

**MIDLAND CITY COUNCIL
MINUTES
October 10, 2017**

BRIEFING SESSION

The City Council convened in a Briefing Session in the basement conference room, City Hall, Midland, Texas, at ____ a.m. on October 10, 2017.

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

Council Members absent: None.

Staff members present: City Manager Courtney Sharp, City Attorney John Ohnemiller, Deputy City Manager Tommy Hudson, Assistant City Manager Frank Salvato, Assistant City Manager Robert Patrick, City Secretary Amy Turner, Police Chief Price Robinson, Interim Fire Chief Chip Balzer, Utilities Director Laura Wilson, Administrative Services Director Catherine Clifton, 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 Willie Resto, Solid Waste Director Morris Williams, Planning Division Manager Jessica Carpenter, Building Official Steve Thorpe, and Public Information Officer Sara Bustilloz.

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., October 10, 2017.

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

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.

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

PRESENTATIONS

Love present cybersecurity

oct 24 mlk training for public at cybersecurity

Mayor and Sharla Carol Earl

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:
 - a. Presentation of a proclamation to Information Systems for National Cyber Security Awareness Month

CONSENT AGENDA

Council Member Lacy moved to approve Consent Agenda items 4 - 13 excluding 5, 6, 12; 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.

4. Approved a motion approving the following minutes:
 - a. Regular City Council meeting of September 26, 2017
7. Approved a resolution authorizing the execution of an Incubator and Makerspace Grant Agreement between the Midland Development Corporation and the University of Texas of the Permian Basin for the establishment and management of an incubator and makerspace to be located in UTPB's center for Energy & Economic Development Building in the City of Midland, Texas; and authorizing payment therefor. (CITY MANAGER'S OFFICE)

RESOLUTION NO. 2017 - 296

RESOLUTION APPROVING AN INCUBATOR AND MAKERSPACE GRANT AGREEMENT BETWEEN THE MIDLAND DEVELOPMENT CORPORATION ("MDC") AND THE UNIVERSITY OF TEXAS OF THE PERMIAN BASIN ("UTPB") FOR THE ESTABLISHMENT AND MANAGEMENT OF AN INCUBATOR AND MAKERSPACE TO BE LOCATED IN UTPB'S CENTER FOR ENERGY & ECONOMIC DEVELOPMENT

BUILDING

8. Approved a motion on a request by Skyline Civil Group for approval of a Preliminary Plat for Somers and Watson Addition, being a 41.10-acre tract of land out of Section 27, Block 39, T-2-S, T&P RR Co. Survey, County of Midland, Texas (Generally located on the north side of West County Road 150, approximately 650 feet east of South County Road 1200. ETJ, Extraterritorial Jurisdiction). (DEVELOPMENT SERVICES)
9. Approved a motion on request by SW Howell, Inc. to defer water, wastewater, and sidewalk improvements for Covington Addition, Section 6, and to waive the corresponding financial security guarantee valued at \$212,964.00, an amount equal to the estimated cost of construction. The subject property is generally located northeast of the intersection of Candice Road and South Highway 191 Frontage Road located within the City of Midland corporate limits. (ENGINEERING SERVICES)
10. Approved a motion on request by SW Howell, Inc. to defer water, wastewater, paving and sidewalk improvements for West Terminal Addition, Section 5, and to waive the corresponding financial security guarantee valued at \$299,879.50, an amount equal to the estimated cost of construction. The subject property is generally located on the north side of West County Road 100, approximately 4,300 feet west of the intersection of Farm to Market 1788 and West County Road 100, and is approximately 3,800 feet outside the corporate limits of the City of Midland, Midland County, Texas. (ENGINEERING SERVICES)
11. Approved a resolution authorizing and executing a Right-of-Way License between the City of Midland and Lucid Energy Delaware, LLC., 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 a gas transportation pipeline and related compressor-station, not to exceed ten (10) inches in diameter for the pipeline and not to exceed 3.34 acres (145,490.40 ft²) for the compressor station site, and to have the right to ingress and egress at convenient points for such purpose; the pipeline is located within City of Midland property, Sections 22, 21, and 20, Block C23, Public School Land Survey, Winkler County, Texas. (ENGINEERING SERVICES)

RESOLUTION NO. 2017 - 297

RESOLUTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE BETWEEN THE CITY OF MIDLAND AND LUCID ENERGY DELAWARE, LLC, REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTIONS 20, 21, AND 22, BLOCK C23, PUBLIC SCHOOL LAND, A-1414, SURVEY, WINKLER COUNTY, TEXAS

13. Approved a resolution approving Change Proposal Request 01A for the Spraberry & Plant Farms Rehabilitation with Onyx Construction. (UTILITIES)

RESOLUTION NO. 2017 - 299

RESOLUTION APPROVING A CHANGE ORDER FOR THE SPRABERRY FARM AND PLANT FARM REHABILITATION PROJECT; SAID CHANGE ORDER WILL AUTHORIZE A FEE INCREASE OF \$139,150.00 TO ONYX GENERAL CONTRACTORS, LLC, FOR THE CLEARING AND MULCHING OF VEGETATION AT THE PLANT FARM PONDS AND SPRABERRY LAGOONS

5. Approved a resolution authorizing the City Manager to enter into a professional services agreement with Vandergriff Group Architects, PC for oversight of abatement, demolition and improvements of a parcel described as lots 7 & 8, block 35 of Original Town Addition, Midland, Texas (also known as the Building of the Southwest - 310 West Texas Avenue) for the General Services Department; and appropriating funds therefore. (PURCHASING)

RESOLUTION NO. 2017 - 294

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE, ON BEHALF OF THE CITY OF MIDLAND, AN AGREEMENT WITH VANDERGRIFF GROUP ARCHITECTS, PC, FOR OVERSIGHT OF ABATEMENT, DEMOLITION, AND IMPROVEMENTS IN RELATION TO CITY-OWNED PROPERTY DESCRIBED AS LOTS 7 & 8, BLOCK 35, ORIGINAL TOWN ADDITION, MIDLAND, TEXAS (KNOWN AS THE BUILDING OF THE SOUTHWEST - 310 WEST TEXAS AVENUE) AT A TOTAL COST OF \$326,000.00; AND APPROPRIATING FUNDS THEREFOR

Robnett clarification decisions to debate demolish and abate will come back to Council wanted to confirm. staff yes. not blanket approval. Morales will be done in phases but phase one is abatement. this is just oversight. each phase to council

Council Member Robnett moved to adopt Resolution No. 2017 - 294; 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.

6. Approved a resolution authorizing the execution of an economic development agreement between the Midland Development Corporation and the University of Texas of the Permian Basin for the purpose of facilitating the construction of a new engineering building to be located within the corporate limits of the City of Midland, Texas; and authorizing payment therefor. (CITY MANAGER'S OFFICE)

RESOLUTION NO. 2017 - 295

RESOLUTION APPROVING AN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE MIDLAND DEVELOPMENT CORPORATION ("MDC") AND THE UNIVERSITY OF TEXAS OF THE PERMIAN BASIN ("UTPB") FOR THE PURPOSE OF FACILITATING THE CONSTRUCTION OF A NEW ENGINEERING BUILDING TO BE LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF MIDLAND, TEXAS

Lacy thanked MDC and council for development partnership for new engineering facilities. locally grown engineers

Council Member Lacy moved to adopt Resolution No. 2017 - 295; 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.

12. Approved a resolution approving a contract for Sale of Non-Potable Water. (UTILITIES)

RESOLUTION NO. 2017 - 298
RESOLUTION AUTHORIZING THE EXECUTION OF A NON-POTABLE WATER
SUPPLY AGREEMENT BETWEEN THE CITY OF MIDLAND, TEXAS, AND MABEE
WATER RESOURCES LLC

Dufford to abstain

Council Member Dufford moved to adopt Resolution No. 2017 - 298; seconded by Council Member Lacy.

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

SECOND READINGS

14. Consider an ordinance on second reading on a request by Stonehawk Capital Partners, LLC. for a zone change from PD, Planned District for a Housing Development, to an Amended Planned District on Lot 1A, Block 6, Pavilion Park, Section 10, City and County of Midland, Texas (Generally located southeast of the intersection of Mockingbird Lane and Stonebridge Drive). (DEVELOPMENT SERVICES) (First reading held on September 26, 2017)

ORDINANCE NO. 9704
AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING LOT 1A, BLOCK 6, PAVILION PARK, SECTION 10, CITY AND COUNTY OF MIDLAND, TEXAS, WHICH IS PRESENTLY ZONED PD, PLANNED DISTRICT FOR A HOUSING DEVELOPMENT, TO BE USED AS AN AMENDED PLANNED DISTRICT (GENERALLY LOCATED SOUTHEAST OF THE INTERSECTION OF MOCKINGBIRD LANE AND STONEBRIDGE 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 Karla Mata read the caption of Ordinance No. 9704.

Council Member Lacy moved to approve the second and final reading of Ordinance No. 9704 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

15. Hold a public hearing and consider an ordinance on a request by Jim Powell / RARE Hospitality International Inc. for a zone change from PD, Planned District for a Shopping Center, to an Amended Planned District on Lot 8, Block 17, Skyline Terrace, Unit 7, City and County of Midland, Texas (Generally located on the south side of West Loop 250 North, approximately 720-feet west of North Midkiff Road.) (DEVELOPMENT

SERVICES)

ORDINANCE NO. 9705

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING LOT 8, 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 720 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 Karla Mata read the caption of Ordinance No. 9705.

Development Services Director Chuck Harrington gave a brief overview of the item noting Longhorn Steakhouse, during process realized needed additional space for ro water system and creating 4 additional parking spaces to footprint and change ingress/egress to ring road. staff reviewedd and rec approval subject to items and conditions in packet. staff rec approval.

Mayor Morales opened the public hearing at 10:14 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Council Member Hotchkiss moved approval of the first of two readings of Ordinance No. 9705 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.

16. Hold a public hearing regarding the proposed granting of oil and gas permits to Permian Deep Rock Oil Co., LLC, for the drilling of oil gas wells, being Charger #H155SS located 112 feet from the south line and 690 feet from the west line, and Charger #H155WA located 112 feet from the south line and 660 feet from the west line, Section 3, Block 39, T-2-S, T&P RR. CO. Survey, City and County of Midland, Texas (Said wells sharing a pad site area that is generally located 752 feet east of South Garfield Street and 325 feet north of West County Road 111). This is a public hearing only. (DEVELOPMENT SERVICES)

Oil & Gas Compliance Officer Ron Jenkins gave a brief overview of the item noting new company joining City for new application. Wells located south of petrol museum off I-20 multiple pad site.t wo wells. variance been to o7g they rec present noise and lighting study which did. use sound barrier. variances housing located near wells need variances for housing. affiliate midland petro in proces of purchasing have letters of support. purchased and closed before next meeting. lacy landowners ina greemnt ron. variance request in there. also var for landscape nad irrig primarily unimproved acerage. fence for entire perimeter instead of each well around wells and batteries. Love questioned wall on north side if interstate Morales flowline udner interstate. Ron flowline tto tank battery to west. morales row is text dot. Ron don't locaiton to south of

interstate have eprmissions with txdot to access raods.

Mayor Morales opened the public hearing at 10:18 a.m.

Keith Bussey gn mgr perm 1703 country club sound walls up sound study shoed to north apt complex etween 11 p.m. and 4 a.m. will increase nosie level main reason is to keep light off interstate so as not to distract drivers on interstate for safety more than sound.

There being no one else wishing to speak, the public hearing was closed at 10:19 a.m.

17. Hold a public hearing regarding the proposed granting of oil and gas permits to Permian Deep Rock Oil Co., LLC, for the drilling of oil gas wells, being Charger #H160WB located 113 feet from the south line and 330 feet from the west line, Charger #H160LS located 113 feet from the south line and 360 feet from the west line, and Charger #H160MS located 113 feet from the south line and 390 feet from the west line, Section 3, Block 39, T-2-S, T&P RR. CO. Survey, City and County of Midland, Texas (Said wells sharing a pad site area that is generally located 392 feet east of South Garfield Street and 326 feet north of West County Road 111). This is a public hearing only. (DEVELOPMENT SERVICES)

Oil & Gas Compliance Officer Ron Jenkins gave a brief overview of the item noting three wells together for same applicaant on same location. everything same no loj sam variance request.

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

18. Hold a public hearing regarding the proposed granting of oil and gas permits to RSP Permian, L.L.C., for the drilling of oil gas wells, being MCC HZ Unit No. 1120H located 285 feet from the north line and 1,977 feet from the west line, and MCC HZ Unit No. 1121H located 285 feet from the north line and 1,937 feet from the west line, Section 11, Block X, H.P. Hilliard Survey, City and County of Midland, Texas (Said wells sharing a pad site area that is generally located 1,977 feet east of North A Street extension and 5,030 feet north of Mockingbird Lane). This is a public hearing only. (DEVELOPMENT SERVICES)

Oil & Gas Compliance Officer Ron Jenkins gave a brief overview of the item noting similar to other locations form rsp eprman shairng same pad site north of mdiland country club variance 24 hour fracing and road repair use no road. tank batter to noth on oxy property.

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

19. Hold a public hearing and consider an ordinance on a request by Kurt Vanderwalle, on behalf of H-E-B Grocery Store for a Zone Change from a PD, Planned District for a Shopping Center, to an Amended PD, Planned District for a Shopping Center for an addition of a Curbside Pickup Station on Lots 3A and 4, Block 15, Hyde Park Addition, Section 6, City and County of Midland, Texas (Generally located southwest of the intersection of West Wadley and North Midkiff Road). (DEVELOPMENT SERVICES)

ORDINANCE NO. 9706

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING LOTS 3A AND 4, BLOCK 15, HYDE PARK ADDITION, SECTION 6, 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 SOUTHWEST OF THE INTERSECTION OF WEST WADLEY AVENUE AND 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 Karla Mata read the caption of Ordinance No. 9706.

Development Services Director Chuck Harrington gave a brief overview of the item noting request made on heb grocery wadley and midkiff. heb like some other stores like walmart are going to curbside pick up of groceries devleoping site to accomodate. They will ahve 1178 sq ft curbside pick up on se portion of bledg. addition of ADA access and designated curbside pick up only. curly 592 spaces will ahve 589 spaces. staff reviewed no objection. p7z approved 9/18. to date no loj.

Mayor Morales opened the public hearing at 10:24 a.m. There being no one else wishing to speak, the public hearing was closed.

Council Member Hotchkiss moved approval of the first of two readings of Ordinance No. 9706 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.

20. Hold a public hearing and consider an annexation of a 0.82-acre tract of land and a 0.83-acre tract of land, located in Section 38, Block 40, T-1-S, T & P RR. Co. Survey, Midland County, Texas (Generally located on the west side of Arlington Road, approximately 1,900 feet south of State Highway 191). (DEVELOPMENT SERVICES)

Development Services Director Chuck Harrington gave a brief overview of the item noting this item brought forward to move ahead on 9/26 meeting. first ph of annexation which is western half of arlington annexed into city no action until more public eharing.

Mayor Morales opened the public hearing at 10:26 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

21. Hold a public hearing and consider an ordinance by Devin Benson for a Special Exception for approval of a Special Exception to the City of Midland Zoning Ordinance Section 11-1-7,-Area, yard, structure, parking, and miscellaneous lot and use regulations concerning front yard setbacks, for the proposed Vineyard Addition, Section 7, being a 84.743-acre tract of land out of Section13, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located on the west side of Sandstone Drive, approximately 930-feet north of Sherwood Drive and southwest of the

intersection of Sherwood Drive and Val Verde Drive). (DEVELOPMENT SERVICES)

ORDINANCE NO. 9707

AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR 84.743 ACRES OF LAND OUT OF SECTION 13, BLOCK 40, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF SANDSTONE DRIVE, APPROXIMATELY 930 FEET NORTH OF SHERWOOD DRIVE, AND SOUTHWEST OF THE INTERSECTION OF SHERWOOD DRIVE AND VAL VERDE DRIVE), BY PERMITTING A REDUCED FRONT YARD SETBACK; 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 Karla Mata read the caption of Ordinance No. 9707.

Development Services Director Chuck Harrington gave a brief overview of the item noting next two sections of Vineyard addition. reduce number of front yards on both sections to accommodate more depth on rear. in 1f3 reduce 15 feet 1f1 reduced to 20 feet to allow better access in rear. circ to all depts one note is that anyone requesting front access to property will be required to have minimum setback need 20 feet to get vehicle in driveway. staff rec approval no loj.

Mayor Morales opened the public hearing at 10:28 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Council Member Lacy moved approval of the first of two readings of Ordinance No. 9707 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, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: None.

22. Hold a public hearing and consider an ordinance on a request by Cary Love for approval of a site plan on Lot 1A, Block 21, Greenwood Addition, Section 13, City and County of Midland, Texas (Generally located southwest of the intersection of East Washington Avenue and South Calhoun Street). (DOWNTOWN DEVELOPMENT)

ORDINANCE NO. 9708

AN ORDINANCE ADOPTING A SITE PLAN FOR LOT 1A, BLOCK 21, GREENWOOD ADDITION, SECTION 13, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION OF EAST WASHINGTON AVENUE AND SOUTH CALHOUN STREET); SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS; 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 Karla Mata read the caption of Ordinance No. 9708.

Development Services Director Chuck Harrington gave a brief overview of the item noting request made by Cary Lovee proposing development of property at intersection of Washington and Calhoun. duplex and triplex ins same property. per mf2 this is allowed use and goes through same process as multi family. council must approve site plan. site plan shows 6557 sq ft 5 units 2 2 bed 3 3 bedroom proposed. adequate parking and allowances for proper access to property. p7z approved 10/2 one loj one woman testified asked more questions at p7z. staff reviewed and rec approval. Morales sidewalk curbing do they participate. Check their responsibility. Dufford did not get question answered. Chuck yes. Hotchkiss confirmed.

Mayor Morales opened the public hearing at 10:31 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Council Member Lacy moved approval of the first of two readings of Ordinance No. 9708 in accordance with the Charter of the City of Midland; seconded by Council Member Sparks.

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

MISCELLANEOUS

23. Discuss and consider a motion for a proposed dedication of approximately 4.9 acres of open space, identified as Common Area M, Block 12, Legacy Addition, Section 4 (Generally located northwest of the intersection of Commonwealth Road and Victory Parkway). (DEVELOPMENT SERVICES) (Deferred from September 26, 2017)

Development Services Director Chuck Harrington gave a brief overview of the item noting D.R. Horton submitted request. orig during orig legacy there was request made to provide open space, it was city's understanding belonged to Legacy. Asking City to take responsibility for open space. At original time staff did not recommend taking the space. Since that time, the p7r has come forward interested in developing neighborhood park of 5 acres. at this point not comfortable with cost and want dr horton to make improvements to property. asking Council for direction to see if would like to move forward.

Lacy parks master plan does identify west side to make park. dufford get with developer to see what kind of improvements they will make. Chuck parks & rec feels would be good location but need to. lacy today dr horton doesn't want to put top soil down and they should. hotchkiss concerns wasn't sold to community as being a part of their amenities. Chuck as he recalls that portion of legacy was request that we asked to have more open space in area. Dufford because of density issue otherwise might not have approved it. Dufford it was a concession. Morales keep conversation on table talking about quality of space improvements and want to brought up like to see park. Asked Tina to come forward with broad estimate for cost of park. Tina Jauz he spoke with developer last week askignw hat willing to do before city accepted land. land has rock and caliche asked if removing caliche to do turf and irrigation correctly need to remove 6 inches of topsoil. He is not interested. Morales they know thought. Tina it is a great location but costs to start up including in memo had park start up cost estimated what would cost today. Love don't have a problem with another park have problem with how this is done. Love usually developer dedicates park or open space in advance.

Chuck yes this is designated open space. Seem like hoa doesn't want to pay and asking city to take over and in light of doesn't want to make improvement have very difficult time supporting this. Lacy hoa controlled by developer residents is not requesting all on developer. Robert in defense of them they come with something designated as park did call things open space gave more freedom than may have been initiated on open space. Love they want to dump this off on city to keep hoa prices down. Dufford all about density only reason conceded they have to come to something. Robert looking for partner need more participation. Hotchkiss they should help with financial cost of just leveling ground, top soil and cost of park itself. Last park developed was Greathouse Park. sold differently to residents and waited a couple of years before developed haven't heard from residents that expecting to be park. Doesn't mind having further conversations with developer. Love if open space is not a park and it is owned by the developer hoa they pay taxes on that and taking this designated as open space removed from . Lacy have other area and negotiations to offset cost need to move forward to getting this but don't make rash decision to make concessions. want to ensure how we fill. Dufford today saying have further discussions.

Eric Smith psc, 11700 W Wall, just to bring back to where came from this developer to east entire development that went in school site purchased no park land was provided. when this developer came in when originally pulling plat did not have any park space. was suggested make more sense for park location to be found in this development. they worked pre plat and found 5 acres which is what city would prefer for neighborhood park and city approved that plat. frustrating part for him and part that got lost in 3 years pre plat and final plat is with turnover here and things at psc it didn't get designated or dedicated at final plat. that would of been expectation was 5 acres given to city. It is city's right to decide if want to don't want can talk to developer in way that want to come to you but no end around want to defend their side, they chose to do what wanted which was carve out land. Love not doing a favor had to ask them to do that and should have originally considered. Dufford as recall had discussion about high density neighborhood and would expect or would not have been allowed to develop. Sparks their giving it after used as a work site not trying to restore it. Eric no problem with having conversations with developer but don't want it to be represented because in your spot you have to do some other amount of thing if go to south west or north and develop more if now have 5 acres park what obligation does that developer have? Spark haven't delivered anything other than work site. Nothing else to talk about. point they haven't even tried to make it presentable. Morales motion and discussion in next two weeks.

Council Member Lacy moved to move forward with conversations to consideration dedication of this area; 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.

24. Approved a motion appealing the Building Official's denial of a sign permit application by Steve Findley on Lot 2B, Block 1, Mustang Industrial Park, Section 3, City and County of Midland, Texas (Generally located at the northwest intersection of West I-20 and Market Street). (DEVELOPMENT SERVICES) (Deferred from September 26, 2017)

Development Services Director Chuck Harrington gave a brief overview of the item noting forwarded from last meeting. wanted 602 sq ft sign just below sq ft for billboard.

along intersatte max 400 sq ft what req 200 sq ft larger than allowed for signage. also had 42.5 height restriction 40 ft in Midland. Robnet has applican reapplied. chuck no. Robnet did you contact him and tel to resubmit? chuck yes. Robnett if vote down today does applicant have to wait to reapply for can he come back with another application. John don't believe time cconstraint. chuck no. Robnet vote down or defer again and make sure applicant has to resubmit. Hotchkiss she spoke with applicant and offered compromise that would essentially ask reduced ht to 40 ft sign size to 400 sq ft and in exchanged 400 ft of elec mesg board. he would take to sign epopelel and get back. ahven't heard baack.. normal billboard 672 sq ft. what is 400 sq ft. roughly 2/3 size Morales any conversation. wants electronic on both sides. bote on applicaiton as sits 602 ft and respond back and say didn't resubmit he can go through one more time. Giving alot of leewya he need to resubmit instead of guess. If he submitted app for 400 sq ft it would be approved wouldn't come here.

Council Member Hotchkiss moved to deny Approved a motion appealing the Building Official's denial of a sign permit application by Steve Findley on Lot 2B, Block 1, Mustang Industrial Park, Section 3, City and County of Midland, Texas (Generally located at the northwest intersection of West I-20 and Market Street).; 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.

25. Consider an ordinance on a request by Natural Gas Services Group, Inc. for a Zone Change from LR-2, Local Retail District, to O-2, Office District on Lot 3, Block 14, Claydesta Plaza, Section 13, City and County of Midland, Texas (Generally located north of Veterans Airpark Lane, approximately 575-feet west of North Big Spring Street). (DEVELOPMENT SERVICES) (Deferred from August 22, 2017)

ORDINANCE NO. 9695

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING LOT 3, BLOCK 14, CLAYDESTA PLAZA, SECTION 13, CITY AND COUNTY OF MIDLAND, TEXAS, WHICH IS PRESENTLY ZONED LR-2, LOCAL RETAIL DISTRICT, TO BE USED AS AN O-2, OFFICE DISTRICT (GENERALLY LOCATED ON THE NORTH SIDE OF VETERANS AIRPARK LANE, APPROXIMATELY 575 FEET WEST OF NORTH BIG SPRING 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

Deputy City Secretary Karla Mata read the caption of Ordinance No. 9695.

Chuck request to construct office bldg issue is zone change 3 story office building limited under current building postponed any decision did not have faa approval since that time faa approval of height of building form 7460 and as promised ready to move forward for council cosndier staff no objection no loj.

Love read in updates that emergency over there and had to repair emergency water line and repairing it and business are going to start tapping. Laura sewer line crushed replacing whole 00 feet. been in contract with folks and while putting taps in palce each

applicant has to come through normal process to attached to sewer line. Love with new applicaiton on additional infrastructure cost. Laura no typicall in devleped areas.

Council Member Lacy moved approval of the first of two readings of Ordinance No. 9695 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, Sparks, Morales, Dufford, Lacy, Robnett. NAY: None. ABSTAIN: None. ABSENT: None.

26. Approved a motion on request by West Company of Midland, LLC to defer wastewater and water improvements and sidewalk improvements for Moore Business Park, and to waive the corresponding financial security guarantee valued at \$106,177.00, an amount equal to the estimated cost of construction. The subject property is generally located approximately 3,600 feet west of South Tradewinds on the north side of West State Highway 80, approximately 2,825 feet outside the corporate limits of the City of Midland (as measured along South Highway 80), Midland County, Texas. (ENGINEERING SERVICES) (Deferred from September 26, 2017)

Jeff Cohen request for deferral of public improvements. The propsoed business park for office and warehouse development. staff recommended feel with avalon coming on soon should take escrow deeposit jeff within 10 year horizon. Lacy did something to east with another devleoper. Jeff east of Avalon and Council waived that escrow. Lacy want to burden this devleoper. Jeff not deicision staff feels can make brought ot Council for their decision. The Engiineer representing applicant is here.

Larry Walker, Engineer request on behalf of applicant this area understand Valon may come in next 10 year but bbusiness directly to east and west all serve3d by private wells and this applicant has building stadning on ground today feels liek whatever eyars water available won't be tied into that water no opportunity for existing business. more like development bheind this that tiwl develop applciant is askign to defer water cost. Sparks not necessary ujsut about timing its to allow for hydrants more for fire protection. Sparks not going to make from his standpoint not build line all thew ay out there but htat's what it's for. already deferred one close to line rprecedent been set and as get closer would hope that developer will consider that at some point when do develop line out there that did defer and even though no hammer he would consider helping city because will be for fire service. Lacy dont' see how can force when love prec is not set in stone doesn't mean force dto adhere to that.

Htochkiss don't pay for amoutn to property they dont' ahve to stay.

Love stop rprecedent instead of ocntinuing on for taxpayers sake.

Council Member Lacy moved to approve a request by West Company of Midland, LLC to defer wastewater and water improvements and sidewalk improvements for Moore Business Park, and to waive the corresponding financial security guarantee valued at \$106,177.00, an amount equal to the estimated cost of construction. The subject property is generally located approximately 3,600 feet west of South Tradewinds on the north side of West State Highway 80, approximately 2,825 feet outside the corporate limits of the City of Midland (as measured along South Highway 80), Midland County, Texas.

; seconded by Council Member Dufford.

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

27. Consider an ordinance prohibiting parking on the north side of Conroe Court from the west curb line of Conroe Street continuing west to the east curb line of Holiday Hill Road except to residents whose property abuts said portion of Conroe Court and who have obtained valid parking permits. (ENGINEERING SERVICES)

ORDINANCE NO. 9709

AN ORDINANCE PROHIBITING PARKING ON THE NORTH SIDE OF CONROE COURT FROM THE WEST CURB LINE OF CONROE STREET CONTINUING WEST TO THE EAST CURB LINE OF HOLIDAY HILL ROAD EXCEPT TO RESIDENTS WHOSE PROPERTY ABUTS SAID PORTION OF CONROE COURT AND WHO HAVE OBTAINED VALID PARKING PERMITS; AUTHORIZING AND DIRECTING THE TRAFFIC ENGINEER TO ERECT APPROPRIATE SIGNS; DECLARING ANY VEHICLE IN VIOLATION OF THE PROVISIONS OF THIS ORDINANCE A NUISANCE AND PROVIDING FOR THE REMOVAL OF SAME; CONTAINING A CUMULATIVE; 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 Karla Mata read the caption of Ordinance No. 9709.

Traffic Engineer Mike Pacelli gave a brief overview of the item noting traffic ord 6 years since last one resident only parking restriction for public street 5300 block north side of Conroe Court 7 homes from one side facing. contacted by one of residents concern two apt complex and they have on site parking tend to overflow and park in front of homes on ss and homes on very narrow lots rear alley access garage are up against alley only room in front of home for 1-2 vehicles tend to move out to apt. all 8 homes connected having approved. Resident indicated he would be here. staff recommends approval no opposition from any of the residents. Lacy who produces permit? police. Is police required to enforce. Mike yes. Guest passes? annual permit dont recall exact number for free. Love additional passes are nominal but original permit no fee. Mike currently charging no fee for first number. underlying ord has fee but not collected.

Council Member Love moved approval of the first of two readings of Ordinance No. 9709 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, Sparks, Morales, Dufford, Robnett. NAY: None. ABSTAIN: None. ABSENT: Lacy.

28. Approved a resolution authorizing and executing a Right-of-Way License between the City of Midland and Plains Pipeline, 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 an oil pipeline, not to exceed four (4) inches in diameter, and related surface appurtenances, and to have the right to ingress and

egress at convenient points for such purpose; the pipeline is located within City of Midland property, Section 10, Block 37, T-3-S, T&P RR Co. Survey, Midland County, Texas. (ENGINEERING SERVICES)

RESOLUTION NO. 2017 - 300

RESOLUTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE BETWEEN THE CITY OF MIDLAND AND PLAINS PIPELINE, LP, REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTION 10, BLOCK 37, TOWNSHIP 3 SOUTH, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS

Ryan Farmer row that varies bring for direction. Concern about staff may impact normal operations. Laura Wilson are in question want to put a pigging station. area dark groundwater high natural drainage. Benn several years ago under the issues with runoff from site. since effluent from sewer plant not treated to extend have to contain and capture in areas where star use natural drainage and put back into irrigation system. have a lot of things in the new pipeline caused issues water crossing road also in process of discharge permit application her response move up or down or put on other side going to west right into the water area ask to choose a different location. Love amen or deny. Ryan safety issue sited concern is impact day to day facilities with utility crew looking for direction for safety side or ask for another. Sparks question is their saying it needs to be at one place for safety concerns. Staff saying can't be there for operational interference. Laura area stays full of water not suitable to construct anything. It is natural low point and cannot gather water if build there. Hotchkiss would we then need to consider moving where water naturally gathers if they have to have it there can we increase another area. Laura those locations are in permit. Morales what about section 2 financial consideration who incurs costs. Ryan that would be applicant they prefer additional things.

Ronnie ?? two pipelines that exist here both pipeline reason for coming over running two different ways surface area is outside of pivot area miss pivot are by 250 feet pipeline buried to connect both pipelines at minimum of 48". Should be out of area have to have check valve in there to make sure flowing and need launcher to test integrity of both lines. comes down to their safety to ensure integrity of pipe held at all times. how large site 40 by 75 in length. Love why can't move it? Ronnie because of where existing pipelines are going to be in other things there and can't be trying to stay out of pivot. Sparks show on map where think it is what seeing is in pivot area. the surface site is at bottom of pivot area where do you see this going on map 40 by 75 foot. Sparks if its outside the pivot should not be that detrimental to her for operations. Cory Moose supervisor of operations and MDR. going around tell water control facility and construction will be east of that there is french drain system under there that will be disturbed. Not sure how often pigging. Jill Reed minimum of once every 5 years, 505 N. Big Springs, might require minimum of every five years. Obviously for safety do tend to perform on a more regular basis. Dufford Laura and Corey concern isn't with site but with construction even of the requested pipeline route that's the problem. Love construction could jeopardize ability to collect water. Laura that site is constantly saturated and to ensure french drain and tell water works. Is there another option for them. Laura if move south there is a pipeline but south of pipeline not as much disruption but have to deal with Floyds. Love asking for direction. Hotchkiss have to rely on expertise this could have long range repercussions. Frencyh drian. Laura pipe underline with holes and rocks that drains too re get clogged easily. Jill Reed did

consider trying to move to south and different location moving much outside location required to maintain 10 feet of separation between existing lines so that will moving outside are will cause to be too close to existing lines they don't want to put construction crew in area because of water conditions. So have reviewed process and feel this is really as far outside as can get and best location for them and City and for Sprayberry Farm. At this time actually requesting a pre-hole. yes disturbance during construction but plains will replace and return everything as prior to construction. Love provide letter of guarantee to ensure that will remain operation for at least 5 years. Love her concern is to make sure is operation. If approve will go against them. Morales can Council Sparks sit down with Legal Utilities and other group to get clarification. jill yes.

Council Member Dufford moved to defer until after visit with applicant and staff; seconded by Council Member Love.

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

29. Consider an ordinance amending Title IX, "Public Ways and Property", by establishing Chapter 7, "Small Wireless Facility Siting", so as to establish standards for network nodes and node support poles in the public right-of-way in the City of Midland (DEVELOPMENT SERVICES)

ORDINANCE NO. 9710

AN ORDINANCE AMENDING TITLE IX, "PUBLIC WAYS AND PROPERTY", BY ESTABLISHING CHAPTER 7, "SMALL WIRELESS FACILITY SITING", SO AS TO ESTABLISH STANDARDS FOR NETWORK NODES AND NODE SUPPORT POLES IN THE PUBLIC RIGHT-OF-WAY IN THE CITY OF MIDLAND; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF FIVE HUNDRED DOLLARS (\$500.00); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; AND ORDERING PUBLICATION

Deputy City Secretary Karla Mata read the caption of Ordinance No. 9710.

Development Services Director Chuck Harrington gave a brief overview of the item noting in 2016 presentation from Verizon Wireless about latest technology which is small cell site for cell phone service. since point in time legislature met significant activity during session came out with ch 284 tx loc govt code which regulates types of technology in public row. in accordance staff went through, reviewed, established ord in our code that meets restrictions of ch 284 for application process and fees and ord would also allow cm to approve and adopt design manual. staff reviewed ch 284 of loc govt code and find ord in compliance with new state law. rec approval. kuddos to legal staff attend tml session on this ch 284 ou legal staff way ahead of the game form other cities deserve compliments.

John appreciate kind works nicholas steve carried ball. purp to get in place application process fees, penalty but basically upping price what state or tx could be put in place not much for city to do. Love it did come up at tml and think going to be pushback on law because orig fee per item was \$1,000 and at last moment only \$250 which not a lawyer can't give city property away by that they think law not going to stand and may change. John cities have joined to challenge the law but correct. love tml tracking. sparks in meantime won't be problem to have ord can change in future.

Council Member Sparks moved approval of the first of two readings of Ordinance No. 9710 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. NAY: None. ABSTAIN: None. ABSENT: Lacy, Robnett.

PUBLIC COMMENT

30. 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.)

??? in Briarwood alot of speeding on Oriole drive since school started came expressed concerna bout that. Been busy with own things but received a lot of calls form other residents that still speeding problem on that road and some resdients asking if bond does pass perhaps some money for speed control in there. Also residents are slow to call police because after car passes and dont' get a chance to catch license palte number diverting police system orm more important things in community. Want to bring up again and thank for time. One mroe thing residents also wanting to know if City has any sort of impact fees when developers are going to develop on roads that feed into major roads basiclaly though should have impact fee to help offset cost form taxpayers who already in city know a lot of people on fixed income when big tax fluctuations may hinder their ability toh ave extra moneis. Sparks will recommend making phone call to police. Saprks

Hotchkiss appreciate respect and being careful with time trying.

Colbein domingo 3407 Princeton, would liek to show ho to save roads jsut have to cost that spend. when sillcoat road prevent holes form developing. The way you sill coat is seal coat on left to other side but his way going to seal coat from top to bottom and will cut cost by half or more and enable road to let road last longer and money left to divide bewteen city and him. when look at road loop 250 wher ecemetary is you will see stones over where would like to sillcoat is palce where subterrated you can avoid seal coating. a lot of pictures dont' know how to show you . drew the thing over here and maybe can see. the white portion are palces where tires pass black poriton or dark portions where tires dont' touch. Mayor appreciate homework and research want to visit with Road divisiona nd share thoughts and go back there. In 2002 in TxDot when doing Loop 250 roads.

Shirley Howard 405 Magnolia, on behalf of individual come in interest of south. Concern comes in reference to upcoming eleciton in reference to roads. They know in need of repair of roads. alot very upst. reached out to Council Love directed ot Lacy to ask for them to have meeting on southeast side to give more input and informaiton and to hear their concerns. ons ome layout have concerns. he worked with them to begin with but for whatever reason go threw under th bus. they do vote. coming up they need them to vote. she took on task of trying to make happen because didn't get off gorund. if got palce and got flyers not her responsibility and community asking for this not on her and .

if this fail she will blame council did not reach out to whole community to get information out. Would like to know don't have right protocol. He is representative and he explained about how it worked when projects come about asking is to tell protocol as to what and how supposed to do thing so don't feel got thrown under bus. Feel like doing favor when request to come to them that image should be fixed. Love the reason directed to Lacy not as a Council Member but individual who is working with bond official. City govt is not allowed to advocate for a bond issue they cannot set meeting up it has to be org promoting bond package which is what Mr. Lacy is affiliated with. He asked what were the polls and he said running close and he suggested having meeting with that section. it's not thrown under bus that's protocol and procedure city council cannot set this meeting up. if you or organizations can put meeting together he will be there and he will make sure Mr. Lacy there also. Morales all wearing hats of citizen and not city council. Love when mayor advocating for 4a doing as citizen not as mayor. Mayor raise independent money and meetings separate from city hall. Love if you can put meeting together they will have staff to answer any questions. Believe this bond will be determined by african american vote.

Ramon Ball 504 S Calhoun. native midlander, regarding site plan p7z Z170025 plat of land at 500 block of south calhoun and neighborhood. think talked about before like a year or year and half ago when first brought forward for zoning change of multi family. already address p7z last week and want to tell Council that very appreciative of p7z comm and staff. they were very instrumental to her in obtaining information and appreciated help. This morning want to be on record to state not happy that getting units in area understand that owner is planning a duplex and a triplex in area and these will be total of 5 different units on this area. want to say mean change dynamics of neighborhood. known for quiet peaceful concerned about safety of neighborhood single women and family units. appreciate good neighborhood. concerned about serious increase in people and number of vehicles traffic in area. chosen by this land owner to develop property adjacent concern about crime but peacefulness. want to go on record will keep up with how things occur neighborhood watch group and want to stay a good community.

Brandon Hodges 2 issues spoke about 2502 Stutz, zoning law about parking utility trailer limited to 4 hours. wondering if city council could explain difference between parking rv or motor homes for 48 hours vs having utility trailer when doing work for 4 hours and have to move it way code is. go there 4 hours throw a chain on. possibly look at redo everything for 48 hours or nothing sits for 48 hours. second issue Love are you opposed to anything parking there or utility truck should have same rights. utility trailer if come back and forth to house if drop because in no mans land. run by house change drop trailer off and do something in town in time frame can extend past 4 hours don't understand eye soreness of utility trailer but could be guy from christmas vacation parking rv for 48 hours. there should be clarification of who is person that goes this is 48 hours and this is not. you either able to parking something or nobody gets to park anything out. Trailer. Second question on road bond road grades if incorrect 1, 2, 3 100-62 62-50 and under 50 under 50 unrepairable roads cat 2 repairable. 100 M roads in both cat. understand road bond is sole focus of 100 M bond the majority on category 3. John ought not to get into road bonds towing line better practice would be if Mr Hodges if questions about road conditions purely informational. Love have legal things that can and can't do specific bond questions and talk to the. outside of preview. who ask questions? John O. will visit after meeting. Trailer deal don't want to leave out and affect other people parked in driveway zone officer if hiring sales unbelievable

wonderful person ever.

EXECUTIVE SESSION

recess to executive at 11:50 a.m.

31. 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:

- a. Section §551.087 Deliberate Economic Development Negotiations

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

PASSED AND APPROVED the __ day of ____, 2017.

Jerry F. Morales, Mayor

ATTEST:

Amy M. Turner, City Secretary