

**MIDLAND CITY COUNCIL
MINUTES
November 9, 2020**



The City Council convened in regular session in the Council Chamber, City Hall, Midland, Texas, at 9:00 a.m., November 09, 2020.

Council Members present: Patrick Payton, Spencer Robnett, Michael Trost, Scott Dufford, John Norman, Jack Ladd, Lori Blong

Council Members absent: None

Staff members present: City Attorney John Ohnemiller, Assistant City Manager Robert Patrick, Assistant City Manager Morris Williams

The meeting was called to order at 9:02 a.m.

OPENING ITEMS

1. Invocation
2. Pledge of Allegiance

Mayor Payton reported that Executive Session would be heard before the remaining items.

MISCELLANEOUS

3. 2020-178 – RESOLUTION APPROVING A GRANT OF FUNDS TO THE MIDLAND COUNTY HOSPITAL DISTRICT IN THE AMOUNT OF \$100,000.00 FOR THE PURPOSE OF EXPANDING COVID-19 TESTING HOURS; AUTHORIZING THE MAYOR AND INTERIM CITY MANAGER TO EXECUTE ALL RELATED DOCUMENTS NECESSARY AND APPROPRIATE TO EFFECTUATE THE ADMINISTRATION OF SAID FUNDS; AND AUTHORIZING PAYMENT OF SAID FUNDS (FINANCE)

John Norman moved to approve Resolution No. 2020-178; seconded by Jack Ladd.

The motion passed by the following vote:

AYE: Payton, Robnett, Trost, Dufford, Norman, Ladd, Blong

NAY: None

ABSTAIN: None

ABSENT: None

4. 138-2020 – MOTION AUTHORIZING THE EXECUTION OF A SECOND AMENDMENT AND RESTATEMENT OF PRODUCED WATER DISPOSAL SITE LEASE AGREEMENT WITH FELIX WATER, LLC, FOR THE PURPOSE OF ALLOWING CERTAIN COMMERCIAL SALTWATER DISPOSAL ACTIVITIES AT T-BAR RANCH LOCATED IN WINKLER AND LOVING COUNTIES, TEXAS (DEFERRED FROM NOVEMBER 09, 2020)

Spencer Robnett moved to defer Motion No. 138-2020 to November 17, 2020; seconded by Scott Dufford.

The motion passed by the following vote:

AYE: Payton, Robnett, Trost, Dufford, Norman, Ladd

NAY: Blong

ABSTAIN: None

ABSENT: None

5. 10128 – AN ORDINANCE AMENDING TITLE VI, “POLICE REGULATIONS”, CHAPTER 1, “GENERAL OFFENSES”, OF THE CITY CODE OF MIDLAND, TEXAS, BY ESTABLISHING SECTION 25, “RESIDENTIAL PICKETING AND TARGETED MARCHES”, SO AS TO PROHIBIT RESIDENTIAL PICKETING AND TARGETED MARCHES ADJACENT TO A RESIDENCE OR DWELLING OF AN INDIVIDUAL; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF FIVE HUNDRED DOLLARS (\$500.00); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; AND ORDERING PUBLICATION (DEFERRED FROM FIRST READING HELD NOVEMBER 03, 2020)

Mayor Payton noted this item would have no action today.

PUBLIC COMMENT

6. Receive public comments where individuals may address the City Council on City related issues and projects not on the present agenda. Any deliberation of or decision by the City Council regarding the item being discussed shall be limited to a motion to place the item on the agenda for a subsequent meeting. (Please limit comments to three minutes or less.)

Chief Nursing Officer Kit Bredimus, Midland Memorial Hospital, reported he works in the emergency room and has seen the community go through things like swine flu and Ebola but has never seen anything like this. They have had to request over 100 outside nurses to help and now are requesting an additional 40. They are opening a new floor to accommodate COVID patients. Only 18% of their COVID patients are from outside of the county. They had a 30% positive test rate last week which is higher than the week before. He implored the Mayor and Council to take a stand for mandatory masks in the community in order to control the spread of the virus. Health care workers are not the front line, the community is. People who are asymptomatic can be spreading it. If you are in a car accident or have a heart attack you will find our ICU full. Please require everyone to wear a mask.

EXECUTIVE SESSION

Mayor Payton recess the meeting at 9:03 a.m. to go into Executive Session.

7. Pursuant to Texas Government Code § 551.101, the City Council will hold an Executive Session, which is closed to the public, to discuss the following matters as permitted under the following sections of the Texas Government Code:

a. Section 551.072, Deliberation Regarding Real Property

a.1. Discuss the purchase, exchange, lease or value of real property.

b. Section 551.071, Consultation with the City Attorney

b.1. Discuss a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code.

c. Section 551.087, Deliberate Economic Development Negotiations

c.1. Discuss business prospects that the City seeks to have locate, stay, or expand in or near the City of Midland, Texas, and discuss possible incentives.

The regular meeting was reconvened at 10:04 a.m. with all Council Members present.

All the business at hand having been completed, the meeting adjourned at 10:16 a.m.

PASSED AND APPROVED November 17, 2020.

Patrick Payton, Mayor

ATTEST:

Amy M. Turner, City Secretary