



**CITY COUNCIL MINUTES
CITY OF ODESSA, TEXAS
NOVEMBER 24, 2009**

On November 24, 2009, a regular meeting of the Odessa City Council was held at 6:00 p.m., in the Council Chambers, 5th Floor, City Hall, 411 West 8th Street, Odessa, Texas.

Members present: Mayor Larry L. Melton; Councilmembers; Bill Cleaver, District One; James B. Goates, District Two; Royce Bodiford, District Three; and Dean Combs, District Four.

Member absent: Benjamin Velasquez, District Five.

Others present: Richard Morton, City Manager; Larry Long, City Attorney; Norma Grimaldo, City Secretary; James Zentner, Assistant City Manager; Michael Marrero, Assistant City Manager; other members of City staff; and members of the news media.

A quorum being present, Mayor Melton called the meeting to order and the following proceedings were held:

The invocation was given by Mayor Melton and followed by the Pledge of Allegiance to the United States and Texas flags.

Councilmember Goates congratulated Assistant Fire Chief Stan Tinney on his promotion.

CONSENT AGENDA ITEMS

- A. City Council Minutes, November 10, 2009;
- B. Bid award to Osburn Associates, Vulcan Signs, MD Solutions and 3M Company in the amount of \$63,295 for traffic signs;
- C. Purchase air sweepers from Tymco, Inc. in the amount of \$360,837;
- D. Purchase refuse bodies from Equipment Southwest, Inc. in the amount of \$353,100;
- E. Bid award to Caldwell Country Chevrolet in the amount of \$331,146 for police package automotive sedans;
- F. Bid award to MHC Kenworth Ford, Freightliner, and Sewell Ford in the amount of \$849,319 for automotive trucks;
- G. Bid award to Southwestern Equipment and Equipment Southwest in the amount of \$324,921 for refuse truck parts;
- H. Renew the Mueller, Inc., Industrial District (Ordinance - First approval);
- I. Renew the Odessa Country Club Industrial District (Ordinance – First approval);
- J. Renew the ARCO Industrial District (Ordinance – First approval);
- K. **Ordinance No. 2009-45 - Amending Chapter 6, "Health and Sanitation" of the City Code of Ordinance by adding Article 6-13 "Municipal Settings Designation";**
- L. **Resolution No. 2009R-114 – Award a contract to Timo Creative for Ratliff Ranch Golf Links regional marketing and advertising program in the amount of \$100,000;**



- M. Renew contracts with All American Chevrolet and Sewell Ford for automobile and light truck OEM parts;
- N. Renew contract with Freightliner for freightliner OEM parts;
- O. **Resolution No. 2009R-115 - Release easement in Sections 8 & 17 Block 41, T&P Railway Survey, Ector Country, Texas;**
- P. Renew long term disability insurance with Standard Insurance Company;
- Q. Renew stop loss insurance with Standard Security Life Insurance Company;
- R. Renew group life insurance, AD&D coverage, retiree life insurance;
- S. Renew contract for property insurance with TML Intergovernmental Risk Pool;
- T. **Resolution No. 2009R-116 – ODC matching training grant program;**
- U. **Resolution No. 2009R-117 – Amend GEMSTAR’s, Inc. economic development agreement;**
- V. Monthly financial summary report for September 2009.

Motion was made by Councilmember Bodiford and seconded by Councilmember Combs that the consent agenda items be approved. The motion was approved by unanimous vote.

OTHER COUNCIL ACTION

PUBLIC HEARINGS

Open a public hearing to consider approval of the request of Leeco Properties, Inc., owner, to rezone from Single Family-One-Drill Reservation-Surface Drainage (SF-1-DR-SD) to Light Commercial (LC) on approximately 0.82 ac. in Sections 8 and 17, Block 41, T-2-S, T&P Ry. Co. Survey, Ector Co., Texas (northeast of the intersection of E. Loop 338 and Hwy. 191) (Ordinance - First Approval) Marwan Khoury, Director of Planning, reviewed the location of the property that is vacant. The zone change would allow light commercial uses. The Planning and Zoning Commission recommended for approval. No one came forward and the public hearing was closed.

Motion was made by Councilmember Goates and seconded by Councilmember Cleaver that the ordinance be approved for first approval. The motion was approved by the following vote:

Bill Cleaver	Aye
James B. Goates	Aye
Royce Bodiford	Aye
Dean Combs	Aye
Benjamin Velasquez	Absent

Open a public hearing to consider approval of the request of W.F.D.R., owner, for original zoning of Retail-One (R-1) on approximately 50.1 ac. of land in Sections 3 and 10, Block 41, T-2-S, T&P Ry. Co. Survey, Midland Co., Texas (northeast of the intersection of Faudree Rd. and Dorado Dr.) (Ordinance - First Approval) Mr. Khoury reviewed the location of the property that is vacant. The zone change would allow retail commercial property development. There is no specific type of retail at this time. The Planning and Zoning Commission recommended for approval. No one came forward and the public hearing was closed.

Motion was made by Councilmember Combs and seconded by Councilmember Bodiford that the ordinance be approved for first approval. The motion was approved by the following vote:



Bill Cleaver	Aye
James B. Goates	Aye
Royce Bodiford	Aye
Dean Combs	Aye
Benjamin Velasquez	Absent

Open a public hearing to consider approval of the request of Leeco Properties, LLC, owner, to rezone from Multi-Family-Two (MF-2) to Retail (R) approximately 14.1 ac. in Section 15, Block 41, T-2-S, T&P Ry. Co. Survey, Midland Co., Texas (north of the intersection of Faudree Rd. and Fairway Dr.) (Ordinance - First Approval) Mr. Khoury reviewed the location of the property. A petition was received from outside the area protesting the change. The zone change would allow for retail commercial development. He reported that Faudree Road from Hwy. 191 to BI-20 would be widening to a two lane road with a turning lane in the middle. Councilmember Goates stated that it would create less traffic than a multi-family complex. The Planning and Zoning Commission recommended for approval. No one came forward and the public hearing was closed

Motion was made by Councilmember Goates and seconded by Councilmember Bodiford that the ordinance be approved for first approval. The motion was approved by the following vote:

Bill Cleaver	Aye
James B. Goates	Aye
Royce Bodiford	Aye
Dean Combs	Aye
Benjamin Velasquez	Absent

ORDINANCES

Amending Chapter 8, "Offenses and Nuisances", Section 8-1-2, of the City of Odessa Code of Ordinances by provisions for paintball guns and supervised paintball courses. Mr. Long stated that the purpose is to provide standards and regulations to allow the use of paintballs inside the city limits. He reviewed the major points in the proposed ordinance.

Motion was made by Councilmember Cleaver and seconded by Councilmember Goates that the ordinance be approved for first approval. The motion was approved by the following vote:

Bill Cleaver	Aye
James B. Goates	Aye
Royce Bodiford	Aye
Dean Combs	Aye
Benjamin Velasquez	Absent

RESOLUTIONS

Resolution No. 2009R-118 – Accept and appropriate funding for the Weatherization Grant from the Texas Department of Housing and Community Affairs in the amount of \$585,091. Mr. Marrero stated that funds were awarded from the Texas Department of Housing and Community Affairs to assist qualified low income housing with energy consumption. The funds would provide 80 to 90 homes with assistance.



Motion was made by Councilmember Cleaver and seconded by Councilmember Combs that the resolution be approved. The motion was approved by the following vote:

Bill Cleaver	Aye
James B. Goates	Aye
Royce Bodiford	Aye
Dean Combs	Aye
Benjamin Velasquez	Absent

Resolution No. 2009R-119 – Purchase golf carts for Ratliff Ranch Golf Links. Steve Patton, Director of Parks and Recreation, recommended purchasing golf carts instead of a lease. The purchase will have a cost savings and has the same warranty as the leased carts. The carts would be kept for three-years then sold back and it has the same value as the leasing. The fleet would be turned over every three years. Councilmember Goates stated it was a good deal to purchase the carts.

Motion was made by Councilmember Goates and seconded by Councilmember Cleaver that the resolution be approved. The motion was approved by the following vote:

Bill Cleaver	Aye
James B. Goates	Aye
Royce Bodiford	Aye
Dean Combs	Aye
Benjamin Velasquez	Absent

MISCELLANEOUS

Appointment of Boards. Community Development Advisory Committee and Cable Franchise Committee; Appointment of Officers. (551.074) Zoning Board of Adjustment, and Building Board of Appeals. Motion was made by Councilmember Goates and seconded by Councilmember Bodiford that Donald Loving be appointed to the Building Board of Appeals. The motion was approved by unanimous vote.

Citizen comments on non-agenda items. Michael Dean Roberts stated that the Board of Survey ordered his green house to be condemned based on rotted wood. He provided samples of redwood that the green house is made. He stated that Joseph Yosemite redwood does not rot. Termites and other creatures do not like this type of wood. The greenhouse is used for growing native grass and herb garden. He would like this to be reconsidered. Mayor Melton stated that City Manager, Mr. Morton would look into this case. There was no other business, the meeting adjourned at 6:20 p.m.

ATTEST:

Norma A. Grimaldo
City Secretary

APPROVED:

Larry L. Melton
Mayor