

**MIDLAND CITY COUNCIL
MINUTES
May 28, 2019**

BRIEFING SESSION

The City Council convened in a Briefing Session in the basement conference room, City Hall, Midland, Texas, at ____ a.m. on May 28, 2019.

Council Members present: Mayor Jerry F. Morales, Mayor Pro Tem John B. Love III (District 2), Council Member Spencer Robnett (At-Large), Council Member Michael Trost (At-Large), Council Member Scott Dufford (District 1), Council Member Sharla Hotchkiss (District 3), and Council Member J.Ross Lacy (District 4).

Council Members absent: None.

Staff members present: City Manager Courtney Sharp, City Attorney John Ohnemiller, Assistant City Manager Robert Patrick, Assistant City Manager Morris Williams, Assistant to the City Manager Marcia Bentley-German, City Secretary Amy Turner, Police Chief Seth Herman, Fire Chief Chuck Blumenauer, Utilities Director Carl Craigo, Administrative Services Director Mark Widmann, Finance Director Pam Simecka, Development Services Director Charles Harrington, Community Services Director Tina Jauz, Engineering Services Director Jose Ortiz, Director of Airports Justine Ruff, General Services Director Fred Reyes, Chief Information Officer Jennifer Frescaz, Solid Waste Director Jeffery Ahrlett, Planning Division Manager Cristina Odenborg, Building Official Steve Thorpe, and Public Information Officer Erin Bailey.

Mayor Morales called the meeting to order at ____ a.m.

The foregoing agenda items were discussed by the City Council with no formal action taken. The Briefing Session was adjourned at ____ a.m.

REGULAR SESSION

The City Council convened in regular session in the Council Chamber, City Hall, Midland, Texas, at 10:00 a.m., May 28, 2019.

Council Members present: Mayor Jerry F. Morales, Mayor Pro Tem John B. Love III (District 2), Council Member Spencer Robnett (At-Large), Council Member Michael Trost (At-Large), Council Member Scott Dufford (District 1), Council Member Sharla Hotchkiss (District 3), and Council Member J.Ross Lacy (District 4).

Council Members absent: None.

Staff members present at the annex table: City Manager Courtney Sharp, City Attorney John Ohnemiller, Assistant City Manager Frank Salvato, and Assistant

City Manager Robert Patrick and Assistant City Manager Morris Williams.

The Agenda Items were heard in the following order:

Mayor Morales called the meeting to order at __ a.m.

OPENING ITEMS

cto 10:01 a.m.

Moment of silence for Sheriff Painter was observed.

1. Invocation - Pastor Bob Pase, Grace Lutheran
2. Pledge of Allegiance

PRESENTATIONS

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:

CONSENT AGENDA

4. Approved a motion approving the following minutes:

Council Member Love moved to approve Consent Agenda items 4 - 12 excluding 7; seconded by Council Member Lacy.

The motion carried by the following vote: AYE: Trost, Hotchkiss, Love, Morales, Dufford, Lacy. NAY: None. ABSTAIN: None. ABSENT: Robnett.

- a. Regular City Council minutes of May 14, 2019.

Council Member Love moved to approve Consent Agenda items 4 - 12 excluding 7; seconded by Council Member Lacy.

The motion carried by the following vote: AYE: Trost, Hotchkiss, Love, Morales, Dufford, Lacy. NAY: None. ABSTAIN: None. ABSENT: Robnett.

5. Approved a resolution awarding annual master agreements for the purchase of Uniforms for the Police Department. (PURCHASING)

RESOLUTION NO. 2019 - 159
RESOLUTION AUTHORIZING THE EXECUTION OF THREE MASTER AGREEMENTS FOR THE PURCHASE OF AN ANNUAL SUPPLY OF UNIFORMS FOR THE POLICE DEPARTMENT FROM GALLS, LLC, GT DISTRIBUTORS, INC., AND A-1 SIGN AND GRAPHIC SOLUTIONS, INC., AT A TOTAL COST OF \$84,300.00

Council Member Love moved to approve Consent Agenda items 4 - 12 excluding 7;

seconded by Council Member Lacy.

The motion carried by the following vote: AYE: Trost, Hotchkiss, Love, Morales, Dufford, Lacy. NAY: None. ABSTAIN: None. ABSENT: Robnett.

6. Approved a resolution awarding an agreement for the purchase and installation of Accident Reconstruction software and equipment to Faro Technologies, Inc. through General Services Administration (GSA) contract GS-07F-197GA for a cost of \$106,768.68 for the Police Department. (PURCHASING)

RESOLUTION NO. 2019 - 160

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH FARO TECHNOLOGIES, INC., FOR THE PURCHASE AND INSTALLATION OF ACCIDENT RECONSTRUCTION HARDWARE AND SOFTWARE THROUGH THE FEDERAL GOVERNMENT SERVICES ADMINISTRATION AT A TOTAL COST OF \$106,768.68

Council Member Love moved to approve Consent Agenda items 4 - 12 excluding 7; seconded by Council Member Lacy.

The motion carried by the following vote: AYE: Trost, Hotchkiss, Love, Morales, Dufford, Lacy. NAY: None. ABSTAIN: None. ABSENT: Robnett.

7. Approved a resolution awarding a contract for roof and exterior repairs for the Central Fire Station, City Hall, Municipal Garage and Golf Course buildings to Tommy Klein Construction through ezIQC Buyboard contract 520-16 for a cost of \$474,779.42 plus \$23,738.97 in contingencies for a total project cost of \$498,518.39 for the General Services Department. (PURCHASING)

RESOLUTION NO. 2019 - 161

RESOLUTION APPROVING A CONTRACT WITH TOMMY KLEIN CONSTRUCTION, INC., FOR ROOFING AND EXTERIOR REPAIRS TO CITY-OWNED BUILDINGS THAT INCLUDE THE CENTRAL FIRE STATION, CITY HALL, VARIOUS GOLF COURSE BUILDINGS, AND THE MUNICIPAL GARAGE, THROUGH BUYBOARD, AT A TOTAL COST OF \$474,779.42; AND APPROVING \$23,738.97 FOR CONTINGENCIES

Lacy local company> Fred regional done work here out of Lubbock been working on fire stations in Odessa and with County. Lacy time line? Fred establish timeline of 90 days. worked couple projects in past ahead of schedule.

Council Member Lacy moved to adopt Resolution No. 2019 - 161; seconded by Council Member Trost.

The motion carried by the following vote: AYE: Trost, Hotchkiss, Love, Morales, Dufford, Lacy. NAY: None. ABSTAIN: None. ABSENT: Robnett.

8. Approved a resolution awarding a professional services agreement to Parkhill, Smith & Cooper, Inc. for professional services to assist with the design, bidding and construction phase of the potable waterline extension from San Andres Road to Business 20 for a cost of \$114,680.00 plus \$28,670.00 in contingencies for an amount not to exceed \$143,350.00 for the Utilities Department. (PURCHASING)

RESOLUTION NO. 2019 - 162

RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH PARKHILL, SMITH & COOPER, INC., TO ASSIST WITH THE DESIGN, BIDDING AND CONSTRUCTION PHASES OF THE POTABLE WATERLINE EXTENSION FROM SAN ANDRES ROAD TO BUSINESS 20 FOR THE UTILITIES DEPARTMENT, FOR AN AMOUNT NOT TO EXCEED \$114,680.00; AND APPROVING \$28,670.00 IN CONTINGENCIES

Council Member Love moved to approve Consent Agenda items 4 - 12 excluding 7; seconded by Council Member Lacy.

The motion carried by the following vote: AYE: Trost, Hotchkiss, Love, Morales, Dufford, Lacy. NAY: None. ABSTAIN: None. ABSENT: Robnett.

9. Approved a resolution to deny the Distribution Cost Recovery Factor (DCRF) application proposed by Oncor. (CITY MANAGER'S OFFICE)

RESOLUTION NO. 2019 - 163

RESOLUTION OF THE CITY OF MIDLAND, TEXAS, FINDING THAT THE APPLICATION OF ONCOR ELECTRIC DELIVERY COMPANY, LLC ("ONCOR") FOR APPROVAL TO AMEND ITS DISTRIBUTION COST RECOVERY FACTOR PURSUANT TO 16 TEX. ADMIN. CODE § 25.243 TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY ONCOR; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND AUTHORIZING AND DIRECTING THE CITY SECRETARY TO SEND COPIES OF THIS RESOLUTION TO ONCOR AND LEGAL COUNSEL FOR THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR

Council Member Love moved to approve Consent Agenda items 4 - 12 excluding 7; seconded by Council Member Lacy.

The motion carried by the following vote: AYE: Trost, Hotchkiss, Love, Morales, Dufford, Lacy. NAY: None. ABSTAIN: None. ABSENT: Robnett.

10. Approved a resolution authorizing and executing a Right-of-Way License between the City of Midland and Magellan Pipeline Company, L.P., said Right-of-Way License is for entering the City of Midland's property for the purpose of placing, installing, constructing, operating, repairing, maintaining and removing one twenty (20) inch common carrier pipeline. These facilities are located within City of Midland Plant Farm property, Sections 9 & 10, Block 38, Township 2 South, T&P RR Co. Survey, Midland County, Texas. (UTILITIES)

RESOLUTION NO. 2019 - 164

RESOLUTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE BETWEEN THE CITY OF MIDLAND AND MAGELLAN PIPELINE COMPANY, L.P., REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTIONS 9 AND 10, BLOCK 38, TOWNSHIP 2 SOUTH, T&P RR. CO. SURVEY, MIDLAND COUNTY, TEXAS

Council Member Love moved to approve Consent Agenda items 4 - 12 excluding 7; seconded by Council Member Lacy.

The motion carried by the following vote: AYE: Trost, Hotchkiss, Love, Morales, Dufford, Lacy. NAY: None. ABSTAIN: None. ABSENT: Robnett.

11. Approved a resolution authorizing and executing an Amendment to Right-of-Way License number 2018-356 between the City of Midland and Lucid Energy Delaware LLC. Said Amendment allows for a (15') reroute of the approved right of way and adds a 35' by 150' (5,250) sq. ft. temporary work space and allows use of existing roads by Lucid Energy and designated contractors. All proposed pipelines, roads and meter site are located within City of Midland property, Sections 22, 24, and 25, Block C23, Public School Land Survey, Winkler County, Texas. (UTILITIES)

RESOLUTION NO. 2019 - 165

RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE RIGHT-OF-WAY LICENSE BETWEEN THE CITY OF MIDLAND AND LUCID ENERGY DELAWARE, LLC, REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTIONS 22, 24 AND 25, BLOCK C23, PUBLIC SCHOOL LAND SURVEY, WINKLER COUNTY, TEXAS

Council Member Love moved to approve Consent Agenda items 4 - 12 excluding 7; seconded by Council Member Lacy.

The motion carried by the following vote: AYE: Trost, Hotchkiss, Love, Morales, Dufford, Lacy. NAY: None. ABSTAIN: None. ABSENT: Robnett.

12. Approved a resolution accepting a Dedication Deed of Right of Way from Storehouse Land Company, LLC., located in Section 7, Block 38, T-1-S, T&P RR. Co. Survey, Midland County, Texas, for the purpose of Public Roadways and Utilities associated with a future single-family housing development, authorizing the execution of said Dedication Deed of Right of Way; and ordering recordation by the City Secretary (City of Midland, Midland County). (ENGINEERING SERVICES)

RESOLUTION NO. 2019 - 166

RESOLUTION AUTHORIZING THE ACCEPTANCE OF A 2.25-ACRE RIGHT-OF-WAY OUT OF SECTION 7, BLOCK 38, T-1-S, T&P RR CO. SURVEY, MIDLAND, MIDLAND COUNTY, TEXAS; AND ORDERING RECORDATION BY THE CITY SECRETARY

Council Member Love moved to approve Consent Agenda items 4 - 12 excluding 7; seconded by Council Member Lacy.

The motion carried by the following vote: AYE: Trost, Hotchkiss, Love, Morales, Dufford, Lacy. NAY: None. ABSTAIN: None. ABSENT: Robnett.

SECOND READINGS

13. Consider an ordinance on second reading on a request by Allan Cole Metcalf for a Special Exception from the City of Midland Zoning Ordinance, Section 11-1-7 Area, Yard, Structure, Parking and Miscellaneous Lot and Use regulations concerning the

construction standards of detached accessory structures on Lot 11, Block 3, 349 Ranch Estates, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of Pueblo and Ojibwa). (DEVELOPMENT SERVICES) (First reading held May 14, 2019)

ORDINANCE NO. 9919

AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 11, BLOCK 3, 349 RANCH ESTATES, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF PUEBLO AND OJIBWA), BY PERMITTING A METAL SKIN EXTERIOR ON A DETACHED ACCESSORY STRUCTURE THAT EXCEEDS 12 FEET IN HEIGHT AND THAT EXCEEDS 400 SQUARE FEET IN AREA; 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

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 9919.

Council Member Hotchkiss moved to approve the second and final reading of Ordinance No. 9919 in accordance with the Charter of the City of Midland; seconded by Council Member Love.

The motion carried by the following vote: AYE: Trost, Hotchkiss, Love, Morales, Dufford, Lacy. NAY: None. ABSTAIN: None. ABSENT: Robnett.

14. Consider an ordinance on second reading amending Title XI, "Planning and Development", Chapter 1, "Zoning" of the City Code of Midland, Texas, so as to change the heading of said Chapter 1 to "Zoning Ordinance" and to revise and amend the rules, regulations and zoning map contained therein or associated therewith and similar provisions related to land use and development. (DEVELOPMENT SERVICES) (First reading held May 14, 2019)

ORDINANCE NO. 9920

AN ORDINANCE AMENDING TITLE XI, "PLANNING AND DEVELOPMENT", CHAPTER 1, "ZONING" OF THE CITY CODE OF MIDLAND, TEXAS, SO AS TO CHANGE THE HEADING OF SAID CHAPTER 1 TO "ZONING ORDINANCE" AND TO REVISE AND AMEND THE RULES, REGULATIONS AND ZONING MAP CONTAINED THEREIN OR ASSOCIATED THEREWITH AND SIMILAR PROVISIONS RELATED TO LAND USE AND DEVELOPMENT; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); ESTABLISHING AN EFFECTIVE DATE OF JULY 1, 2019; AND ORDERING PUBLICATION

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 9920.

Council Member Lacy moved to approve the second and final reading of Ordinance No. 9920 in accordance with the Charter of the City of Midland; seconded by Council Member Dufford.

The motion carried by the following vote: AYE: Trost, Hotchkiss, Love, Morales, Dufford, Lacy. NAY: None. ABSTAIN: None. ABSENT: Robnett.

15. Consider an ordinance on second reading adopting the 2018 International Building Code, with amendments; as the building code of the City of Midland. (DEVELOPMENT SERVICES) (First reading held May 14, 2019)

ORDINANCE NO. 9921

AN ORDINANCE AMENDING TITLE IV, "BUILDING REGULATIONS", CHAPTER 1, "BUILDING CODE", OF THE CITY CODE OF THE CITY OF MIDLAND, TEXAS, AND ADOPTING THE 2018 INTERNATIONAL BUILDING CODE AS THE BUILDING CODE OF THE CITY OF MIDLAND, TEXAS, FOR THE PURPOSE OF REGULATING THE CONSTRUCTION, ALTERATION, REPAIR, EQUIPMENT, USE AND OCCUPANCY, LOCATION, MAINTENANCE, REMOVAL AND DEMOLITION OF BUILDINGS AND STRUCTURES OR ANY APPURTENANCE CONNECTED OR ATTACHED TO SUCH BUILDING OR STRUCTURE; PROVIDING FOR THE INSPECTION OF SAID BUILDINGS OR STRUCTURES, PROVIDING FOR THE ISSUANCE OF PERMITS FOR THE CONSTRUCTION, ALTERATION, REPAIR, EQUIPMENT, USE AND OCCUPANCY, REMOVAL AND DEMOLITION OF SAID BUILDINGS OR STRUCTURES AND COLLECTION OF INSPECTION FEES THEREFOR; ESTABLISHING MINIMUM FLOOR ELEVATIONS FOR CERTAIN STRUCTURES; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM FINE OR PENALTY OF TWO THOUSAND (\$2,000.00) DOLLARS; AND ESTABLISHING AN EFFECTIVE DATE OF JULY 1, 2019; AND ORDERING PUBLICATION

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 9921.

Council Member Love moved to approve the second and final reading of Ordinance No. 9921 in accordance with the Charter of the City of Midland; seconded by Council Member Lacy.

The motion carried by the following vote: AYE: Trost, Hotchkiss, Love, Morales, Dufford, Lacy. NAY: None. ABSTAIN: None. ABSENT: Robnett.

16. Consider an ordinance on second reading adopting the 2018 International Plumbing Code, with amendments; as the plumbing code of the City of Midland. (DEVELOPMENT SERVICES) (First reading held May 14, 2019)

ORDINANCE NO. 9922

AN ORDINANCE AMENDING TITLE IV, "BUILDING REGULATIONS", CHAPTER 3, "PLUMBING CODE", OF THE CITY CODE OF THE CITY OF MIDLAND, TEXAS, AND ADOPTING THE 2018 INTERNATIONAL PLUMBING CODE AS THE PLUMBING CODE OF THE CITY OF MIDLAND FOR THE PURPOSE OF REGULATING THE INSTALLATION, ALTERATION, AND MAINTENANCE OF ALL PIPING AND PLUMBING WITHIN THE CORPORATE LIMITS OF THE CITY OF MIDLAND; PROVIDING FOR THE INSPECTION OF SAID PIPING AND PLUMBING; PROVIDING FOR THE ISSUANCE OF PERMITS FOR THE INSTALLATION OF SAID PIPING AND THE COLLECTION OF INSPECTION FEES THEREFOR; PROVIDING FOR THE BONDING OF PERSONS ENGAGED IN THE BUSINESS OF INSTALLING, REPAIRING AND MAINTAINING SAID PIPING OR PLUMBING; PROVIDING FOR

APPEALS; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); ESTABLISHING AN EFFECTIVE DATE OF JULY 1, 2019; AND ORDERING PUBLICATION

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 9922.

Council Member Lacy moved to approve the second and final reading of Ordinance No. 9922 in accordance with the Charter of the City of Midland; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Trost, Hotchkiss, Love, Morales, Dufford, Lacy. NAY: None. ABSTAIN: None. ABSENT: Robnett.

17. Consider an ordinance on second reading adopting the 2018 International Fuel Gas Code, with amendments; as the gas code of the City of Midland. (DEVELOPMENT SERVICES) (First reading held May 14, 2019)

ORDINANCE NO. 9923

AN ORDINANCE AMENDING TITLE IV, "BUILDING REGULATIONS", CHAPTER 4, "GAS CODE", OF THE CITY CODE OF THE CITY OF MIDLAND, TEXAS, AND ADOPTING THE 2018 INTERNATIONAL FUEL GAS CODE AS THE GAS CODE OF THE CITY OF MIDLAND; PROVIDING MINIMUM STANDARDS, PROVISIONS AND REQUIREMENTS FOR GAS PIPING AND APPLIANCES; PROVIDING FOR THE ISSUANCE OF PERMITS FOR THE INSTALLATION OF SAID PIPING AND APPLIANCES AND THE COLLECTION OF INSPECTION FEES THEREFOR; PROVIDING FOR BONDING OF PERSONS ENGAGED IN THE BUSINESS OF INSTALLING, REPAIRING AND MAINTAINING SAID PIPING AND APPLIANCES; REGULATING USE OF EXISTING PIPING AND APPLIANCES; PROVIDING FOR CERTIFICATES OF APPROVAL FOR PIPING WORK; PROVIDING FOR APPEALS; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); ESTABLISHING AN EFFECTIVE DATE OF JULY 1, 2019; AND ORDERING PUBLICATION

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 9923.

Council Member Hotchkiss moved to approve the second and final reading of Ordinance No. 9923 in accordance with the Charter of the City of Midland; seconded by Council Member Love.

The motion carried by the following vote: AYE: Trost, Hotchkiss, Love, Morales, Dufford, Lacy. NAY: None. ABSTAIN: None. ABSENT: Robnett.

18. Consider an ordinance on second reading adopting the 2018 International Mechanical Code, with amendments; as the Mechanical Code of the City of Midland. (DEVELOPMENT SERVICES) (First reading held May 14, 2019)

ORDINANCE NO. 9924

AN ORDINANCE AMENDING TITLE IV, "BUILDING REGULATIONS", CHAPTER 10, "MECHANICAL CODE", OF THE CITY CODE OF MIDLAND, TEXAS, AND ADOPTING

THE 2018 INTERNATIONAL MECHANICAL CODE AS THE MECHANICAL CODE OF THE CITY OF MIDLAND FOR THE PURPOSE OF PROVIDING MINIMUM STANDARDS, PROVISIONS AND REQUIREMENTS FOR SAFE INSTALLATION AND MAINTENANCE OF MECHANICAL SYSTEMS WITHIN THE CORPORATE LIMITS OF THE CITY OF MIDLAND, TEXAS; PROVIDING FOR THE INSPECTION OF SAID MECHANICAL SYSTEMS; PROVIDING FOR THE ISSUANCE OF PERMITS FOR THE INSTALLATION OF SAID MECHANICAL SYSTEMS AND THE COLLECTION OF INSPECTION FEES THEREFOR; PROVIDING FOR APPEALS; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); ESTABLISHING AN EFFECTIVE DATE OF JULY 1, 2019; AND ORDERING PUBLICATION

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 9924.

Council Member Love moved to approve the second and final reading of Ordinance No. 9924 in accordance with the Charter of the City of Midland; seconded by Council Member Lacy.

The motion carried by the following vote: AYE: Trost, Hotchkiss, Love, Morales, Dufford, Lacy. NAY: None. ABSTAIN: None. ABSENT: Robnett.

19. Consider an ordinance on second reading adopting the 2018 International Residential Code, with amendments; as the residential code of the City of Midland. (DEVELOPMENT SERVICES) (First reading held May 14, 2019)

ORDINANCE NO. 9925

AN ORDINANCE AMENDING TITLE IV, "BUILDING REGULATIONS", CHAPTER 11, "RESIDENTIAL CODE", OF THE CITY CODE OF THE CITY OF MIDLAND, TEXAS, AND ADOPTING THE 2018 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE, AS THE RESIDENTIAL BUILDING CODE FOR THE CITY OF MIDLAND, TEXAS, FOR THE PURPOSE OF REGULATING AND CONTROLLING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF ONE-AND TWO-FAMILY DWELLINGS AND TOWNHOUSES IN THE CITY OF MIDLAND, TEXAS, PROVIDING FOR THE ISSUANCE OF PERMITS, THE REVIEW OF PLANS, THE INSPECTION OF FOOTINGS AND FOUNDATIONS AND FRAMING, THE COLLECTION OF INSPECTION FEES THEREFOR; PROVIDING FOR APPEALS; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); ESTABLISHING AN EFFECTIVE DATE OF JULY 1, 2019; AND ORDERING PUBLICATION

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 9925.

Council Member Love moved to approve the second and final reading of Ordinance No. 9925 in accordance with the Charter of the City of Midland; seconded by Council Member Lacy.

The motion carried by the following vote: AYE: Trost, Hotchkiss, Love, Morales,

Dufford, Lacy. NAY: None. ABSTAIN: None. ABSENT: Robnett.

20. Consider an ordinance on second reading adopting the 2017 National Electrical Code, with amendments; as the electrical code of the City of Midland. (DEVELOPMENT SERVICES) (First reading held May 14, 2019)

ORDINANCE NO. 9926

AN ORDINANCE AMENDING TITLE IV, "BUILDING REGULATIONS", CHAPTER 2, "ELECTRICAL CODE", OF THE CITY CODE OF THE CITY OF MIDLAND, TEXAS, AND ADOPTING THE 2017 NATIONAL ELECTRICAL CODE, SO AS TO MAKE A COMPREHENSIVE REVISION OF THE ELECTRICAL CODE OF THE CITY OF MIDLAND, TEXAS; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); ESTABLISHING AN EFFECTIVE DATE OF JULY 1, 2019; AND ORDERING PUBLICATION

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 9926.

Council Member Lacy moved to approve the second and final reading of Ordinance No. 9926 in accordance with the Charter of the City of Midland; seconded by Council Member Love.

The motion carried by the following vote: AYE: Trost, Hotchkiss, Love, Morales, Dufford, Lacy. NAY: None. ABSTAIN: None. ABSENT: Robnett.

PUBLIC HEARINGS

21. Hold a public hearing and consider an ordinance on a request by VIA Real Estate, LLC, for a zone change from PD, Planned District for a Housing Development, to BP, I-20 Business Park District on a 1.316-acre portion of Lot 1, Block 2, Southwest Crossing, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of Cholla Road and Antelope Trail). (DEVELOPMENT SERVICES)

ORDINANCE NO. 9927

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING A 1.316-ACRE PORTION OF LOT 1, BLOCK 2, SOUTHWEST CROSSING, CITY AND COUNTY OF MIDLAND, TEXAS, WHICH IS PRESENTLY ZONED PD, PLANNED DISTRICT FOR A HOUSING DEVELOPMENT, TO BE USED AS A BP, I-20 BUSINESS PARK DISTRICT (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF CHOLLA ROAD AND ANTELOPE TRAIL); 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

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 9927.

Planning Division Manager Cristina Odenborg gave a brief overview of the item noting for zone change for housing development for Fmailly Dollar. IN process of replat all dev needd to conf to regs. in compl with comp plan. No loj rec approval. Lacy on location

map is it an existing apt complex. Cristina approved but never build. Love PDHD carving out so PDHD no longer valid. Cristina heard proposed use of back half but haven't seen app. Love still interested in multi family? Cristina not from what she understands.

Mayor Morales opened the public hearing at 10:17 a.m. There being no one else wishing to speak, the public hearing was immediately closed.

Council Member Lacy moved approval of the first of two readings of Ordinance No. 9927 in accordance with the Charter of the City of Midland; seconded by Council Member Dufford.

The motion carried by the following vote: AYE: Hotchkiss, Love, Morales, Dufford, Lacy. NAY: Trost. ABSTAIN: None. ABSENT: Robnett.

22. Hold a public hearing and consider an ordinance on a request by Caiti Kincaid dba Strategic Restaurant Concepts, LLC, for a Zone Change from a PD, Planned District for a Shopping Center, to an Amended PD, Planned District for a Shopping Center on Lot 7, Block 17, Skyline Terrace, Unit 7, City and County of Midland, Texas. (Generally located on the south side of W. Loop 250 North, approximately 220-feet west of N. Midkiff Road). (DEVELOPMENT SERVICES)

ORDINANCE NO. 9928

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING LOT 7, BLOCK 17, SKYLINE TERRACE, UNIT 7, CITY AND COUNTY OF MIDLAND, TEXAS, WHICH IS PRESENTLY ZONED PD, PLANNED DISTRICT FOR A SHOPPING CENTER, TO BE USED AS AN AMENDED PLANNED DISTRICT (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST LOOP 250 NORTH, APPROXIMATELY 220 FEET WEST OF NORTH MIDKIFF ROAD); 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

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 9928.

Planning Division Manager Cristina Odenborg gave a brief overview of the item noting allow roof over staff no lot rec approval. Love why didn't they do in January of 2018 if knew building patio. Morales adding roof. Cristina in Jan 2018 amended to build roof over patio this is an extension over that area. Mayor do they have to sprinkle? Steve Thorpe yes. Steve Thorpe aptos that have people obviously with roof are required to be fire sprinkled overhang 4 ft or less no.

Mayor Morales opened the public hearing at 10:21 a.m. There being no one else wishing to speak, the public hearing was immediately closed.

Council Member Lacy moved approval of the first of two readings of Ordinance No. 9928 in accordance with the Charter of the City of Midland; seconded by Council Member Dufford.

The motion carried by the following vote: AYE: Trost, Hotchkiss, Love, Morales,

Dufford, Lacy. NAY: None. ABSTAIN: None. ABSENT: Robnett.

23. Hold a public hearing and consider an ordinance on a request by Lori Law dba The Lost Cajun, for a Specific Use Permit with Term for the sale of all alcoholic beverages for on-premises consumption, in a restaurant, on Lot 3G, Block 6, Scotsdale Addition, Section 19, City and County of Midland, Texas. (Generally located on the south side of W. Wadley Avenue, approximately 312-feet east of Mark Lane). (DEVELOPMENT SERVICES)

ORDINANCE NO. 9929

AN ORDINANCE CHANGING THE ZONING USE CLASSIFICATION OF THE PROPERTY DESCRIBED AS 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 312 FEET EAST OF MARK LANE), WHICH IS PRESENTLY ZONED LR-2, LOCAL RETAIL DISTRICT, BY PERMITTING SAID PROPERTY TO BE USED UNDER A SPECIFIC USE PERMIT WITH TERM FOR THE SALE OF ALL ALCOHOLIC BEVERAGES IN A RESTAURANT FOR ON-PREMISES CONSUMPTION; MAKING SAID PERMIT 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

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 9929.

Planning Division Manager Cristina Odenborg gave a brief overview of the item noting requesting amend sup with term for los cajun allow ext of alcohol on aptio. same days and hours as cuarrently allowed sun thur ??? current sup allows on ext on patio inc area 3375 sq ft. no loj rec approval subj to cond a-e.

Mayor Morales opened the public hearing at 10:22 a.m. There being no one else wishing to speak, the public hearing was immediately closed.

Council Member Lacy moved approval of the first of two readings of Ordinance No. 9929 in accordance with the Charter of the City of Midland; seconded by Council Member Hotchkiss.

The motion carried by the following vote: AYE: Trost, Hotchkiss, Love, Morales, Dufford, Lacy. NAY: None. ABSTAIN: None. ABSENT: Robnett.

24. Hold a public hearing and consider an ordinance on a request by Tony Frescaz dba Librado, for a Specific Use Permit with Term for the sale of all alcoholic beverages, for on premises consumption in a restaurant, on northeast corner of the intersection of North Garfield and West Loop 250 North. (DEVELOPMENT SERVICES)

ORDINANCE NO. 9930

AN ORDINANCE CHANGING THE ZONING USE CLASSIFICATION OF THE PROPERTY DESCRIBED AS A 6,549-SQUARE FOOT PORTION OF LOT 1, BLOCK 8, POLO PARK, SECTION 3, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF NORTH GARFIELD STREET AND WEST LOOP 250 NORTH), WHICH IS

PRESENTLY ZONED PD, PLANNED DISTRICT FOR A SHOPPING CENTER, BY PERMITTING SAID PROPERTY TO BE USED UNDER A SPECIFIC USE PERMIT WITH TERM FOR THE SALE OF ALL ALCOHOLIC BEVERAGES IN A RESTAURANT FOR ON-PREMISES CONSUMPTION; MAKING SAID PERMIT 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

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 9930.

Planning Division Manager Cristina Odenborg gave a brief overview of the item noting Tony Fresquaz requesting located 4610 N Garfield old location of Wine Rack. Floor plan serviceable area dining bar and part room. hours mon-sat 11-12 sun 11-10. operating hours of rest same. no loj rec approval subj cond a-f.

Mayor Morales opened the public hearing at 10:24 a.m.

Tony Fresquaz, 4212 Royal, owner of Labrado basically upscale bar and grill steak sea food night life until midnight.

There being no one else wishing to speak, the public hearing was closed at 10:25 a.m.

Council Member Love moved approval of the first of two readings of Ordinance No. 9930 in accordance with the Charter of the City of Midland; seconded by Council Member Lacy.

The motion carried by the following vote: AYE: Trost, Hotchkiss, Love, Morales, Dufford, Lacy. NAY: None. ABSTAIN: None. ABSENT: Robnett.

25. Hold a public hearing and consider an ordinance on a request by Kent Distributors to vacate a 0.14-acre of alley Right-of-Way, located in Block 21, Belmont Addition, City and County of Midland, Texas. (Generally located on the south side of West Francis Avenue, approximately 135-feet east of Rankin Highway). (DEVELOPMENT SERVICES)

ORDINANCE NO. 9931

AN ORDINANCE VACATING AND ABANDONING A 0.14-ACRE PORTION OF ALLEY RIGHT-OF-WAY LOCATED IN BLOCK 21, BELMONT ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST FRANCIS AVENUE, APPROXIMATELY 135 FEET EAST OF RANKIN HIGHWAY); ADOPTING THE APPRAISAL BY THE CITY MANAGER OF \$12,196.80; RETAINING A NONEXCLUSIVE UTILITY EASEMENT; AND ORDERING RECORDATION BY THE CITY SECRETARY

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 9931.

Planning Division Manager Cristina Odenborg gave a brief overview of the item noting requesting vacation of alley row to dev loop drive thru car wash, in proces off replat. mcad appraised \$2/sq foot. req routed to all depts and franch utilites reviewed aand approved. app relocating utilities and ulitl eas retained. no lojh rec approvla.

Mayor Morales opened the public hearing at 10:27 a.m. There being no one else wishing to speak, the public hearing was immediately closed.

Council Member Love moved approval of the first of two readings of Ordinance No. 9931 in accordance with the Charter of the City of Midland; seconded by Council Member Lacy.

Love thanked Mr. Kent one property gettiing a lot of calls exicted moving fforward.

The motion carried by the following vote: AYE: Trost, Hotchkiss, Love, Morales, Dufford, Lacy. NAY: None. ABSTAIN: None. ABSENT: Robnett.

26. Hold a public hearing and consider an ordinance on a request by Francisco Gomez Castellanos for a Specific Use Permit with term, for the sale of all alcohol beverages, for on-premises consumption, in a bar, on a 3,600 square foot portion of Lot 1, Block 8, Polo Park, Section 3, City and County of Midland, Texas. (DEVELOPMENT SERVICES)

ORDINANCE NO. 9932

AN ORDINANCE CHANGING THE ZONING USE CLASSIFICATION OF THE PROPERTY DESCRIBED AS A 3,600-SQUARE FOOT PORTION OF LOT 1, BLOCK 8, POLO PARK, SECTION 3, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHEAST CORNER OF NORTH GARFIELD STREET AND WEST LOOP 250 NORTH), WHICH IS PRESENTLY ZONED PD, PLANNED DISTRICT FOR A SHOPPING CENTER, BY PERMITTING SAID PROPERTY TO BE USED UNDER A SPECIFIC USE PERMIT WITH TERM FOR THE SALE OF ALL ALCOHOLIC BEVERAGES IN A BAR FOR ON-PREMISES CONSUMPTION; MAKING SAID PERMIT 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

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 9932.

Planning Division Manager Cristina Odenborg gave a brief overview of the item noting sup with term alco in bar. floor plan alco svcble area bar, dance, vip seating and stage. hourss t and wed 2-12 thur sat 2-2 and sun 12-10. mon sun??? no schols or churchs staf rec approval no loj. Hotchkiss entrance from Loop only from Garfieldl. Cristina believe that is case applicant is here. Entrance is on back side. Trost how do you qualify for a VIP area? Cristina defer to applicant.

Mayor Morales opened the public hearing at 10:30 a.m.

Francisco ??? only offer different kind of seat to sepearate form other tables. Trost want to get the application for this. Hotchkiss ask myq uestion because backing up to Tuesdaymorning there is an alleyway walkway make sure people not parking on side where residential. Francisco, there is parking lot all aroundthe business but main entrance is next to golf store thatis where main entrance most park by Jason Deli side. Franciisco only other is emergency. Lacygoing to change hours. Francisco just to avoid further having to do any processing inf uture odn't think open on Sundaay.

There being no one else wishing to speak, the public hearing was closed at 10:33 a.m.

Council Member Lacy moved approval of the first of two readings of Ordinance No. 9932 in accordance with the Charter of the City of Midland Monday through Saturday 10-2 and Sunday 11-2 a.m. change alcohol service hours; seconded by Council Member Love.

The motion carried by the following vote: AYE: Trost, Hotchkiss, Love, Morales, Dufford, Lacy. NAY: None. ABSTAIN: None. ABSENT: Robnett.

27. Hold a public hearing and consider a resolution on a request by Rachel L. Stone, for a Temporary Land Use, for a Festival and Concert, on Lot 4, Block 5, Westridge Park Addition, Section 6, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of North Loop 250 West and Champions Drive). (DEVELOPMENT SERVICES)

RESOLUTION NO. 2019 - 167

RESOLUTION AUTHORIZING THE TEMPORARY USE OF LAND FOR A FESTIVAL AND CONCERT ON LOT 4, BLOCK 5, WESTRIDGE PARK ADDITION, SECTION 6, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF NORTH LOOP 250 WEST AND CHAMPIONS DRIVE); AND MAKING SAID PERMIT SUBJECT TO CERTAIN SPECIAL CONDITIONS AND RESTRICTIONS CONTAINED HEREIN

Cristina mex texx are aof event proposed furttther south in aprking lot for cookoff, stage live music food vendors arts and crafts. sale off alco all service hourss. days hours fri 6/14 ?? no incidents report last year no obj subj tto cond staf rec approval/

Mayor Morales opened the public hearing at 10:35 a.m. There being no one else wishing to speak, the public hearing was immediately closed.

Council Member Love moved to adopt Resolution No. 2019 - 167; seconded by Council Member Dufford.

The motion carried by the following vote: AYE: Trost, Hotchkiss, Love, Morales, Dufford, Lacy. NAY: None. ABSTAIN: None. ABSENT: Robnett.

28. Hold a public hearing and consider a resolution on a request by Midland College for approval of a Temporary Land Use for a Market on all of Block 184; and 0.55-acre portion of S. Loraine Street right-of-way located between W. Florida Avenue and W. Dakota Avenue, all out of Southern Addition, City and County of Midland, Texas. (Generally located southeast of the intersection of W. Florida Avenue and S. Colorado Street). (Planning Admin)

RESOLUTION NO. 2019 - 168

RESOLUTION AUTHORIZING THE TEMPORARY USE OF LAND FOR A MARKET ON BLOCK 184 AND A 0.55-ACRE PORTION OF SOUTH LORAIN STREET RIGHT-OF-WAY LOCATED BETWEEN WEST FLORIDA AVENUE AND WEST DAKOTA

AVENUE, ALL OUT OF SOUTHERN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF WEST FLORIDA AVENUE AND SOUTH COLORADO STREET); AND MAKING SAID PERMIT SUBJECT TO CERTAIN SPECIAL CONDITIONS AND RESTRICTIONS CONTAINED HEREIN

Planning Division Manager Cristina Odenborg gave a brief overview of the item noting Midland College tlp markets at Cogdel Learning center 3rd sat jul aug sept 12-30 to 8:30 small business recorded music on sound system. on mc pd one port restroom. sale no alc not prop. no loj. staff rec approval.

Mayor Morales opened the public hearing at 10:37 a.m. There being no one else wishing to speak, the public hearing was immediately closed.

Council Member Love moved to adopt Resolution No. 2019 - 168; seconded by Council Member Hotchkiss.

Love publicly thank and acknowledge Alfredo Chaparro for not only eliminate food desert promoting market and efforts helping with housing in Midland. appreciate all do for community and dist w2.

The motion carried by the following vote: AYE: Trost, Hotchkiss, Love, Morales, Dufford, Lacy. NAY: None. ABSTAIN: None. ABSENT: Robnett.

29. Hold a public hearing and consider an annexation of a 46.38-acre tract located in the NE/4 of Section 48, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the southeast corner of the intersection of Tradewinds Boulevard and Thomason Drive. ETJ, Extraterritorial Jurisdiction). This is a public hearing only. (DEVELOPEMENT SERVICES)

Planning Division Manager Cristina Odenborg gave a brief overview of the item noting annex of 46.30 acre se corner tradewinds thomason mixed use. first ph in annex allow coity services to proper no loj. . Lacy special meeting next week? yes.

Mayor Morales opened the public hearing at 10:39 a.m. There being no one else wishing to speak, the public hearing was immediately closed.

30. Hold a public hearing and consider an ordinance on a request by Jun Yu for a Specific Use Permit, with Term, for the sale of beer and wine for on-premises consumption, in a restaurant, on a 3,068 square foot portion of Lot 18, Block 1, Providence Park Addition, Section 2, City and County of Midland, Texas. (Generally located on the west side of North Midkiff Road, approximately 200-feet north of West Wadley Avenue). (DEVELOPMENT SERVICES)

ORDINANCE NO. 9933

AN ORDINANCE CHANGING THE ZONING USE CLASSIFICATION OF THE PROPERTY DESCRIBED AS A 3,068-SQUARE FOOT PORTION OF LOT 18, BLOCK 1, PROVIDENCE PARK ADDITION, SECTION 2, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF NORTH MIDKIFF ROAD, APPROXIMATELY 200 FEET NORTH OF WEST WADLEY AVENUE), WHICH IS PRESENTLY ZONED LR-2, LOCAL RETAIL DISTRICT, BY PERMITTING SAID

PROPERTY TO BE USED UNDER A SPECIFIC USE PERMIT WITH TERM FOR THE SALE OF BEER AND WINE IN A RESTAURANT FOR ON-PREMISES CONSUMPTION; MAKING SAID PERMIT 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

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 9933.

Planning Division Manager Cristina Odenborg gave a brief overview of the item noting sup with term alco on prm iin rest for oJane poke 3303 Midkiff. hours mon sun 11-9. same hours alcco. total 3068 sq ft 1200 prop alco svc area. no schools are hurch. no loj rec approval subj to cond a-e.

Mayor Morales opened the public hearing at 10:40 a.m. There being no one else wishing to speak, the public hearing was immediately closed.

Council Member Lacy moved approval of the first of two readings of Ordinance No. 9933 in accordance with the Charter of the City of Midland; seconded by Council Member Trost.

The motion carried by the following vote: AYE: Trost, Hotchkiss, Love, Morales, Dufford, Lacy. NAY: None. ABSTAIN: None. ABSENT: Robnett.

31. Hold a Public Hearing and consider an ordinance on a request by Brady Helm for a Special Exception from the City of Midland Zoning Ordinance, Section 11-1-7 Area, Yard, Structure, Parking and Miscellaneous Lot and Use regulations concerning the construction standards of detached accessory structures on Lot 16, Block 1, 349 Ranch Estates, City and County of Midland, Texas. (Generally located on the west side of Shawnee, approximately 498 feet north of Tejas). (DEVELOPMENT SERVICES)

ORDINANCE NO. 9934

AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOT 16, BLOCK 1, 349 RANCH ESTATES, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF SHAWNEE, APPROXIMATELY 498 FEET NORTH OF TEJAS), BY PERMITTING A METAL SKIN EXTERIOR ON A DETACHED ACCESSORY STRUCTURE THAT EXCEEDS 12 FEET IN HEIGHT AND THAT EXCEEDS 400 SQUARE FEET IN AREA; 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

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 9934.

Planning Division Manager Cristina Odenborg gave a brief overview of the item noting spec exc conc detach accessory standards 16 foot tall metal sided shop. properter is locaated in one family does not allow metal skin thaat exceed 12 ft or ?? area. no hardship staff rrec denial. if approved subj to cond andd b. Lovee based on exterior

size or height or area. Cristina all above.

Mayor Morales opened the public hearing at 10:42 a.m. There being no one else wishing to speak, the public hearing was immediately closed.

Council Member Lacy moved approval of the first of two readings of Ordinance No. 9934 in accordance with the Charter of the City of Midland; seconded by Council Member Dufford.

The motion carried by the following vote: AYE: Trost, Hotchkiss, Love, Morales, Dufford, Lacy. NAY: None. ABSTAIN: None. ABSENT: Robnett.

PUBLIC COMMENT

32. 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.)

Love letter sent to him on behalf of constit 8 or 9 from Bryler Perez 5/8 2019. Moms car 2018 gmc. way go to school a lot of potholes. oone time coffee, coffee spilled on her. she blamed herself big favor to come fill them please and to fix the redd light a lot of traffic lights are too long. That is only if you can thanks Ryler Perez. Morales asked Jose to address.

Trost Regan Martin can you please raise fireman and police salary, need lower on prroperty taxes and raise sales tax to 9 % lower tax on gas then eraise on barrel of oil. fix seats and raise budget at schools. thanked children for writing.

Shirley Howard 458?? Magnolia, want to request many time people give time to community and many time not recognized. Being one of those peopple request gave committee timee ttoday on birthday to attend meeting. request sing happy birthday. Everyone sang happy birthday.

Meeting adjourned 10:47 a.m.

All of the business at hand having been completed, the meeting adjourned at ____ p.m.

PASSED AND APPROVED the __ day of _____, 2019.

Jerry F. Morales, Mayor

ATTEST:

Amy M. Turner, City Secretary

