



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

March 14, 2023

On March 14, 2023, a regular meeting of the Odessa City Council was held at 6:00 p.m. in the Council Chambers, 5th floor, City Hall, 411 W. 8th, Odessa, Texas.

City Council present: Mayor Javier Joven; Council members: Mark Matta, District One; Steven P. Thompson, District Two; Gilbert Vasquez, District Three; Greg Connell, District Four; and Denise Swanner, At-Large.

City Council absent: Council member Chris Hanie, District Five.

Staff present: Agapito Bernal, Interim City Manager; Norma Aguilar-Grimaldo, City Secretary; Dan Jones, Interim City Attorney; and other members of City staff.

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

The invocation was given by Kris Crow, ODC President, and followed by the Pledge of Allegiance and Texas flags.

Proclamations, Presentations and Awards. No presentations.

Citizen's comments on non-agenda items. No comments.

Consent Agenda

1. City Council minutes, February 28, 2023;
2. City Council Work Session minutes, February 28, 2023;
3. City Council special meeting minutes, March 7, 2023;
4. **Ordinance No. 2023-04 - Request by Carlos Enrique Isaac Onate, owners for a specific use permit to allow a beauty shop-one chair accessory use in a Special Dwelling District (SPD) zoning district on Lot 29, Block 18, Esmond Estates 6th Filing (3900 Hyden Dr.);**
5. **Ordinance No. 2023-05 - Original zoning request by John Loepky, owner, for Light Industrial (LI) on 48.00 acre tract located in Sections 36 and 37, Block 43, T-2-S, T & P RR. Co. Survey, City of Odessa, Ector County, Texas, being within Tract 2 of Vol. 1105, P. 670 (south of the intersection of S. FM 1936 and W. Murphy St.);**
6. **Ordinance No. 2023-06 - Request by Claudio Rodriguez, owner, NWC Services, LLC, agent, for Light Industrial (LI) on Lot 5, Block 24, West Interstate Industrial 3-(41, Odessa, Ector County Texas, (southwest of the intersection of W Interstate 20 Service Rd and S. Sargent Ave.)**
7. Adopt the revised Master Thoroughfare Plan (MTP);
8. Extend the yearly contract for preventative maintenance and warranty with ZOLL Medical cardiac monitors.
9. Purchase 100 facemasks for OFR Firefighter PPE equipment.

Motion was made by Council member Thompson and seconded by Council member Matta to remove Item 7 from the consent agenda. The motion was approved by the following vote:

Aye: Joven, Matta, Thompson, Vasquez, Connell, and Swanner
Nay: None

Motion was made by Council member Matta and seconded by Council member Vasquez to approve the consent agenda Items 1-6 and 8-9. The motion was approved by the following vote:

Aye: Joven, Matta, Thompson, Vasquez, Connell, and Swanner
Nay: None

Adopt the revised Master Thoroughfare Plan (MTP). Tom Kerr, Director of Public Works/Utilities, reviewed Scenario 3 with 61st St. continuing West according to the map. He stated that 61st St. was not needed to continue West but would continue East. It was recommended to eliminate 61st St. going West. The Council had a consensus to eliminate 61st St. going West.

Motion was made by Council member Matta and seconded by Council member Thompson to not approve the resolution. The motion was approved by the following vote:

Aye: Joven, Matta, Thompson, Vasquez, Connell, and Swanner
Nay: None

Ordinance

Amend the Odesa City Code Chapter 1-7 relating to Board, Commissions and Committees. Ms. Grimaldo stated that the Ector County-Odesa Joint Airport Zoning Board would be added to the Code of Ordinances along with the other Boards and Commissions.

Motion was made by Council member Swanner and seconded by Council member Vasquez to approve the ordinance on first approval. The motion was approved by the following vote:

Aye: Joven, Matta, Thompson, Vasquez, Connell, and Swanner
Nay: None

Miscellaneous

Motion was made by Council member Thompson and seconded by Council member Matta to suspend the rules. The motion was approved by the following vote:

Aye: Joven, Matta, Thompson, Vasquez, Connell, and Swanner
Nay: None

Appointment of Board: Animal Shelter Advisory Committee, Board of Survey, Historic Preservation Commission, Midland Odessa Urban Transit District, Planning and Zoning Commission, and Tax Increment Reinvestment Zone. Motion was made by Council member Swanner and seconded by Council member Matta to make the following appointments:

Gilbert Vasquez reappointed to the Animal Shelter Advisory Committee
Vickie Gomez reappointed to the Board of Survey
Connie Coots appointed to the Planning and Zoning Commission
Kevin Demel reappointed to the Tax Incentive Committee

The motion was approved by the following vote:

Aye: Joven, Matta, Thompson, Vasquez, Connell, and Swanner
Nay: None

Motion was made by Council member Matta and seconded by Council member Swanner to have a 15 minute recess. The motion was approved by the following vote:

Aye: Joven, Matta, Thompson, Vasquez, Connell, and Swanner
Nay: None

Motion was made by Council member Vasquez and seconded by Council member Thompson to return from recess. The motion was approved by the following vote:

Aye: Joven, Matta, Thompson, Vasquez, Connell, and Swanner
Nay: None

Casey Hallmark HR investigation presentation and findings. Tommy Sheen, Sheen Law Firm, reported the investigation results into the allegations made by Casey Hallmark in the December 2022 and January 2023 council meetings against Mayor Joven, Council member Matta, and Council member Hanie. He spoke to twelve individuals for the investigation. He stated that based on eye-witness testimony there was the lack of corroborating proof and unable to confirm the claim due to the conflicting evidence. Mr. Sheen indicated that the allegations against Council member Matta had no corroborating evidence to support the intent or motive. Council member Matta did not bully Ms. Hallmark. Mr. Sheen indicated that the allegations against Council member Hanie had no sufficient evidence and were unsubstantiated. He stated that Ms. Hallmark was not bullied by Council member Hanie, Council member Matta or Mayor Joven.

Mayor Joven stated that Council member Hanie had a medical emergency and was doing well.

Motion was made by Council member Swanner and seconded by Council member Matta to adjourn the meeting. The motion was approved by the following vote:

Aye: Joven, Matta, Thompson, Vasquez, Connell, Hanie, and Swanner
Nay: None

The meeting adjourned at 7:01 p.m.

ATTEST:

APPROVED:

Norma Aguilar-Grimaldo, TRMC, CMC
City Secretary

Javier Joven
Mayor