

MINUTES
REGULAR MEETING
TUESDAY, FEBRUARY 28, 2023

The City Council of the City of Monahans, Texas convened on the above date at 3:00 p.m. in the Council Chambers of City Hall with the following members, officers and visitors present:

Adam Steen	Mayor
Rudy Hernandez (<i>absent</i>)	Council Member District No. 1
Jeppie S. Wilson, Jr.	Council Member District No. 2/Mayor Pro Tem
Calvin Carrell	Council Member District No. 3
Ivy Valenzuela	Council Member District No. 4
Richard Hawkins	Council Member District No. 5

Rex M. Thee	City Manager
Frank Heslin	Assistant City Manager
Tonya Todd	City Secretary
Justin Till	Attorney for the City

Kristofer Quintana	Chief of Police MPD
Stormey Laws	Captain MPD
Richard Allen	Sergeant MPD
Beckett Smith	Self
Kaden Smith	Self
Leahdesa Smith	Self
Roy Bean	Justice of the Peace 2 & 3
Teresa Burnett	Executive Director Chamber of Commerce
Christy Sullivan	The Monahans News
Haylie Brito	Self
Richard Covington	Public Works Director

ITEM #1 & ITEM #2 Mayor Steen called the meeting to order and Councilman Wilson gave the invocation.

ITEM #3 City Manager Rex M. Thee briefed the Council on approving the minutes of the February 14, 2023 Regular Council Meeting.

Motion by Councilman Carrell, seconded by Councilman Hawkins to approve the minutes of the February 14, 2023 Regular Council Meeting.

Votes were as follows:	Absent	Rudy Hernandez
	“Aye”	Jeppie Wilson
	“Aye”	Calvin Carrell

“Aye” Ivy Valenzuela
“Aye” Richard Hawkins

Motion carried.

ITEM #4 Consider and Act Upon approving the following consent items:

- a. Accounts Payable in the amount of \$904,122.84
- b. Resolution No. 2023-008 Regarding Tax Roll Adjustment
- c. Monthly Reports/Minutes: (a) Airport Manager’s Monthly Report (b) Animal Control Monthly Report, (c) Building Permit Monthly Report, (d) Code Enforcement Monthly Report (e) MEDC Minutes and Monthly Financial Report, (f) Municipal Court Monthly Report, (g) City Monthly Fund Balance Report, (h) City Monthly Revenue and Expenditure Comparison Summary Report

Motion by Councilman Valenzuela seconded by Councilman Hawkins to approve the consent items.

Votes were as follows:

Absent	Rudy Hernandez
“Aye”	Jeppie Wilson
“Aye”	Calvin Carrell
“Aye”	Ivy Valenzuela
“Aye”	Richard Hawkins

Motion carried.

ITEM #5 Presentation by citizens to be heard. Mayor Steen acknowledged Kaden Smith for being in attendance to further his education by observing a City Council meeting for his college level course. Chamber of Commerce Executive Director Teresa Burnett mentioned that Ward County Day, at the Capitol, in Austin, Texas will be March 9, 2023. Ms. Burnett mentioned that the Chamber is working on many events coming up this summer. Ms. Burnett stated that there is a wave of interest for businesses looking for buildings in Monahans.

ITEM #6 City Manager Rex M. Thee briefed the Council regarding the Second and Final Reading of Ordinance No. 1306 amending Chapter 20 of the Code of Ordinances of the City of Monahans: Peddlers and Solicitors, Itinerant Merchants and Vendors. Mr. Thee indicated that this ordinance passed on the first reading, at the previous meeting. Mr. Thee mentioned that the ordinance addresses weaknesses which allow little control over solicitors who are noncommercial (not selling or promoting a product) such as charities, religious groups, political advocates, and other organizations. Mr. Thee stated that this will be the second and final reading. Mayor Steen read the caption of Ordinance No. 1306 out loud.

Motion by Councilman Carrell, seconded by Councilman Wilson to approve the Second and Final Reading of Ordinance No. 1306:

ORDINANCE NO. 1306

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONAHANS, TEXAS, REGULATING THE ACTIVITIES OF CERTAIN SOLICITORS, REQUIRING A LICENSE AND ACCOMPANYING FEES AND INSURANCE COVERAGE, AND PROVIDING AN EFFECTIVE DATE.

Votes were as follows:	Absent	Rudy Hernandez
	“Aye”	Jeppie Wilson
	“Aye”	Calvin Carrell
	“Aye”	Ivy Valenzuela
	“Aye”	Richard Hawkins

Motion carried

ITEM #7 City Manager Rex M. Thee briefed the Council regarding the Second and Final Reading of Ordinance No. 1307 to permanently reduce the speed limit on a .803 mile section of State Highway 18, South of IH-20, inside the City limits from 55 MPH to 50 MPH. Mr. Thee indicated that this ordinance passed on the first reading, at the previous meeting. Mr. Thee mentioned that the State is lowering the speed limit south on SH-18 for 3.686 miles, and this ordinance will allow the reduction in speed on the portion that is in the City limits. Mr. Thee stated that TxDOT will provide and install all signage and road markings. Mayor Steen read the caption of Ordinance No. 1307 out loud.

Motion by Councilman Hawkins, seconded by Councilman Carrell to approve the Second and Final Reading Ordinance No. 1307:

ORDINANCE NO. 1307

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONAHANS, TEXAS, ADOPTING SPEED LIMITS ON SH-18 AS PER SPEED ZONE MAP PROMULGATED BY TEXAS DEPARTMENT OF TRANSPORTATION, DATED OCTOBER 26, 2022, PROVIDED THAT THE MAXIMUM LEGAL SPEED LIMITS FOR THE ZONES SHOWN THEREIN SHALL HEREAFTER BE AND CONSTITUTE THE MAXIMUM LAWFUL SPEED LIMITS IN SUCH AREAS SO DESIGNATED, AUTHORIZING AND DIRECTING THAT PROPER AND APPROPRIATE SIGNS BE ERECTED SPECIFYING THE MAXIMUM SPEED LIMITS AS PROVIDED, INCORPORATING SAID SPEED ZONE MAP BY REFERENCE AS A PART OF THIS ORDINANCE, AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

Votes were as follows:	Absent	Rudy Hernandez
	“Aye”	Jeppie Wilson
	“Aye”	Calvin Carrell
	“Aye”	Ivy Valenzuela
	“Aye”	Richard Hawkins

Motion carried.

ITEM #8 City Manager Rex M. Thee briefed the Council regarding the First Reading of Ordinance No. 1308 adopting and enacting a new Code of Ordinances. Mr. Thee indicated as per the Memorandum of Understanding (MOU) with Franklin Legal Publishing signed in December, the re-codification of the City Code of Ordinances is complete. Mr. Thee mentioned that City staff, Justin Till, and himself have been working with Franklin Legal Publishing, of Lubbock, for a full legal review, update, and online placement, service and hosting of the City of Monahans Code of Ordinances. Mr. Thee stated that Franklin Legal pointed out specific or potential problem areas in the code which City staff reviewed and agreed upon. Mr. Thee stated that sixty-six (66) changes to the Codes have been made, and the Codes are in a new more user-friendly format. Mr. Thee stated that these changes do not include the City Charter. Mayor Steen read the caption of Ordinance No. 1308 out loud.

Motion by Councilman Carrell, seconded by Councilman Valenzuela to approve the First Reading of Ordinance No. 1308:

ORDINANCE NO. 1308

AN ORDINANCE OF THE CITY OF MONAHANS, TEXAS, ADOPTING AND ENACTING A NEW CODE OF ORDINANCES; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF NOT EXCEEDING \$500 GENERALLY OR NOT EXCEEDING \$2,000 FOR VIOLATIONS RELATING TO FIRE SAFETY, ZONING OR PUBLIC HEALTH AND SANITATION OR NOT EXCEEDING \$4,000 FOR VIOLATIONS RELATING TO DUMPING OF REFUSE; PROVIDING FOR THE AMENDMENT OF SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

Votes were as follows:	Absent	Rudy Hernandez
	“Aye”	Jeppie Wilson
	“Aye”	Calvin Carrell
	“Aye”	Ivy Valenzuela
	“Aye”	Richard Hawkins

Motion carried.

ITEM #9 City Manager Rex M. Thee briefed the Council regarding participation in the Allergan, CVS, Walgreens, and Walmart Settlements and authorize City Manager to submit Subdivision Participation Forms. Mr. Thee indicated that signing the participation forms will release these distributors from any further opioid related suits by the City. Mr. Thee mentioned that the settlement amount will be under \$10,000 and will be earmarked for Police Officer training.

Motion by Councilman Wilson, seconded by Councilman Hawkins to authorize City Manager Rex M. Thee to submit the subdivision participation forms in the Allergan, CVS, Walgreens, and Walmart Settlements.

Votes were as follows:	Absent	Rudy Hernandez
	“Aye”	Jeppie Wilson
	“Aye”	Calvin Carrell
	“Aye”	Ivy Valenzuela
	“Aye”	Richard Hawkins

Motion carried.

Item #10 City Manager Rex M. Thee briefed the Council with regards to acknowledging Certification of Unopposed Candidates for the May 6, 2023 General Election. Mr. Thee indicated that the City has received certification that Adam Steen Mayor at Large, Jeppie Wilson District No. 2, and Calvin Carrell District No. 3 are unopposed candidates for the May 6, 2023, City of Monahans General Election.

Motion by Councilman Hawkins, seconded by Councilman Valenzuela to acknowledge receipt of the Certification of Unopposed Candidates for the May 6, 2023 General Election.

Votes were as follows:	Absent	Rudy Hernandez
	“Aye”	Jeppie Wilson
	“Aye”	Calvin Carrell
	“Aye”	Ivy Valenzuela
	“Aye”	Richard Hawkins

Motion carried.

Item #11 City Manager Rex M. Thee briefed the Council regarding Resolution No. 2023-009 Cancelling the May 6, 2023 City of Monahans General Election for Unopposed Races and Declaring those elected Mayor At Large, Council Member District No. 2 and Council Member District No. 3. Mr. Thee indicated that with receipt of the Certification of Unopposed Candidates, the Council will need to cancel the City of Monahans General Election that was to be held May 6, 2023 and declare those candidates elected. Mr. Thee reminded the Council that this does not include the Special Election scheduled for May 6, 2023.

Motion by Councilman Hawkins, seconded by Councilman Valenzuela to approve Resolution No. 2023-009: That the City Council of the City of Monahans cancels the General Election that was to be held on May 6, 2023 and declares that Adam Steen is elected to Mayor, Jeppie Wilson is elected to Council Member District No. 2, and Calvin Carrell is elected to Council Member District No. 3. The officers will take the oath of office, at a time to be determined, as though the election had been held and canvassed. The City Secretary is directed to post a copy of the

attached Bilingual Order of Cancellation at the polling place that would have been used on May 6, 2023.

Votes were as follows: Absent Rudy Hernandez
 "Aye" Jeppie Wilson
 "Aye" Calvin Carrell
 "Aye" Ivy Valenzuela
 "Aye" Richard Hawkins

Motion carried.

ITEM #12 Motion by Councilman Hawkins, seconded by Councilman Valenzuela to adjourn meeting at 3:16 p.m.

Votes were as follows: Absent Rudy Hernandez
 "Aye" Jeppie Wilson
 "Aye" Calvin Carrell
 "Aye" Ivy Valenzuela
 "Aye" Richard Hawkins

Motion carried.

Passed and approved by the Monahans City Council on March 14, 2023.

ATTEST:

APPROVED:

Tonya Todd, City Secretary

Adam Steen, Mayor