

**MINUTES  
REGULAR MEETING  
TUESDAY, OCTOBER 13, 2020**

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:

<i>David B. Cutbirth</i>	<i>Mayor</i>
<i>Rudy Hernandez</i>	<i>Council Member District No. 1</i>
<i>Jeppie S. Wilson, Jr.</i>	<i>Council Member District No. 2/Mayor Pro Tem</i>
<i>Calvin Carrell</i>	<i>Council Member District No. 3</i>
<i>Ivy Valenzuela</i>	<i>Council Member District No. 4</i>
<i>Richard Hawkins</i>	<i>Council Member District No. 5</i>
<i>Rex M. Thee</i>	<i>City Manager</i>
<i>Tonya Todd</i>	<i>City Secretary</i>
<i>Absent-Alan Nicholas</i>	<i>Attorney for the City</i>
<i>Teresa Burnett</i>	<i>Executive Director Chamber of Commerce</i>
<i>Christy Sullivan</i>	<i>The Monahans News</i>
<i>Billy Riley</i>	<i>Chief of Police-MPD</i>
<i>Ashley Aauto</i>	<i>Director Monahans Economic Development Corporation</i>
<i>Eddie Nelms</i>	<i>Chief of the Volunteer Fire Department and County Commissioner</i>

**ITEM #1 & ITEM #2** Mayor Cutbirth 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 September 22, 2020 Regular Council Meeting.

Motion by Councilman Hernandez, seconded by Councilman Valenzuela to approve the minutes of the September 22, 2020, Regular Council Meeting, 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 \$1,264,575.91
- b. Monthly Reports/Minutes: (a) Airport Manager’s Monthly Report, (b) MEDC Minutes and Monthly Financial Report, (c) Building Permit Monthly Report, (d) Animal Control Monthly Report, (e) Municipal Court Monthly Report, (f) Code Enforcement Officer’s 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
- (j) Monahans Chamber of Commerce Hotel Occupancy Tax Quarterly Report

City Manager Rex M. Thee informed the Council that the total of accounts payable includes a final payment for the Quela Lift Station in the amount of \$180,562.35, payment in full for 8<sup>th</sup> Street, 12<sup>th</sup> Street and Victor Avenue in the amount of \$283,283.46 and the payoff of equipment debt in the amount of \$88,016.86.

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
	“Aye”	Richard Hawkins

Motion carried.

**ITEM #5** Presentation by citizens to be heard. Teresa Burnett, Executive Director of the Chamber of Commerce, invited the Council members to the 11:00 a.m. ground breaking for the new Elementary School on October 14, 2020. Ashley Aduato, Director Monahans Economic Development Corporation, mentioned that PJ’s Coffee has started an addition to their property, 8:28 Car Wash, C & S Homes, The Texan and the Dollar Tree are all in the development process of their projects.

**ITEM #6** City Manager Rex M. Thee briefed the Council regarding Resolution No. 2020-036 a Replat of 2100 S. Stockton, being a total of 1.45 Acres consisting of 0.05 Acres of off-lot R.O.W. and 0.09 Acres of off-lot Easement dedication and 1.31 Acres (1.26 Acres after R.O. W. Dedication) consisting of a 0.72 Acre Tract, a 0.50 Acre Tract, and a 0.09 Acre Tract all situated in Tract 32, Section 52, Block N of the Hutchins Joint Stock Association No. 1 Subdivision in the G.&M.M.B.&A. Survey, recorded in Vol. 2, Page 5, Plat Records of Ward County, Texas. Mr. Thee indicated that this replat was approved by the Planning and Zoning Board less the extended R.O.W. Dedication to the City of Monahans all the way to South Betty Avenue. Mr. Thee mentioned that prior to the replat being considered by the City Council, The Texan requested an extension of the existing utility easements east to S. Betty Avenue, due to an Oncor request. Mr. Thee stated that the Texan suggested extending the City ROW since they could not use the strip between the Oncor easement and 22nd Street. Mr. Thee mentioned that the Council can approve this as a plat amendment without going through the P & Z process again, according to the Texas Local Government Code §212.016.

Motion by Councilman Hawkins, seconded by Councilman Carrell to approve Resolution No. 2020-036:

To approve the Replat of 2100 S. Stockton, being a total of 1.45 Acres consisting of 0.05 Acres of off-lot R.O.W. and 0.09 Acres of off-lot Easement dedication and 1.31 Acres (1.26 Acres after R.O. W. Dedication) consisting of a 0.72 Acre Tract, a 0.50 Acre Tract, and a 0.09 Acre Tract all situated in Tract 32, Section 52, Block N of the Hutchins Joint Stock Association No. 1 Subdivision in the G.&M.M.B.&A. Survey, recorded in Vol. 2, Page 5, Plat Records of Ward County, Texas.

Votes were as follows:	“Aye”	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 with regards to accepting a 10’ Dedicated Right-of-Way along the North side of East 22<sup>nd</sup> Street from the north end of the existing Right-of-Way to South Betty Ave. from the Texan Service Station developer/owner Brian Dlugosch. Mr. Thee indicated that the plat map from the previous item amendment request shows the R.O.W. dedication. Mr. Thee mentioned this would make 22<sup>nd</sup> Street 28 feet wide from SH18 to S. Betty. Mr. Thee stated that any developer of the adjacent lot will be required to construct curb, gutter, and street to meet the existing street, or pay pro-rata if such is already in place.

Motion by Councilman Hawkins, seconded by Council Valenzuela to accept the 10’ Dedicated Right-of-Way along the North side of East 22<sup>nd</sup> Street from the north end of the existing Right-of-Way to South Betty Ave. from the Texan Service Station developer/owner Brian Dlugosch.

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 Resolution No. 2020-037 Acknowledging Utility Deposit Refunds to Customers. Mr. Thee indicated that the Council previously authorized annual refunds by ordinance, this is just acknowledging those refunds for this year, in the amount of \$7,200.

Motion by Councilman Wilson, seconded by Councilman Hernandez to approve Resolution No. 2020-037: That the utility customer deposits as attached in “Exhibit A”, was refunded on October 1, 2020. The total amount of utility deposits refunded is \$7,200.

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 Resolution No. 2020-038 Regarding Grant for Routine Airport Maintenance Program (RAMP) the Monahans-Roy Hurd Memorial Airport. Mr. Thee indicated that this contract provides 50% matching funds up to \$100,000 for maintenance purposes and we have done this for several years.

Motion by Councilman Carrell, seconded by Councilman Hawkins to approve Resolution No. 2020-038: 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
“Aye”	Richard Hawkins

Motion carried.

**ITEM #10** City Manager Rex M. Thee briefed the Council with regards to donating a 1995 Fire Truck to the City of Wickett for the Volunteer Fire Department. Mr. Thee indicated that this will give them more capability, therefore lessening the number of times MVFD has to assist them, and of course may save lives. Monahans VFD Fire Chief Eddie Nelms stated that they left some equipment on the truck and if needed, they can call upon the Wickett VFD and they will be ready to assist with that truck. Councilman Valenzuela stated that the truck looks really good still. Chief Nelms concurred and mentioned that he has a good team of firemen that take really good care of the equipment. Mr. Thee mentioned that the original value of the truck was \$130,000 and the current value is around \$40,000 - \$45,000.

Motion by Councilman Carrell, seconded by Councilman Valenzuela to donate the 1995 Fire Truck to the City of Wickett for the Volunteer Fire Department.

Votes were as follows:

“Aye”	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 with regards to accepting CARES Act Funds. Mr. Thee indicated that the money is provided for Coronavirus Relief through the Texas Division of Emergency Management to be used to provide free COVID-19 testing. Mr. Thee mentioned that the City would receive \$84,018 for immediate use and Ward County can receive \$26,598 for the same purpose for persons outside the city limits of Monahans. Mr. Thee stated that the tests will be done by Ward Memorial Hospital and Clinic which in turn will invoice the City for out-of-pocket costs to persons tested. Mr. Thee mentioned that his program can run through December 30, 2020 and any unused funds will be reimbursed to the TDEM.

Motion by Councilman Hernandez, seconded by Councilman Hawkins to accept CARES Act Coronavirus Relief Funds and authorizing and directing City Manager Rex M. Thee to file the application and administer the funds.

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 the Public Funds Investment Report, Quarter Ending September 30, 2020. Mr. Thee indicated that the public funds are protected with pledged securities at 102%.

Motion by Councilman Carrell, seconded by Councilman Hawkins to approve the Public Funds Investment Report, as presented.

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 with regards to a request for Hotel Occupancy Tax Funds from the organizers of the Sandhill Ranch Rodeo. Mr. Thee indicated that the funds will be used in accordance with V.A.T.S. Tax Code, Section 351.101 for advertising the Sandhills Ranch Rodeo to be held November 14, 2020 at the Ward County Arena. Mr. Thee mentioned that the Sandhills Ranch Rodeo organizers understand, if the Council approves Hotel Occupancy Tax funds, an agreement with certain conditions to assure proper use of the funds and reporting will be issued.

Motion by Councilman Hernandez, seconded by Councilman Hawkins to approve the request for Hotel Occupancy Tax Funds in the amount of \$1,500 for the Sandhill Ranch Rodeo.

Votes were as follows:

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

Motion carried.

**ITEM #14 EXECUTIVE SESSION:** Mayor Cutbirth read the following statement aloud, in open session. “The City Council will begin its Executive Session on this 13th day of October 2020 at 3:36 p.m. Pursuant to the provisions of the Open Meetings Law – Texas Government Code, in accordance with the authority contained in:

- a) Section 551.072 Deliberations Regarding Real Property: Water Tower Section 51, Block 14, Airport Addition 90’X90’
- b) Section 551.072 Deliberations Regarding Real Property: Selling Lots 1, 2, & 3, Block 103, Monahans Original Town, City of Monahans, Ward County, Texas to the Monahans Economic Development Corporation (MEDC)
- c) Section 551.074 Personnel Matters: Monahans Economic Development Board Member.”

**ITEM #15 OPEN SESSION:** Mayor Cutbirth read the following statement aloud, in open session. “The City Council has completed its Executive Session on the 13<sup>th</sup> day of October 2020 at 4:13 p.m.” To take any action deemed necessary after executive session regarding

- a) Section 551.072 Deliberations Regarding Real Property: Water Tower Section 51, Block 14, Airport Addition 90’X90’

City Manager Rex M. Thee briefed the council with regards to property that the Monahans-Wickett-Pyote I.S.D. has approved to transfer ownership of the 90’x90’ property under 8<sup>th</sup> Street Water Tower to the City at a special meeting Monday, Oct. 12<sup>th</sup> at 6 p.m. in consideration of Ten Dollars (\$10) with a Quit Claim Deed. Mr. Thee mentioned that the 0.243-acre tract of land is located on Lots 9 and 10, Block 14, Airport Addition.

Motion by Council Wilson, seconded by Calvin Carrell to accept the release and quitclaim to the City of Monahans by Monahans-Wickett-Pyote I.S.D the real property under 8<sup>th</sup> Street Water Tower in Section 51, Block 14, Airport Addition for the “good and valuable consideration in the sum of Ten Dollars(\$10).

Votes were as follows:

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

Motion carried.

- b) Section 551.072 Deliberations Regarding Real Property: Selling Lots 1, 2, & 3, Block 103, Monahans Original Town, City of Monahans, Ward County, Texas to the Monahans Economic Development Corporation (MEDC)

City Manger Rex M. Thee indicated that Monahans Economic Development Corporation (MEDC) has asked the City if we want to sell the lots with the old Quonset hut at 600 Blk W. Sealy as a possible location for a second Dollar General. Mr. Thee mentioned that the property's insured value is \$59, 589. Mr. Thee mentioned that the City sold 4 lots to the east to Paso Emini for apartments in October 2018 for \$42,150.

Motion by Council Carrell, seconded by Councilman Hawkins to offer Lots 1, 2, & 3, Block 103, Monahans Original Town to the Monahans Economic Development Corporation (MEDC) in the amount of \$59,589.

Votes were as follows:

"Aye"	Rudy Hernandez
"Aye"	Jeppie Wilson
"Aye"	Calvin Carrell
"Aye"	Ivy Valenzuela
"Aye"	Richard Hawkins

Motion carried.

- c) Section 551.074 Personnel Matters: Monahans Economic Development Board Member

No action taken.

**ITEM #16** Motion by Councilman Hawkins, seconded by Councilman Carrell to adjourn meeting at 4:18 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 October 27, 2020.

ATTEST:

APPROVED:

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Tonya Todd, City Secretary

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Jeppie S. Wilson, Jr., Mayor Pro Tem