



**CITY COUNCIL MINUTES
CITY OF ODESSA, TEXAS
JANUARY 13, 2009**

On January 13, 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; Dean Combs, District Four; and Michael Sanchez, District Five.

Others present: Richard Morton, City Manager; Larry Long, City Attorney; Fara Corrales, Deputy 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 Rev. Roy Gentry, Bethel Missionary Baptist Church, and followed by the Pledge of Allegiance to the United States and Texas flags.

Kay McDowell presented the Heritage Holiday awards to the float winners.

CONSENT AGENDA ITEMS

- A. City Council Minutes, December 9, 2008;
- B. Bid award to Sewell Ford in the amount of \$360,508.00 for purchase of automotive vehicles;
- C. Bid award to Caldwell County Chevrolet in the amount of \$483,873.00 for purchase of Police package vehicles;
- D. Purchase Pro-Patch asphalt pothole patcher;
- E. **Ordinance No. 2009-01–Request of Charlene Meister and Jerry Huckaby, owners, for original zoning of Retail (R) on approximately 8.1 ac. in Section 8, Block 41, T-2-S, T&P Ry. Co. Survey, Ector Co., Texas (4800 block of E. Loop 338);**
- F. Award contract with Master Meter for the purchase of water meters;
- G. Renew contract with Fox Scientific for chemicals and general lab supplies;
- H. Bid award to Fuqua Industries in the amount of \$9,751 and to Roll Offs USA in the amount of \$224,805 for Solid Waste refuse containers.

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

OTHER COUNCIL ACTION

Purchase Pak-Mor refuse bodies. Doug Hildebrand, Director of Equipment Services, stated that the trucks would be used by the Solid Waste Department. The purchase price for five replacement trucks is \$353,100 and it was a budgeted expenditure. Councilmember Goates stated that there was one truck replaced last year. There will be five trucks replaced each year leading to 35 replaced trucks.

Motion was made by Councilmember Bodiford and seconded by Councilmember Goates that the motion be approved. The motion was approved by unanimous vote.

PUBLIC HEARINGS

Open a public hearing to consider approval of the request of Ewers Brothers Partnership, owner, to rezone from Single Family-Three (SF-3) to Multi-Family-One (MF-1) Lots 7 and 8, Block 20, McKinney Terrace (southwest corner of the intersection of Bernice Ave. and W. 10th St.). Marwan Khoury, Director of Planning, reviewed the location of the property. Mr. Khoury stated that the lot was vacant and that the zone change would allow them to add eight more apartment units.

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
Michael Sanchez	Aye

Open a public hearing to consider approval of the request of AP Real Property Holdings, LLC, optionee, Malcolm Cotton, owner, and Charlie Midgley, agent, to rezone from Office (O) to Light Commercial (LC) approximately 3.3 ac. tract of land in Section 15, Block 41, T-2-S, T&P Ry. Co. Survey, Midland Co., Texas (south of the intersection of Faudree Rd. and Old Bankhead Hwy.). Mr. Khoury reviewed the location of the property. He stated that the change from Office (O) to Light Commercial (LC) was for more flexibility. Councilmember Goates asked about the caliche pit located on the property. Mr. Khoury stated that it was not part of the changed area. Chris Acock, attorney for AP Property Holdings, stated that part of the pit is on the property. He mentioned that AP purchased 13 acres and only three acres were involved in the zoning change. Mr. Acock stated that the tank is not in the area being changed. Councilmember Goates asked for the purpose of the change. Mr. Acock stated that it was for an office facility for their use only. It would be used like a warehouse.

Motion was made by Councilmember Goates and seconded by Councilmember Sanchez 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
Michael Sanchez	Aye

Open a public hearing to consider approval of the request of DJK, Inc., owner, to rezone from Multi-Family-One (MF-1) to Retail (R) on approximately 10.5 ac. tract in Section 15, Block 41, T-2-S, T&P Ry. Co. Survey, Midland Co., Texas (northwest of Faudree Rd. and Old Bankhead Hwy.). Mr. Khoury reviewed the location of the property. He stated that the lot was vacant and that the zone change would allow a future shopping center. Councilmember Goates asked for an easement. Roy Allen, 22 Royal Garden, stated that an easement was done but it was not on hand at the time.

Motion was made by Councilmember Bodiford and seconded by Councilmember Combs 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
Michael Sanchez	Aye

Open a public hearing to consider approval of the request of David Rodriguez, Jr., owner, to rezone from single Family-Three (SF-3) to Office (O) Lot 1, Block 1, Santa Rosa Fire Station Tract (southwest corner of the intersection of W. 8th St. and Santa Rosa Ave.). Mr. Khoury, reviewed the location of the property. He stated that the building was used as a fire station and the change would allow to operate a nonprofit boxing center.

Motion was made by Councilmember Sanchez 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
Michael Sanchez	Aye

Open a public hearing to consider approval of a taxicab franchise for Patrick R. Kirk and Lupe Castillo, d/b/a A-1/Permian Basin Co-op. Mr. Long stated that A-1 Permian Basin operates at the airport and in Midland. There would be five taxicabs going to and from the airport. This would be for a five-year period. A-1 agrees with all terms and Mr. Long recommended for approval.

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
Michael Sanchez	Aye

ORDINANCE

Abandonment of a portion of Van Street, between Eidson and Vine Avenues. Matt Squyres, Director of Public Works, stated that the owners of the property wanted to remove fencing for operation and they agreed to the \$11,875 price. Councilmember Goates asked if there were any safety problems. Mr. Squyres stated that there were none.

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
Michael Sanchez	Aye

RESOLUTION

Resolution No. 2009R-01– Bid award to construct the proposed extension of Sewer Line “H” Phases III, IV, and V. Ajay Shakyaver, City Engineer, stated that seven bids were submitted. He recommended that the bid be awarded to SLC Construction in the amount of \$4,746,186.25 which is 22.9% below engineer’s estimate. Time frame is 250 working days to extend 5.48 miles.

Motion was made by Councilmember Goates 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
Michael Sanchez	Aye

MISCELLANEOUS

Appointment of Boards. Parks & Recreation Advisory Board and Complete Count Committee, Appointment of Officers. (551.074) Plumbing Advisory Board, Mechanical Board of Appeals and Zoning Board of Adjustment. Motion was made by Councilmember Combs and seconded by Councilmember Sanchez that Mark Windham be appointed as a full time member of the Zoning Board of Adjustment. The motion was approved by unanimous vote.

Citizen comments on non-agenda items. No one came forward.

There was no other business, the meeting adjourned at 6:31 p.m.



ATTEST:

Fara Corrales
Deputy City Secretary

APPROVED:

Larry L. Melton
Mayor