

The Town Council of the Town of Pecos City met in Regular City Council Meeting in the City Council Chambers on September 14, 2017 at 5:32 P.M. with the following present:

Venetta Seals	Mayor
Gerald Tellez	Mayor Pro Tem
Oscar Ornelas	Councilman
Veronica Baca	Councilwoman
Wally Moon	Councilman
Seth Sorensen	Acting City Manager
Syra Nichols	City Secretary
Rod Ponton	City Attorney
Clay McKinney	Chief of Police
Gary Rumbaugh	Public Works
Heather Ramirez	Finance Director
Syndi Fuentez	Permit Director
Jesus Gomez	MIS

Item A. Mayor Venetta Seals called the September 14, 2017 meeting to order at 5:32 pm.
Councilman Arthur Orona was not present.

Item B. Invocation by Councilman Moon
Item C. Pledge of Allegiance by Councilman Tellez

Item D. Public Comments

None

Item E. Consent Agenda

On motion by Councilman Moon and seconded by Councilman Tellez the Council voted unanimously to approve the Consent Agenda as presented; Minutes of regular City Council meeting on August 24, 2017; Minutes of Special Meeting on August 29, 2017; Authorization of staff to execute documents related to the engagement letter for auditing services by Park Fowler & Co. for F2017 Financial Audit Services; Adoption of Pay Plan and Authorized Personnel for FY2017; Enter into an agreement for \$5,000.00 with Grant Works for preparation and submission of parks grant application to TPWD.

Item F. Non-Consent Agenda

1. **RECOGNIZE** Seth Sorensen, Acting City Manager, informed the Council that Gary Rumbaugh, Public Works Director, recently tested and received his Class C Groundwater license and wanted to recognize his accomplishment. Councilman Tellez went on to thank Gary for running a great crew, the parks in the city look great. No action taken.

2. **DISCUSS/CONSIDER** Clay McKinney, Chief of Police, presented the Council with an application for a Taxi service business inside the city limits of Pecos. Venetta Seals, Mayor, questioned if prices have been established and Chief McKinney stated he would make contact with the gentleman wanting to start the business to submit a fixed fee rate. Chief McKinney went on to stated that right now the taxi service is running as a trial basis and once the application is approved the business will be at a standstill until all required permitting and fees are taken care of. On motion by Councilman Tellez and seconded by Councilman Moon, the Council voted unanimously to postpone a decision on the application until a fixed business plan is established.

3. **PLANNING AND ZONING** Syra Nichols, City Secretary, presented the Council with a request made by Delma Molinar for a zone change on property legally described as Lots 1-26, Block 7 North Pecos Addition to the Town of Pecos City, Reeves County, Texas. Mrs. Nichols, informed that the Planning and Zoning board had met on the matter and denied the zone change due to spot zoning and recommended that the request be reverted back to city administration by Council for a temporary non-conforming use permit (TN-CUP). Ms. Crisha Molinar, Pecos resident, stated that her family has owned the land for years and was approached with the idea to provide housing in Pecos by placing modular homes on the land by Iron Guard Housing, and has felt that Iron Guard does a great job maintaining their properties. On motion by Councilman Tellez and seconded by Councilwoman Baca, the Council voted unanimously to deny the zone change and approved a temporary non-conforming use permit (TN-CUP) be established with administration establishing the stipulations for the land use.

4. **PLANNING AND ZONING** Syra Nichols, City Secretary, presented the Council with a request made by the Pecos Economic Development Corporation for a survey re-plat of lots 1 and 2, block 2, lots 1 and 2, block 3 and lots 1-3, block 4, and the relocations of Arizona Street, of the revised West Airport Addition, to the Town of Pecos City, Reeves County Texas. Ken Winkles, PEDC Director, stated that the re-plat was done to move over Arizona St. and make the lots to the west of it larger to advertise more desirable land for purchase. On motion by Councilman Moon and seconded by Councilman Ornelas, the Council voted unanimously to approve the re-plat of the survey as presented.

5. **PLANING AND ZONING** Syra Nichols, City Secretary, presented the Council with a request made by the Pecos Economic Development Corporation for a zoning change from A-1 (Airport District) to C-2 (General Retail District) on the property legally described as 8.85 acres tract of land out of Section 16, Block 5, H&GN Railroad Company Survey, Reeves County, Texas described in Volume 125, Page 462, of the Reeves County, Texas deed records. Mrs. Nichols stated that the zone change is a request made for land that is the future sight of Tractor Supply which would be unable to be developed in an airport district. On motion by Councilman Moon and seconded by Councilman Ornelas the board voted unanimously to approve the zone change from A-1 (Airport District) to C-2 (General Retail District) for the land as presented.

6. **PLANNING AND ZONING** Syra Nichols, City Secretary, presented the Council with a request made by **The Town of Pecos City** to the Planning and Zoning Commission for a zoning change from A-1 (Airport District) to C-2 (General Retail District) on the property legally described as 15.57 acres tract of land out of Block 7, of the Revised West Airport Addition to the Town of Pecos City, Reeves County, Texas described in Volume 4, Page 50, of the Reeves

County, Texas Plat Records in its entirety. Syra Nichols, City Secretary, stated that the land adjacent to the future site of tractor supply is currently owned by TxDOT and used as a yard for their equipment and is suited for the commercial zone. On motion by Councilman Tellez and seconded by Councilman Moon, the board voted unanimously to approve the zone change from A-1 (Airport District) to C-2 (General Retail District) for the land as presented.

7. **UPDATE** (*item was delayed and brought back after item 14*) Ramon Carrasco, Kleinman Company, LLC, presented the Council with an update on the baseball field complex design that he has been working on. Mr. Carrasco that there have been various changes to the plan and that is what is stalling the completion of the site plan. Mayor Seals asked when the design will be ready to go out for bid, Mr. Carrasco stated two weeks would be the time needed. No action taken.

8. **DISCUSS/CONSIDER** Ken Winkles, PEDC Director, presented the Council with four applicants and letters of request to obtain one of the three expiring P4BEDC board member positions, three out of the four applicants currently serve on the board (Tony Trujillo, Mickey Ford and Joseph Jaquez) and one being an outside applicant (Rita Urias). On motion by Councilman Tellez and seconded by Councilman Moon and with Councilwoman Baca abstaining, the Council voted 3:1 to approve reappointing Tony Trujillo, Mickey Ford and Joseph Jaquez to the P4BEDC Board.

9. **DISCUSS/CONSIDER** Gary Rumbaugh, Public Works Director, presented the Council with a request for an easement donation by Texas New Mexico Power (TNMP). The easement covers .167 acres of land in Section 48, Block 6 and TNMP offered \$500.00 for the easement, Councilman Moon asked if Mr. Rumbaugh could make contact and ask for more money. On motion by Councilman Moon and seconded by Councilman Tellez, the Council voted unanimously to postpone the item for further money negotiations.

10. **DISCUSS/CONSIDER** Gary Rumbaugh, Public Works Director, presented the Council with a request for an easement donation by Diamondback Energy. The easement covers the electric line easement area of Sec 5, Blk C6, Reeves County, Texas. Councilman Moon asked if Mr. Rumbaugh could make contact with Diamondback Energy and ask for more money. On motion by Councilman Moon and seconded by Councilman Tellez, the Council voted unanimously to postpone the item for further money negotiations.

11. **DISCUSS/CONSIDER** Gary Rumbaugh, Public Works Director, presented the Council with a request by Randy Taylor for the abandonment of alley located on the western boundary of the Brookshire Estates in 522 H&GN RR CO, Block 5, Section 9. Seth Sorenson, acting City Manager, recommended not donate the land just in case future development on the land has need for the alley. On motion by Councilman Tellez and seconded by Councilman Ornelas, the Council voted unanimously to deny the request to abandon the alley as requested.

12. **DISCUSS/CONSIDER** Seth Sorenson, acting City Manager, presented the Council with the opportunity of creating a Municipal Development District (MDD) bylaw committee. The committee would meet to establish bylaws for the MDD to be ready before the election in November. On motion by Councilman Moon and seconded by Councilwoman Baca, the Council voted unanimously to approve the appointment of Councilman Arthur Orona to the MDD bylaw committee, with Councilwoman Baca acting as an alternate.

13. **DISCUSS/CONSIDER** Gerald Tellez, Councilman, presented the rest of the Council with a deed from the Harrison Trust granting land for a possible future site of City Hall. Rod Ponton, City Attorney, recommended to not accept the deed as presented, due to legal language stating that the land would be reverted back to the Harrison Trust if for any reason the structure on the land is not used for municipal offices. On motion by Mayor Seals and seconded by Councilman Tellez, the Council voted unanimously to postpone accepting the Harrison Trust Deed for further negotiations.

14. **DISCUSS/CONSIDER** Seth Sorensen, acting City Manager, presented the Council with a letter from County Judge W. J. Bang requesting an extension of terms for the warranty deed granted for the recreation center land. On motion by Councilwoman Baca and seconded by Councilman Tellez, the Council voted unanimously to approve the extension of terms.

15. **DISCUSS/CONSIDER** Heather Ramirez, Finance Director, presented the Council with a consultant services agreement for Muniservices, LLC for the administration of Hotel Occupancy Tax. On motion by Councilman Tellez and seconded by Councilman Ornelas, the Council voted unanimously to approve the consultant services agreement between the Town of Pecos City and Muniservices, LLC for a total of \$50,000.

16. **RESOLUTION 17-09-01R** Gary Rumbaugh, Public Works Director, presented the Council with Resolution 17-09-01R, a resolution approving the submission of an application for a Texas Park and Wildlife Department parks grant, to benefit the Skate Park which has a project cost estimated at \$493,000. On motion by Councilman Tellez and seconded by Councilwoman Baca, the Council voted unanimously to approve Resolution 17-09-01R.

17. **RESOLUTION 17-09-02R** Heather Ramirez, Finance Director, presented the Council with Resolution 17-09-02R, a resolution authorizing the creation of funds and bank accounts in order to comply with generally accepted accounting principles. On motion by Councilman Tellez and seconded by Councilman Ornelas, the Council voted unanimously to approve Resolution 17-09-02R.

18. **RESOLUTION 17-09-03R** Heather Ramirez, Finance Director, presented the Council with Resolution 17-09-03R, a resolution creating payment schedules for interfund loans. On motion by Councilman Tellez and seconded by Councilman Ornelas, the Council voted unanimously to approve Resolution 17-09-03R.

19. **RESOLUTION 17-09-04R** Heather Ramirez, Finance Director, presented the Council with Resolution 17-09-04R, a resolution approving an end-of-year budget amendment for the 2016-2017 fiscal year. On motion by Councilman Tellez and seconded by Councilman Ornelas, the Council voted unanimously to approve Resolution 17-09-04R.

20. **ORDINANCE 17-09-01** Seth Sorensen, Acting City Manager, presented the Council with the first reading of Ordinance 17-09-01, an ordinance changing subdivision rules for pavements. On motion by Councilman Moon and seconded by Councilman Ornelas, the Council voted unanimously to approve the first reading of Ordinance 17-09-01.

21. **ORDINANCE 17-09-02** Syndi Fuentes, Permits Director, presented the Council with the first reading of Ordinance 17-09-02, an ordinance repealing Ordinance 14-09-02 and amending a portion of the city code pertaining to manufactured housing and recreational vehicle parks. On motion by Councilman Moon and seconded by Councilman Tellez, the Council voted unanimously to approve the first reading of Ordinance 17-09-02.

22. **ORDINANCE 17-09-03** Syra Nichols, City Secretary, presented the Council with the first reading of Ordinance 17-09-03, an ordinance establishing a fee schedule appendix in the City Code of Ordinances. Councilwoman Baca requested that the annual business fee for Sexually Oriented Business be raised from the current \$500.00 yearly fee. Mr. Sorensen also stated that an additional court fee of \$3 was missed, along with various other rates that would remain the same unless changed at a later time. On motion by Councilman Tellez and seconded by Councilman Ornelas, the Council voted unanimously to approve the first reading of Ordinance 17-09-03.

23. **ORDINANCE 17-09-04** Heather Ramirez, Finance Director, presented the Council with the first reading of Ordinance 17-09-04, an ordinance setting the tax rate for the 2017-2018 Fiscal Budget Year at \$.50/ per 100. Mrs. Ramirez presented the ordinance and explained the line items stated in the ordinance. There were no public comments or opposition during the public hearing portion of the presentation. On motion by Councilman Tellez and seconded by Councilman Ornelas, the Council voted unanimously to approve the first reading of Ordinance 17-09-04.

24. **ORDINANCE 17-09-05** Heather Ramirez, Finance Director, presented the Council with the first reading of Ordinance 17-09-05, an ordinance adopting the 2017-2018 Fiscal Year Budget. On motion by Councilman Tellez and seconded by Councilman Ornelas, the Council voted unanimously to approve the first reading of Ordinance 17-09-05.

Item G. Discuss items for Next City Council Agenda

1. Baseball field update
2. Donation of easement covering .167 acres
3. Donation of easement for Diamondback energy
4. Ordinance 17-09-01
5. Ordinance 17-09-02
6. Ordinance 17-09-03
7. Ordinance 17-09-04
8. Ordinance 17-09-05
9. Pie chart for 17-18FY budget

Item J. Adjourned at 08:23 P.M.

Attest:

Syra Nichols, City Secretary

Venetta Seals, Mayor