

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., February 02, 2021, with the following members present in person:

SHANNON THOMASON	Mayor
DOUG HARTMAN	Mayor Pro Tem
NICK ORNELAS	Councilmember
CODY HUGHES	Councilmember
GLORIA MCDONALD	Councilmember

Same and constituting a quorum, for which four Councilmembers must be present; and the following staff in person;

TODD DARDEN	City Manager
JOHN MEDINA	Assistant City Manager
ANDREW HAGEN	City Attorney
CHAD WILLIAMS	Police Chief
CRAIG FERGUSON	Fire Chief
SHANE BOWLES	Public Works Director
HAYLEY HERRERA	Community Services Director
JIM LITTLE	Airpark Director
TIM GREEN	Municipal Judge

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

Several citizens spoke in support of the Chamber of Commerce and United Way of Big Spring.

ANNOUNCEMENTS, PRESENTATIONS AND PUBLIC HEARINGS

The Following Public Hearings Were Postponed Until February 23, 2021:

PUBLIC HEARING – PROPOSED AMENDMENTS TO THE CITY’S ZONING REGULATIONS REGARDING CARPORTS AND ACCESSORY USES

PUBLIC HEARING – PROPOSED AMENDMENTS TO THE CITY’S ZONING REGULATIONS REGARDING RECREATIONAL VEHICLES AND MOBILE/MANUFACTURED HOMES

PUBLIC HEARING – PROPOSED AMENDMENTS TO THE CITY’S ZONING REGULATIONS REGARDING SHORT-TERM RENTALS

CITY MANAGER’S REPORT

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

- Quarterly Financial Report

CONSENT ITEMS

APPROVAL OF THE CITY COUNCIL MINUTES OF THE REGULAR MEETING OF JANUARY 12, 2021

FINAL READING OF AN ORDINANCE CALLING FOR A GENERAL ELECTION TO BE HELD ON MAY 1, 2021 FOR THE PURPOSE OF ELECTING CITY COUNCILMEMBERS FOR DISTRICTS TWO, FOUR AND SIX ALL OF WHOM SHALL BE ELECTED BY MAJORITY VOTE OF THE QUALIFIED VOTERS IN THE RESPECTIVE DISTRICTS; PROVIDING FOR THE CONDUCT OF THE ELECTION; DESIGNATING SEVERAL POLLING PLACES WITHIN THE CITY; AUTHORIZING THE MAYOR TO EXECUTE NOTICE AND HAVE THE NOTICE POSTED FOR THE PURPOSE OF NOTIFYING THE PUBLIC OF SAID ELECTION; AND PROVIDING FOR SEVERABILITY

FINAL READING OF AN ORDINANCE AMENDING CHAPTER 2 OF THE BIG SPRING CITY CODE ENTITLED “ADMINISTRATION,” ARTICLE VIII “BOARDS AND COMMISSIONS,” DIVISION 2 “AIRPARK DEVELOPMENT BOARD” SECTION 2-255 “ORGANIZATION AND MEMBERSHIP” IN ORDER TO CORRECT INCONSISTENCIES IN THE ORDINANCE AND TO CLARIFYING THE NATURE OF THE AIRPARK SAFETY SUBCOMMITTEE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

Motion was made by Mayor Pro Tem Hartman to approve the above captioned minutes and ordinances, seconded by Councilmember Hughes, with all members of the Council present voting “aye.”

VOUCHERS

Councilmember Hughes reviewed the following vouchers:

VOUCHERS FOR 01/14/2021	\$	1,802,885.82
VOUCHERS FOR 01/21/2021	\$	352,637.64

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

BIDS

AWARD THE BID FOR THE 2021 CRACK SEAL PROJECT TO AMERICAN PAVEMENT SOLUTIONS AND AUTHORIZE THE CITY MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Councilmember Hughes to award the above captioned bid to American Pavement Solutions in the amount of \$233,717.34, seconded by Mayor Pro Tem Hartman, with all members of the Council present voting "aye."

AWARD THE BID FOR A ZERO TURN MOWER FOR THE AIRPARK TO PROFESSIONAL TURF PRODUCTS, LP AND AUTORIZE THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Councilmember McDonald to award the above captioned bid to Professional Turf Products, LP in the amount of \$15,235.41, seconded by Councilmember Ornelas, with all members of the Council present voting "aye."

NEW BUSINESS

ACKNOWLEDGE RECEIPT OF THE BIG SPRING ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTOR'S MINUTES OF THE REGULAR MEETING OF DECEMBER 15, 2020

All members of the Council present acknowledge receipt of the above captioned minutes.

CONSIDERATION AND POSSIBLE ACTION TO ACCEPT A GIFT TO THE BIG SPRING SENIOR CENTER FROM BROUGHTON FOUNDATION TRUST

Motion was made by Councilmember Hughes to accept the above captioned gift of \$20,000.00, seconded by Mayor Thomason, with all members of the Council present voting "aye."

CONSIDERATION AND POSSIBLE ACTION TO SEEK PERMISSION TO PARTICIPATE IN A GRANT PROCESS WITH PERMIAN BASIN REGIONAL PLANNING COMMISSION (PBRPC)

Motion was made by Mayor Pro Tem Hartman to approve the above captioned grant process, seconded by Councilmember Ornelas, with all members of the Council present voting "aye."

FIRST READING OF AN ORDINANCE AMENDING CHAPTER 32 OF THE BIG SPRING CITY CODE ENTITLED "LICENSE, TAXATION, AND MISCELLANEOUS BUSINESS REGULATIONS" BY ADDING A NEW ARTICLE VI ENTITLED "COMMERCIAL FILMING REGULATION" IN ORDER TO ESTABLISH GUIDELINES FOR THE USE OF

CITY-OWNED PROPERTY IN ALL TYPES OF MOTION PICTURE PRODUCTION; REQUIRING A PERMIT AND ESTABLISHING FEES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

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

FIRST READING OF AN ORDINANCE AMENDING CHAPTER 12 OF THE BIG SPRING CITY CODE ENTITLED "BUILDING AND BUILDING REGULATIONS" BY ADDING A NEW ARTICLE V ENTITLED "MANUFACTURED HOUSING AND MOBILE HOMES" IN ORDER TO ESTABLISH LIMITED, FORWARD-LOOKING REGULATIONS FOR MANUFACTURED HOMES AND MOBILE HOMES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

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

FIRST READING OF AN ORDINANCE AMENDING CHAPTER 2 ENTITLED "ADMINISTRATION," ARTICLE 3 "OFFICERS AND EMPLOYEES," BY ADDING A NEW SECTION 2-58 ENTITLED "FINANCE DIRECTOR" IN ORDER TO CLEARLY DEFINE THE DUTIES AND RESPONSIBILITIES OF THE POSITION AND RENDER THE POSITION INDEPENDENT FROM THAT OF THE CITY SECRETARY; AMENDING CHAPTER 32 ENTITLED "LICENSES, TAXATION AND MISCELLANEOUS BUSINESS REGULATIONS," ARTICLE II "TAXATION" BY REPEALING SECTION 32-27 "DUTIES OF THE CITY TAX ASSESSOR AND COLLECTOR" AND RESERVING THE SECTION FOR FUTURE USE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

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

FIRST READING OF A RESOLUTION OF THE CITY COUNCIL AUTHORIZING ACCOUNT SIGNATORIES; AND PROVIDING AN EFFECTIVE DATE

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, 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 CABLE FRANCHISE-PEG FUND FOR THE PURCHASE OF AUDIO/VISUAL EQUIPMENT, LIGHTING, AND ELECTRICAL WORK; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

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

FIRST READING OF A RESOLUTION AMENDING THE BIG SPRING ECONOMIC DEVELOPMENT CORPORATION BY AMENDING THE TITLE OF ARTICLE VI ENTITLED “DIRECTORS” TO “DIRECTORS, OFFICERS, AND EMPLOYEES”; AND AMENDING THE NUMBER OF DIRECTORS; MANNER OF APPOINTMENT OF DIRECTORS AND OFFICERS; AND LIMITING THE NUMBER OF EMPLOYEES; AND ADDING A NEW ARTICLE VIII ENTITLED “CONDUCT OF BUSINESS, GENERALLY” THAT PROVIDES FOR THE CONDUCT OF DIRECTORS AND EMPLOYEES CONCERNING CONTRACTS, LOBBYING, AND AMENDMENT OF THE ARTICLES OF INCORPORATION WITHOUT PRIOR AUTHORIZATION OF COUNCIL; AND PROVIDING AN EFFECTIVE DATE

Motion was made by Mayor Thomason to approve the above captioned resolution, seconded by Mayor Pro Tem Hartman. After a brief discussion, Motion was made by Councilmember McDonald to table the above captioned resolution, seconded by Mayor Pro Tem Hartman, with all members of the Council present voting “aye.”

DISCUSSION AND POSSIBLE ACTION REGARDING REASSIGNMENT OF TWO STAFF MEMBERS TO OTHER DEPARTMENTS

There was no discussion or action taken at this time.

DISCUSSION AND POSSIBLE ACTION REGARDING BREAKING THE LEASE AGREEMENT AT THE CURRENT BUILDING AND MOVING THE CVB TO A CITY OWNED BUILDING

Councilmember Ornelas believes that the rent is too high at the current location of the CVB Office and would like to see that office moved to a city owned building. Motion was made by Councilmember Ornelas to terminate the current lease according to its terms effective April 30, 2021, seconded by Mayor Pro Tem Hartman, with Councilmembers Ornelas and Hartman voting “aye.” Councilmembers Hughes, Thomason and McDonald, being opposed, voting “nay” for passage of same. Motion **fails** three to two.

DISCUSSION AND POSSIBLE ACTION FOR REVIEWING THE LEASE AGREEMENTS FOR THE CHAMBER OF COMMERCE AND UNITED WAY THAT ARE CO-LOCATED WITH EDC

There was no discussion or action taken at this time.

COUNCIL INPUT

Mayor Thomason and all Councilmembers thanked everyone for attending the meeting. Mayor Thomason also asked citizens to “help control the pet population, spay or neuter your pets.”

EXECUTIVE SESSION

ADJOURN INTO EXECUTIVE SESSION IN ACCORDANCE WITH THE PURPOSES PERMITTED BY THE OPEN MEETINGS ACT, SECTION § 551.071, TEXAS GOVERNMENT CODE, AND THE TEXA DISCIPLINARY RULES OF PROFESSIONAL CONDUCT TO DISCUSS LITIGATION MATTERS; AND

ADJOURN INTO EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE SEC. 551.074 PERSONNEL MATTERS; (1) TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE; OR (2) TO HEAR A COMPLAINT OR CHARGE AGAINST AN OFFICER OR EMPLOYEE:

CITY ATTORNEY

Motion was made by Councilmember Ornelas to adjourn into the above captioned executive sessions at 7:55 p.m., seconded by Councilmember Hughes, with all members of the Council present voting "aye."

RECONVENE IN OPEN SESSION AND TAKE ANY NECESSARY ACTION AS DEEMED APPROPRIATE IN THE CITY COUNCIL'S DISCRETION REGARDING THE LITIGATION MATTERS AT 9:33 P.M.

First executive session regarding litigation matters:

Motion was made by Mayor Thomason to authorize the City Attorney, City Manager and Mayor to negotiate and settle as directed, seconded by Councilmember Hughes, with all members of the Council present voting "aye."

Second executive session regarding personnel matters:

No action was taken at this time.

ADJOURN

Mayor Thomason adjourned the meeting at 9:34 p.m.



Shannon D. Thomason, Mayor

ATTEST:



Tami L. Davis, Assistant City Secretary