

MINUTES
REGULAR MEETING
TUESDAY, AUGUST 10, 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:

Adam Steen	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
Richard Hawkins	Council Member District No. 5
Rex M. Thee	City Manager
Frank Heslin	Assistant City Manager
Tonya Todd	City Secretary
Alan Nicholas	Attorney for the City
Teresa Burnett	Executive Director Chamber of Commerce
Lori Asbury	Municipal Court Judge
Ashley Adatao	Director Monahans Economic Development Corporation
Richard Covington	Public Works Director
Lorena Valle	Finance Officer
Billy Riley	Chief of Police MPD
Bobby Sinclair	Public Utilities Director
Paul Scifers	The Monahans News
Deseree Valle	The Monahans News

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 July 27, 2021 Regular Council Meeting and July 27, 2021 Budget Workshop.

Motion by Councilman Hawkins, seconded by Councilman Hernandez to approve the minutes of the July 27, 2021, Regular Council Meeting, and July 1, 2021 Budget Workshop, as presented.

Votes were as follows:

“Aye”	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 \$1,021,457.28
- b. Resolution No. 2021-030

- 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 (i) Planning and Zoning Board of Adjustment Minutes

(Code Enforcement Officer’s and the Airport Manager’s Monthly Report not included)

Mr. Thee mentioned that July’s accounts payable was higher than the usual average due to 3 payrolls, 2 electric bills, the audit fees and seal coating invoices.

Motion by Councilman Carrell, seconded by Councilman Valenzuela to approve the consent items.

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

Motion carried.

ITEM #5 Presentation of citizens to be heard. Teresa Burnett, Chamber of Commerce Director, mentioned the Annual Airport Fly-In Breakfast was this upcoming weekend, over 100 invites went out and the Band Booster Club will serve breakfast for \$5. Mr. Thee mentioned that he recently attended a TxDOT Aviation Conference in San Marcos, Texas. Mr. Thee stated that the Monahans Roy Hurd Airport was nominated for Most Improved General Aviation Airport, but an El Paso County Airport received the award. Mr. Thee indicated that it was an honor to be nominated. Ashley Adatao, MEDC Director, stated that the MEDC board will open bids for construction of the Monahans Broadband Project, at their upcoming meeting.

ITEM #6 Public Hearing: Mayor Steen opened the Public Hearing for comments regarding the 2021-2022 Fiscal Year Proposed Budget. Mr. Thee stated that the budget includes estimated revenues at \$10,833,004, and estimated expenditures of \$10,479,310. Mr. Thee indicated that approximately \$500,000 expenditure is a transfer in of street capital assets of East 8th Street, East 12th Street, and Victor Avenue from MEDC, which zeros out due to being a revenue gain of the same amount. Mr. Thee stated that revenues are projected to be up about \$404,207 mainly due to the 5% increase in utility fees, and increased property valuations. Mr. Thee stated that last year’s budget was reduced by \$1.6 million, and this budget will remain a conservative budget. Mr. Thee mentioned that other than General and System funds, allocations will include \$968,347 from the American Rescue Plan Corona Relief Fund. Mr. Thee stated that these funds are very proprietary in their use, and cannot be counted on until the funds are actually in a city bank account not comingled with other revenues. Mr. Thee mentioned that the funding will be administered through Texas Department of Emergency Management (TDEM), and should arrive

within 60 to 90 days and he will discuss the needs and best use the of funds, at a later meeting. Mr. Thee made a few more comments about the proposed budget revenues and expenses:

- The Voter Approval Rate \$0.39972
- The No-New Revenue Tax Rate \$0.32834
- The Proposed Tax Rate \$0.35000, per \$100 valuation, same as last year
- Required postings are on the city website, including the proposed budget
- 3% COLA raise for employees
- Purchase of dumpsters, smart meters and annual lease on the landfill compactor
- Fees for the Less Than Lethal Contract for Tasers for the Police Department
- Seal coating
- Software upgrades, including a new phone system

Councilman Valenzuela asked what percentage is the city at with the smart meters? City Manager stated that 83-85% of smart meters are in place and the meters have a 10 to 12-year life span. No further comments were made and Mayor Steen closed the Public Hearing.

ITEM #7 City Manager Rex M. Thee briefed the Council regarding the Second and Final Reading of Ordinance No. 1290 Amending Sec. 26-10 (a), (b), (c), and (d) Water Rates-Schedule and Sec. 26-12 Sewer Rate-User Charge System of the Code of Ordinances, Revising Rates.

Mr. Thee mentioned that he has had no specific feedback, negative or otherwise so far, on the 5% increase in rates.

Motion by Councilman Valenzuela, seconded by Councilman Hawkins to approve the Second and Final Reading of Ordinance 1290:

ORDINANCE NO. 1290

AN ORDINANCE AMENDING SECTION 26-10 (a), (b), (c), and (d) AND SECTION 26-12 OF THE CODE OF ORDINANCES OF THE CITY OF MONAHANS, TEXAS; PROVIDING FOR A NEW WATER RATE SCHEDULE; PROVIDING FOR A REVISED SEWER USER CHARGE SYSTEM; RESCINDING ALL ORDINANCES IN CONFLICT, AND DECLARING AN EFFECTIVE DATE.

Votes were as follows:	“Aye”	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 Second and Final Reading of Ordinance No. 1291 Amending Sec. 13-9 (2) Minimum Sanitation Charges and Sec. 13-9 (3) Outside City Limits Residential and Commercial Service, Revising Rates. Mr. Thee stated that this 5% increase will be applied to all residential and commercial customers both inside and outside city limits. Mr. Thee stated that he has not had any feedback on this matter.

Motion by Councilman Carrell, seconded by Councilman Valenzuela to approve the Second and Final Reading of Ordinance No. 1291:

ORDINANCE NO. 1291

AN ORDINANCE AMENDING SECTION 13-9 (2), and (3) OF THE CITY CODE OF ORDINANCES OF THE CITY OF MONAHANS, TEXAS; PROVIDING FOR REVISED RATES OR CHARGES; RESCINDING ALL ORDINANCES IN CONFLICT, AND DECLARING AN EFFECTIVE DATE.

Votes were as follows:

“Aye”	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 the First Reading of Ordinance No. 1292 Adopting the Fiscal Year Budget October 1, 2021 to September 30, 2022. Mr. Thee stated that the law requires only one public hearing, and allows first reading at the same meeting.

Motion by Councilman Carrell, seconded by Councilman Hawkins to approve the First Reading of Ordinance No. 1292:

ORDINANCE NO. 1292

AN ORDINANCE OF THE CITY OF MONAHANS, TEXAS ADOPTING THE BUDGET FOR THE CITY OF MONAHANS, FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2021, AND ENDING ON SEPTEMBER 30, 2022, AND REVISING THE BUDGET FOR THE PRECEDING FISCAL YEAR ENDING SEPTEMBER 30, 2021.

Votes were as follows:

“Aye”	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 approving the 2021 Certified Appraisal Roll from Ward County Appraisal District and Winkler County Appraisal District. Mr. Thee stated the total net taxable value from Ward County Appraisal District is \$434,732,049 and from Winkler County Appraisal District is \$11,258,750 for a total of \$445,990,799.

Motion by Councilman Wilson, seconded by Councilman Hawkins to approve the 2021 Certified Appraisal Roll from Ward County Appraisal District and Winkler County Appraisal District.

Votes were as follows:

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

Motion carried.

ITEM #11 City Manager Rex M. Thee briefed the Council with regards to proposing the 2021 Property Tax Rate. Mr. Thee indicated that a \$.35000, per \$100 value, proposed tax rate would be greater than the no-new revenue rate, but is not greater than the voter-approval rate; therefore, the City is not required and cannot be petitioned to hold an election for voter approval of the rate. Mr. Thee stated that even though the City is not increasing the tax rate, the higher property valuations will mean the City will collect \$109,228 more than last year, which means the City is proposing to increase property taxes for the 2021 tax year.

Motion by Councilman Wilson, seconded by Councilman Hawkins to propose the 2021 Property Tax Rate at .35000, per \$100 valuation.

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

Motion carried.

ITEM #12 City Manager Rex M. Thee briefed the Council with regards to scheduling a Public Hearing on the 2021 Proposed Property Tax Rate and Public Meeting to Vote on the 2021 Proposed Property Tax Rate and Announce Date, Time and Place of the Meeting (8/24/2021, 3:00 p.m., City Hall Council Chambers, 112 W. 2nd St., Monahans, Texas)

Motion by Councilman Hawkins, second by Councilman Valenzuela to schedule a Public Hearing on the 2021 Proposed Property Tax Rate and a Public Meeting to vote on the Proposed Tax Rate for August 24, 2021, at 3:00 p.m. at the Council Chambers of City Hall, 112 West 2nd Street, Monahans, Texas.

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

Motion carried.

ITEM #13 City Manager Rex M. Thee briefed the Council regarding Code Enforcement procedures, policy, actions, and pending and future cases. Mr. Thee indicated that Councilman Carrell and Councilman Wilson requested an agenda item for an all-around discussion of code enforcement. Mr. Thee stated that the agenda item to allow action, to be taken if so desired, after said discussion. Councilman Carrell stated that he has concerns about the trash, high weeds, and

abandoned buildings around town. Councilman Carrell mentioned that he believes these problems are a health hazard. Councilman Carrell stated that he would like for Mr. Thee to contact other cities to see how they are taking care of these issues. Code Enforcement Officer mentioned that educating the property owners is key. Mayor Steen stated that he agreed that educating the property owners is important, but it will take more than that and he would like to see the city continue taking the steps necessary to see improvements. Mr. Thee mentioned that the Code Enforcement Officer does not have authority to write citations, only “notice of violation”. Chief Riley stated that his officers could write the citations on the violations, as needed, which will expedite the process in Municipal Court. Municipal Court Judge Asbury was present to explain any court procedures. Ms. Burnett mentioned that for the past 17 years she has worked on cleanup projects and volunteers can only do so much. Councilman Carrell agreed that you can only depend on volunteers for a short while.

The discussion on the problems with abandoned buildings and their property included:

- Property owners not taking care of their buildings
- Property owners not wanting to sell their property, even though they are not willing to make the necessary repairs to their building
- If the city goes through the lengthy process of demolishing and removing the dilapidated building, the property owner may not pay for the expenses and then a lien is put on the property
- The cost for a city to remove a building is very costly. The last lien issued by the city was \$21,500 and remains unpaid
- The city’s landfill is permitted for 20,000 tons per day and tearing down building will take up a lot of space and debris may need to be taken to Charter Waste which drives up the cost even more
- Grants were discussed for retail business owners for store-front improvements
- It takes 2-3 years to become a building inspector
- Property owners may receive violations and must report to Municipal Court, but the problem usually remains
- Violators may need to be issued a citation every day for non-compliance
- Citations may need to be enhanced to Class B violations and sent to the Justice of the Peace Court
- Property owners have a responsibility to keep their property and their portion of the alley cleaned and mowed
- This cleanup project will take everyone doing their part
- The Council would like a detailed summary report for each property owner in violation of an Ordinance so they can see where each case is during the process of bringing a property into compliance.

After a lengthy discussion regarding the problems and possible solutions, at this time, no action was taken.

ITEM #14 Motion by Councilman Hernandez, seconded by Councilman Wilson to adjourn meeting at 4:30 p.m.

Votes were as follows:	“Aye”	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 August 24, 2021.

ATTEST:

APPROVED:

Tonya Todd, City Secretary

Adam Steen, Mayor