

On this the 7th day of April 2022, the City Council of the City of Brownfield met in a regular session with the following members present:

Mayor Tom Hesse
Mayor Pro-Tem Besler
Council Member Isaiah Bautista, At Large
Council Member Michael Tackitt, At Large
Council Member Ricky Rocha, District 1
Council Member Celso Duran, District 2
Council Member Michelle Cooper, District 4
Council Member Eric Horton, District 5

Others Present:
City Manager, Jeff Davis
City Secretary Kelly Burris
City Attorney, Matt Wade

Mayor Hesse declared a quorum present and called the meeting to order.

The invocation was led by Eric Horton.

The Pledge of Allegiance to the American Flag and Texas Flag were led by Mayor Hesse.

The first item for the Council was to hear public comment on agenda items. The following spoke during public comment:

Freddy Quesada – Spoke regarding paving the caliche roads on the southwest side of Brownfield.

Danny Elmore – Spoke regarding paving the caliche roads on the southwest side of Brownfield.

Rene Luna on behalf of Estella Luna – Spoke regarding paving the caliche roads on the southwest side of town.

After public comment, the Council skipped to item number 8 on the agenda, to discuss the 2021-2022 City of Brownfield strip paving project and take any necessary action. In the 2020-2021 fiscal year budget, allocations were made to begin strip paving streets within the city. Criteria for selecting roadways was established and the 2020-2021 streets to be strip paved was selected. Due to many factors no streets were strip paved during the 2020-2021 fiscal year, however no funds were expended. In the 2021-2022 fiscal year budget funds were budget for strip paving of streets again. Staff has been working with an engineering firm to begin the process and needs to select the proposed 2021-2022 strip paving streets. Available funds are \$430,000.00 since no funds were spent during the last fiscal year. City Manager, Jeff Davis, spoke regarding the plan to have all streets within the City of Brownfield paved in the up coming years. No action was taken on this item.

The next item for the Council was to approve the minutes of March 17, 2022. Council Member Horton moved with a second from Council Member Bautista to approve the minutes of March 17, 2022, as presented. This motion was put to a vote with Council Member Besler, Bautista, Tackitt, Rocha, Duran, Cooper, and Mayor Hesse voting “Aye” none “No”. Mayor Hesse declared the motion carried and ordered the same to be recorded upon the minutes of the City of Brownfield.

Council then recognized the Employee of the Month for April 2022. The Director of Street and Sanitation, Javier Duran, recognized Nacho Gonzales as the Employee of the Month for April 2022. No action was taken.

Next, the Council heard and considered the quarterly update and report by the City of Brownfield Director of Electric Utilities. Cat Gonzalez presented the quarterly report for the quarter ending December 31, 2021. Council Member Tackitt moved with a second from Council Member Cooper to approve the quarterly update and report for the City of Brownfield Director of Electric Utilities for the quarter ending December 31, 2021, as presented. This motion was put to a vote with Council Member Besler, Bautista, Tackitt, Rocha, Duran, Cooper, and Mayor Hesse voting "Aye" none "No". Mayor Hesse declared the motion carried and ordered the same to be recorded upon the minutes of the City of Brownfield.

The Council then heard and considered the quarterly update and report by the City of Brownfield Director of Water and Wastewater. James Nix presented the quarterly report for the quarter ending December 31, 2021. Council Member Cooper moved with a second from Council Member Besler to approve the quarterly update and report for the City of Brownfield Director of Water and Wastewater for the quarter ending December 31, 2021, as presented. This motion was put to a vote with Council Member Besler, Bautista, Tackitt, Rocha, Duran, Cooper, and Mayor Hesse voting "Aye" none "No". Mayor Hesse declared the motion carried and ordered the same to be recorded upon the minutes of the City of Brownfield.

At 7:52 A.M. the Council held a public hearing on Ordinance No. 2127 amending the City of Brownfield, Texas Code of Ordinances Chapter 14, Article 14.200, Exhibit A, Article 2, Section 203, "Administrative Adjustments" as it relates to carports; renaming Article 4, Section 513, from "Carports in Required Yards" to "Carports in R&E, R-1 and R-2 Zoning Districts"; amending Article 4, Section 513, as it relates to the construction, design, size, placement, use and location of carports; providing a penalty; providing an effective date; lifting any applicable construction moratoriums, providing for a severability clause; and providing for publication. On October 14, 2021, the Council adopted Ordinance No. 2121 placing a moratorium on the installation, permitting and erection of carports in the City of Brownfield. The attorney and staff recommended standards on carports to the Planning and Zoning Commission for approval. The Planning and Zoning Commission made changes and on March 15, 2022, held a public hearing, and approved the recommendations. The Planning and Zoning Commission recommends Ordinance No. 2127 to the Brownfield City Council for approval. A public hearing must be held before any ordinance can be adopted by the City Council. At 7:53 A.M. the public hearing was closed since no one wished to speak.

The Council then discussed and considered Ordinance No. 2127 amending the City of Brownfield, Texas Code of Ordinances Chapter 14, Article 14.200, Exhibit A, Article 2, Section 203, "Administrative Adjustments" as it relates to carports; renaming Article 4, Section 513, from "Carports in Required Yards" to "Carports in R&E, R-1 and R-2 Zoning Districts"; amending Article 4, Section 513, as it relates to the construction, design, size, placement, use and location of carports; providing a penalty; providing an effective date; lifting any applicable construction moratoriums, providing for a severability clause; and providing for publication. On October 14, 2021, the council adopted an Ordinance No. 2121 placing a moratorium on the installation, permitting and erection of carports in the City of Brownfield. The attorney and staff recommended standards on carports to the Planning and Zoning Commission for approval. The Planning and Zoning Commission made changes and on March 15, 2022, held a public hearing, and approved the recommendations. The Planning and Zoning Commission recommends

Ordinance No. 2127 to the Brownfield City Council for approval. After the public hearing, the City Council may adopt the Ordinance. City Manager, Jeff Davis and City Attorney, Matt Wade, spoke regarding the changes made to the ordinance. After some discussion, Council Member Horton moved with a second from Council Member Besler to approve Ordinance No. 2127 with the following changes: remove the verbiage in Section 4, Subsection 2 stating “in order to allow a carport to be constructed in the front yard, a previously constructed carport located within a front yard must exist on a lot on the same or opposing block face.” Also, to allow enough square footage for a three-car carport for all property sizes with a maximum of 660 square feet. This motion was put to a vote with Council Member Besler, Bautista, Tackitt, Rocha, Duran, Cooper, and Mayor Hesse voting “Aye” none “No”. Mayor Hesse declared the motion carried and ordered the same to be recorded upon the minutes of the City of Brownfield.

Next, the Council considered the request for proposal #2022-0088 North Cedar Street curb and gutter improvements. On March 29, 2022, bids for the 2022 North Cedar Street Curb and Gutter Improvement Project were read aloud at 2:00 p.m. Two bids were received and are as follows:

Requirements	Dave’s contracting	T & T Earth Movers
Curb and Gutter LF	\$22.00	\$23.59
Driveway approach Sq/ft	\$6.00	\$11.97
Remove existing Sq/ft	\$3.25	\$35.06

City Manager, Jeff Davis, reviewed the project and the bids received. Council Member Tackitt moved with a second from Council Member Horton to accept the bid from Dave’s Contracting. This motion was put to a vote with Council Member Besler, Bautista, Tackitt, Rocha, Duran, Cooper, and Mayor Hesse voting “Aye” none “No”. Mayor Hesse declared the motion carried and ordered the same to be recorded upon the minutes of the City of Brownfield.

Council then discussed and considered the franchise agreement between the City of brownfield and Ryno Recycling for the consent and right to use dedicated easement and rights-of-way to provide recycling services within the corporate limits of the City of Brownfield. Ryan Owen with Ryno Recycling presented his proposed business plan and requested the use of easements and right-of -ways for his plan. Council Member Horton moved with a second from Council Member Cooper to approve the franchise agreement between the City of Brownfield and Ryno Recycling. This agreement will require three readings, the second reading is scheduled for the Council meeting on April 21, 2022. This motion was put to a vote with Council Member Besler, Bautista, Tackitt, Rocha, Duran, Cooper, and Mayor Hesse voting “Aye” none “No”. Mayor Hesse declared the motion carried and ordered the same to be recorded upon the minutes of the City of Brownfield.

The Council then discussed and considered a recommendation from the Ambulance Board for the licensing of Brownfield Fire Department as an emergency medical provider through the State of Texas to provide assistance to the Brownfield Emergency Medical Service with calls. On March 23, 2022, the Ambulance Board heard and discussed the licensing of the Brownfield Fire and Rescue as an emergency medical provider for Brownfield and Terry County to assist the Brownfield Emergency Medical Services with calls. During this item, Tyler Franklin and Dennis Rowe spoke regarding the necessity and liability of licensing the Brownfield Fire and Rescue. After some discussion, the Ambulance Board recommends to the City Council that the Brownfield Fire Department acquire an Emergency Medical Provider license through the State of Texas in order to support the Brownfield EMS with calls.

City Manager, Jeff Davis, recommended to have a meeting with Brownfield EMS and city staff to put an agreement together and bring back to the Council. Council Member Cooper moved with a second from Council Member Horton to table this item. This motion was put to a vote with Council Member Besler, Bautista, Tackitt, Rocha, Duran, Cooper, and Mayor Hesse voting “Aye” none “No”. Mayor Hesse declared the motion carried and ordered the same to be recorded upon the minutes of the City of Brownfield.

Next, the Council discussed and considered the lease agreement with Altice USA for the placement, maintenance, and operation of a concrete pad, telecommunication cabinet, and generator on the city owned property located below the elevated storage tank at 4th Street and West Tate Street. Altice USA has requested the use of approximately three hundred square feet of city owned property below the water tower at the intersection of 4th and West Tate. The city has previously denied all requests for the lease of any owned property for anything. City Manager, Jeff Davis, reviewed the request from Altice USA. Council Member Horton moved with a second from Council Member Duran to deny leasing the city owned property located below the water tower at the intersection of 4th and West Tate Street. This motion was put to a vote with Council Member Besler, Bautista, Tackitt, Rocha, Duran, Cooper, and Mayor Hesse voting “Aye” none “No”. Mayor Hesse declared the motion carried and ordered the same to be recorded upon the minutes of the City of Brownfield.

Council then discussed and considered the extension, renewal, amendment, or cancelation of the Declaration of Local Disaster-Mayoral Order No. 1 due to the public health emergency to slow and prevent the spread of COVID-19 in the City of Brownfield. Council Member Horton moved with a second from Council Member Tackitt to let the Declaration of Local Disaster-Mayoral Order No. 1 deny and do not renew the order. This motion was put to a vote with Council Member Besler, Bautista, Tackitt, Rocha, Duran, Cooper, and Mayor Hesse voting “Aye” none “No”. Mayor Hesse declared the motion carried and ordered the same to be recorded upon the minutes of the City of Brownfield.

Next, the Mayor reviewed the announcements. No action was taken.

With no further business to discuss, the meeting was adjourned.

Attest:

Kelly Burris, City Secretary

Tom Hesse, Mayor