



# City of Abilene City Council Agenda

Shane Price, Council Member  
Joe Spano, Mayor Pro-Tem  
Stormy Higgins, Council Member  
Larry Gilley, City Manager

Norm Archibald, Mayor

Anthony Williams, Council Member  
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 Thursday, September 8<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

#### Employee Service Awards

<i>Thomas “Cole” Edmondson</i>	<i>Animal Control Officer I</i>	<i>20 Years</i>
<i>Russell A. Clark</i>	<i>Police Criminal Invest</i>	<i>20 Years</i>
<i>James P. Craft</i>	<i>Police Officer – Patrol</i>	<i>20 Years</i>
<i>Jeffrey E. Hartmankok</i>	<i>Police Officer –Patrol</i>	<i>20 Years</i>
<i>Bradley P. McGary</i>	<i>Police Lieutenant – Patrol</i>	<i>20 Years</i>
<i>Patrick Perez</i>	<i>Police Officer – Patrol</i>	<i>20 Years</i>
<i>Lance Vines</i>	<i>Police Officer – Patrol</i>	<i>20 Years</i>
<i>Melinda “Mindy” Patterson</i>	<i>Director of Finance</i>	<i>20 Years</i>
<i>Mary A. Sides</i>	<i>Supervisor II, Call for Help</i>	<i>25 Years</i>
<i>George W. Hollingsworth</i>	<i>Firefighter – Fire Tactical Operations</i>	<i>30 Years</i>

5. MINUTES – Approval of the minutes from the August 25<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. **Oral Resolution:** Approving a Street Use License from Hardin-Simmons University for the 2011 Football Season. (*M. Santee*)
  2. **Oral Resolution:** Accepting the 9-1-1 Emergency Communications District Revised FY 2011 and Proposed FY 2012 Budget. (*Kidd*)
  3. **Oral Resolution:** Ratifying the Meet and Confer Agreement between the City of Abilene and the Abilene Police Officers Association. (*Kidd*)
  4. **Oral Resolution** - Authorizing the City Manager to execute Task Order 28 of the URS Corp Engineering Contract. (*Green*)
  5. **Oral Resolution** – **CB-1134** - Authorizing the City Manager to execute the Construction Contract with Epic Construction for Taxilane EASI. (*Green*)
  6. **Oral Resolution** – **CB-1133** - Authorize the City Manager to Execute the Construction Contract with Duininck, Inc. for Taxiway C. (*Green*)
  7. **Ordinance** – (*First Reading*) – Case #**Z-2011-19** - a request from the City of Abilene and Larry and Sandra McCright to rezone property from AO (Agricultural Open Space) to RS-8 (Single Family Residential) zoning, located at 3049, 3041, 3033, 3025, 2941, and 2825 Antilley Rd.; and setting a public hearing for September 22, 2011. (*James*)
  8. **Ordinance** – (*First Reading*) Case #**Z-2011-20** - On a request from Nick Coates to rezone property from AO (Agricultural Open Space) and GC (General Commercial) to HC (Heavy

Commercial) zoning, located at 3642 W Lake Rd.; and setting a public hearing for September 22, 2011. (James)

9. **Ordinance** - *(First Reading)* CUP-2011-01 - On a request from Christian Service Center for a Conditional Use Permit for a Social Service Facility in MD (Medium Density Residential) zoning, located at 2121 N. 6th St.; and setting a public hearing for September 22, 2011. (James)
  10. **Ordinance** - *(First Reading)* CUP-2011-02 - On a request from InSite Towers, LLC for a Conditional Use Permit for an Antenna Tower-Commercial in GR (General Retail) zoning, located at 1434 Grape St.; and setting a public hearing for September 22, 2011. (James)
  11. **Ordinance** - *(First Reading)* Amending Chapter 10, Section 10-29 of the Code "Inspection of premises"; and setting a public hearing for September 22, 2011. (Dozier)
  12. **Bid Award** - **CB#1141** for construction of a proposed ADA compliant pedestrian route from Mesquite St. to Treadaway Blvd. along the North side of North 7<sup>th</sup> St. (M. Santee)
  13. **Bid Award** - **CB#1143** to purchase truckload quantities of 300-gallon automated Poly refuse containers. (M. Santee)
7. **REGULAR AGENDA – ORDINANCES & PUBLIC HEARINGS – RESOLUTIONS**
1. **Ordinance & Public Hearing:** *(Final Reading)* Creating a Municipal Setting Designation for the Pine Street Corridor and South Downtown Area and Adjacent Properties. (James)
  2. **Ordinance and Public Hearing:** *(Final Reading)* Approving Revised 2010-2011 Budget and Proposed 2011-2012 Budget. (Patterson)
  3. **Ordinance and Public Hearing:** *(Final Reading)* Setting the FY 2011-2012 Tax Levy. (Patterson)
  4. **Workshop Item:** Discussion and Direction to Staff regarding Pine Street Median at Lawrence Bros. IGA.
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. **Oral Resolution** – Reappointment to the following Board: Betty Hardwick MH/MR.
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 September, 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) 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
- 5) 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
- 6) Patrick P. McGinnis v. City of Abilene, Texas; filed March 2, 2011; U.S. District Court, Northern District of Texas, Abilene Division
- 7) 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.
- 8) Byron LaRue Barefield v. City of Abilene; J. Peters Abilene Police Impound etal, Cause No. 47893-A, received July 7, 2011.

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

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  
  
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**