

**MIDLAND CITY COUNCIL
MINUTES
May 23, 2023**



The City Council convened in regular session in the Council Chamber, City Hall, Midland, Texas, at 10:00 a.m., May 23, 2023.

Council Members present: Amy Stretcher Burkes, Dan Corrales, Robin Poole, Lori Blong, Scott Dufford, Jack Ladd, John Norman

Council Members absent: None

Staff members present: City Attorney John Ohnemiller, Interim City Manager Morris Williams Jr.

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

OPENING ITEMS

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

CONSENT AGENDA

3. MOTION APPROVING THE FOLLOWING MINUTES:
 - 3a. BRIEFING SESSION OF MAY 9, 2023
 - 3b. REGULAR SESSION OF MAY 9, 2023
4. 2023-067 – RESOLUTION AWARDED A CONTRACT FOR THE MAIN STREET UTILITY BOND PROJECT TO TEC EXCAVATION, INC., FOR AN AMOUNT OF \$3,554,040.00; APPROVING \$355,404.00 FOR CONTINGENCIES; APPROVING \$50,000.00 FOR PROJECT RELATED EXPENSES; AND APPROPRIATING FUNDS (DISTRICT 2) (GENERAL SERVICES)
5. 2023-068 – RESOLUTION AWARDED A CONTRACT FOR THE SH 191 WASTEWATER MAIN EXTENSION TO EDGARDO MADRID & ASSOCIATES, LLC, FOR A COST OF \$2,984,109.25; APPROVING \$596,822.00 FOR CONTINGENCIES; AND TRANSFERRING AND APPROPRIATING FUNDS (DISTRICT 4) (GENERAL SERVICES)

6. 2023-069 – RESOLUTION APPROVING THE SELECTION OF DUNAWAY ASSOCIATES, LLC, FREESE AND NICHOLS, INC., HALFF ASSOCIATES, INC., KIMLEY-HORN AND ASSOCIATES, INC., LANDGRAF, CRUTCHER & ASSOCIATES, INC., MAGRYM CONSULTING, INC., MAVERICK ENGINEERING, PARKHILL SMITH & COOPER, INC. DOING BUSINESS AS PARKHILL, TRANSYSTEMS CORPORATION DOING BUSINESS AS TRANSYSTEMS CORPORATION CONSULTANTS, AND WESTWOOD PROFESSIONAL SERVICES, INC. TO ASSIST THE ENGINEERING SERVICES DEPARTMENT BY PROVIDING PROFESSIONAL ENGINEERING SERVICES AND OTHER SERVICES IN CONNECTION THEREWITH ON AN AS-NEEDED BASIS; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH EACH FIRM; PROVIDING THAT EACH AGREEMENT SHALL BE FOR A TERM NOT TO EXCEED TWO YEARS; AUTHORIZING THE NEGOTIATION AND EXECUTION OF TASK ORDERS IN ACCORDANCE WITH SUCH AGREEMENTS; PROVIDING THAT THE PAYMENT FOR EACH TASK ORDER EXECUTED IN ACCORDANCE WITH SUCH AN AGREEMENT SHALL NOT EXCEED \$200,000.00; PROVIDING THAT THE TOTAL COST TO THE CITY FOR ALL TASK ORDERS EXECUTED EACH YEAR IN ACCORDANCE WITH EACH AGREEMENT SHALL NOT EXCEED \$750,000.00 PER AGREEMENT PER YEAR; AND AUTHORIZING PAYMENT (DISTRICT: ALL) (GENERAL SERVICES)
7. 2023-070 – RESOLUTION APPROVING A CONTRACT WITH 4B RECREATION GROUP, LLC, DBA PLAYGROUNDS ETC., THROUGH BUYBOARD, FOR THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT AND ASSOCIATED IMPROVEMENTS AT BUTLER PARK FOR A TOTAL COST OF \$130,302.00; AND APPROVING \$13,030.00 FOR PROJECT RELATED COSTS (DISTRICT 1) (GENERAL SERVICES)
8. 2023-071 – RESOLUTION APPROVING A CONTRACT WITH ASTOUND BUSINESS SOLUTIONS, LLC, THROUGH THE INTERLOCAL PURCHASING SYSTEM, FOR TEN YEARS OF DARK FIBER SERVICES FOR A TOTAL COST OF \$300,000.00 (DISTRICT: ALL) (GENERAL SERVICES)
10. 059-2023 – MOTION AUTHORIZING THE EXECUTION OF AN ECONOMIC DEVELOPMENT AGREEMENT WITH THE MIDLAND DEVELOPMENT CORPORATION PROVIDING FOR CERTAIN INFRASTRUCTURE IMPROVEMENTS LOCATED AT THE INTERSECTION OF SINCLAIR AVENUE AND STATE HIGHWAY 158 (DISTRICT 4) (CITY MANAGER)

Robin Poole moved to approve consent agenda items 3-13, excluding items 9, 11, 12 and 13; seconded by Dan Corrales.

The motion passed by the following vote:

AYE: Stretcher Burkes, Corrales, Poole, Blong, Dufford, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

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

9. 058-2023 – MOTION APPROVING A PROMOTIONAL AGREEMENT BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND BUSH TENNIS CENTER, INC., TO ADVERTISE AND PUBLICIZE THE CITY OF MIDLAND FOR THE PURPOSE OF DEVELOPING NEW AND EXPANDED BUSINESS ENTERPRISES (DISTRICT 4) (CITY MANAGER)

Council Member Norman wanted everyone to know he is for this agreement and wants a follow up on the project.

Tim Stallard, Executive Director of the Bush Tennis Center, gave a brief overview of the events occurring at the Bush Tennis Center. He also reiterated information he shared at the Council Briefing Session on April 25, 2023 and discussed the economic impact to the local economy.

Steve Beach, Odessa, representing the Bush Tennis Center. Mr. Beach is the Dean of the College of Business at UT Permian Basin and is also a Finance professor. Mr. Beach reported on the philanthropic importance of this project and the long-term impact it will have in Midland.

John Norman moved to approve Motion No. 058-2023; seconded by Amy Stretcher Burkes.

The motion passed by the following vote:

AYE: Stretcher Burkes, Corrales, Poole, Blong, Dufford, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

11. 060-2023 – MOTION APPROVING A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND KIMLEY-HORN AND ASSOCIATES, INC., FOR PROFESSIONAL SERVICES RELATED THE WIDENING AND IMPROVING OF STATE HIGHWAY 158 FROM SINCLAIR AVENUE TO WADLEY AVENUE, AND FROM WADLEY AVENUE TO BRIARWOOD AVENUE (DISTRICT 4) (CITY MANAGER)

Council Member Ladd thanked Engineering Director Jose Ortiz and everyone who assisted with this project.

Jack Ladd moved to approve Motion No. 060-2023; seconded by John Norman.

The motion passed by the following vote:

AYE: Stretcher Burkes, Corrales, Poole, Blong, Dufford, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

12. 061-2023 – MOTION APPROVING AN AMENDMENT TO THAT CERTAIN DEMOLITION CONTRACT BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND MIDWEST WRECKING CO. OF TEXAS, INC. (DISTRICT 2) (CITY MANAGER)

Lourcey Sams, Midland, spoke with the board and they are excited for the move to the new location

for the Farmers Market.

Mayor Blong reported the City will be using the existing Western United Life demolition contract to tear down the Bank of America motor bank which will provide an open lot and available space downtown.

Council Member Poole reported that this will save money and Council Member Corrales mentioned the need to look into future skate park areas.

Jack Ladd moved to approve Motion No. 061-2023; seconded by Robin Poole.

The motion passed by the following vote:

AYE: Stretcher Burkes, Corrales, Poole, Blong, Dufford, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

13. 2023-072 – RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION'S 2023 TRANSPORTATION ALTERNATIVES SET-ASIDE PROGRAM FOR THE PROPOSED WILDCATTER TRAIL PROJECT; SUPPORTING THE FUNDING OF THE DEVELOPMENT, IMPLEMENTATION, CONSTRUCTION, MAINTENANCE, MANAGEMENT AND FINANCING OF SAID PROJECT; AND AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE BENEFIT OF THE PROJECT IF THE PROJECT IS SELECTED FOR FUNDING (DISTRICT 4) (COMMUNITY SERVICES)

Michele Hagermann, Grants Accountant, gave a brief overview of the item noting the different grants that have been applied for, the amounts of these grants and the other entities she is working with such as the City of Odessa and Midland County just to name a few.

Jack Ladd moved to approve Resolution No. 2023-072; seconded by John Norman.

The motion passed by the following vote:

AYE: Stretcher Burkes, Corrales, Poole, Blong, Dufford, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

SECOND READINGS

14. 10400 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 6, BLOCK 45, FAIRMONT PARK ADDITION, SECTION 15, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR A SHOPPING CENTER TO AN AMENDED PD, PLANNED DEVELOPMENT DISTRICT FOR A SHOPPING CENTER (GENERALLY LOCATED APPROXIMATELY 520 FEET SOUTH OF WEST LOOP 250 NORTH AND APPROXIMATELY 515 FEET WEST OF NORTH MIDLAND 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 (DISTRICT 1) (DEVELOPMENT

SERVICES) (FIRST READING HELD MAY 9, 2023)

Deputy City Secretary Jan Hamilton read the caption of Ordinance No.10400.

Robin Poole moved to approve the second and final reading of Ordinance No. 10400; seconded by Dan Corrales.

The motion passed by the following vote:

AYE: Stretcher Burkes, Corrales, Poole, Blong, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: Dufford

15. 10401 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 1 AND THE EAST HALF OF LOT 2, BLOCK 76, WEST END ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM O-1, OFFICE DISTRICT TO RR, REGIONAL RETAIL DISTRICT (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF WEST TEXAS AVENUE AND NORTH N STREET); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION (DISTRICT 3) (DEVELOPMENT SERVICES) (FIRST READING HELD MAY 9, 2023)

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10401.

Jack Ladd moved to approve the second and final reading of Ordinance No. 10401; seconded by Robin Poole.

The motion passed by the following vote:

AYE: Stretcher Burkes, Corrales, Poole, Blong, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: Dufford

16. 10402 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 4, BLOCK 22, GREENWOOD ADDITION, THIRD, FOURTH, AND FIFTH SECTIONS, CITY AND COUNTY OF MIDLAND, TEXAS, FROM MF-22, MULTIPLE-FAMILY DWELLING DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED ON THE WEST SIDE OF SOUTH CLAY STREET, APPROXIMATELY 200 FEET SOUTH OF EAST WASHINGTON AVENUE); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION (DISTRICT 2) (DEVELOPMENT SERVICES) (FIRST READING HELD MAY 9, 2023)

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10402.

John Norman moved to approve the second and final reading of Ordinance No. 10402; seconded by Dan Corrales.

The motion passed by the following vote:

AYE: Stretcher Burkes, Corrales, Poole, Blong, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: Dufford

17. 10403 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR A 5,200-SQUARE FOOT PORTION OF LOT 2, BLOCK 1, W.P. KNIGHT ADDITION, SECTION 2, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF SOUTH POWELL STREET AND WEST WALL STREET), WHICH IS PRESENTLY ZONED PD, PLANNED DEVELOPMENT DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR THE SALE OF ALL ALCOHOLIC BEVERAGES IN A RESTAURANT FOR ON-PREMISES CONSUMPTION; MAKING SAID DESIGNATION SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION (DISTRICT 2) (DEVELOPMENT SERVICES) (FIRST READING HELD MAY 9, 2023)

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10403.

Jack Ladd moved to approve the second and final reading of Ordinance No. 10403; seconded by John Norman.

The motion passed by the following vote:

AYE: Stretcher Burkes, Corrales, Poole, Blong, Dufford, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

18. 10404 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITHOUT TERM FOR A 1,600-SQUARE FOOT PORTION OF LOT 8, BLOCK 2, PAVILION PARK, SECTION 7, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF NORTH FAIRGROUNDS ROAD, APPROXIMATELY 310 FEET SOUTHEAST OF SAN FELIPE DRIVE), WHICH IS PRESENTLY ZONED AE, AGRICULTURAL ESTATE DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR WIRELESS COMMUNICATION SYSTEMS, INCLUDING A MONOPOLE ANTENNA STRUCTURE; MAKING SAID DESIGNATION SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION (DISTRICT1) (DEVELOPMENT SERVICES) (FIRST READING HELD MAY 9, 2023)

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10404.

Jack Ladd moved to approve the second and final reading of Ordinance No. 10404; seconded by Robin Poole.

The motion passed by the following vote:

AYE: Stretcher Burkes, Corrales, Poole, Blong, Dufford, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

19. 10405 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 258.87-ACRE TRACT OF LAND OUT OF SECTION 18, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR HOUSING DEVELOPMENT TO AN AMENDED PD, PLANNED DEVELOPMENT DISTRICT FOR HOUSING DEVELOPMENT (GENERALLY LOCATED ON THE NORTH SIDE OF EAST MOCKINGBIRD LANE, APPROXIMATELY 900 FEET EAST OF NORTH FAIRGROUNDS 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 (DISTRICT 1) (DEVELOPMENT SERVICES) (FIRST READING HELD MAY 9, 2023)

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10405.

Jack Ladd moved to approve the second and final reading of Ordinance No. 10405; seconded by Scott Dufford.

The motion passed by the following vote:

AYE: Stretcher Burkes, Corrales, Poole, Blong, Dufford, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

PUBLIC HEARINGS

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

20. 062-2023 – HOLD A PUBLIC HEARING IN ORDER FOR THE CITY OF MIDLAND AND THE CDBG PRIORITIZATION COMMITTEE TO RECEIVE PUBLIC COMMENTS, GUIDANCE AND RECOMMENDATIONS REGARDING THE 2023-2024 CDBG GRANT APPLICATION SUBMISSIONS AND THE FOURTH YEAR ACTION PLAN IN ACCORDANCE WITH THE FIVE-YEAR CONSOLIDATED PLAN GOALS; THIS IS A PUBLIC HEARING ONLY (DISTRICT: ALL) (DEVELOPMENT SERVICES)

THIS IS A PUBLIC HEARING ONLY. NO ACTION TAKEN.

Community Services Manager Isaac Garnett, reported on the applicants request for funding for the upcoming year. The action plan will focus on five pillars: affordable housing, economic development, infrastructure improvements, social services and community engagement.

Mr. Garnett gave a presentation on each of the different entities who applied for funding.

Mayor Blong opened the public hearing at 10:32 a.m.

Michelle McClellan, 8614 Fortuna Court, Odessa, thanked Council for the support of their programs. Ms. McClellan gave an update on the programs she is involved in and their needs.

Mikell McLaughin, 2614 Emerson Drive, with the Salvation Army, gave an update on the funding they use which goes to feeding the homeless. Children come in the summer to eat since schools are closed. Mr. McLaughin passed out a flyer for the Council which reports what the Salvation Army did last year.

Charlene Quinones, Midland, Community Care Coordinator for Juvenile Probation, reported on Culver youth and their needs. Ms. Quinones spoke on trauma the young adults face and how funding will help.

Lisa McGee, 4015 Dunkirk, with Midland Memorial, reported on the importance of mental health and having a licensed professional counselor assist individuals in need.

Tracy Renton, 4000 Compton, with Senior Life Midland, thanked Council for their support and reported on how funding helps their organization serve the senior citizens of Midland.

Victoria McCluskey, 4805 Briarwood, Thrive United Compliance Manager, and part of the grant writing team, spoke on the importance of peer support and the success of the program. Ms. McCluskey also spoke on the success of her own recovery and how funding can help others.

Tonya Elkert thanked Council and appreciates Isaac Garnett for the work he does with CDBG funds. Ms. Elkert gave a recap of the meals served and light housekeeping for seniors who can not do it themselves. Ms. Elkert also spoke on the Senior Resiliency Program.

Joey Hopkins, 305 E. Texas, with Habitat for Humanity spoke on the down-payment assistance program. Mr. Hopkins also reported on the intended use of funds for Habitat for Humanity. They would like to pave a portion of the road the City owns that connects their development to another paved road.

Mr. Hopkins also reported they have three developments coming in the future that will put about 300 affordable homes in District 2. The cost is about \$11,000,000.00 just for roads, water and sewer. Mr. Hopkins would like the Council to keep this information in mind for what's coming in the future.

There being no one else wishing to speak, the public hearing was closed at 11:04 a.m.

21. 10407 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR LOT 7, BLOCK 17, SKYLINE TERRACE, UNIT 7, CITY AND COUNTY OF MIDLAND, TEXAS

(GENERALLY LOCATED ON THE SOUTH SIDE OF WEST LOOP 250 NORTH, APPROXIMATELY 220 FEET WEST OF NORTH MIDKIFF ROAD), WHICH IS PRESENTLY ZONED PD, PLANNED DEVELOPMENT DISTRICT FOR A SHOPPING CENTER, ALLOWING SAID PROPERTY TO BE USED FOR THE SALE OF ALL ALCOHOLIC BEVERAGES IN A RESTAURANT FOR ON-PREMISES CONSUMPTION; MAKING SAID DESIGNATION SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION (DISTRICT 1) (DEVELOPMENT SERVICES)

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10407.

Mayor Blong opened the public hearing at 11:05 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Jack Ladd moved to approve the first of two readings of Ordinance No. 10407; seconded by Dan Corrales.

The motion passed by the following vote:

AYE: Stretcher Burkes, Corrales, Poole, Blong, Dufford, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

22. 10408 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR A 2,472-SQUARE FOOT PORTION OF LOT 2B, BLOCK 52, BELMONT ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE NORTH SIDE OF WEST LONGVIEW AVENUE, APPROXIMATELY 267 FEET EAST OF SOUTH BELMONT STREET), WHICH IS PRESENTLY ZONED RR, REGIONAL RETAIL DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR THE SALE OF ALL ALCOHOLIC BEVERAGES IN A RESTAURANT FOR ON-PREMISES CONSUMPTION; MAKING SAID DESIGNATION SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION (DISTRICT 2) (DEVELOPMENT SERVICES)

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10408.

Mayor Blong opened the public hearing at 11:06 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Jack Ladd moved to approve the first of two readings of Ordinance No. 10408; seconded by John Norman.

The motion passed by the following vote:

AYE: Stretcher Burkes, Corrales, Poole, Blong, Dufford, Ladd, Norman

NAY: None
ABSTAIN: None
ABSENT: None

23. 10409 – AN ORDINANCE VACATING AND ABANDONING A 0.068-ACRE PORTION OF DOUGLAS AVENUE RIGHT-OF-WAY LOCATED ADJACENT TO LOT 1 BLOCK 1, ORTLOFF ADDITION, SECTION 2, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED 220 FEET WEST OF THE INTERSECTION OF WESTCLIFF DRIVE AND DOUGLAS AVENUE); ADOPTING THE APPRAISAL BY THE CITY MANAGER OF \$5,924.00; AND ORDERING RECORDATION BY THE CITY SECRETARY (DISTRICT 3) (DEVELOPMENT SERVICES)

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10409.

Mayor Blong opened the public hearing at 11:07 a.m.

Andrew Mellan, 1909 West Wall Street, with Maverick Engineering and representing Cornerstone Housing requested to waive the cost of right-of-way fees.

There being no one else wishing to speak, the public hearing was closed at 11:08 a.m.

Jack Ladd moved to approve with the amendment to wave the cost, the first of two readings of Ordinance No. 10409; seconded by John Norman.

The motion passed by the following vote:

AYE: Stretcher Burkes, Corrales, Poole, Blong, Dufford, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

24. 2023-073 – RESOLUTION AUTHORIZING THE TEMPORARY USE OF LAND FOR A STEAK SALE ON LOT 1A, BLOCK 17, SKYLINE TERRACE, UNIT 7, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF WEST LOOP 250 NORTH AND NORTH MIDKIFF ROAD) SUBJECT TO CERTAIN SPECIAL CONDITIONS AND RESTRICTIONS (DISTRICT 1) (DEVELOPMENT SERVICES)

Mayor Blong opened the public hearing at 11:10 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Jack Ladd moved to approve Resolution No. 2023-073; seconded by Dan Corrales.

The motion passed by the following vote:

AYE: Stretcher Burkes, Corrales, Poole, Blong, Dufford, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

MISCELLANEOUS

25. 10410 – AN ORDINANCE AMENDING TITLE I, “ADMINISTRATIVE”, CHAPTER 12, “RECORDS RETENTION” OF THE CITY CODE OF MIDLAND, TEXAS, SO AS TO CHANGE THE HEADING OF SAID CHAPTER 12 TO “RECORDS MANAGEMENT POLICY” AND TO ESTABLISH AN ACTIVE AND CONTINUING RECORDS MANAGEMENT PROGRAM; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; AND ORDERING PUBLICATION (DISTRICT: ALL) (CITY SECRETARY’S OFFICE)

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10410.

Dan Corrales moved to approve the first of two readings of Ordinance No. 10410; seconded by Robin Poole.

The motion passed by the following vote:

AYE: Stretcher Burkes, Corrales, Poole, Blong, Dufford, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

26. MOTION MAKING VARIOUS APPOINTMENTS TO BOARDS AND COMMISSIONS (CITY SECRETARY’S OFFICE)

John Norman moved to reappoint Derek Cook to the Permian Basin Community Center for MHMR (PermiaCare) board; seconded by Dan Corrales.

The motion passed by the following vote:

AYE: Stretcher Burkes, Corrales, Poole, Blong, Dufford, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

Dan Corrales moved to appoint Brennen Berry to the Planning and Zoning Commission; seconded by Scott Dufford.

The motion failed by the following vote:

AYE: Corrales, Dufford

NAY: Stretcher Burkes, Poole, Blong, Ladd, Norman

ABSTAIN: None

ABSENT: None

Jack Ladd moved to appoint Steven Villela to the Planning and Zoning Commission; seconded by Amy Stretcher Burkes.

The motion passed by the following vote:

AYE: Stretcher Burkes, Corrales, Poole, Blong, Dufford, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

Dan Corrales moved to appoint Judge Terry Johnson to the Animal Control Advisory Commission; seconded by Jack Ladd.

The motion passed by the following vote:

AYE: Stretcher Burkes, Corrales, Poole, Blong, Dufford, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

PUBLIC COMMENT

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

Tina Nevot, 3600 W. Michigan, asked questions regarding any improvements to Animal Services since Ty Coleman is no longer there. Ms. Nevot also inquired why Tommy Johnson was appointed as a temporary manager.

Euiel Rosa, 3603 Humble Ave., spoke on leadership and transparency.

Janet Harris, 2201 Shell, wants to know why there was no investigation into the allegation of improper anesthesia procedures causing animals to wake up during surgery. Ms. Harris also had personnel questions regarding Ty Coleman.

Council Member Norman mentioned the loss of former Midland City Council Member Michael Trost. Several Council Members gave their condolences.

All the business at hand having been completed, the meeting adjourned at 11:33 a.m.

PASSED AND APPROVED June 13, 2023.

Lori Blong, Mayor

ATTEST:

Marcia Bentley-German
City Governance Officer/City Secretary