

**MIDLAND CITY COUNCIL
MINUTES
November 15, 2022**



The City Council convened in regular session in the Council Chamber, City Hall, Midland, Texas, at 10:00 a.m., November 15, 2022.

Council Members present: Dan Corrales, Robin Poole, Lori Blong, Patrick Payton, Jack Ladd, John Norman

Council Members absent: Scott Dufford

Staff members present: City Manager Robert Patrick, City Attorney John Ohnemiller, Deputy City Manager Morris Williams Jr, Assistant City Manager Tina Jauz

The meeting was called to order at 10:00 a.m.

OPENING ITEMS

1. Invocation – Pastor Jon Slayden, Hope Community Church
2. Pledge of Allegiance

Mayor Payton announced that Public Comment would be heard first (item 27).

CONSENT AGENDA

Lori Blong moved to approve consent agenda items 3 – 16, excluding items 4, 6, 10, 11 & 13; seconded by Dan Corrales.

The motion passed by the following vote:

AYE: Corrales, Poole, Blong, Payton, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: Dufford

3. MOTION APPROVING THE FOLLOWING MINUTES:

- 3a. BRIEFING SESSION OF OCTOBER 25, 2022

- 3b. REGULAR SESSION OF OCTOBER 25, 2022

5. 2022-153 – RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH PARKHILL, SMITH & COOPER, INC., D/B/A PARKHILL TO PROVIDE AN EVALUATION AND ANALYSIS OF TREATMENT TECHNIQUES FOR THE PAUL DAVIS WELLFIELD FOR THE UTILITIES DEPARTMENT FOR AN AMOUNT OF \$325,500.00; APPROVING \$48,825.00 FOR CONTINGENCIES; AND APPROPRIATING FUNDS (DISTRICT: NONE) (GENERAL SERVICES)
7. 2022-155 – RESOLUTION AUTHORIZING THE PURCHASE OF HERBICIDE FOR THE PLANT FARM FROM HELENA AGRI-ENTERPRISES, LLC OF STANTON, TEXAS, AND PRO CHEM SALES OF LUBBOCK, TEXAS, AT A TOTAL COST OF \$156,086.95 (DISTRICT: NONE) (GENERAL SERVICES)
8. 2022-156 – RESOLUTION ACCEPTING THE PROPOSAL SUBMITTED BY QBE INSURANCE GROUP THROUGH STEALTH PARTNER GROUP OF DALLAS, TEXAS, FOR STOP LOSS INSURANCE; AUTHORIZING THE NEGOTIATION AND EXECUTION OF ALL CONTRACTS AND DOCUMENTS NECESSARY TO EFFECT THE CITY'S ACCEPTANCE OF SAID PROPOSAL; AND AUTHORIZING PAYMENT (DISTRICT: NONE) (GENERAL SERVICES)
9. 2022-157 – RESOLUTION AUTHORIZING PURCHASE OF A VERSALIFT AERIAL BUCKET LIFT TRUCK FROM SOUTHWEST INTERNATIONAL TRUCKS INC. THROUGH BUYBOARD FOR A TOTAL COST OF \$253,888.78 (DISTRICT: NONE) (GENERAL SERVICES)
12. 126-2022 – MOTION APPOINTING MARCIA BENTLEY-GERMAN AS THE CITY GOVERNANCE OFFICER/CITY SECRETARY OF THE CITY OF MIDLAND EFFECTIVE MARCH 1, 2023; AND AUTHORIZING THE MAYOR TO EXECUTE AN EMPLOYMENT AGREEMENT WITH MARCIA BENTLEY-GERMAN (DISTRICT: ALL) (ADMINISTRATIVE SERVICES)
14. 2022-160 – RESOLUTION APPROVING THE ISSUANCE OF PERMITS TO PIONEER NATURAL RESOURCES USA, INC. ("OPERATOR") TO DRILL 10 OIL AND GAS WELLS LOCATED IN SECTION 17, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY OF MIDLAND, MIDLAND COUNTY, TEXAS (GENERALLY LOCATED BETWEEN 435 FEET AND 436 FEET SOUTH OF ARAPAHOE ROAD AND BETWEEN 1,182 FEET AND 1,362 FEET WEST OF ELKINS ROAD); AND PROVIDING THAT SAID PERMITS DO NOT REQUIRE A NEW ROAD REPAIR AGREEMENT BUT SHALL BE CONSOLIDATED UNDER AN EXISTING ROAD REPAIR AGREEMENT (DISTRICT 1) (DEVELOPMENT SERVICES)
15. 2022-161 – RESOLUTION APPROVING THE ISSUANCE OF PERMITS TO PERMIAN DEEP ROCK OIL CO., LLC ("OPERATOR") TO DRILL 12 OIL AND GAS WELLS LOCATED IN SECTION 14, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY OF MIDLAND, MIDLAND COUNTY, TEXAS (GENERALLY LOCATED BETWEEN 1,638 FEET AND 1,998 FEET EAST OF NORTH A STREET EXTENSION AND BETWEEN 1,832 FEET AND 2,020 FEET SOUTH OF WEST LOOP 250 NORTH); GRANTING

VARIANCES FOR SEVEN OF SAID OIL AND GAS WELLS TO BE LOCATED CLOSER THAN 500 FEET OF AN OCCUPIED RESIDENCE OR COMMERCIAL STRUCTURE; AND PROVIDING THAT SAID PERMITS DO NOT REQUIRE A NEW ROAD REPAIR AGREEMENT BUT SHALL BE CONSOLIDATED UNDER AN EXISTING ROAD REPAIR AGREEMENT (DISTRICT 3) (DEVELOPMENT SERVICES)

16. 128-2022 – MOTION AUTHORIZING THE EXECUTION OF AN EMPLOYMENT AGREEMENT WITH THE CITY MANAGER (DISTRICT: ALL) (LEGAL)

The following item(s) were pulled from consent agenda and considered individually.

4. 2022-152 – RESOLUTION AWARDED A CONTRACT FOR THE FAIRGROUNDS ROAD - LOOP 250 TO MOCKINGBIRD LANE PAVING PROJECT TO JONES BROS. DIRT & PAVING CONTRACTORS, INC. OF ODESSA, TEXAS, AT A TOTAL COST OF \$2,758,651.04; APPROPRIATING FUNDS; AND AUTHORIZING PAYMENT (DISTRICT 1) (GENERAL SERVICES)

Engineering Services Director Jose Ortiz reported there will be a pre-construction meeting soon and there is hope to be open by late fall of 2023.

Lori Blong moved to approve Resolution No. 2022-152; seconded by Dan Corrales.

The motion passed by the following vote:

AYE: Corrales, Poole, Blong, Payton, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: Dufford

6. 2022-154 – RESOLUTION AWARDED A CONTRACT FOR THE PECK/TERRELL LIFT STATION ELIMINATION AND NEW SEWER INSTALLATION PROJECT TO TEC EXCAVATION, INC., FOR THE UTILITIES DEPARTMENT FOR THE TOTAL COST OF \$925,277.00; APPROVING \$185,055.40 FOR CONTINGENCIES; AND TRANSFERRING AND APPROPRIATING FUNDS (DISTRICT 2) (GENERAL SERVICES)

Utilities Director Carl Craigo gave a brief overview of the item noting Terrell Peck is the oldest lift station and they are working to reroute it so it won't be on the property of our citizens.

Robin Poole moved to approve Resolution No. 2022-154; seconded by Dan Corrales.

The motion passed by the following vote:

AYE: Corrales, Poole, Blong, Payton, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: Dufford

10. 2022-158 – RESOLUTION APPROVING THE PURCHASE OF THREE (3) AUTOMATED REFUSE TRUCKS FROM CHASTANG ENTERPRISES, INC., THROUGH BUYBOARD AT A TOTAL COST OF \$1,159,210.00 (DISTRICT: NONE) (GENERAL SERVICES)

Solid Waste Director Jeffery Ahrllett gave a brief overview of the item noting the trucks are in production and it may be about a year and a half before they receive them. The trucks ordered last year are also still in production.

Dan Corrales moved to approve Resolution No. 2022-158; seconded by John Norman.

The motion passed by the following vote:

AYE: Corrales, Poole, Blong, Payton, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: Dufford

11. 2022-159 – RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH GEOGRAPHIC INFORMATION SERVICES, INC., D/B/A AXIM GEOSPATIAL, LLC, FOR AERIAL LIDAR COLLECTION MAPPING SERVICES THROUGH THE TEXAS DEPARTMENT OF INFORMATION RESOURCES AT A TOTAL COST OF \$178,200.00 FOR THE COMMUNICATION AND INFORMATION SYSTEMS DEPARTMENT (DISTRICT: ALL) (GENERAL SERVICES)

Jennifer Frescas, CISD Director, gave a brief overview of the item noting aerial lidar capture is done about every five years. Lidar capture shows the footprint of the City.

Geographic Information Systems Manager Daniel Armentrout reported that the lidar capture will specifically be for topographical information such as elevation changes on the surface that impacts water runoff, among other features.

Jack Ladd moved to approve Resolution No. 2022-159; seconded by John Norman.

The motion passed by the following vote:

AYE: Corrales, Poole, Blong, Payton, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: Dufford

13. 127-2022 – MOTION AUTHORIZING THE ACCEPTANCE OF A FUTURE DONATION OF A CEDRIC BENSON STATUE TO BE PLACED INSIDE ASTOUND BROADBAND STADIUM AT THE SCHARBAUER SPORTS COMPLEX; AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ALL NECESSARY DOCUMENTS AND INSTRUMENTS FOR THE ACCEPTANCE OF SAID FUTURE DONATION (DISTRICT 4) (COMMUNITY SERVICES)

John Norman moved to remove this item at the request of staff; seconded by Dan Corrales.

The motion passed by the following vote:

AYE: Corrales, Poole, Blong, Payton, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: Dufford

SECOND READINGS

17. 10352 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR LOT 3G, BLOCK 6, SCOTSDALE ADDITION, SECTION 19, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST WADLEY AVENUE, APPROXIMATELY 535 FEET WEST OF NORTH MIDLAND DRIVE), WHICH IS PRESENTLY ZONED RR, REGIONAL RETAIL DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR THE SALE OF ALL ALCOHOLIC BEVERAGES IN A RESTAURANT FOR ON-PREMISES CONSUMPTION; MAKING SAID DESIGNATION SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION (DISTRICT 4) (DEVELOPMENT SERVICES) (FIRST READING HELD OCTOBER 25, 2022)

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10352.

Dan Corrales moved to approve the second and final reading of Ordinance No. 10352; seconded by John Norman.

The motion passed by the following vote:

AYE: Corrales, Poole, Blong, Payton, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: Dufford

18. 10353 – AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 7, BLOCK 50, EAST MIDLAND ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF SOUTH STREET AND TYLER STREET), BY PERMITTING A REDUCED MINIMUM LOT WIDTH IN THE EVENT THAT THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND IS AMENDED TO REZONE THE PROPERTY FROM HI, HEAVY INDUSTRIAL DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); ORDERING RECORDATION BY THE CITY SECRETARY IN THE DEED RECORDS OF MIDLAND COUNTY, TEXAS; AND ORDERING PUBLICATION (DISTRICT 2) (DEVELOPMENT SERVICES) (FIRST READING HELD OCTOBER 25, 2022)

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10353.

John Norman moved to approve the second and final reading of Ordinance No. 10353; seconded by Dan Corrales.

The motion passed by the following vote:

AYE: Corrales, Poole, Blong, Payton, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: Dufford

19. 10354 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 1, BLOCK 26, WEDGWOOD PARK ADDITION, SECTION 4, CITY AND COUNTY OF MIDLAND, TEXAS, FROM O-1, OFFICE DISTRICT, TO RR, REGIONAL RETAIL DISTRICT (GENERALLY LOCATED ON THE EAST SIDE OF NORTH MIDLAND DRIVE, APPROXIMATELY 510 FEET NORTH OF NEELY AVENUE); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION (DISTRICT 3) (DEVELOPMENT SERVICES) (FIRST READING HELD OCTOBER 25, 2022)

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10354.

Lori Blong moved to approve the second and final reading of Ordinance No. 10354; seconded by John Norman.

The motion passed by the following vote:

AYE: Corrales, Poole, Blong, Payton, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: Dufford

20. 10355 – AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR THE WEST 40 FEET OF LOT 4 AND THE EAST 25 FEET OF LOT 5, BLOCK J, GARRETT PLACE ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST INDIANA AVENUE, APPROXIMATELY 80 FEET EAST OF CARLTON STREET), BY PERMITTING A REDUCED MINIMUM LOT DEPTH; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); ORDERING RECORDATION BY THE CITY SECRETARY IN THE DEED RECORDS OF MIDLAND COUNTY, TEXAS; AND ORDERING PUBLICATION (DISTRICT 3) (DEVELOPMENT SERVICES) (FIRST READING HELD OCTOBER 25, 2022)

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10355.

John Norman moved to approve the second and final reading of Ordinance No. 10355; seconded by Robin Poole.

The motion passed by the following vote:

AYE: Corrales, Poole, Blong, Payton, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: Dufford

21. 10356 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITHOUT TERM FOR LOT 22 AND THE WEST 97.3 FEET OF LOT 23, BLOCK 81, PERMIAN ESTATES ADDITION,

CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF WEST WALL STREET, APPROXIMATELY 438 FEET WEST OF THOMASON DRIVE), WHICH IS PRESENTLY ZONED RR, REGIONAL RETAIL DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR AUTOMOBILE OR OTHER MOTORIZED VEHICLE SALES AND SERVICE; MAKING SAID DESIGNATION SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION (DISTRICT 2) (DEVELOPMENT SERVICES) (FIRST READING HELD OCTOBER 25, 2022)

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10356.

John Norman moved to approve the second and final reading of Ordinance No. 10356; seconded by Dan Corrales.

The motion passed by the following vote:

AYE: Corrales, Poole, Blong, Payton, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: Dufford

PUBLIC HEARINGS

The City Council will hold public hearings on the following items:

22. 2022-162 – RESOLUTION REAUTHORIZING AND ADOPTING GUIDELINES AND CRITERIA FOR TAX ABATEMENT AGREEMENTS AS AUTHORIZED BY CHAPTER 312 OF THE TEXAS TAX CODE; AND AUTHORIZING THE CITY SECRETARY TO SUBMIT A COPY OF THIS RESOLUTION TO THE TEXAS COMPTROLLER OF PUBLIC ACCOUNTS (DISTRICT: ALL) (CITY MANAGER)

Mayor Payton opened the public hearing at 11:30 a.m.

Mr. Brunson, 1900 Holloway Avenue, spoke here regarding issues with increased traffic on Holloway and Garfield. City Attorney John Ohnemiller asked Mr. Brunson if he intended his comments to be in Public Comment. Mr. Brunson confirmed he did.

There being no one else wishing to speak, the public hearing was closed at 11:34 a.m.

Dan Corrales moved to approve Resolution No. 2022-162; seconded by Lori Blong.

The motion passed by the following vote:

AYE: Corrales, Poole, Blong, Payton, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: Dufford

23. 129-2022 – THE PROPOSED GRANTING OF OIL AND GAS WELL PERMITS TO PIONEER NATURAL RESOURCES, USA, INC. (“OPERATOR”) FOR THE DRILLING OF

THE FOLLOWING OIL AND GAS WELLS: STIMSON W17A 1H; STIMSON W17B 2H; STIMSON W17C 3H; STIMSON W17D 4H; STIMSON W17E 5H; STIMSON W17F 6H; STIMSON W17G 7H; STIMSON W17H 8H; STIMSON W17I 9H; AND STIMSON W17J 10H; SAID WELLS BEING GENERALLY LOCATED BETWEEN 375 FEET AND 376 FEET SOUTH OF ARAPAHOE ROAD AND BETWEEN 1,040 FEET AND 1,220 FEET EAST OF TODD DRIVE EXTENSION; PUBLIC HEARING ONLY (DISTRICT 1) (DEVELOPMENT SERVICES)

Mayor Payton opened the public hearing at 11:35 a.m.

Oil & Gas Compliance Officer Ron Jenkins reported that the highest number of wells we have had is 20 on each pad. There are 2 pads and no limit on the number of wells per pad.

There being no one else wishing to speak, the public hearing was closed at 11:36 a.m.

This was a public hearing only.

24. 10357 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 7, BLOCK 50, EAST MIDLAND ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM HI, HEAVY INDUSTRIAL DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF SOUTH STREET AND NORTH TYLER STREET); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION (DISTRICT 2) (DEVELOPMENT SERVICES)

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10357.

Mayor Payton opened the public hearing at 11:36 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Dan Corrales moved to approve the first of two readings of Ordinance No. 10357; seconded by John Norman.

The motion passed by the following vote:

AYE: Corrales, Poole, Blong, Payton, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: Dufford

25. 10358 – AN ORDINANCE VACATING AND ABANDONING A 0.067-ACRE PORTION OF ALLEY RIGHT-OF-WAY LOCATED ADJACENT TO LOTS 5 THROUGH 9, BLOCK 17, KELVIEW HEIGHTS ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF SCHARBAUER DRIVE, APPROXIMATELY 209 FEET WEST OF NORTH BIG SPRING STREET); ADOPTING

THE APPRAISAL BY THE CITY MANAGER OF \$5,836.00; RETAINING A NONEXCLUSIVE UTILITY EASEMENT; AND ORDERING RECORDATION BY THE CITY SECRETARY (DISTRICT 3) (DEVELOPMENT SERVICES)

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10358.

Mayor Payton opened the public hearing at 11:37 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Lori Blong moved to approve the first of two readings of Ordinance No. 10358; seconded by Dan Corrales.

The motion passed by the following vote:

AYE: Corrales, Poole, Blong, Payton, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: Dufford

MISCELLANEOUS

26. 130-2022 – MOTION REGARDING THE PEDESTRIAN ISLAND ALONG WADLEY AVENUE NORTH OF ABELL JUNIOR HIGH, INCLUDING POSSIBLE REMOVAL OR MODIFICATION, OR OTHER ACTION RELATED THERETO (DISTRICT 4) (CITY MANAGER)

Engineering Services Director, Jose Ortiz, gave a brief overview of the item giving a history of this going back since between 2016 and 2018 and why the crosswalk was put in place.

When asked what could help with the crosswalk situation, Mr. Ortiz stated additional places for student pickup would be beneficial. Mr. Ortiz also explained that the center turn lane is intended to be a left turn lane and is not to be used as an acceleration lane. Acceleration in the center turn lane is against state law.

Carol Henson, 5600 Camden, spoke of her concerns regarding the crosswalk.

Ken Dickeson, 5704 Camden, spoke on several issues including U-turns and dozens of cars parked along the south side of Wadley.

Engineering Director Jose Ortiz reported that one of the challenges faced is that it is lawful to cross at the crosswalk; jaywalking is illegal.

Jack Ladd moved to remove the median; the motion died for lack of a second.

PUBLIC COMMENT

27. 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.)

Brian and Courtney Garrison, 1802 Huntington, are concerned about the City of Midland Police Department and would like the City to take action.

Gaines Myer, 3204 Apperson Drive, voiced concern regarding Midland Police Detectives.

Nate Saxton, 1500 Winfield Drive, expressed concern about labor challenges affecting schools in the City of Midland.

Carter Saxton, 1500 Winfield Road, spoke to the good character of Matt Counts.

Susannah Schorlemer, 4 Lazywood Lane, voiced fears and financial burdens teachers face in schools here in Midland and would like to see an investigation into the Midland Police Department.

Kady Shive, 2400 Dartmouth Drive, spoke to the character of Matt Counts and requested an investigation of the Midland Police Department.

Keri St. John, 2804 Fairfield Lane, spoke on the good character of the Trinity school system.

Robert Whitt, 900 W. Pecan Court, requested that if Council assigns an investigation, please pick individuals from out of town who have no vested interest in the case.

Steve Pruett, 1 Lazywood Lane, spoke to the good leadership at Trinity.

Jananne McLaughlin, 3603 Woodhaven Court, spoke on concerns regarding the Trinity school case.

Mayor Payton recessed the meeting at 10:37 a.m. to give time for speakers and supporters to exit the chamber.

Mayor Payton reconvened the meeting at 10:43 a.m. and moved to item number 26.

Mayor Payton reopened public comment at 11: 37 a.m. There being no one present wishing to speak, public comment was immediately closed.

NOTE: Mr. Brunson, 1900 Holloway Ave spoke during item number 22 (Public Hearing) but meant to speak here in Public Comment.

Mayor Payton recessed the Council Meeting to Executive Session at 11: 38 a.m.

EXECUTIVE SESSION

28. 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 551.087, Deliberate Economic Development Negotiations

- b.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

All the business at hand having been completed, the meeting adjourned at 12:15 p.m.

PASSED AND APPROVED December 13, 2022.

Patrick Payton, Mayor

ATTEST:

Amy M. Turner, City Secretary