

**MIDLAND CITY COUNCIL
MINUTES
May 25, 2021**



The City Council convened in regular session in the Council Chamber, City Hall, Midland, Texas, at 10:00 a.m., May 25, 2021.

Council Members present: Patrick Payton, Spencer Robnett, Michael Trost, Scott Dufford, John Norman, Jack Ladd, Lori Blong

Council Members absent: None

Staff members present: City Attorney John Ohnemiller, City Manager Robert Patrick

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

OPENING ITEMS

1. Invocation – Minister Russ Hale, Stonegate Fellowship
2. Pledge of Allegiance

CONSENT AGENDA

Spencer Robnett moved to approve the Consent Agenda items 3-14, excluding items 5, 6, 8, 9, 12, 13, 14; seconded by Jack Ladd.

The motion passed by the following vote:

AYE: Payton, Robnett, Trost, Dufford, Norman, Ladd, Blong

NAY: None

ABSTAIN: None

ABSENT: None

3. MOTION APPROVING THE FOLLOWING MINUTES:
 - 3a. BRIEFING SESSION OF MAY 11, 2021
 - 3b. REGULAR MEETING OF MAY 11, 2021
4. 2021-059 – RESOLUTION AUTHORIZING THE EXECUTION OF A SOLE-SOURCE CONTRACT WITH AZTECA SYSTEMS, LLC, FOR THE PURCHASE OF THREE (3)

YEARS OF LICENSING AND SOFTWARE MAINTENANCE SUPPORT OF CITYWORKS SOFTWARE FOR THE COMMUNICATION AND INFORMATION SYSTEMS DEPARTMENT AT A TOTAL COST OF \$229,033.00 (DISTRICT: ALL) (GENERAL SERVICES)

7. 053-2021 – MOTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT WITH TML MULTISTATE INTERGOVERNMENTAL EMPLOYEE BENEFITS POOL, DOING BUSINESS AS TML HEALTH BENEFITS POOL, FOR THE PURPOSE OF OBTAINING SERVICES FOR THE ADMINISTRATION OF ONE OR MORE LIFE, SICK, ACCIDENT AND OTHER HEALTH BENEFITS; AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY DOCUMENTS NECESSARY OR APPROPRIATE TO EFFECTUATE SAID INTERLOCAL AGREEMENT (DISTRICT: NONE) (ADMINISTRATIVE SERVICES)
10. 2021-063 – RESOLUTION AUTHORIZING THE MIDLAND CHAMBER OF COMMERCE TO HOLD THE ANNUAL STAR SPANGLED SALUTE AT CENTENNIAL PARK AND ON THE ADJACENT PUBLIC RIGHTS OF WAY ON JULY 3, 2021; AND AUTHORIZING THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES AT SAID EVENT (DISTRICT 2) (COMMUNITY SERVICES)
11. 055-2021 – MOTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE AMENDMENT BETWEEN THE CITY OF MIDLAND AND SCM WATER, LLC, REGARDING CITY OWNED PROPERTY DESCRIBED AS SECTIONS 13, 17, 18, 19 AND 21, BLOCK C-23, P.S.L. SURVEY, ABSTRACT NO. 1388, WINKLER COUNTY, TEXAS (DISTRICT: NONE) (UTILITIES)

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

5. 2021-060 – RESOLUTION REJECTING ALL BIDS RECEIVED FOR THE MIDLAND DRAW WIDENING PROJECT (DISTRICT 2) (GENERAL SERVICES)

Council Member Blong understands the plan moving forward, but it seemed there was confusion in the bid. Engineering Services Director Jose Ortiz reported the confusion in the process was that they fused two projects together. They are requesting to reject all bids and will bid the projects separately. The construction is expected to take 12 months.

Lori Blong moved to approve Resolution No. 2021-060; seconded by Jack Ladd.

The motion passed by the following vote:

AYE: Payton, Robnett, Trost, Dufford, Norman, Ladd, Blong

NAY: None

ABSTAIN: None

ABSENT: None

6. 2021-061 – RESOLUTION AWARDED A CONTRACT FOR THE PARK AVENUE HEIGHTS 2 UTILITY PROJECT TO TEC EXCAVATION, INC., FOR A TOTAL COST NOT TO EXCEED \$1,164,771.00; APPROVING \$50,000.00 FOR PROJECT RELATED COSTS; AND APPROPRIATING FUNDS (DISTRICT 2) (GENERAL SERVICES)

Utilities Director Carl Craig reported that CDBG is refunding the street portion to the general fund, not utilities. Council Member Blong asked if there is enough money to do the utilities now. Mr. Craig reported there was. Mayor Payton noted that he preferred not allocating funds from ARPA until they have further conversations.

Spencer Robnett moved to approve Resolution No. 2021-061 with the amendment to allocate funds from the water and sewer fund instead of ARPA; seconded by Lori Blong.

The motion passed by the following vote:

AYE: Payton, Robnett, Trost, Dufford, Norman, Ladd, Blong

NAY: None

ABSTAIN: None

ABSENT: None

8. 054-2021 – MOTION AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO ADVERTISE A REQUEST FOR PROPOSALS FOR NON-EXCLUSIVE FIXED BASE OPERATOR SERVICES AT MIDLAND INTERNATIONAL AIR & SPACE PORT, AND TO NEGOTIATE A FIXED-BASE OPERATOR SERVICES AGREEMENT FOR SAID SERVICES; PROVIDED, HOWEVER, THAT SAID AGREEMENT SHALL NOT BECOME EFFECTIVE UNTIL APPROVED BY THE CITY COUNCIL (DISTRICT: FOUR) (AIRPORTS)

Council Member Trost noted this is an expensive operation to put up. He asked who is pushing this. Airports Director Justine Ruff reported there is a lot of outside interest who want to bring competition to the field and they have had a lot of requests from the outside who want to come in. When she started in the 90s there were two FBOs but they later consolidated into one. She clarified that this is at no expense to the airport. The new FBO will be located where CAF was. They will advertise in the American Association of Airports.

Michael Trost moved to approve Motion No. 054-2021; seconded by Lori Blong.

The motion passed by the following vote:

AYE: Payton, Robnett, Trost, Dufford, Norman, Ladd, Blong

NAY: None

ABSTAIN: None

ABSENT: None

9. 2021-062 – RESOLUTION APPROVING AN AMENDMENT TO THAT CERTAIN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND KEPLER AEROSPACE, LTD (DISTRICT: NONE) (CITY MANAGER)

Council Member Robnett reported he pulled this for a record vote.

MDC Executive Director Sara Harris reported this amendment will extend all of the contract dates by one year. Kepler has three aircraft in the UK and Japan and they are working to import them. They have been delayed due to the pandemic. As soon as the aircraft are

here they will be in compliance. This amendment gives them an extra year.

Michael Trost moved to approve Resolution No. 2021-062; seconded by Jack Ladd.

The motion passed by the following vote:

AYE: Payton, Trost, Dufford, Norman, Ladd, Blong

NAY: Robnett

ABSTAIN: None

ABSENT: None

12. 2021-064 – RESOLUTION AUTHORIZING THE ACCEPTANCE OF A 7.097-ACRE RIGHT-OF-WAY GRANT LOCATED IN SECTIONS 18 AND 19, BLOCK 38, T-1-S, T&P RR. CO SURVEY, MIDLAND, TEXAS FROM MORIAH LAND & CATTLE, LLC; ORDERING THE CITY SECRETARY TO RECORD SAID INSTRUMENT IN THE OFFICIAL REAL PROPERTY RECORDS OF MIDLAND COUNTY, TEXAS; AND APPROPRIATING FUNDS (DISTRICT: ALL) (UTILITIES)

Council Member Trost asked what this is for. Utilities Director Carl Craigo reported this is for the new sewer from the waste water plant to the northeast side of town.

Michael Trost moved to approve Resolution No. 2021-064; seconded by Lori Blong.

The motion passed by the following vote:

AYE: Payton, Robnett, Trost, Dufford, Norman, Ladd, Blong

NAY: None

ABSTAIN: None

ABSENT: None

13. 056-2021 – MOTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE BETWEEN THE CITY OF MIDLAND AND NUSTAR PERMIAN TRANSPORTATION & STORAGE, LLC, REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTION 2, BLOCK 37, TOWNSHIP 3 SOUTH, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (DISTRICT: NONE) (UTILITIES)

Utilities Director Carl Craigo reported that a right-of-way license operator in Spraberry wants to connect two pads together. They are paying us for this.

Michael Trost moved to approve Motion No. 056-2021; seconded by Jack Ladd.

The motion passed by the following vote:

AYE: Payton, Robnett, Trost, Dufford, Norman, Ladd, Blong

NAY: None

ABSTAIN: None

ABSENT: None

14. 2021-065 – RESOLUTION AMENDING CHAPTER IV, "APPLICATIONS, APPLICANTS, AND CONDITIONS OF EMPLOYMENT," SECTION 15, "CITY OF MIDLAND DRUG AND ALCOHOL TESTING POLICY," SUBSECTION D, "REQUIRED TESTS," PARAGRAPH 3, "REASONABLE SUSPICION TESTING," CHAPTER VIII, "ADVERSE ACTION," AND CHAPTER IX, "GRIEVANCE PROCEDURES," OF THE CITY OF MIDLAND PERSONNEL

POLICIES; AND ESTABLISHING AN EFFECTIVE DATE OF JUNE 1, 2021 (CITY ATTORNEY)

Council Member Trost reported that years ago he worked for someone who had reasonable suspicion testing and any employee could turn in another employee to management and there did not have to be due process. City Attorney John Ohnemiller reported that is not how this reasonable suspicion policy works. This policy has not been updated in years and they are clarifying the process. The substance has not changed. Assistant City Attorney Nicholas Toulet-Crump added that there were references in the policy that were no longer accurate and those have now been corrected.

Michael Trost moved to approve Resolution No. 2021-065; seconded by Lori Blong.

The motion passed by the following vote:

AYE: Payton, Robnett, Trost, Dufford, Norman, Ladd, Blong

NAY: None

ABSTAIN: None

ABSENT: None

SECOND READINGS

15. 10185 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 9.92-ACRE TRACT OF LAND OUT OF SECTION 11, BLOCK X, H.P. HILLIARD SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FROM AE, AGRICULTURAL ESTATE DISTRICT TO PD, PLANNED DEVELOPMENT DISTRICT FOR A SHOPPING CENTER (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF NORTH STATE HIGHWAY 349 AND TEJAS); 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 (DEVELOPMENT SERVICES) (FIRST READING HELD MAY 11, 2021)

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10185.

Jack Ladd moved to approve the second and final reading of Ordinance No.10185; seconded by Lori Blong.

The motion passed by the following vote:

AYE: Payton, Robnett, Trost, Dufford, Norman, Ladd, Blong

NAY: None

ABSTAIN: None

ABSENT: None

16. 10186 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR A 10,250-SQUARE FOOT PORTION OF LOT 1, BLOCK 8, POLO PARK, SECTION 3, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF NORTH GARFIELD STREET AND WEST LOOP 250 NORTH), WHICH IS PRESENTLY ZONED PD, PLANNED 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 (DEVELOPMENT SERVICES) (FIRST READING HELD MAY 11, 2021)

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10186.

Lori Blong moved to approve the second and final reading of Ordinance No. 10186; seconded by Spencer Robnett.

The motion passed by the following vote:

AYE: Payton, Robnett, Trost, Dufford, Norman, Ladd, Blong

NAY: None

ABSTAIN: None

ABSENT: None

PUBLIC HEARINGS

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

17. 10187 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 27.05-ACRE TRACT OF LAND OUT OF SECTION 7, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FROM SF-3, SINGLE-FAMILY DWELLING DISTRICT TO PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT (GENERALLY LOCATED ON THE SOUTH SIDE OF OCCIDENTAL PARKWAY, APPROXIMATELY 1,335 FEET EAST OF CARRIAGE 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)

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10187.

Development Services Director Chuck Harrington reported this item was inadvertently placed on this meeting before it was ready. It will be on the next meeting. No action was taken.

18. 10188 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 141.53-ACRE TRACT OF LAND OUT OF SECTION 12, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY OF MIDLAND, MIDLAND AND MARTIN COUNTIES, TEXAS, FROM AE, AGRICULTURAL ESTATE DISTRICT TO SF-3, SINGLE-FAMILY DWELLING DISTRICT (GENERALLY LOCATED AT THE NORTHEAST CORNER OF NORTH STATE HIGHWAY 349 AND OCCIDENTAL PARKWAY); 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. 10188.

Development Services Director Chuck Harrington gave a brief overview of the item noting it is a request to rezone 141 acres for SF3. All departments have reviewed it with no objections. It is in compliance with the comprehensive plan. No letters of objection were received and staff recommends approval.

Council Member Blong asked if there will be a frontage road on 349. Mr. Harrington reported he recalled some commercial properties on the frontage. When asked about the lots that did not meet minimum requirements Mr. Harrington noted that because of the curve it didn't meet requirements but the lots are big enough.

Mayor Payton opened the public hearing at 10:36 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Lori Blong moved to approve the first of two readings of Ordinance No. 10188; seconded by Michael Trost.

The motion passed by the following vote:

AYE: Payton, Robnett, Trost, Dufford, Norman, Ladd, Blong

NAY: None

ABSTAIN: None

ABSENT: None

19. 10189 – AN ORDINANCE GRANTING A SPECIAL EXCEPTION FOR LOTS 4, 5 AND 6, WEST WAY ADDITION, SECTION 4, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF WEST GOLF COURSE ROAD AND HUGHES STREET), BY PERMITTING A REDUCED MINIMUM 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 (DISTRICT 3) (DEVELOPMENT SERVICES)

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10189.

Mayor Payton opened the public hearing at 10:37 a.m.

Mike Eastman was available if there were any questions.

There being no one else wishing to speak, the public hearing was closed at 10:38 a.m.

Spencer Robnett moved to approve the first of two readings of Ordinance No. 10189; seconded by Jack Ladd.

The motion passed by the following vote:

AYE: Payton, Robnett, Trost, Dufford, Norman, Ladd, Blong

NAY: None
ABSTAIN: None
ABSENT: None

20. 057-2021 – 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 2021-2022 CDBG GRANT APPLICATION SUBMISSIONS AND THE SECOND YEAR ACTION PLAN IN ACCORDANCE WITH THE FIVE YEAR CONSOLIDATED PLAN GOALS (DISTRICT: NONE) (DEVELOPMENT SERVICES) (PUBLIC HEARING ONLY)

CDBG Manager Isaac Garnett reported this is the first step in creating an action plan for the upcoming funding year. This is a public hearing where the community can provide input. Staff has developed a preliminary plan including the following: 1) Owner housing minor repair program \$250,000; 2) Homebuyers Assistance \$150,000; 3) SE Senior Center nutrition program \$32,000; 4) Home cleaning program \$45,000; 5) Take Home Terrific meal program \$32,000; 6) Baird/Gist Street to Longview Avenue \$672,356; 7) Administrative personnel \$200,000; 8) Parks & Recreation various minor improvements \$122,500; 9) Cloverdale Housing Infrastructure Project \$170,000. In total, the amounts suggested will exceed the \$1,083,000 they will receive, but they have \$600,000 from prior years to help fund the programs.

Mayor Payton opened the public hearing at 10:47 a.m.

Tonya Eckert, Executive Director Casa de Amigas, reported that as a contractor for the senior centers they have had a lot of work to get them ready. They are proposing to reopen on August 2nd but have two picnics planned prior to that on June 23rd from 8:30 a.m. to 11:30 a.m. at Washington Park and another one in July to get the seniors back together and to feel safe with each other.

Dan Corrales, 1600 North Weatherford, put in context what the programs do noting they all make a difference to the community. He advocated for the programs suggested.

David Diaz, 208 South Marienfeld suggested they return to paving streets on the south side as a one time opportunity for funds. He also suggested adding more personnel to the CDBG office so that the homebuyer assistance program can be taken off pause. He added that MCDC and Habitat both use that program and while it has been on pause they have had people who could not qualify for a home without that assistance.

There being no one else wishing to speak, the public hearing was closed at 10:54 a.m. No further action was taken.

21. 2021-066 – RESOLUTION AUTHORIZING THE TEMPORARY USE OF LAND FOR A VENDOR MARKET AND CONCERT ON LOT 1A, BLOCK 54, ALL OF BLOCK 55, A 0.57-ACRE PORTION OF WEST WALL STREET RIGHT-OF-WAY, A 0.57-ACRE PORTION OF NORTH COLORADO STREET RIGHT-OF-WAY, AND A 0.57-ACRE PORTION OF THE WEST TEXAS AVENUE RIGHT-OF-WAY, ALL ADJACENT TO BLOCK 55, ALL OUT OF ORIGINAL TOWN ADDITION, SECTION 14, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE

INTERSECTION OF NORTH COLORADO STREET AND WEST TEXAS AVENUE)
SUBJECT TO CERTAIN SPECIAL CONDITIONS AND RESTRICTIONS (DISTRICT 2)
(DEVELOPMENT SERVICES)

Development Services Director Chuck Harrington gave a brief overview of the item noting that two letters of objection were received to this request. One wanted clarification about traffic engineering concerns on Texas Avenue.

Mayor Payton opened the public hearing at 10:58 a.m.

Stephanie Martin, Executive Director of Centennial Park, wanted to ensure that this application does not reserve any portion of Centennial Park. She thinks the micro market is a great fit for the community but has concerns for the limitations of her facilities. At this point, they do not have an executed agreement in place. They have agreed to do a trial run on the first three dates June 5, August 7 and September 4 to ensure they can provide a great experience and accomodate the needs of the community. They do have concern about the three adjacent roads being closed for ingress and egress and noted that they have contracts with mobile food vendors and designated spaces on Colorado Street. Their restrooms cannot accomodate more than 400-500 people and they would need to bring in porta-potties.

Following discussions it was also noted that the micro market needs to allow access for food trucks under contract with Centennial Park. It was noted that the traffic plan calls for barricades and not fencing so the trucks could easily be allowed ingress and egress.

It was noted that all three streets would be closed for Tex Mex and the Star Spangled Salute.

Seth Streun reported they had 5,000 – 7,000 people at their last two micro markets and confirmed that they do bring in porta-potties. When asked about leaving Texas Street open, Mr. Struen reported they have programming on that location for a band and/or car club. He added that he needs a one year committment to get the project off the ground as most contracts are booked out 6-12 months.

Council Member Robnett emphasized that he doesn't want anyone having disagreements over parking spaces. He thinks this is a great idea but everyone needs to figure out how to make this work.

Mayor Payton suggested approving the first three events and then revisit. If the agreement is honored, there probably will not be a problem for the remaining dates.

Mayor Payton asked for this item to come back June 8th to receive a report from every interested party.

There being no one else wishing to speak, the public hearing was closed at 11:17a.m.

Jack Ladd moved to approve Resolution No. 2021-066 with the amendment to approve the first three dates, June 5, August 7 and September 4 and return on June 8 for a briefing from all interested parties; seconded by Lori Blong.

The motion passed by the following vote:

AYE: Payton, Robnett, Trost, Dufford, Norman, Ladd, Blong

NAY: None

ABSTAIN: None

ABSENT: None

MISCELLANEOUS

22. 10190 – AN ORDINANCE AMENDING TITLE III, “DEPARTMENTS”, CHAPTER 3, “HOTEL OCCUPANCY TAX”, SECTION 1, “DEFINITIONS”, OF THE CITY CODE OF MIDLAND, TEXAS, SO AS TO DEFINE “HOTEL” IN ACCORDANCE WITH STATE LAW; 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 (CITY ATTORNEY)

Deputy City Secretary Jan Hamilton read the caption of Ordinance No. 10190.

Council Member Trost thanked City Attorney John Ohnemiller for all of his work on this item. This will add a lot of revenue to the bottom line of the hotel occupancy tax going forward. It is a new source of revenue that we did not have before. Mr. Ohnemiller gave credit to Council Member Trost as this was Mr. Trost’s idea.

Michael Trost moved to approve the first of two readings of Ordinance No. 10190; seconded by Spencer Robnett.

The motion passed by the following vote:

AYE: Payton, Robnett, Trost, Dufford, Norman, Ladd, Blong

NAY: None

ABSTAIN: None

ABSENT: None

23. 058-2021 – MOTION GRANTING CACTUS SIGN COMPANY'S APPEAL AND REVERSING THE BUILDING OFFICIAL'S DENIAL OF A SIGN PERMIT FOR THE SOUTH HALF OF LOTS 7 THROUGH 9 AND THE SOUTH 93.32 FEET OF LOTS 10 THROUGH 12, BLOCK 5, AND ALL OF BLOCKS 1, 2, 6 AND 7, ALL OUT OF HIGH SCHOOL ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF NORTH A STREET AND WEST ILLINOIS AVENUE) (DISTRICT 3) (DEVELOPMENT SERVICES)

Spencer Robnett moved to approve Motion No. 058-2021; seconded by Jack Ladd.

The motion passed by the following vote:

AYE: Payton, Robnett, Trost, Dufford, Norman, Ladd, Blong

NAY: None

ABSTAIN: None

ABSENT: None

24. 059-2021 – MOTION APPOINTING A MAYOR PRO TEMPORE (CITY MANAGER)

Spencer Robnett moved to appoint Lori Blong as Mayor Pro Tempore; seconded by Jack Ladd.

The motion passed by the following vote:

AYE: Payton, Robnett, Trost, Dufford, Norman, Ladd, Blong

NAY: None

ABSTAIN: None

ABSENT: None

PUBLIC COMMENT

25. 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.)

There were no citizens present wishing to speak.

EXECUTIVE SESSION

Mayor Payton recessed the meeting to go to Executive Session at 11:22 a.m.

26. Pursuant to Texas Government Code § 551.101, the City Council will hold an Executive Session, which is closed to the public, to discuss the following matters as permitted under the following sections of the Texas Government Code:
- a. Section 551.072, Deliberation Regarding Real Property
 - a.1. Discuss the purchase, exchange, lease or value of real property

All the business at hand having been completed, the meeting adjourned at 12:02 p.m.

PASSED AND APPROVED June 8, 2021.

Patrick Payton, Mayor

ATTEST:

Amy M. Turner, City Secretary