

**MIDLAND CITY COUNCIL
MINUTES
August 23, 2022**



The City Council convened in regular session in the Council Chamber, City Hall, Midland, Texas, at 10:00 a.m., August 23, 2022.

Council Members present: Dan Corrales, Robin Poole, Lori Blong, Patrick Payton, Scott Dufford, Jack Ladd, John Norman

Council Members absent: None

Staff members present: City Manager Robert Patrick, City Attorney John Ohnemiller, Deputy City Manager Morris Williams Jr, Assistant City Manager Tina Jauz

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

OPENING ITEMS

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

CONSENT AGENDA

Lori Blong moved to approve the Consent Agenda items 3-17, excluding item(s) 12, 16; seconded by Dan Corrales.

The motion passed by the following vote:

AYE: Corrales, Poole, Blong, Payton, Dufford, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

3. MOTION APPROVING THE FOLLOWING MINUTES:
 - 3a. REGULAR SESSION OF AUGUST 9, 2022
 - 3b. SPECIAL SESSION OF AUGUST 16, 2022

4. 2022-100 – RESOLUTION AWARDING A CONTRACT FOR RIGHT OF WAY LITTER COLLECTION SERVICES FOR THE SOLID WASTE DEPARTMENT TO DEE DEE MILLER D/B/A DEE SKY SERVICES FOR AN AMOUNT NOT TO EXCEED \$240,000.00 (DISTRICT: ALL) (GENERAL SERVICES)
5. 089-2022 – MOTION AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO ADVERTISE A REQUEST FOR COMPETITIVE SEALED BIDS FOR THE MOMENTUM BANK BALLPARK PEDESTRIAN BRIDGE REHABILITATION PROJECT FOR THE COMMUNITY SERVICES DEPARTMENT AND TO NEGOTIATE A CONTRACT FOR SAID PROJECT; PROVIDED, HOWEVER, THAT SAID AGREEMENT SHALL NOT BECOME EFFECTIVE UNTIL APPROVED BY THE CITY COUNCIL (DISTRICT 4) (GENERAL SERVICES)
6. 2022-101 – RESOLUTION APPROVING A CONTRACT WITH HOHENBERGER, INC., D/B/A CSI: LUBBOCK, THROUGH BUYBOARD, FOR THE PURCHASE AND INSTALLATION OF ACCESS CONTROL AND CAMERA SYSTEMS AT MULTIPLE CITY BUILDINGS FOR A TOTAL COST OF \$348,524.32; AND APPROPRIATING FUNDS FOR SAID PROJECT (DISTRICT: ALL) (GENERAL SERVICES)
7. 2022-102 – RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH PARKHILL, SMITH & COOPER, INC., D/B/A PARKHILL FOR SURVEY, DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES FOR PHASE II OF NEW WATER AND WASTEWATER UTILITIES ALONG BRIARWOOD AVENUE BETWEEN GOLDEN GATE AVENUE AND STATE HIGHWAY 158 FOR A COST OF \$115,000.00; AND APPROPRIATING FUNDS (DISTRICT 4) (GENERAL SERVICES)
8. 2022-103 – RESOLUTION AUTHORIZING THE PURCHASE OF MICROSOFT ENTERPRISE VOLUME AND TRUE-UP LICENSING FROM SOFTWARE ONE, INC., THROUGH THE TEXAS DEPARTMENT OF INFORMATION RESOURCES, FOR THE COMMUNICATION AND INFORMATION SYSTEMS DEPARTMENT AT A TOTAL COST OF \$326,997.53; RATIFYING THE SIGNING OF THE CHANGE OF RESELLER AGREEMENT; AND RESCINDING RESOLUTION 2021-075 (DISTRICT: NONE) (GENERAL SERVICES)
9. 090-2022 – MOTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH COMMEMORATIVE AIR FORCE, INC., TO PROVIDE FOR THE 2022 AIRSHOW AT MIDLAND INTERNATIONAL AIR & SPACE PORT (DISTRICT 4) (AIRPORTS)
10. 2022-104 – RESOLUTION APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND THE UNIVERSITY OF TEXAS OF THE PERMIAN BASIN, AS AUTHORIZED BY CHAPTER 791 OF THE TEXAS LOCAL GOVERNMENT CODE, TO ADVERTISE OR PUBLICIZE THE CITY OF MIDLAND FOR THE PURPOSE OF DEVELOPING NEW AND EXPANDED BUSINESS ENTERPRISES (DISTRICT: ALL) (CITY MANAGER)
11. 091-2022 – MOTION APPROVING A PROFESSIONAL SERVICES AGREEMENT

BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND PARKHILL, SMITH, & COOPER, INC., FOR PROFESSIONAL SERVICES RELATED TO A SITE ASSESSMENT AND DEVELOPMENT AT MIDLAND INTERNATIONAL AIR & SPACE PORT (DISTRICT 4) (CITY MANAGER)

13. 093-2022 – MOTION APPROVING A CONTRACT BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND RON OSBORN, INC., DBA ADVANCED ENVIRONMENTAL SERVICES FOR THE ABATEMENT OF HAZARDOUS MATERIALS WITHIN THE STRUCTURES LOCATED ON CERTAIN REAL PROPERTY DESCRIBED AS LOTS 1A AND 9-12, BLOCK 35, ORIGINAL TOWN OF MIDLAND, CITY OF MIDLAND, MIDLAND COUNTY, TEXAS (DISTRICT 2) (CITY MANAGER)
14. 094-2022 – MOTION APPROVING A CONSULTING SERVICES AGREEMENT BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND STRONG ENVIRONMENTAL SERVICES, LLC, FOR SERVICES RELATED TO THE ABATEMENT OF HAZARDOUS MATERIALS WITHIN THE STRUCTURES LOCATED AT CERTAIN REAL PROPERTY DESCRIBED AS LOTS 1A AND 9-12, BLOCK 35, ORIGINAL TOWN OF MIDLAND, CITY OF MIDLAND, MIDLAND COUNTY, TEXAS (DISTRICT 2) (CITY MANAGER)
15. 2022-105 – RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE EXECUTIVE COMMITTEE OF CITIES SERVED BY ATMOS WEST TEXAS (“CITIES”) AND ATMOS ENERGY CORP., WEST TEXAS DIVISION (THE “COMPANY”) REGARDING THE COMPANY’S 2022 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHMENT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; REQUIRING THE COMPANY TO REIMBURSE CITIES’ REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND AUTHORIZING AND DIRECTING THE CITY SECRETARY TO DELIVER THIS RESOLUTION TO THE COMPANY AND CITIES’ LEGAL COUNSEL (DISTRICT: NONE) (CITY MANAGER)
17. 095-2022 – MOTION AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY LICENSE (22-329-027) WITH NUSTAR PERMIAN TRANSPORTATION & STORAGE, L.L.C., REGARDING CITY-OWNED PROPERTY DESCRIBED AS SECTION 24 BLOCK 37, T-3-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS. (DISTRICT: NONE) (UTILITIES)

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

12. 092-2022 – MOTION APPROVING A PROMOTIONAL AGREEMENT BETWEEN THE MIDLAND DEVELOPMENT CORPORATION AND HIGHER ORBITS, INC., TO ADVERTISE AND PUBLICIZE THE CITY OF MIDLAND FOR THE PURPOSE OF

DEVELOPING NEW AND EXPANDED BUSINESS ENTERPRISES (DISTRICT: ALL)
(CITY MANAGER)

Council Member Poole reported that Higher Orbits is a wonderful organization and she is excited about the City's partnership with them. She added that they will be at the Fly into Fall event this weekend at Airpark and invited all to attend.

Robin Poole moved to approve Motion No. 092-2022; seconded by Jack Ladd.

The motion passed by the following vote:

AYE: Corrales, Poole, Blong, Payton, Dufford, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

16. 2022-106 – RESOLUTION AUTHORIZING THE EXECUTION OF A PURCHASE AND SALE AGREEMENT BETWEEN THE CITY OF MIDLAND, TEXAS, AND THE ARTS COUNCIL OF MIDLAND FOR THE SALE OF CERTAIN REAL PROPERTY DESCRIBED AS LOTS 19-24, BLOCK 176, AND LOTS 1-18, BLOCK 177, SOUTHERN ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS; AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL LEGAL DOCUMENTS AND INSTRUMENTS NECESSARY AND APPROPRIATE FOR THE CLOSING OF THE SALE OF SAID REAL PROPERTY (DISTRICT 2) (COMMUNITY SERVICES)

It was noted that this item was pulled so Council Member Corrales could abstain.

John Norman moved to approve Resolution No. 2022-106; seconded by Jack Ladd.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: Corrales

ABSENT: None

SECOND READINGS

18. 10330 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 1, BLOCK 1, BUSH TENNIS CENTER ADDITION, AND LOT 4, BLOCK 1, CROSS POINTE ADDITION, SECTION 2, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR A RECREATION CENTER, IN PART, AND MF-16, MULTIPLE-FAMILY DWELLING DISTRICT, IN PART, TO LR, LOCAL RETAIL DISTRICT (GENERALLY LOCATED ON THE NORTH SIDE OF BRIARWOOD AVENUE, APPROXIMATELY 2,000 FEET WEST OF HOLIDAY HILL 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 4) (DEVELOPMENT SERVICES) (FIRST READING HELD AUGUST 09, 2022)

Deputy City Secretary Vanessa White read the caption of Ordinance No. 10330.

Jack Ladd moved to approve the second and final reading of Ordinance No. 10330; seconded by Lori Blong.

The motion passed by the following vote:

AYE: Corrales, Poole, Blong, Payton, Dufford, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

19. 10332 – AN ORDINANCE EXTENDING THE BOUNDARIES OF THE CITY OF MIDLAND, TEXAS, BY ADDING THERETO A CERTAIN AREA ADJOINING THE PRESENT CITY LIMITS, BEING A 2.27-ACRE TRACT OF LAND OUT OF SECTION 22, BLOCK 40, T-1-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS (GENERALLY LOCATED ON THE EAST SIDE OF DUMFRIES ROAD, APPROXIMATELY 3,590 FEET NORTH OF HIGHWAY 158); ORDERING PUBLICATION; AND ORDERING RECORDATION BY THE CITY SECRETARY (DISTRICT 4) (DEVELOPMENT SERVICES) (FIRST READING HELD AUGUST 09, 2022)

Deputy City Secretary Vanessa White read the caption of Ordinance No. 10332.

Council Member Corrales asked if the applicant was present and asked the applicant if there are plans to develop or sell the property.

Richard Minnix, 5380 Dumfries, stated he was representing his mother the owner of the property, reported they have no plans for development of the property.

Council Member Corrales asked if a Council Member were to purchase this property would it be a conflict. City Attorney John Ohnemiller reported that with the information he has, no Council Member has a conflict on this item.

Dan Corrales moved to approve the second and final reading of Ordinance No. 10332; seconded by Jack Ladd.

The motion passed by the following vote:

AYE: Corrales, Poole, Payton, Dufford, Ladd, Norman

NAY: None

ABSTAIN: Blong

ABSENT: None

20. 10333 – AN ORDINANCE ESTABLISHING THE INITIAL ZONING CLASSIFICATION OF THE AREA INDICATED AS BEING A 2.27-ACRE TRACT OF LAND OUT OF SECTION 22, BLOCK 40, T-1-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS, AS AN AE, AGRICULTURAL ESTATE DISTRICT; SAID TRACT BEING GENERALLY LOCATED ON THE EAST SIDE OF DUMFRIES ROAD, APPROXIMATELY 3,590 FEET NORTH OF HIGHWAY 158; 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 4)

(DEVELOPMENT SERVICES) (FIRST READING HELD AUGUST 09, 2022)

Deputy City Secretary Vanessa White read the caption of Ordinance No. 10333.

Robin Poole moved to approve the second and final reading of Ordinance No. 10333; seconded by Jack Ladd.

The motion passed by the following vote:

AYE: Corrales, Poole, Payton, Dufford, Ladd, Norman

NAY: None

ABSTAIN: Blong

ABSENT: None

21. 10334 – AN ORDINANCE ESTABLISHING INTERSECTION STOPS AT VARIOUS LOCATIONS WITHIN THE CITY OF MIDLAND, TEXAS; AUTHORIZING AND DIRECTING THE TRAFFIC ENGINEER TO INSTALL APPROPRIATE SIGNS AND MARKINGS AT THE DESIGNATED LOCATIONS; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO HUNDRED DOLLARS (\$200.00); AND ORDERING PUBLICATION (DISTRICT: ALL) (ENGINEERING SERVICES) (FIRST READING HELD AUGUST 09, 2022)

Deputy City Secretary Vanessa White read the caption of Ordinance No. 10334.

Robin Poole moved to approve the second and final reading of Ordinance No. 10334; seconded by Jack Ladd.

The motion passed by the following vote:

AYE: Corrales, Poole, Blong, Payton, Dufford, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

PUBLIC HEARINGS

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

22. 10335 – GATHER PUBLIC INPUT ON THE PROPOSED 2022-2023 BUDGET; AND CONSIDER AN ORDINANCE OF THE CITY OF MIDLAND PROVIDING FUNDS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022, AND ENDING SEPTEMBER 30, 2023, BY APPROVING THE BUDGET FOR SAID PERIOD AND APPROPRIATING AND SETTING ASIDE THE NECESSARY FUNDS OUT OF THE GENERAL AND OTHER REVENUES AND UNAPPROPRIATED FUND BALANCE OF THE CITY OF MIDLAND FOR SAID FISCAL YEAR FOR THE MAINTENANCE AND OPERATION OF THE VARIOUS DEPARTMENTS AND FOR VARIOUS ACTIVITIES AND IMPROVEMENTS TO THE CITY; AND ORDERING PUBLICATION (DISTRICT: NONE) (FINANCE)

Deputy City Secretary Vanessa White read the caption of Ordinance No. 10335.

Finance Director Christy Weakland reported she is speaking about items 22 and 23. She

played a short video.

Mayor Payton opened the public hearing at 10:15 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. 10335; seconded by John Norman.

The motion passed by the following vote:

AYE: Corrales, Poole, Blong, Payton, Dufford, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

23. 10336 – TAX RATE INCREASE FOR FISCAL YEAR 2022-2023; AND CONSIDER AN ORDINANCE FIXING THE TAX LEVY FOR THE CITY OF MIDLAND, TEXAS, FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2022, AND ENDING ON SEPTEMBER 30, 2023 (DISTRICT: NONE) (FINANCE)

Deputy City Secretary Vanessa White read the caption of Ordinance No. 10336.

Finance Director Christy Weakland reported that the proposed tax rate is the “Voter Approval Rate” which is 3.5% over the “No New Revenue” rate. The Ordinance before Council is for the “Voter Approval Rate” of 3.5% over last year’s revenue.

Mayor Payton opened the public hearing at 10:16 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Council Member Dufford noted that the oil field inflation rate is 10% and he believes that Midland’s inflation is higher than that. Adopting a rate with a 3.5% increase doesn’t even help us keep up with inflation noting this is really a cut for Midland.

John Norman moved to approve the first of two readings of Ordinance No. 10336; seconded by Jack Ladd.

The motion passed by the following vote:

AYE: Payton, Dufford, Ladd, Norman

NAY: Corrales, Poole, Blong

ABSTAIN: None

ABSENT: None

Mayor Payton called for a brief recess at 10:19 a.m. The meeting was reconvened at 10:24 a.m. with all Council Members present.

Mayor Payton announced that in order to pass the “Voter Approval Rate” it required a super majority. Therefore, by default, the ordinance will be changed to reflect the “No New Revenue” rate of \$0.355039 per \$100 valuation. This issue will be taken up again at the next meeting when it comes back for second reading.

24. 10337 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 1.7-ACRE TRACT OF LAND OUT OF LOT 6, BLOCK 7, SKYVIEW DEVELOPMENT, SECTION 10, CITY AND COUNTY OF MIDLAND, TEXAS, FROM AE, AGRICULTURAL ESTATE DISTRICT TO CE, COUNTRY ESTATE DISTRICT (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF TODD DRIVE AND MARIE 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 2) (DEVELOPMENT SERVICES)

Deputy City Secretary Vanessa White read the caption of Ordinance No. 10337.

Development Services Director Chuck Harrington gave a brief overview of the item noting the applicant is proposing to rezone from AE to CE. Most of the lots do not meet requirements for AE. They will still meet development standards. Staff recommends approval. He explained that AE requires two-acre lot minimums and CE requires one-acre lot minimums. The plan is to build homes.

Mayor Payton opened the public hearing at 10:28 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. 10337; seconded by Dan Corrales.

The motion passed by the following vote:

AYE: Corrales, Poole, Blong, Payton, Dufford, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

25. 10338 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 0.77-ACRE TRACT OF LAND OUT OF THE SOUTHEAST QUARTER OF SECTION 10, BLOCK 39, T-2-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FROM C, COMMERCIAL DISTRICT TO O-1, OFFICE DISTRICT (GENERALLY LOCATED ON THE WEST SIDE OF WAYSIDE DRIVE, APPROXIMATELY 57 FEET NORTH OF EAST GIST 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)

Deputy City Secretary Vanessa White read the caption of Ordinance No. 10338.

Development Services Director Chuck Harrington gave a brief overview of the item noting the applicant is proposing to build an office and the current zoning doesn't allow for that. It will be for a security business he operates. He concluded that O-1 would be a better buffer to the surrounding residential neighborhood.

Mayor Payton opened the public hearing at 10:30 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

John Norman moved to approve the first of two readings of Ordinance No. 10338; seconded by Lori Blong.

The motion passed by the following vote:

AYE: Corrales, Poole, Blong, Payton, Dufford, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

26. 10339 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR LOTS 1 AND 2, BLOCK 12, WEST END ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF WEST TEXAS AVENUE AND NORTH C STREET), WHICH IS PRESENTLY ZONED O-1, OFFICE 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 3) (DEVELOPMENT SERVICES)

Deputy City Secretary Vanessa White read the caption of Ordinance No. 10339.

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

Dan Corrales moved to approve the first of two readings of Ordinance No. 10339; seconded by Jack Ladd.

The motion passed by the following vote:

AYE: Corrales, Poole, Blong, Payton, Dufford, Ladd, Norman

NAY: None

ABSTAIN: None

ABSENT: None

27. 10340 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE THE TRACT OF LAND DESCRIBED AS LOTS 7 THROUGH 9, BLOCK 93, A 0.263-ACRE PORTION OF BLOCK 96, THE NORTH 40 FEET OF THE WEST 175 FEET OF BLOCK 104, THE ABANDONED PORTIONS OF THE BRUNSON STREET RIGHT-OF-WAY, A 14,408-SQUARE FOOT PORTION OF WEST INDIANA STREET RIGHT-OF-WAY, AND A 2,650-SQUARE FOOT PORTION OF THE ABANDONED BRUNSON AVENUE RIGHT-OF-WAY, WEST END ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM 2F, TWO-FAMILY DWELLING (DUPLEX) DISTRICT, IN PART, AND SF-1, SINGLE-FAMILY DWELLING DISTRICT, IN PART, TO PD, PLANNED DEVELOPMENT DISTRICT FOR A CIVIC CENTER AND COMMUNITY

CENTER (GENERALLY LOCATED ON THE EAST SIDE OF THE INTERSECTION OF SOUTH L STREET AND WEST INDIANA 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 3) (DEVELOPMENT SERVICES)

Deputy City Secretary Vanessa White read the caption of Ordinance No. 10340.

Mayor Payton opened the public hearing at 10:32 a.m. There being no one present wishing to speak, the public hearing was immediately closed.

Robin Poole moved to approve the first of two readings of Ordinance No. 10340; seconded by Scott Dufford.

The motion passed by the following vote:

AYE: Corrales, Poole, Blong, Payton, Dufford, Norman

NAY: None

ABSTAIN: Ladd

ABSENT: None

28. 10341 – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITH TERM FOR A 36,700-SQUARE FOOT PORTION OF LOT 3A, BLOCK 1, NORTH PARK ADDITION, SECTION 5, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE EAST SIDE OF NORTH MIDKIFF ROAD, APPROXIMATELY 340 FEET NORTH OF WEST LOOP 250 NORTH), WHICH IS PRESENTLY ZONED RR, REGIONAL RETAIL DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR THE SALE OF ALL ALCOHOLIC BEVERAGES IN AN INDOOR COMMERCIAL AMUSEMENT FACILITY 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 Vanessa White read the caption of Ordinance No. 10341.

Mayor Payton opened the public hearing at 10:33 a.m.

Gina Marie Soto, 6004 Medina Drive, reported they are asking for a TABC license for certain hours. She added that the entire City has been helpful to make this happen.

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

Dan Corrales moved to approve the first of two readings of Ordinance No. 10341; seconded by Robin Poole.

The motion passed by the following vote:

AYE: Corrales, Poole, Blong, Payton, Dufford, Ladd, Norman

NAY: None
ABSTAIN: None
ABSENT: None

PUBLIC COMMENT

29. 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.

All the business at hand having been completed, the meeting adjourned at 10:36 a.m.

PASSED AND APPROVED September 13, 2022.

Patrick Payton, Mayor

ATTEST:

Amy M. Turner, City Secretary