



**CITY COUNCIL MINUTES
CITY OF ODESSA, TEXAS**

OCTOBER 11, 2016

On October 11, 2016, 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.

Council members present: Mayor David R. Turner; Council members Amye McNeil, District One; Dewey Bryant, District Two; Barbara Graff, District Three; and Michael Gardner, District Four.

Council member absent: Filiberto Gonzales, District Five.

Others present: Richard Morton, City Manager; Larry Long, City Attorney; Norma Aguilar-Grimaldo, City Secretary; Konrad Hildebrandt, Assistant City Manager; other members of City staff; and members of the news media.

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

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

Mayor Turner presented a proclamation for White Cane Day.

CONSENT AGENDA ITEMS

- A. City Council minutes, September 27, 2016;
- B. **Resolution No. 2016R-114 – Accept an anonymous donation to City of Odessa Police Department and appropriating the funds from said donation;**
- C. **Resolution No. 2016R-115 – Annexation of Block 9, Lot 15; Block 17, Lots 4, 5 & 6; Block 8, Lot 10; and Block 9, Lot 5; Western Skies Subdivision into Ector County Utility District.**

Motion was made by Council member Bryant and seconded by Council member McNeil that the consent agenda items be approved. The motion was approved by unanimous vote.

OTHER COUNCIL ACTION

PUBLIC HEARING

Open a public hearing to consider approval of the request of City of Odessa, owner, LCA, agent, to rezone from Central Business District-Two (CB-2) to Central Business District- One (CB-1) on Lots 1-6, Block 42, the north 70 ft. of Lot 3 and Lots 4-9, Block 47, Original Town (vicinity of the intersection of E. 5th St. and Jackson Ave.). Randy Brinlee, Director of Planning, stated that the location was at 5th St. and Jackson. The purpose for the rezoning would be to develop a conference center, hotel, and parking lot.

The rezoning would align with the long term use of the property. The Planning and Zoning Commission recommended for approval. No one came forward and the public hearing was closed.

Motion was made by Council member Gardner and seconded by Council member Graff to approve the ordinance on first approval. The motion was approved by unanimous vote.

Open a public hearing to consider proposed EZ Rider bus route changes affecting Odessa. Rob Stephens, MOUSD General Manager, stated that there were three proposed bus route changes for Odessa. The changes would increase safety, ridership and on-time performance. He reviewed each of the proposed modifications. Riders were surveyed on the changes and there was a study made. Public hearings have been held with positive feedback. In the near future, the routes would be evaluated. Council member McNeil asked if there was an incident on Snyder that caused the proposed elimination of the bus stop. Mr. Stephens reported that there were small incidents. The survey results showed that riders were not feeling safe from that stop. Council member Gardner stated that the new route would suite better for the riders. There was more of an opportunity to catch the bus with more riders on the new proposed stop. No one came forward and the public hearing was closed.

ORDINANCE

Amending Article 6-5 of the City of Odessa Code of Ordinances, entitled “Accumulations of weeds, rubbish, brush or other objectionable matter,” by amending section 6-5-5, entitled “Duties of lot owners”. Mr. Long stated that the ordinance would declare high weeds, rubbish, and brush as a nuisance.

Motion was made by Council member Graff and seconded by Council member Bryant to approve the ordinance on first approval. The motion was approved by unanimous vote.

Remove from the table and consider amending Article 3-10 of the City of Odessa Code of Ordinances, entitled “Dangerous Buildings,” by amending Section 3-10-1, entitled “Authority of City; Conflicting Regulations” and by amending Section 3-10-13, entitled “Occupied Unsafe Structures.” Motion was made by Council member Bryant and seconded by Council member Gardner to remove the item from the table. The motion was approved by unanimous vote. Mr. Long stated that the ordinance would declare dangerous buildings a nuisance as allowed by State law.

Motion was made by Council member Graff and seconded by Council member Gardner to approve the ordinance on first approval. The motion was approved by unanimous vote.

Remove from the table and consider amending article 3-14 of the City of Odessa Code of Ordinances, entitled “Signs,” by amending Section 3-14-33, entitled “Unsafe signs.”

Motion was made by Council member Bryant and seconded by Council member McNeil to remove the item from the table. The motion was approved by unanimous vote. Mr. Long stated that the ordinance would declare unsafe signs as a nuisance.

Motion was made by Council member Bryant and seconded by Council member Gardner to approve the ordinance on first approval. The motion was approved by unanimous vote.

Tabled - Amending Article 4-6 of the City of Odessa Code of Ordinances, entitled “Peddlers and itinerant Vendors.” Motion was made by Council member Gardner and seconded by Council member McNeil to table this item. The motion was approved by unanimous vote.

Tabled - Adopting the Downtown Odessa Master Plan for the City of Odessa. Motion was made by Council member Bryant and seconded by Council member Gardner to table this item. The motion was approved by unanimous vote.

RESOLUTION

Resolution No. 2016R-116 - Remove from the table to consider amending economic development agreement with FMC Technologies, Inc. Motion was made by Council member Bryant and seconded by Council member Gardner to remove the item from the table. The motion was approved by unanimous vote. Wesley Burnett, Economic Development Director, stated that the agreement would amend the contract to allow FMC Technologies affiliate’s name to be shown for the jobs. The location remains the same. FMC made over a \$13 million capital investment. It would retain 47 jobs and create ten new jobs.

Motion was made by Council member Bryant and seconded by Council member McNeil to approve the resolution. The motion was approved by unanimous vote.

Resolution No. 2016R-117 – First Amendment Agreement with Midland-Odessa Urban Transit District ("MOUTD"), City of Midland and McDonald Transit Associates, Inc. for management of the transportation system. Mr. Long stated that the agreement was with McDonald Transit to provide additional funds to a McDonald Transit employee. Mr. Morton reported that the City of Midland would consider this at its October 25 Council meeting. Council member Graff stated that McDonald Transit provides their MOUTD employees with their travel and salary. She stated that the City Council should not be involved with the business of employees that were not the City Council’s employees. She didn’t want to go against any FTA regulations, especially that they provide transportation funding. She suggested tabling the item. Council member Bryant called the question.

Motion was made by Council member Bryant and seconded by Council member Gardner to approve the resolution. The motion was approved by a 3 - 1 vote with Council member Graff casting the nay vote.

Resolution No. 2016R-118 – Starbright Village sponsorship name rights. Steve Patton, Director of Parks and Recreation, stated that Starbright Village was a huge traditional holiday attraction with over 130,000 visitors. He recommended naming rights, with the City, to First Basin Credit Union. Shem Culpepper, First Basin Credit Union, stated that First Basin had a long pride history of community involvement. The partnership would bring stability for a bigger and better Starbright Village. Mr. Patton stated First Basin would pay \$25,000 annually for the first three years and \$27,500 for the following three years. The funds would be used for improvements to the Starbright village displays. The Council thanked First Basin Credit Union.

Motion was made by Council member Bryant and seconded by Council member Gardner to approve the resolution. The motion was approved by unanimous vote.

MISCELLANEOUS

Appointment of Officers: Building Board of Appeals. No action.

Resolution No. 2016R-119 – Acquisition of Lot 2 and the North .81 of Lot 1, Block 29, Original Town (603 N. Grant). Mr. Long stated that this was the property on which the Rio Theater was located. He recommended that the City purchase the property for a beneficial development to downtown. The purchase was for \$60,000.

Motion was made by Council member Graff and seconded by Council member McNeil to approve the resolution. The motion was approved by unanimous vote.

Citizen’s comments on non-agenda items. Ben Penn, 2135 W. 2nd St., has had a yard for 45 years. He feels harassed by the City. He had to remove old trucks and then received a storm water violation. Other violations were old tires and rubber hoses. There was no other business, the meeting adjourned at 6:40 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC
City Secretary

David R. Turner
Mayor