

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., July 9, 2019, with the following members present:

SHANNON THOMASON	Mayor
CAMMILLA 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

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

INVOCATION & PLEDGE OF ALLEGIANCE

Betty Kelley, Emergency Services Chaplain, gave the invocation and Mayor Thomason led the Pledge of Allegiance to the American and Texas Flags.

PUBLIC COMMENT

There were no public comments.

PUBLIC HEARINGS

There were no public hearings.

ANNOUNCEMENTS OR PRESENTATION

RECOGNITION – DONATION FROM SM ENERGY IN THE AMOUNT OF \$25,000 TO THE BIG SPRING FIRE DEPARTMENT FOR THE PURCHASE OF ADDITIONAL EQUIPMENT, SCBA MASKS AND HELMETS

Craig Ferguson, Fire Chief, recognized and thanked SM Energy for their donation of \$25,000 to the Big Spring Fire Department for the purchase of additional equipment.

BID AWARDS

AWARD THE BID FOR THE WATER LINE REPLACEMENTS PROJECT TO LUPE RUBIO AND AUTHORIZING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS

Motion was made by Councilmember Hartman, to award the above captioned bid to Lupe Rubio in the amount of \$675,758.67, seconded by Councilmember Marquez, with all members of the Council present voting "aye."

CITY MANAGER'S REPORT

Todd Darden, City Manager, announced that the following committees have vacancies;
Convention & Visitors Bureau Board at large;
Board of Adjustments & Appeals, requiring an Engineer or Architect;
Zoning Board of Adjustments, an alternate; and
Citizen's Advisory Board

CONSENT ITEMS

FINAL READING OF AN ORDINANCE UNCOMMITTING \$1,000,000 OF GENERAL FUND FUND BALANCE FOR STREET CONSTRUCTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE

FINAL READING OF A RESOLUTION AMENDING THE TAX ABATEMENT GUIDELINES AND CRITERIA BY DECREASING THE ADMINISTRATION FEES FOR TAX ABATEMENT APPLICATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

APPROVAL OF THE CITY COUNCIL MINUTES OF THE REGULAR MEETING OF JUNE 25, 2019

APPROVAL OF THE PLANNING AND ZONING COMMISSION MINUTES OF THE REGULAR MEETING OF MAY 21, 2019

COUNCILMEMBER DEPAUW REVIEWED THE VOUCHERS FOR 06/27/19 IN THE AMOUNT OF \$212,394.24, AND FOR 07/05/19 IN THE AMOUNT OF \$358,230.69.

Motion was made by Councilmember DePauw, to approve the second and final reading of the above captioned resolution, ordinance, minutes and vouchers, seconded by Councilmember Hartman, with all members of the Council present voting "aye."

NEW BUSINESS

FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NUMBER 042-2018 WHICH ADOPTED THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019 BY INCREASING THE GENERAL FUND BUDGET BY ACCEPTING A DONATION TO BE USED FOR ADDITIONAL EQUIPMENT; 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 present voting "aye."

EMERGENCY READING OF AN ORDINANCE AMENDING CHAPTER 3 OF THE CODE OF ORDINANCES, ENTITLED "ANIMALS," BY AMENDING ARTICLE 1, "DEFINITIONS AND AUTHORITY," BY AMENDING THE DEFINITION OF VACCINATION; AMENDING ARTICLE 2, "DOG AND CAT VACCINATION AND LICENSING," SECTION 6-5 "VACCINATION REQUIRED" REQUIRING VACCINATION AGAINST CANINE DISTEMPER AND PARVOVIRUS; BY ADDING A NEW SECTION 3-6 ENTITLED "SHELTER VACCINATION OF ANIMALS" TO PROVIDE FOR VACCINATION OF ANIMALS UPON INTAKE TO THE SHELTER UNDER CERTAIN CONDITIONS; PROVIDING FOR SEVERABILITY, PROVIDING FOR PUBLICATION; PROVIDING AN EFFECTIVE DATE

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

AGREEMENT BETWEEN THE CITY OF BIG SPRING AND THE YMCA REGARDING FUNDING FOR THE INFLATABLE SPLASH PAD AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS

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

MAYOR'S VETO OF ITEM #25 FROM THE JUNE 25, 2019 REGULAR MEETING OF THE BIG SPRING CITY COUNCIL. (ACTION TAKEN FOLLOWING EXECUTIVE SESSION) ITEM RETURNED TO COUNCIL FOR RECONSIDERATION.

Mayor Thomason read his letter that he submitted to Don Moore, City Secretary, explaining his reason to veto the above captioned item regarding action taken following executive session on June 11, 2019 to extend the real estate contract with Silverleaf Properties that he believed should have been done through a resolution or an ordinance with two readings. Councilmember DePauw made a motion to "ratify and extend the real estate sales agreement, striking or excepting the Developer's Agreement portion of the contract, with Silverleaf Properties to allow for closing to occur on or before August 12, 2019." Mayor Thomason ruled Councilmember DePauw's motion out of order. Councilmember DePauw amended his motion to "veto the Mayor's veto" and Councilmember McDonald seconded the motion. After more discussion to clarify the motion

before the Council, Mayor Thomason agreed that his veto power only applies to ordinances and resolutions and verbally withdrew his veto. Since the motion and second was already on the floor the council voted on the motion with all members of the Council voting “aye.”

Councilmember DePauw made a motion to ratify and extend the real estate sales agreement, striking or excepting the Developer’s Agreement portion of the contract, with Silverleaf Properties to allow for closing to occur on or before August 12, 2019.” Mayor Thomason ruled Councilmember DePauw’s motion out of order. After discussion Mayor Thomason limited the Council to reconsideration of the extension date of the Silverleaf Properties contract. A motion was made by Mayor Pro Tem Strande to “ratify and extend the real estate sales agreement with Silverleaf Properties to allow for closing to occur on or before September 10, 2019,” seconded by Councilmember Marquez, with all members of the Council present voting “aye.”

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE BIG SPRING ECONOMIC DEVELOPMENT CORPORATION HELD ON MAY 21, 2019

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

DISCUSSION ITEMS

There were no discussion items.

COUNCIL INPUT

Mayor Thomason attended the grand opening of the YMCA Splash Pad and thanked everyone who participated in making it successful for the kids to have a place to play in the water.

Mayor Pro Tem Strande announced that the Funtastic Fourth and POPS in the Park were a great success.

Councilmember DePauw announced that Toasty Tuesday was meeting in front of Wal-Mart.

Councilmember McDonald thanked Councilmember DePauw for organizing Toasty Tuesday and that it has been great for our community.

Councilmember McDaniel thanked Shane Bowles for working on the water line replacement project and other projects.

Councilmember Hartman reminded everyone to take care of their pets and keep them out of the heat.

Councilmember Marquez reminded everyone to keep working together to make our city grow.

EXECUTIVE SESSION

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

- a. SALE OF 401 EAST 4TH STREET
- b. PROPERTY ACQUISITION FOR LIFT STATION EXPANSION; AND
- c. TAX SALE PROPERTIES

ADJOURN INTO EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODES SECTION 551.071(1)(A) TO CONSULT WITH THE CITY ATTORNEY CONCERNING PENDING OR CONTEMPLATED LITIGATION (QUARTERLY UPDATE) AT 6:59 P.M.

RECONVENE IN OPEN SESSION AND TAKE ANY NECESSARY ACTIONS AND AUTHORIZE THE MAYOR OR HIS DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS AT 7:49 P.M.

First Executive Session:

Item a – Sale of 401 East 4th Street

No action taken.

Item b – Property acquisition for lift station expansion.

Motion was made by Councilmember Marquez, to authorize the City Manager to negotiate to purchase properties for the lift station improvements, seconded by Councilmember McDonald, with all members of the Council present voting “aye.”

Item c – Tax Sale Properties.

Motion was made by Councilmember Marquez, to authorize the City Manager to bid on properties at the tax sale on July 13, 2019, seconded by Councilmember Hartman, with all members of the Council present voting “aye.”

No action was taken on the second executive session.

ADJOURN

Mayor Thomason adjourned the meeting at 7:52 p.m.



Shannon Thomason, Mayor

ATTEST:



Tami L. Davis, Assistant City Secretary