control the pet population, spay or neuter your pets.”

ADJOURN

Mayor Thomason adjourned the meeting at 9:30 p.m.



Shannon D. Thomason, Mayor

ATTEST:



Tami L. Davis, Assistant City Secretary