

MINUTES
REGULAR MEETING
TUESDAY, MAY 11, 2021

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:

Absent-David B. Cutbirth	Mayor
Rudy Hernandez	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
Absent-Richard Hawkins	Council Member District No. 5
Rex M. Thee	City Manager
Absent-Frank Heslin	Assistant City Manager
Tonya Todd	City Secretary
Alan Nicholas	Attorney for the City
Teresa Burnett	Executive Director Chamber of Commerce
Ashley Aduato	Director Monahans Economic Development Corporation
Adam Steen	Self
Randy Crabtree	Fire Chief MVFD
Richard Covington	Public Works Director
Billy Riley	Chief of Police MPD
Paul Scifres	The Monahans News

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

ITEM #3 City Manager Rex M. Thee briefed the Council regarding the Canvass of the May 1, 2021 Election Returns and Issue Certificates of Election. Mr. Thee stated that during early voting it was discovered that 33 persons were on the City’s registered voters list that should not have been. Mr. Thee stated that the Voter Registrar Vicki Heflin provided the City with a supplement list of registered voters and 31 of the 33 persons were removed, in accordance with the Texas Election Code. Mr. Thee mentioned that two voters had voted before this was discovered and the Secretary of State advised that there was nothing to do at this point other than follow the supplemental list provided. Mr. Thee stated that Tonya Todd provided a letter with a full explanation that will be preserved with the permanent records of the City’s Elections for transparency and historical purposes. Mr. Thee handed Mayor Pro Tem Wilson the Election Returns Envelope and he read the results aloud and reviewed the tally sheet.

<u>Mayor</u>	<u>Early Voting</u>	<u>Election Day Voting</u>	<u>Total</u>
David B. Cutbirth	232	191	423
Adam Steen	226	221	447

Mayor Pro Tem Wilson stated “this concludes the Canvass of the May 1, 2021 General Election.” Mayor Pro Tem Wilson read aloud and issued Certificates of Election to Adam Steen, Mayor, Jeppie S. Wilson, Jr., District No. 2, and Calvin Carrell District No. 3. Councilman Wilson and Councilman Carrell were unopposed candidates and declared winners on February 23, 2021 and their races were cancelled.

ITEM #4 City Manager Rex M. Thee briefed the Council with regards to approving Resolution 2021-017 to Declare Election Results.

Motion by Councilman Valenzuela, seconded by Councilman Carrell to approve Resolution No. 2021-017:

Section 1: That the above canvass be, and the same is hereby approved.

Section 2: That the following be, and the same is hereby declared to have been elected to the office of the Mayor to serve until May 2023 or until successors are duly elected and qualified: Mayor - Adam Steen

Section 3: Unopposed Candidates Declared Elected February 23, 2021.

Jeppie Wilson Council Member District No. 2

Calvin Carell Council Member District No. 3

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

Motion carried.

ITEM #5 City Manager Rex M. Thee briefed the Council on approving the minutes of the April 27, 2021 Regular Council Meeting.

Motion by Councilman Valenzuela, seconded by Councilman Hernandez to approve the minutes of the April 27, 2021, Regular Council Meeting, as presented.

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

Motion carried.

ITEM #6 Consider and Act Upon approving the following consent items:

- a. Accounts Payable in the amount of \$720,842.53
- b. Resolution No. 2021-016 Regarding Tax Roll Adjustments
- c. Monthly Reports/Minutes: (a) Airport Manager’s Monthly Report, (b) Animal Control Monthly Report, (c) Building Permit Monthly Report, (d) Code Enforcement Officer’s 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 Carrell, seconded by Councilman Hernandez to approve the consent items.

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

Motion carried.

ITEM #7 Presentation by citizens to be heard. Teresa Burnett, Chamber of Commerce Director, mentioned that they have 76 teams from surrounding areas for their upcoming Golf Tournament. Ms. Burnett mentioned that Permian Strategic Partnership (PSP) has hired a group of Grant Writers to work with our community, writing grants that can be used on needed projects in our community. Mayor Pro Tem Wilson thanked the Chamber for the outstanding job that they do. Ashley Aduato, MEDC Director, stated that the 8:28 Car Wash has electricity and will be open for business very soon.

ITEM #8 Public Hearing: Open for comments regarding the request of the Code Enforcement Officer to declare Lots 2, 3, &4, Block 16, Monahans Original Town (M.O. T.) Addition, City of Monahans, Ward County (A.K.A. 315 E. “A” St.), to be an unsafe structure and to order the same be vacated, repaired, secured, or demolished and/or shut off utilities.

Close Public Hearing

Mayor Pro Tem Wilson opened the Public Hearing. City Manager Rex M. Thee briefed the Council regarding said property. Mr. Thee stated that the Code Enforcement Officer Richard Covington has provided pictures and a letter from the Building Inspector Joel Melendez stating the condition of the property. During the Public Hearing City Manager asked the following questions based on the information provided.

- Is the building, structure, or any part thereof likely to partially or fully collapse? Yes, response from the Council.
- Is the structure or any part thereof constructed or maintained in violation of any provision of the City’s Building and Structures Code, or any other applicable ordinance or law of the city, county, state or federal government? Yes, response from the Council.
 - Is one or more walls or other vertical structural members list, lean, or buckle to such an extent that a plumb line passing through the center of gravity falls outside of the middle third or its base? Yes, response from the Council
 - Is the foundation or the vertical or horizontal supporting members twenty five percent (25%) or more damaged or deteriorated? Yes, response from the Council.
 - Is non-supporting coverings of walls, ceilings, roofs, or floors fifty percent (50%) or more damaged or deteriorated? Yes, response from the Council.

No other comments were received. Mayor Pro Tem Wilson closed the Public Hearing.

ITEM #9 City Manager Rex M. Thee briefed the Council on the City Council’s Findings and Order regarding the structure at Lots 2, 3, & 4, Block 16, Monahans Original Town (M.O.T.) Addition, City of Monahans, Ward County (A.K.A. 315 E. “A” St.). Mr. Thee indicated that the City has a notarized letter from the owner, Monique Rodriguez, authorizing the City of Monahans to enter upon the property to demolish and remove all structures.

Mayor Pro Tem Wilson read aloud the Order as follows:

CITY OF MONAHANS

CITY COUNCIL’S FINDINGS AND ORDER

BE IT REMEMBERED THAT ON May 11, 2021, the City Council of the City of Monahans, Texas conducted a public hearing regarding the structure described as Lots 2, 3, &4, Block 16, Monahans Original Town (M.O. T.) Addition, City of Monahans, Ward County (A.K.A. 315 E. “A” St.).

After considering the evidence presented, the Council finds that the structure is:

An unsafe structure based on the standards set forth in our Code of Ordinances, Chapter 6, Article III Sections 6-31 & 6-32. Having found the structure to be unsafe, the Council also finds that the structure. May not be feasibly repaired in compliance with the City’s Code of Ordinances.

IT IS THEREFORE ORDERED THAT:

The City of Monahans shall demolish/remove the structure, after proper notices are given and as soon as possible. Since the building is being ordered demolished, the Council recommends that the City disconnect water and all other utilities.

IT IS FURTHER ORDERED BY THE COUNCIL THAT:

Failure by the owner, mortgagee, or lienholder to comply with this Order in the allotted time, may result in the City taking requisite actions to demolish the structure, clean and grade the lot, and establish a lien on the property without further notice or hearing.

The City Secretary shall file a copy of this order with the City within 10 days of the date of this order and publish in a newspaper of general circulation the street address/legal description of the Property, the date of the hearing, a brief statement of the results of this order and provide notice that a copy of this order and the minutes of the meeting may be reviewed and/or obtained during regular business hours in the office of the City Secretary.

Motion by Councilman Carrell, seconded by Councilman Valenzuela to approve the City Council’s Findings and Order and authorize the City of Monahans to proceed with final notices and demolish the structure at 315 E. “A” Street, Lots 2, 3, & 4, Block 16 Monahans Original Town (M.O.T.).

Mayor Pro Tem Wilson asked for a show of hands.

Votes were as follows: “Aye”/show of hands Rudy Hernandez

“Aye”/show of hands Jeppie Wilson
“Aye”/show of hands Calvin Carrell
“Aye”/show of hands Ivy Valenzuela
Absent Richard Hawkins

Motion carried.

ITEM #10 City Manager Rex M. Thee briefed the Council regarding a request from Crossroads Church to close 3rd Street off from Allen to Bruce from 7:00 a.m. to 4:00 p.m. on June 20, 2021. Mr. Thee indicated that the Church wants to have a Fathers’ Day celebration and need the area for activities. Mr. Thee stated that the City has allowed this before and have had no issues.

Motion by Mayor Pro Tem Wilson, seconded by Council Hernandez to approve the request from Crossroads Church to close 3rd Street off from Allen to Bruce from 7:00 a.m. to 4:00 p.m. on June 20, 2021.

Votes were as follows:

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

Motion carried.

ITEM #11 City Manager Rex M. Thee briefed the Council regarding Resolution 2021-018 Amending the Constitution and Bylaws of the Monahans Volunteer Fire Department. Mr. Thee indicated that the MVFD voted to reduce the waiting period for a person to reapply, who applied but did not receive enough votes to join the department, from 6 months to 6 weeks.

Motion by Councilman Carrell, seconded by Councilman Hernandez to approve Resolution No. 2021-018:

Section 1. That the Constitution and Bylaws attached here to as Exhibit “A”, and submitted to this City Council by the Monahans Volunteer Fire Department are hereby approved by the City Council of the City of Monahans, Texas.

Section 2. That Article XIII, Section 3 is revised, as presented.

Section 3. This Resolution is effective immediately upon passage and repeals any prior resolutions, policies or practices inconsistent or in conflict with this Resolution.

Votes were as follows:

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

Motion carried.

ITEM #12 Motion by Councilman Carrell, seconded by Councilman Hernandez to adjourn meeting at 3:36 p.m.

Votes were as follows:

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

Motion carried.

Passed and approved by the Monahans City Council on May 25, 2021.

ATTEST:

APPROVED:

Tonya Todd, City Secretary

Jeppie S. Wilson, Jr., Mayor Pro Tem