

MINUTES  
REGULAR MEETING  
TUESDAY, SEPTEMBER 14, 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 (Absent)	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
Richard Covington	Public Works Director
Lorena Valle	Finance Officer
Billy Riley	Chief of Police MPD
Teresa Burnett	Executive Director Chamber of Commerce
Brian Franks	MEDC Board
Eddie Nelms	MEDC Board
T.J. Perkins	Self
Debbie Gambino	Self
Gerald Carlson	Self
Candy Roeber	Self
Doug Roeber	Self
Cindy Saucedo	Self
Rosie Almanza	Self
Kristi Foutz	Self
Doug Doege	Self
Brett Foutz	Self
Edgar DeAnda	Self
Arturo Leos	Self
Christy Sullivan	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 August 24, 2021 Regular Council Meeting.

Motion by Councilman Carrell, seconded by Councilman Valenzuela to approve the minutes of the August 24, 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 #4** Consider and Act Upon approving the following consent items:

- a. Accounts Payable in the amount of \$802,188.93
- b. Resolution No. 2021-032 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 (i) Planning and Zoning Board of Adjustment Minutes

City Manager Rex M. Thee stated that the July and August monthly report for the Airport was included.

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
	Absent	Richard Hawkins

Motion carried.

**ITEM #5** Presentation of citizens to be heard. Chief Riley mentioned the crosswalks have been installed. (12<sup>th</sup> & 15<sup>th</sup> Street on South Stockton Avenue)

**ITEM #6 Public Hearing:** Mayor Steen opened the Public Hearing for comments with regards to Rezoning Lots 1, 2, 3, & 4, Block 23, East Monahans Subdivision, City of Monahans, Ward County, Texas from a R-1 (Single Family Dwelling) to a R-3 (Multi-Family Dwelling). Mr. Thee indicated that these are the four lots between the fenced detention pond and East 15<sup>th</sup> Street across from the new 8:28 Carwash, addressed as 1601, 1607, 1613, 1617 East 15<sup>th</sup> Street. Mr. Thee stated that the rezone was approved by the Planning and Zoning Board at their meeting Tuesday, September 2, 2021, by a 4 to 1 vote. Several citizens were in attendance of the meeting and addressed the City Council with their concerns with regards to the rezoning of said lots from R-1 to R-3. Doug Roeber presented 50 signed letters in protest of the property being rezoned to R-3 which would allow for an apartment complex. The letters were accepted and will be considered a public record.

The concerns or comments were similar and included:

- Devaluation of the property in that area.
- How tall would the apartment building be? Mr. Thee replied 2 stories is the unofficial plan.
- Traffic would be a problem.
- Safety for walkers, joggers and children in the area.
- Many neighbors did not know about this matter and why were all the neighbor not informed? Mr. Thee stated that state statutes require written notice of a proposed change be sent to each owner of property within 200 feet of the proposed change. Mr. Thee indicated that 5 letters were sent out and 2 returned.
- Would there be enough space for parking? Mr. Thee stated that when plans are presented, there must be adequate parking spaces. Mr. Thee indicated that 2 spaces per apartment unit is required and handicap accessible spaces is required, as well.
- Why Mr. Emini was not present for the meeting?
- Are there other locations that apartment buildings could be built in that area that is already zoned for multi-family? Mr. Thee stated that there are R-3 zoned properties in the East Parkway Subdivision that do not have any utility services, at this time.

Brian Franks, President of the MEDC Board addressed the council with a few facts about the property.

- There is a need in the city for apartment buildings.
- There has been zero interest in developing this property.
- Mr. Emini does not want the property to build single-family homes.
- Mr. Emini is a known builder in the city and he does a nice job.

City Manager Rex M. Thee stated that plans have not been received at the point, but all plans would have to be approved by the city building inspector and be in line with all codes set forth by law. Mr. Thee mentioned that MEDC still owns the property. Councilman Wilson asked for a show-of-hands, from the citizens, if anyone was in favor of the apartment complex? No citizens raised their hand. Mayor Steen thanked the citizens for speaking and attending the meeting. No further comments were made and Mayor Steen closed the Public Hearing.

**ITEM #7** City Manager Rex M. Thee briefed the Council regarding the First Reading of Ordinance No. 1294 Rezoning Lots 1, 2, 3, & 4, Block 23, East Monahans Subdivision, City of Monahans, Ward County, Texas from a R-1 (Single Family Dwelling) to a R-3 (Multi-Family Dwelling) Mayor Steen read the caption of Ordinance No. 1294, aloud.

Motion by Councilman Carrell, seconded by Councilman Wilson **not to approve** Ordinance No. 1294:

ORDINANCE NO. 1294  
AN ORDINANCE AMENDING ZONING ORDINANCE NO. 486

OF THE CITY OF MONAHANS, REZONING CERTAIN LANDS  
SITUATED IN THE CITY OF MONAHANS AS DESCRIBED  
HEREIN; AND DECLARING AN EFFECTIVE DATE.

**Section 1:** That Lots 1, 2, 3, & 4, Block 23, East Monahans Subdivision, City of Monahans, Ward County, Texas be rezoned from a R-1(Single Family Dwelling) to a R-3 (Multi-Family Dwelling).

Mayor Steen called for “Aye” for all those in favor of the rezone. *There were no Ayes.*

Mayor Steen called for “Nay” for all those that oppose the rezone.

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

Motion carried.

Ordinance No. 1294 READ, And **NOT APPROVED** on first reading this 14<sup>th</sup> day of September 2021.

Mr. Thee indicated that the second and final reading of Ordinance No. 1294 will be presented at the next city council meeting on September 28, 2021 at 3:00 p.m.

**ITEM #8** City Manager Rex M. Thee briefed the Council regarding the Second and Final Reading of Ordinance No. 1293 to adopt the 2021 Property Tax Rate (\$0.35000). Mr. Thee stated that state statute requires specific language for a motion on this Ordinance. Mayor Steen read the caption of Ordinance No. 1293, aloud.

Motion by Councilman Wilson “I move that the property tax rate be increased by the adoption of a tax rate of \$0.35000, which is effectively a 6.6% percent increase in the tax rate, by approving Ordinance No. 1293”, seconded by Councilman Carrell.

ORDINANCE NO. 1293

AN ORDINANCE OF THE CITY OF MONAHANS, TEXAS, LEVYING TAXES  
FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE  
CITY OF MONAHANS, TEXAS.

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

Motion carried.

**ITEM #9** City Manager Rex M. Thee briefed the Council regarding Resolution No. 2021-036 Code Enforcement Officer’s Report regarding properties in violation of Section 6 and/or Section 13 of the Code of Ordinances, City of Monahans, Texas weeds, garbage, trash and/or Building Code violations. Mr. Thee stated that Code Enforcement Officer Richard Covington has provided a monthly Dashboard report that list the properties and their current status.

Motion by Councilman Carrell, seconded by Councilman Hernandez to approve Resolution No. 2021-036: To approve the Code Enforcement Officer’s report, and authorize further action up to and including filing non-compliant cases with Municipal Court.

<b>Address:</b>	<b>Legal:</b>	<b>Owner:</b>	
303 S. Eric	Foundation	Block 1 Lot N 25’ of 7 & all of 8	Susan Powers
707 S. Bruce	MD CO #2	Block 1 Lot 9	Porfirio Lopez
609 S. Bruce	Casa Bonita	Block 1 Lot 8	Elizabeth Espudo
710 S. Bruce	MD CO #2	Block 1 Lot 1	Thomas Yantis
518 W. 11 <sup>th</sup> St.	Sunset	Block 1 Lot 1, 2, & 3	Susan Hardaway
903 S. Gary	MD CO #6	Block 6 Lot 4	TAA Property Management LLC
901 S. Gary	MD CO #6	Block 6 Lot 5	AN Finance
914 S. Main	Southland	Block 2 Lot 21, 22, & S 17’ of 23	Dana Amos
308 S. Betty	M.O.T.	Block 19 Lot 4	Cynthia Armendariz
1013 S. Betty	Iva Hayes	Block 1 Lot E 190’ of 3	John Dominguez
112 S. Alice	M.O.T.	Block 27 Lot W 55’ of 17 & 18	Felipe Arroyo
901 N. Carol	Country Club	Block A Lot 17	John Moya
109 W. 2 <sup>nd</sup> St.	M.O.T.	Block 27 Lot SC 16’x42’ of 17 & 18	Dr. JJ Coats

Votes were as follows:

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

Motion carried.

**ITEM #10** City Manager Rex M. Thee briefed the Council regarding Resolution No. 2021-033 Opening/Awarding of Bids for Fuel. Mr. Thee stated that the City bids out fuel provider for the City’s fleet vehicles. Mr. Thee stated that one bid was received and Mayor Steen opened and read the bid aloud.

<u>BIDDER</u>	<u>ITEM</u>	<u>Constant (Bidder’s Gross Margin Per Gallon)</u>
Southwest Marketers, Inc.	Unleaded I (91)	\$ <u>.15</u>
	Unleaded II (87)	\$ <u>.15</u>
	Diesel #2 (Street use)	\$ <u>.15</u>
	Diesel #2 (dyed off road)	\$ <u>.15</u>

Mr. Thee mentioned that he recommends accepting the bid from Southwest Marketer, Inc.

Motion by Councilman Carrell, seconded by Councilman Wilson to approve Resolution No. 2021-033: To award the bid to Southwest Marketers, Inc. with a constant gross margin for unleaded (91) and unleaded (87) of \$ .15, Diesel #2 street use of \$ .15, and Diesel #2 dyed off road of \$ .15 for a period of twelve months ending September 30, 2022.

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 No. 2021-034 Regarding Grant for Routine Airport Maintenance Program (RAMP) for Roy Hurd Memorial Airport. Mr. Thee stated that this contract provides 50% matching funds up to \$100,000 for maintenance purposes. Mr. Thee indicated that we have done this for several years.

Motion by Councilman Wilson, seconded by Councilman Carrell to approve Resolution No. 2021-034: that the City of Monahans hereby directs Rex M. Thee, City Manager, to execute on behalf of the City of Monahans, at the appropriate time, and with the appropriate authorizations of this governing body, and all contracts and agreements with the State of Texas, represented by the Texas Department of Transportation, and such other parties as shall be necessary and appropriate for the routine maintenance and improvement of Roy Hurd Memorial Airport.

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

Motion carried.

**ITEM #12** City Manager Rex M. Thee briefed the Council with regards to Joining the Opioid Settlement Class Action Lawsuit. Mr. Thee indicated that the State of Texas has joined the \$21 billion distributor opioid settlement which provides \$1.1 billion for Texas and political subdivisions including cities and counties. Mr. Thee mentioned that the City of Monahans would be in line to receive \$5,849 if the City joins the settlement. Mr. Thee stated that he has discussed the matter with Chief Riley and they reviewed the specific allowable uses of the funds and feel the best use is for drug intervention training for law enforcement. Mr. Thee mentioned that if the City decides to join the settlement, the state will provide wording for a resolution to do so, and we will present it on the next agenda.

Motion by Councilman Carrell, seconded by Councilman Valenzuela to join the Opioid Settlement Class Action Lawsuit.

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

Motion carried.

**ITEM #13** Mayor Steen read the following statement aloud in open session. “The City Council will begin its Executive Session on this 14<sup>th</sup> day of September 2021 at 4:04 p.m. Pursuant to the

provisions of the Open Meetings Law – Texas Government Code, in accordance with the authority contained in:

- a. Section 551.074 Personnel Matters: Monahans Economic Development Board Appointment (Two members/three-year terms 10/01/2021 to 09/30/2024).”

**ITEM #14** Mayor Steen read the following statement aloud in open session. “The City Council has completed its Executive Session on the 14th day of September 2021 at 4:19 p.m.”

City Manager Rex M. Thee briefed the Council with regards to approving Resolution No. 2021-035 Appointment to Monahans Economic Development Board (Two members/three-year terms 10/01/2021 to 09/30/2024).

Motion by Councilman Carrell, seconded by Councilman Wilson to table this agenda item until the next regular city council meeting.

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

Motion carried.

**ITEM #15** Motion by Councilman Carrell, seconded by Councilman Valenzuela to adjourn meeting at 4:20 p.m.

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

Motion carried.

Passed and approved by the Monahans City Council on September 28, 2021.

ATTEST:

APPROVED:

\_\_\_\_\_  
Tonya Todd, City Secretary

\_\_\_\_\_  
Adam Steen, Mayor