



# City of Abilene City Council Agenda

Shane Price, Council Member  
Joe Spano, Council Member  
Stormy Higgins, Council Member  
Larry Gilley, City Manager

Norm Archibald, Mayor

Anthony Williams, Mayor Pro Tem  
Robert O. Briley, Council Member  
Kellie Miller, Council Member  
T. Daniel Santee, City Attorney  
Danette Dunlap, City Secretary

Notice is hereby given of a meeting of the City Council of City of Abilene to be held on Tuesday, May 24<sup>th</sup>, 2011 at 8:30 a.m. at City Hall – Council Chambers, Second Floor, 555 Walnut Street, Abilene, Texas, for the purpose of considering the following agenda items. All agenda items are subject to action. The City Council reserves the right to meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

1. **CALL TO ORDER**
2. **INVOCATION**
3. **PLEDGE TO THE UNITED STATES FLAG AND THE TEXAS FLAG**
4. **PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS AND ANNOUNCEMENTS**

## Special Considerations – 2011 City Election Returns

Resolution canvassing returns and declaring results of the May 14, 2011 City General Election. (*Dunlap*)

Presentations to Council

Oath of Office for Elected Officials

5. **MINUTES** – Approval of the minutes from the May 12<sup>th</sup> Regular Meeting.
6. **CONSENT AGENDA** - All consent agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember or Citizen so requests, in which event the item will be removed from the Consent Agenda and considered separately.
  1. **Ordinance:** (*First Reading*) for Case #**Z-2011-09**, a request from Cindy Corley to rezone property from RS-12 (Single Family Residential) to RS-12/H (Single Family Residential/Historic Overlay) zoning, located at 902 Sayles Blvd.; and setting a public hearing for June 9, 2011. (*James*)
  2. **Ordinance:** (*First Reading*) for Case #**Z-2011-10**, a request from Diana Howard to rezone property from RS-12/COR (Single Family Residential/Corridor Overlay) to NO/COR (Neighborhood Office/Corridor Overlay) zoning, located at 5400 Buffalo Gap Rd.; and setting a public hearing for June 9, 2011. (*James*)
  3. **Ordinance:** (*First Reading*) Case #**Z-2011-11**, a request from Hendrick Medical Center to rezone property from MD (Medium Density Residential) and HC/COR (Heavy Commercial/Corridor Overlay) to MU/COR (Medical Use/Corridor Overlay) zoning, including all properties bound by N. 17th St. to the north, Pine St. to the east, N 16th St. to the south, and Cedar St. to the west; and setting a public hearing for June 9, 2011. (*James*)
  4. **Ordinance:** (*First Reading*) for Case #**TC-2011-01**, a request from Hendrick Medical Center to abandon all of the portions of N. 17th St., Wilson St., and the alley ROW between Wilson St. and N. 16th St., between Pine St. and Cedar St; and setting a public hearing for June 9, 2011. (*James*)
  5. **Oral Resolution:** Street Use License Agreement for Autism Awareness scheduled for June 10, 2011. (*Santee*)
  6. **Award of Bid:** **CB#1120** - for the Construction of the Police Academy Building. (*Berry*)
7. **REGULAR AGENDA – ORDINANCES & PUBLIC HEARINGS – RESOLUTIONS**
  1. **Ordinance & Public Hearing:** (*Final Reading*) Adopting the 2009 International Fire Code with amendments. (*Hay*)
8. **EXECUTIVE SESSION**

The City Council of the City of Abilene reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney) see list below, 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters) see list below, 551.087 (Business Prospect/Economic Development), and 551.076 (Deliberations about Security Devices)

9. **RECONVENE**  
Any action if needed from Executive Session.
10. Approving appointment of Mayor Pro Tempore(s)
11. **ADJOURNMENT**

In compliance with the Americans with Disabilities Act, the City of Abilene will provide for reasonable accommodations for persons attending City Council meetings. To better serve you, requests should be received 48 hours prior to the meetings. Please contact Danette Dunlap, City Secretary, at 325-676-6202.

#### **CERTIFICATION**

I hereby certify that the above notice of meeting was posted on the bulletin board at the City Hall of the City of Abilene, Texas, on the \_\_\_\_\_ day of May, 2011, at \_\_\_\_\_.

\_\_\_\_\_  
Danette Dunlap, City Secretary

#### **EXECUTIVE SESSION**

##### **(Litigation/Consultation with Attorney) Section 551.071**

The following pending litigation subjects which may be discussed are:

- 1) Art Castro v. Abilene Police Department; No. 1:08-CV-152-BI; US District Court, Northern District, Abilene Division; received October 27, 2008
- 2) Victoria Carter v. City of Abilene; County Court at Law No. 1, Taylor County, Texas, filed September 25, 2009.
- 3) Celia Arguijo v. City of Abilene; filed February 1, 2010; received February 2, 2010; 104<sup>th</sup> Judicial District Court, Abilene, Taylor County, Texas. Cause No. 24,781-B
- 4) Zena D. Crenshaw-Logal v. City of Abilene, Texas; Civil Case No. 1-10-CV-132; filed June 23, 2010, United States District Court, Northern District of Texas, Abilene Division
- 5) Diane Longenecker v. City of Abilene; Civil Case No. 1-10-CV-152; United States District Court, Northern District of Texas, Abilene Division, Filed July 9, 2010
- 6) Irene M. Grant, Jimmy Wilsher, Jimmy D. Asbill, Jerry "Gerardo" Garcia, Craig Mayhall and John M. Wegner v. City of Abilene, Texas, Cause No. 09010-D, 350<sup>th</sup> District Court, Taylor County, filed July 6, 2010
- 7) Patrick P. McGinnis v. City of Abilene, Texas; filed March 2, 2011; U.S. District Court, Northern District of Texas, Abilene Division
- 8) Tanjylon Tate v. City of Abilene; Satguru Hospitality, LLC d/b/a Knights Inn Civic Plaza Hotel a/k/a The Knights Inn Civic Center; Satguru Hospitality, LLC d/b/a Rodeway Inn Downtown Convention Center and a/k/a Rodeway Inn Downtown Convention Center; Wyndham Worldwide, Inc.; Wyndham Worldwide Operations, Inc.; Choice Hotels International, Inc.; Choice Hotels International Services, Corp.; Cause No. 25252-B; In the 104<sup>th</sup> Judicial District Court, Taylor County, Texas.

##### **(Personnel) Section 551.074**

**City Council may consider appointment, employment, reassignment, duties, discipline, or dismissal of public officers or employees, City Manager, City Attorney, Municipal Court Judge, City Secretary, and City Board and Commission Members. The following Boards and Commissions may be discussed:**

Abilene Economic Development Company, Inc.  
Abilene Higher Education Facilities Corporation  
Abilene-Taylor County Events Venue District  
Board of Building Standards  
Civil Service Commission  
Friends of Safety City Board  
Abilene Housing Authority  
Library Board  
Mechanical/Plumbing/Electrical & Swimming Pool Board of Appeals  
Mental Health-Mental Retardation Board of Trustees

Abilene Health Facilities Development Corp.  
Abilene Public Health Corporation  
Board of Adjustments  
Civic Abilene, Inc.  
Development Corporation of Abilene, Inc.  
Frontier *Texas!* Board of Directors  
Landmarks Commission  
Local Redevelopment Authority

9-1-1 Emergency Communications District Board of Managers  
Planning and Zoning Commission  
West Central Texas Municipal Water District

Parks & Recreation Board  
Taylor County Appraisal District  
Municipal Golf Course Advisory Board

**(Real Property) Section 551.072**  
**(Business Prospect/Economic Development) Section 551.087**  
**(Deliberations about Gifts and Donations) Section 551.073**  
**(Deliberations about Security Devices) Section 551.076**