

**MIDLAND CITY COUNCIL
MINUTES
September 23, 2014**

BRIEFING SESSION

The City Council convened in a Briefing Session in the basement conference room, City Hall, Midland, Texas, at ____ a.m. on September 23, 2014.

Council Members present: Mayor Jerry F. Morales, Council Member Scott Dufford (At-Large), Council Member Spencer Robnett (At-Large), Council Member Jeff Sparks (District 1), Mayor Pro Tem John B. Love, III (District 2), 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 Keith Stretcher, Deputy City Manager Tommy Hudson, Assistant City Manager Robert Patrick, City Secretary Amy Turner, Police Chief Price Robinson, Fire Chief Robert Isbell, Interim Utilities Director Holly Rosas McGrath, Administrative Services Director Catherine Clifton, Finance Director Pam Simecka, Development Services Director Charles Harrington, Community Services Director Tina Jauz, Engineering Director Jose Ortiz, Director of Airports Marv Esterly, Planning Division Manager Jim Compton, Building Official Steve Thorpe, GIS Manager Bill Hodge, Public Information Officer Sara Higgins, and Community Development Manager Sylvester Cantu.

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 ____ a.m., September 23, 2014.

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

Staff members present at the annex table: City Manager Courtney Sharp, City Attorney Keith Stretcher, Deputy City Manager Tommy Hudson, and Assistant City Manager Robert Patrick.

The Agenda Items were heard in the following order:

OPENING ITEMS

1. Invocation - Reverend Pat Bryant, Travis Baptist Church
2. Pledge of Allegiance

PRESENTATIONS

Regina noted received national procurement for 2014. thanked everyone for support. shared Mayor

Dufford presented award to Pam Simecka and finance staff. city received award 27 years. pleased with staff and excellent award. pam highest award you can receive.

Hotchkiss presented proclamation Silvia Villa introduced self and how work for Phillis Peak, Cherry Hill, Dina Vasquez, Theresa Washburn, Dakota Brown, Tracy Black, Tina Martin, Ellis Manuga, Wayne Badessia? Tonya Eckhert, Dnaille,

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:
 - a. Receive Achievement of Excellence in Procurement Award from the National Procurement Institute.
 - b. Receive an Excellence and Financial Reporting Award from Government Finance Officers Association.
 - c. Present a Proclamation for Domestic Violence Awareness.

PUBLIC COMMENT

Pedro Munoz 400 N Ft Worth, feel right to privacy been violated Thirfty Storage use to scam he transverse property. code Enforcement met with storage facility at 403 n dallas been shown on footage of laptop showing property. He validated worst fears being monitored without consent. asked to lower cameras. city cited mr james for security violation. no action has been taken concerning lights or cameras. called city attorney office said no relief camera in compliance with city code. on sept 18 went into muni court freedom of info act bus owner to have security camers violating right to privacy to date request has not been fulfilled. if items are so valuable to Mr. should be placed in vault. asked for immediate removals of cameras. Mayor have information can't address at this time. staff will do research and bear with them and give time to do homework. some photos that is what see when come out back door. can't see back yard blinded by lights. city told to cover lights but nothing done.

4. Receive public comments where individuals may address the City Council on City related issues and projects. 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.)

CONSENT AGENDA

Council Member Dufford moved to approve Consent Agenda items 5 - 28 excluding 18, 22, 24; seconded by Council Member Lacy.

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

5. Approved a motion approving the following minutes:
 - a. Regular meeting of September 9, 2014.
6. Approved a resolution approving the purchase of an estimated annual supply of twenty thousand (20,000) gallons of Ammonium Sulfate to treat the City's drinking water for the Utilities Department. (PURCHASING)

RESOLUTION NO. 2014 - 335

RESOLUTION AUTHORIZING THE PURCHASE OF AN ANNUAL SUPPLY OF AMMONIUM SULFATE FOR TREATING CITY OF MIDLAND DRINKING WATER FROM BRENNTAG SOUTHWEST, INCORPORATED, AT A TOTAL COST OF \$20,348.00

7. Approved a resolution approving the purchase of an estimated annual supply of ten thousand (10,000) gallons of Liquid Copper Sulfate 25% to treat the City's drinking water for the Utilities Department. (PURCHASING)

RESOLUTION NO. 2014 - 336

RESOLUTION AUTHORIZING THE PURCHASE OF AN ANNUAL SUPPLY OF LIQUID COPPER SULFATE FOR TREATING CITY OF MIDLAND DRINKING WATER FOR A TOTAL PRICE OF \$143,400.00; THE BID REQUEST RESULTED IN TWO BIDS, HOWEVER THE LOWEST BID FROM CHEMRITE, INCORPORATED, DID NOT MEET THE BID SPECIFICATIONS; THE CITY MANAGER RECOMMENDS APPROVING THE PURCHASE FROM THE SECOND LOW BIDDER, HYDRO PLUS, LTD., AS THE OVERALL LOWEST AND MOST RESPONSIBLE BIDDER MEETING ALL THE BID SPECIFICATIONS

8. Approved a resolution approving the purchase of an estimated annual supply of twenty-five (25) tons of Powdered Activated Carbon to treat the City's drinking water for the Utilities Department. (PURCHASING)

RESOLUTION NO. 2014 - 337

RESOLUTION AUTHORIZING THE PURCHASE OF TWENTY-FIVE (25) TONS OF POWDERED ACTIVATED CARBON FOR TREATING CITY OF MIDLAND DRINKING WATER FROM BRENNTAG SOUTHWEST, INCORPORATED, FOR A TOTAL COST OF \$28,950.00

9. Approved a resolution approving the purchase of an estimated annual supply of two hundred thousand (200,000) pounds of Liquid Anhydrous Ammonia from the sole bidder to treat the City's drinking water for the Utilities Department. (PURCHASING)

RESOLUTION NO. 2014 - 338

RESOLUTION AUTHORIZING THE PURCHASE OF AN ANNUAL SUPPLY OF LIQUID ANHYDROUS AMMONIA FOR TREATING CITY OF MIDLAND DRINKING WATER FROM SOLE BIDDER, BRENNTAG SOUTHWEST, INCORPORATED, AT A TOTAL COST OF \$224,800.00

10. Approved a resolution approving the purchase of an estimated annual supply of four thousand four hundred (4,400) gallons of Polymer for dewatering to treat the City's drinking water for the Utilities Department. (PURCHASING)

RESOLUTION NO. 2014 - 339

RESOLUTION AUTHORIZING THE PURCHASE OF AN ANNUAL SUPPLY OF POLYMER FOR DEWATERING TO TREAT CITY OF MIDLAND DRINKING WATER FROM POLYDYNE, INCORPORATED, FOR A TOTAL PRICE OF \$39,732.00

11. Approved a resolution approving the purchase of an estimated annual supply of ten thousand (10,000) pounds of Potassium Permanganate to treat the City's drinking water for the Utilities Department. (PURCHASING)

RESOLUTION NO. 2014 - 340

RESOLUTION AUTHORIZING THE PURCHASE OF AN ANNUAL SUPPLY OF POTASSIUM PERMANGANATE FOR TREATING CITY OF MIDLAND DRINKING WATER FROM THE LOW BIDDER, BRENN TAG SOUTHWEST, INCORPORATED, FOR A TOTAL PRICE OF \$18,890.00

12. Approved a resolution approving the purchase of an estimated annual supply of twenty thousand (20,000) gallons of Polymer to treat the City's drinking water for the Utilities Department. (PURCHASING)

RESOLUTION NO. 2014 - 341

RESOLUTION AUTHORIZING THE PURCHASE OF AN ANNUAL SUPPLY OF POLYMER FOR TREATING CITY OF MIDLAND DRINKING WATER FROM POLYDYNE, INCORPORATED, FOR A TOTAL PRICE OF \$76,300.00

13. Approved a resolution approving the purchase of an estimated annual supply of two thousand (2,000) tons of Aluminum Sulfate to treat the City's drinking water for the Utilities Department. (PURCHASING)

RESOLUTION NO. 2014 - 342

RESOLUTION AUTHORIZING THE PURCHASE OF AN ANNUAL SUPPLY OF ALUMINUM SULFATE FOR PURIFYING CITY OF MIDLAND DRINKING WATER FROM THE LOW BIDDER, CHAMELEON INDUSTRIES, INCORPORATED, FOR A TOTAL PRICE OF \$499,900.00

14. Approved a resolution approving the purchase of an estimated annual supply of five hundred fifty thousand (550,000) pounds of Chlorine for the Water Purification Plant and fifty thousand (50,000) pounds of Chlorine for the Paul Davis well field; forty (40) each one hundred fifty (150) pound cylinders of Chlorine for the Airport Well fields; fifty thousand (50,000) pounds in one (1) ton cylinders for T-Bar; from the sole bidder to treat the City's drinking water for the Utilities Department. (PURCHASING)

RESOLUTION NO. 2014 - 343

RESOLUTION AUTHORIZING THE PURCHASE OF AN ANNUAL SUPPLY OF CHLORINE FOR TREATING CITY OF MIDLAND DRINKING WATER FROM THE SOLE BIDDER, DPC INDUSTRIES, INCORPORATED, FOR A TOTAL COST OF

\$225,485.00

15. Approved a resolution approving the issuance of a request for qualifications for management of Senior Services for the Community Services Department. (PURCHASING)

RESOLUTION NO. 2014 - 344

resolution authorizing and directing the City Manager to issue a request for qualifications for the management of Senior Services for the Community Services Department.

16. Approved a resolution authorizing the execution of an agreement with Voya Financial for the purchase of stop loss insurance for the City of Midland's Group Health Plan. (ADMINISTRATIVE SERVICES)

RESOLUTION NO. 2014 - 345

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH VOYA FINANCIAL FOR THE PURCHASE OF STOP LOSS INSURANCE FOR THE CITY OF MIDLAND'S GROUP HEALTH PLAN, EFFECTIVE FOR THE PLAN YEAR COMMENCING ON OCTOBER 1, 2014; AND PROVIDING THAT SAID STOP LOSS COVERAGE SHALL HAVE AN ANNUAL COST OF \$656,055.00

17. Approved a resolution authorizing the execution of the 2014 Airshow Agreement between the City of Midland, Texas and the Commemorative Air Force (CAF). (AIRPORTS)

RESOLUTION NO. 2014 - 346

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE COMMEMORATIVE AIR FORCE, INCORPORATED, FOR THE STAGING OF AN AIRSHOW AT THE MIDLAND INTERNATIONAL AIRPORT; THE AGREEMENT ALLOWS THE COMMEMORATIVE AIR FORCE TO HOST AN AIRSHOW ON MIDLAND INTERNATIONAL AIRPORT PROPERTY, SETS REQUIRED INSURANCE LEVELS, AND ESTABLISHES REQUIREMENTS FOR EMERGENCY RESPONSE PERSONNEL; THE AIRSHOW WILL COMMENCE FRIDAY, OCTOBER 10, 2014, AND CONCLUDE SUNDAY, OCTOBER 12, 2014

19. Approved a resolution authorizing the acceptance of Energy Tower LLC's notice to cancel the Purchase and Sale Agreement, as amended regarding the property described as Block 55 and a portion of Loraine Street between Blocks 54 and 55, Original Town Addition, City and County of Midland, Texas (The former Midland County Courthouse); and authorizing the execution of all documents necessary for the termination of said Purchase and Sale Agreement, as amended. (CITY ATTORNEY'S OFFICE)

RESOLUTION NO. 2014 - 348

RESOLUTION AUTHORIZING THE ACCEPTANCE OF ENERGY TOWER LLC'S NOTICE TO CANCEL THE PURCHASE AND SALE AGREEMENT, AS AMENDED, REGARDING THE PROPERTY DESCRIBED AS BLOCK 55 AND A PORTION OF LORAIN STREET BETWEEN BLOCKS 54 AND 55, ORIGINAL TOWN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (THE FORMER MIDLAND COUNTY COURTHOUSE); AND AUTHORIZING THE EXECUTION OF ALL DOCUMENTS NECESSARY FOR THE TERMINATION OF SAID PURCHASE AND SALE AGREEMENT, AS AMENDED

20. Approved a resolution authorizing the posting of the City Attorney position; and authorizing the acceptance of applications or resumes for said position; the City Attorney position will become vacant on March 1, 2015. (CITY ATTORNEY'S OFFICE)

RESOLUTION NO. 2014 - 349

RESOLUTION AUTHORIZING THE POSTING OF THE CITY ATTORNEY POSITION; AND AUTHORIZING THE ACCEPTANCE OF APPLICATIONS OR RESUMES FOR SAID POSITION; THE CITY ATTORNEY POSITION WILL BECOME VACANT ON MARCH 1, 2015

21. Approved a resolution authorizing a contract with I-20 Wildlife Preserve & Jenna Welch Nature Study Center Inc. in the amount of \$17,000 to promote tourism and the hotel industry in Midland. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2014 - 350

a resolution authorizing the execution of a contract with I-20 Wildlife Preserve and Jenna Welch Nature Study Center, Incorporated to promote tourism and the convention and hotel industry in the City; and the City shall provide a maximum of \$17,000.00 in funding from the CITY'S Hotel/Motel Fund.

23. Approved a resolution authorizing a contract with Midland County Public Library Foundation in the amount of \$75,000 to promote tourism and the hotel industry in Midland (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2014 - 352

a resolution authorizing the execution of a contract with the Midland County Public Library Foundation to promote tourism and the convention and hotel industry in the City; and the City shall provide a maximum of \$75,000.00 in funding from the City's Hotel/Motel Fund.

25. Approved a resolution approving the issuance of a permit to Diamondback E&P LLC (Operator), for a Permit to Drill an Oil & Gas Well within the City Limits, (D Evans A 2) located 490 feet from the north line and 990 feet from the east line located in Section 8, Block X, H.P. Hilliard Survey, City and County of Midland, Texas. (Generally located on the west side of North Midkiff Road, approximately 500 feet south of the extension of Greentree Blvd.) (DEVELOPMENT SERVICES)

RESOLUTION NO. 2014 - 354

RESOLUTION APPROVING THE ISSUANCE OF A PERMIT TO DIAMONDBACK E&P LLC ("OPERATOR") TO DRILL AN OIL AND GAS WELL WITHIN THE CITY LIMITS LOCATED 490 FEET FROM THE NORTH LINE AND 990 FEET FROM THE EAST LINE, SECTION 8, BLOCK "X", H.P. HILLIARD SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF NORTH MIDKIFF ROAD, APPROXIMATELY 500 FEET SOUTH OF THE EXTENSION OF GREENTREE BOULEVARD); AND PROVIDING THAT SAID PERMIT DOES NOT REQUIRE A NEW ROAD REPAIR AGREEMENT BUT SHALL BE CONSOLIDATED UNDER AN EXISTING ROAD REPAIR AGREEMENT

26. Approved a resolution approving the issuance of a permit to Diamondback E&P LLC (Operator), for a Permit to Drill an Oil & Gas Well within the City Limits, (D Evans O 2)

located 623 feet from the south line and 2,020 feet from the east line located in Section 8, Block X, H.P. Hilliard Survey, City and County of Midland, Texas. (Generally located on the north side of Mockingbird Lane, approximately 2,000 feet west of N. Midkiff Road) (DEVELOPMENT SERVICES)

RESOLUTION NO. 2014 - 355

RESOLUTION APPROVING THE ISSUANCE OF A PERMIT TO DIAMONDBACK E&P LLC ("OPERATOR") TO DRILL AN OIL AND GAS WELL WITHIN THE CITY LIMITS LOCATED 623 FEET FROM THE SOUTH LINE AND 2,020 FEET FROM THE EAST LINE, SECTION 8, BLOCK "X", H.P. HILLIARD SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF MOCKINGBIRD LANE, APPROXIMATELY 2,000 FEET WEST OF NORTH MIDKIFF ROAD); AND PROVIDING THAT SAID PERMIT DOES NOT REQUIRE A NEW ROAD REPAIR AGREEMENT BUT SHALL BE CONSOLIDATED UNDER AN EXISTING ROAD REPAIR AGREEMENT

27. Approved a resolution authorizing the transfer of \$28,000 in Community Development Block Grant funds from the 2013-2014 contingency account into the 2013-2014 Homebuyer Assistance Program. (DEVELOPMENT SERVICES)

RESOLUTION NO. 2014 - 356

RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FOR THE HOME BUYER ASSISTANCE PROGRAM FROM THE 2013-2014 CONTINGENCY ACCOUNT INTO THE 2013-2014 HOME BUYER ASSISTANCE PROGRAM; AND APPROPRIATING FUNDS

28. Approved a resolution approving the 2012 International Fire Code, with amendments, as a public record to be filed with the City Secretary for a minimum of thirty (30) days before any action is taken by City Council. (FIRE)

RESOLUTION NO. 2014 - 357

RESOLUTION APPROVING THE 2012 INTERNATIONAL FIRE CODE, WITH AMENDMENTS, AS A PUBLIC RECORD; AND DIRECTING THAT SAID CODE BE FILED IN THE OFFICE OF THE CITY SECRETARY FOR A MINIMUM OF THIRTY (30) DAYS FOR PUBLIC COMMENT AND BEFORE ANY ACTION IS TAKEN BY THE CITY COUNCIL

18. Approved a resolution approving a name change for the Midland International Airport to Midland International Air and Space Port. (AIRPORTS)

RESOLUTION NO. 2014 - 347

RESOLUTION CHANGING THE NAME OF MIDLAND INTERNATIONAL AIRPORT TO "MIDLAND INTERNATIONAL AIR AND SPACE PORT"; AUTHORIZING MIDLAND INTERNATIONAL AIR AND SPACE PORT TO BE IDENTIFIED BY A LOGO AS "MIDLAND INTERNATIONAL AIR & SPACE PORT"; AND AUTHORIZING AND DIRECTING THE DIRECTOR OF AIRPORTS TO TAKE ALL NECESSARY AND APPROPRIATE ACTIONS TO EFFECTUATE SAID NAME CHANGE

Lacy pulled because cool. Mayor exciting news. Justine last week got spaceport license and now midland international air and space port. very exciting time at airport.

love first to use phrase.

Council Member Lacy moved to adopt Resolution No. 2014 - 347; seconded by Council Member Sparks.

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

22. Approved a resolution authorizing a contract with the Commemorative Air Force in the amount of \$50,000 to promote tourism and the hotel industry in Midland. (CITY SECRETARY'S OFFICE)

RESOLUTION NO. 2014 - 351

a resolution authorizing an agreement with the Commemorative Air Force, Incorporated to promote tourism and the convention and hotel industry in the City; and the City shall provide a maximum of \$50,000.00 in funding from the City's Hotel/Motel Fund.

Hotchkiss comment first before CAF headquarter before museum already had healthy and highly invested wing high sky wing been here and stay here. amend resolution and change it to authorize agreement with high sky wing of commemorative air force.

sparks agree so money goes directly to wing. Sparks have claw back in previous contract. as long as everything goes to high sky wing don't see that would ever use clawback so pull clawback out. clawback states if fifi isn't here certain number of weeks and museum to 100,000 to 60,000 sq ft but more to do with how national handled museum. as long as giving to local wing going to take clawback out. Dufford way to ensure money does not go to national organization. Hotchkiss invited Gena Linebarger chairman and high sky wing leader.

Gena linebarger 2507 Maxwell. question is way to ensure outside of financial that none of money go back to national organization? Gena money is sued for advertising for airshow and museum. airshow remains in museum airshow remains with high sky wing. already have plans for this year and year after .

sparks advertises this airshow. mayor how big is high sky wing. gena 200 members most local.

Council Member Hotchkiss moved to adopt Resolution No. 2014 - 351 with amendment to change name to High sky Wing of Comm Air force and remove clawback clause; seconded by Council Member Lacy.

Hotchkiss asked if legal to accept money if were to pass and it is no problem. Gena would continue to use 501c3 through CAF. Steve Buss 503 Noal ryand drive. as done in past accumulate bills throughout years and put in lump reimbursement. might not want to wait that long can only be used for advertising for past however many year would continue would reside in high sky wing account reimbursement. Morales CAF board can't vote and pull money out Keith on reimbursement basis when receive bill will pay it. Dufford none will not be funneled back to national organization. Steve because of clawback will not be putting in for money. if remove clawback will be great unless decide to change clawback. Keith agreement talks about not sure high sky can comply or have control over it if don't remove clawback. sparks can remove clawback believe everybody here wants it to stay with wing and can ensure that stay with high sky wing. if

were to send invoice in would turn it down. .

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

24. Approved a resolution authorizing the City of Midland to accept donations from Bryan and Sharoll Sheffield in the amount of \$175,000.00 and Parsley Energy in the amount of \$75,000.00, totaling \$250,000.00, specifically for the renovation of the kennel area at Midland Animal Services, said renovation will include the flooring, doors, roof and ceiling, and appropriating said funds, and matching funds in the amount of \$250,000.00, to project number 9026. (COMMUNITY SERVICES)

RESOLUTION NO. 2014 - 353

RESOLUTION AUTHORIZING THE CITY OF MIDLAND TO ACCEPT DONATIONS FROM BRYAN AND SHAROLL SHEFFIELD IN THE AMOUNT OF \$175,000.00 AND PARSLEY ENERGY IN THE AMOUNT OF \$75,000.00, TOTALING \$250,000.00, SPECIFICALLY FOR THE RENOVATION OF THE KENNEL AREA AT MIDLAND ANIMAL SERVICES, SAID RENOVATION WILL INCLUDE FLOORING, DOORS, ROOF, AND CEILING IMPROVEMENTS; SAID DONATIONS WILL REQUIRE THE CITY OF MIDLAND TO PROVIDE SUPPORT OF MATCHING FUNDS IN THE AMOUNT OF \$250,000.00; AND APPROPRIATING FUNDS

Hotchkiss pulled generous gift to City and understand Brian and Cheryl Sheffield not her eLaura Journal and Courtney Kirkendahl and asked to come forward. Laura Journal 5701 Llano Ct. Courtney 4400 Coyote Trail. Courtney started masa midland animal shelter adoptables has relationship with Cheryl Sheffield and page on facebook and started following feeds of animals in shelter. How this all transpired was Courtney and Cheryl working together on fostered a dog and because good friend encouraged to follow facebook page recognize need for upgrades and improvements. husband wanted to help for doors and circulation ended up transpiring into Cheryl and Brian getting involved into wonderful donation. Sharol Sheffield Bryan. Hotchkiss pass on to Sheffield's financial gift.. Love as council member district two signify animal problem thanked from bottom of heart

Council Member Robnett moved to adopt Resolution No. 2014 - 353; seconded by Council Member Love.

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

SECOND READINGS

29. Consider an ordinance on second reading on a request by Pavilion Midland, LLC, for a vacation of the 0.62-acre public right-of-way on Stonebridge Drive and the 0.91-acre alleys located on Pavilion Park Addition, Sections 1 and 2, City and County of Midland, Texas. (Generally located southwest of the intersection of Stonebridge Drive and Pavilion Parkway.) (DEVELOPMENT SERVICES) (First reading held on September 09, 2014.)

ORDINANCE NO. 9318

AN ORDINANCE VACATING AND ABANDONING A 0.618-ACRE PORTION OF

STONEBRIDGE DRIVE RIGHT-OF-WAY AND A 0.907-ACRE PORTION OF ALLEY RIGHT-OF-WAY LOCATED IN PAVILION PARK, SECTIONS 1 AND 2, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTHWEST CORNER OF PAVILION PARKWAY AND STONEBRIDGE DRIVE); ADOPTING THE APPRAISAL BY THE CITY MANAGER OF \$15,278.67; AND ORDERING RECORDATION BY THE CITY SECRETARY

City Secretary Amy Turner read the caption of Ordinance No. 9318.

Council Member Love moved to approve the second and final reading of Ordinance No. 9318 in accordance with the Charter of the City of Midland; seconded by Council Member Hotchkiss.

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

30. Consider an ordinance on second reading on a request by Vineyard Reserve, LLC / Buck Benson #1 for a zone change from FD, Future Development District to PD, Planned District for a Housing Development, on a 28.97-acre tract of land out of Section 13, Block 40, T-1-S, T&P RR Company Survey, City and County of Midland, Texas. (Generally located on the west side of Sandstone Drive, at approximately 1250 feet extension of Green Tree Boulevard.) (DEVELOPMENT SERVICES) (First reading held on September 09, 2014.)

ORDINANCE NO. 9319

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING A 28.97-ACRE TRACT OF LAND OUT OF SECTION 13, BLOCK 40, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, WHICH IS PRESENTLY ZONED FD, FUTURE DEVELOPMENT DISTRICT, TO BE USED AS A PD, PLANNED DISTRICT FOR A HOUSING DEVELOPMENT (GENERALLY LOCATED APPROXIMATELY 245 FEET WEST OF SANDSTONE DRIVE, AND APPROXIMATELY 1,620 FEET NORTH OF SHERWOOD DRIVE); 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 SueAnn Reyes read the caption of Ordinance No. 9319.

Council Member Sparks moved to approve the second and final reading of Ordinance No. 9319 in accordance with the Charter of the City of Midland; seconded by Council Member Lacy.

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

31. Consider an ordinance on second reading on a request by Vineyard Reserve, LLC / Buck Benson #2 for a zone change from FD, Future Development District to 1F-1, One-Family Dwelling District, on a 68.13-acre tract of land out of Section 13, Block 40, T-1-S, T&P RR Company Survey, City and County of Midland, Texas. (Generally located northwest of the intersection of Sandstone Drive and Sherwood Drive.)

(DEVELOPMENT SERVICES) (First reading held on September 09, 2014.)

ORDINANCE NO. 9320

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING A 68.13-ACRE TRACT OF LAND OUT OF SECTION 13, BLOCK 40, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, WHICH IS PRESENTLY ZONED FD, FUTURE DEVELOPMENT DISTRICT, TO BE USED AS A 1F-1, ONE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF SANDSTONE DRIVE AND SHERWOOD DRIVE); 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 SueAnn Reyes read the caption of Ordinance No. 9320.

Council Member Hotchkiss moved to approve the second and final reading of Ordinance No. 9320 in accordance with the Charter of the City of Midland; seconded by Council Member Lacy.

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

32. Consider an ordinance on second reading on a request by Athenian Restaurant for a Specific Use Permit with Term for the sale of all alcoholic beverages, for on-premise consumption in a restaurant, on a 3,145 square foot portion of land out of Lot 1, Block 8, Polo Park Addition, Section 3, City and County of Midland, Texas. (Generally located on the northeast of the intersection of N. Garfield Street and W. Loop 250 North.) (DEVELOPMENT SERVICES) (First reading held on September 09, 2014.)

ORDINANCE NO. 9321

AN ORDINANCE CHANGING THE ZONING USE CLASSIFICATION OF THE PROPERTY DESCRIBED AS A 3,145 SQUARE FOOT PORTION OF LOT 1, BLOCK 8, POLO PARK ADDITION, SECTION 3, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED NORTHEAST 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 SueAnn Reyes read the caption of Ordinance No. 9321.

Council Member Sparks moved to approve the second and final reading of Ordinance No. 9321 in accordance with the Charter of the City of Midland; seconded by Council Member Lacy.

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

33. Consider an ordinance on second reading on a request by Kathie Grozdanich / Wings N More 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, Nineteenth Section, City and County of Midland, Texas. (Generally located on the south side of W. Wadley Avenue, approximately 550 feet west of N. Midland Drive.) (DEVELOPMENT SERVICES) (First reading held on September 09, 2014.)

ORDINANCE NO. 9322

AN ORDINANCE CHANGING THE ZONING USE CLASSIFICATION OF THE PROPERTY DESCRIBED AS LOT 3G, BLOCK 6, SCOTSDALE ADDITION, NINETEENTH SECTION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST WADLEY AVENUE, APPROXIMATELY 550 FEET WEST OF NORTH MIDLAND DRIVE), 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 SueAnn Reyes read the caption of Ordinance No. 9322.

Council Member Lacy moved to approve the second and final reading of Ordinance No. 9322 in accordance with the Charter of the City of Midland; seconded by Council Member Robnett.

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

34. Consider an ordinance on second reading on a request by Quatro Compadres, L.P. for the annexation of a 2.35-acre tract of land out of Section 31, Block 40, T-1-S, T&P RR Company Survey, Midland County, Texas (Generally located approximately 650 feet north of State Highway 191, 400 feet west of North County Road 1278.) (DEVELOPMENT SERVICES) (First reading held on September 09, 2014.)

ORDINANCE NO. 9323

AN ORDINANCE EXTENDING THE BOUNDARIES OF THE CITY OF MIDLAND, TEXAS, BY ADDING THERETO CERTAIN AREAS ADJOINING THE PRESENT CITY LIMITS, BEING A 2.35-ACRE TRACT OF LAND OUT OF SECTION 31, BLOCK 40, T-1-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS, AND A 36.14-ACRE TRACT OF LAND OUT OF SECTION 32, BLOCK 40, T-1-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (GENERALLY LOCATED APPROXIMATELY 650 FEET NORTH OF STATE HIGHWAY 191, AND APPROXIMATELY 400 FEET WEST OF NORTH COUNTY ROAD 1278); AND APPROVING A PUBLIC SERVICE PLAN

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 9323.

Council Member Sparks moved to approve the second and final reading of Ordinance No. 9323 in accordance with the Charter of the City of Midland; seconded by Council Member Robnett.

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

35. Consider an ordinance on second reading on a request by Quatro Compadres, L.P. for an initial zoning of annexed land to CE, Country Estate District, on a 2.35-acre tract of land out of Section 31, Block 40, T-1-S, T&P RR Company Survey and a 36.14-acre tract of land out of Section 32, Block 40, T-1-S, T&P RR Company Survey, Midland County, Texas. (Generally located approximately 650 feet north of West State Highway 191, 400 feet west of North County Road 1278.) (DEVELOPMENT SERVICES) (First reading held on September 09, 2014.)

ORDINANCE NO. 9324

AN ORDINANCE ESTABLISHING THE ZONING CLASSIFICATION OF THE AREA INDICATED AS BEING A 2.35-ACRE TRACT OF LAND OUT OF SECTION 31, BLOCK 40, T-1-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS, AND A 36.14-ACRE TRACT OF LAND OUT OF SECTION 32, BLOCK 40, T-1-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS, AS A CE, COUNTRY ESTATE DISTRICT; SAID TRACTS ARE GENERALLY LOCATED APPROXIMATELY 650 FEET NORTH OF STATE HIGHWAY 191, AND APPROXIMATELY 400 FEET WEST OF NORTH COUNTY ROAD 1278; 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 SueAnn Reyes read the caption of Ordinance No. 9324.

Council Member Lacy moved to approve the second and final reading of Ordinance No. 9324 in accordance with the Charter of the City of Midland; seconded by Council Member Sparks.

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

36. Consider an ordinance on second reading on a request by Corbette & Richard Padilla for a Specific Use Permit with Term for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant, on the east 75 feet of the west 175 feet of the remainder of the south half of Block 16, Loma Linda Addition, Section 4, City and County of Midland, Texas. (Generally located on the south side of W. Oak Avenue, approximately 100 feet east of N. Big Spring Street.) (DEVELOPMENT SERVICES) (First reading held on September 09, 2014.)

ORDINANCE NO. 9325

AN ORDINANCE CHANGING THE ZONING USE CLASSIFICATION OF THE PROPERTY DESCRIBED AS THE EAST 75 FEET OF THE WEST 175 FEET OF THE REMAINDER OF THE SOUTH HALF OF BLOCK 16, LOMA LINDA ADDITION,

SECTION 4, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST OAK AVENUE, APPROXIMATELY 100 FEET EAST OF NORTH BIG SPRING STREET), 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 SueAnn Reyes read the caption of Ordinance No. 9325.

Council Member Lacy moved to approve the second and final reading of Ordinance No. 9325 in accordance with the Charter of the City of Midland; seconded by Council Member Robnett.

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

37. Consider an ordinance on second reading on a request by Bonnie Bryant Smith / The Wine Rack for a Specific Use Permit with Term for the sale of all alcoholic beverages, for on-premises consumption, in a bar, on a 3,932-square foot portion of Lot 1, Block 8, Polo Park, Section 3, City and County of Midland, Texas. (Generally located northeast of the intersection of N. Garfield Street and W. Loop 250 North.) (DEVELOPMENT SERVICES) (First reading held on September 09, 2014.)

ORDINANCE NO. 9326

AN ORDINANCE CHANGING THE ZONING USE CLASSIFICATION OF THE PROPERTY DESCRIBED AS A 3,932 SQUARE FOOT PORTION OF LOT 1, BLOCK 8, POLO PARK ADDITION, SECTION 3, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED NORTHEAST 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 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 SueAnn Reyes read the caption of Ordinance No. 9326.

Council Member Sparks moved to approve the second and final reading of Ordinance No. 9326 in accordance with the Charter of the City of Midland; seconded by Council Member Lacy.

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

38. Consider an ordinance on second reading on a City-initiated request to amend the City Code to establish Title XI, Chapter 2, Section 1, Subsection E, Paragraph 9, concerning the permitting of septic systems within the City Limits and Extra Territorial Jurisdiction of the City of Midland. (DEVELOPMENT SERVICES) (First reading held on September 09, 2014.)

ORDINANCE NO. 9327

AN ORDINANCE AMENDING TITLE XI, "PLANNING AND DEVELOPMENT", CHAPTER 2, "PLATS AND SUBDIVISIONS", SECTION 1, "GENERAL PROVISIONS", SUBSECTION (E), "JURISDICTION", OF THE CITY CODE OF MIDLAND, TEXAS, BY ESTABLISHING PARAGRAPH 9, SO AS TO PROHIBIT THE ISSUANCE OF SEPTIC PERMITS FOR NEW OR EXPANDED SEPTIC SYSTEMS FOR PROPERTY FOR WHICH A PLAT HAS NOT BEEN APPROVED; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE; AND ORDERING PUBLICATION

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 9327.

Council Member Lacy moved to approve the second and final reading of Ordinance No. 9327 in accordance with the Charter of the City of Midland; seconded by Council Member Robnett.

Keith Cain 1008 WCR 150, did not get as many signatures as wanted but do have a bunch of signatures that think city shouldn't be doing this. What do I get in exchange? Robnett City services fire. moved out of city because didn't want everything that comes with being in City. Jerry as Mayor did not receive on single phone call. County said don't can start collecting for water service. already paying for water district because don't get use because someday supply. Dufford how long been in place. Keith as long as he's been here. Dufford always had but reinstituted except for last couple of years. Dufford because of growth everything. If it's in place how come it hasn't already been platted how are people getting permits. illegally. building new houses for years. Dufford that is what going to do is monitor a lot close then what did.

Love some of information is incorrect.

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

for or against going to affect him financially trash hauler in midland this is going to when build house last thing put in septic somebody gonna have house sitting there and going to have to plat it doesn't matter about law need to get information out will cost him dont have problem but better do to everybody. if let people go will have a problem with it. how are you going to enforce it. Rnadal Henson 1310 W Indiana.

M.E. Matthis Jr. 2805 n co rd 1635 tceq in place 1988 anything in place prior that will be grandfathered in. spoke to john mccain tammy beaver thi lis mornign lisa call after meeting was over to see how everything went. 1 acre now but at time it was not anything before 88 will be grandfathered in anything after will be 1 acre rule. if have 10 ares or more then only have to get permits.

39. Consider an ordinance on second reading establishing intersection stops at various locations within the City of Midland, Texas; requiring and authorizing the posting of appropriate signs at intersections; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two hundred dollars (\$200.00); and ordering publication. (ENGINEERING SERVICES) (First reading held on September 09, 2014.)

ORDINANCE NO. 9328

AN ORDINANCE ESTABLISHING INTERSECTION STOPS AT VARIOUS LOCATIONS WITHIN THE CITY OF MIDLAND, TEXAS; AUTHORIZING AND DIRECTING THE TRAFFIC ENGINEER TO INSTALL APPROPRIATE SIGNS AND MARKINGS AT THE DESIGNATED LOCATIONS; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO HUNDRED DOLLARS (\$200.00); AND ORDERING PUBLICATION

Deputy City Secretary SueAnn Reyes read the caption of Ordinance No. 9328.

Council Member Lacy moved to approve the second and final reading of Ordinance No. 9328 in accordance with the Charter of the City of Midland; seconded by Council Member Love.

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

PUBLIC HEARINGS

40. At approximately 10:30 A.M. hold a public hearing and consider a resolution on a request by Midland Restaurants, Inc. dba The Bar for a Temporary Land Use Permit for an Outdoor Amusement Function on Lots 7 through 9, Block 61, and a 150-foot section of the 100 block of South Carrizo Street, Original Town, City and County of Midland, Texas. Generally located on the north side of West Missouri Avenue, approximately 75 feet east of South "A" Street) (DEVELOPMENT SERVICES)

RESOLUTION NO. 2014 - 358

RESOLUTION AUTHORIZING THE TEMPORARY USE OF LAND FOR AN OUTDOOR AMUSEMENT FUNCTION ON LOTS 7-9, BLOCK 61, AND A 150 FOOT SECTION OF THE 100 BLOCK OF SOUTH CARRIZO STREET, ORIGINAL TOWN, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED NORTHEAST OF THE INTERSECTION OF SOUTH CARRIZO STREET AND WEST MISSOURI AVENUE); AND MAKING SAID PERMIT SUBJECT TO CERTAIN SPECIAL CONDITIONS AND RESTRICTIONS CONTAINED HEREIN

Development Services Director Chuck harrington gave a brief overview of the item noting request by Midland Rest Inc. for temp land use permit for private outdoor concert on oct 21 5 p.m. 11:30 p.m. closing carizzo st. baricade plan street closure approved. providing adequate security guards and restroom facilities. already paid clean up deposit and bond?? listen 11:11 a.m.

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

Council Member Lacy moved to adopt Resolution No. 2014 - 358; seconded by Council Member Robnett.

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

41. At approximately 10:33 A.M. hold a public hearing and consider a resolution on a request by Robert Ahola for a Temporary Land Use Permit for a Tent Sale on a 27.31-acre portion of Lot 1, Block 17, Skyline Terrace, Unit 2, City and County of Midland, Texas. (Generally located southwest of the intersection of West Loop 250 North and North Midkiff Road.) (DEVELOPMENT SERVICES)

RESOLUTION NO. 2014 - 359

RESOLUTION AUTHORIZING THE TEMPORARY USE OF LAND FOR A TENT SALE ON A 27.31-ACRE PORTION OF LOT 1, BLOCK 17, SKYLINE TERRACE, UNIT 2, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE SOUTHWEST CORNER OF THE INTERSECTION OF WEST LOOP 250 NORTH AND NORTH MIDKIFF ROAD); AND MAKING SAID PERMIT SUBJECT TO CERTAIN SPECIAL CONDITIONS AND RESTRICTIONS CONTAINED HEREIN

Development Services Director Chuck Harrington gave a brief overview of the item noting request by Robert Ahola for temp use for tent sale. occurs on reg basis set up at Midland park mall parking lot 4000 sq ft operation. proposing entire 22 days for sale of rugs and art work 9 am to 10 pm only not tent location take up 68 arking spaces on property. proposing small travel trailer occ by security guard. rec approval. Love last year requested more time and council denied it. chuck same time period approved last year they wanted longer period. Dufford hould bring up at retreat because tent sale do we really need in different parking lots? Love people are selling illegally he is trying to work within system. have vilaltions down rankin like crazy. There is corner of Florida and Big Spring nroth east corner sale srn every weekend. dufford all kinds of things.

Mayor Morales opened the public hearing at 11:15 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

think 22 days to long lacy amend to 15 days.

Council Member Lacy moved to adopt Resolution No. 2014 - 359 with amendment to 15 days instead of 22 days; seconded by Council Member Love.

16 days is 3 weekends. Love have one comment about brick and mortor nto everyone can build or rent building and thats how businesses can start out to eventually get brick and mortor. hate surpresses free enterprise because hav eto have brick and morotor.

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

MISCELLANEOUS

42. Approved a motion making appointments to various Boards and Commissions.

Council Member Sparks moved to appoint Tim Goudeau and Dean Prather to Oil and Gas Advisory committee ; seconded by Council Member Lacy.

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

Tim Gudow semi retired professional petroleum engineer and Dean Prather works in oil industry as engineer expert in frac technology.

Courtney introduced Laura Wilson new Utilities Director. Robert been working with enprotech hibbs and todd a extesnive work on water and wastewater. worked for ft worth lic prof engineer gretasset for Midland especially in wast water reuse project.

EXECUTIVE SESSION

no exeuctive session: adjourn at 11:21 a.m.

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

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

PASSED AND APPROVED the ____ day of _____, ____.

Jerry F. Morales, Mayor

ATTEST:

Amy M. Turner, City Secretary