



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, October 27th, 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**
5. **MINUTES** – Approval of the minutes from the October 11th 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*) **Z-2011-21** Request from Brushy Armadillo Acres, LLC to rezone property from LI (Light Industrial) to GC (General Commercial) zoning, located at 2257 Industrial Blvd; and setting a public hearing for November 3, 2011. (*James*)
 2. **Ordinance:** (*First Reading*) **Z-2011-22** Request from Harris Acoustics to rezone property from HI (Heavy Industrial) to HC (Heavy Commercial) zoning, located at 1201 & 1233 S. Treadaway Blvd and 1260 China Street; and setting a public hearing for November 3, 2011. (*James*)
 3. **Ordinance:** (*First Reading*) **Z-2011-23** Request from Jan and Jerry Engelke to rezone property from LI (Light Industrial) to GC (General Commercial) zoning, located at 1125 Elmdale Road; and setting a public hearing for November 3, 2011. (*James*)
 4. **Ordinance:** (*First Reading*) **Z-2011-24** Request from Griffin Properties of Fort Smith, LLC to rezone property from HC (Heavy Commercial), RS-6 (Single Family Residential) and LI (Light Industrial) to MU (Medical Use) zoning located at 1618 & 1658 N. Treadaway Blvd, the 600 block of Wilson St., 1626-1690 Plum St., and 1657 & 1689 Mesquite St; and setting a public hearing for November 3, 2011. (*James*)
 5. **Ordinance:** (*First Reading*) **TC-2011-03** Request from Griffin Properties of Fort Smith, LLC to abandon N. 17th St. between N. Treadaway Blvd. and Mesquite St., a portion of Plum St. between N. 17th St. and N. 16th St., Wilson Ave. between N. Treadaway Blvd. and Plum St., and the 20' east to west alley ROW between N. 17th St. and Wilson Ave.; and setting a public hearing for November 3, 2011. (*James*)
 6. **Ordinance:** (*First Reading*) **Z-2011-25** Request from Phillip and Cheryl Miller to rezone property from RS-6 (Single Family Residential) to RS-6/H (Single Family Residential with Historic Overlay) zoning, located at 2241 College St; and setting a public hearing for November 3, 2011. (*James*)
 7. **Ordinance:** (*First Reading*) **Z-2011-26** Request from Steven and Deborah Smith to rezone property from MD (Medium Density Residential) to MD/H (Medium Density Residential with Historic Overlay) zoning, located at 1430 S. 6th St.; and setting a public hearing for November 3, 2011. (*James*)
 8. **Ordinance:** (*First Reading*) **Z-2011-27** Request from David and Kirsten Keel to rezone property from MD (Medium Density Residential) to MD/H (Medium Density Residential with

Historic Overlay) zoning, located at 340 & 342 Palm St; and setting a public hearing for November 3, 2011. *(James)*

9. **Ordinance:** *(First Reading)* **Z-2011-28** Request from City of Abilene to rezone property from MD (Medium Density Residential) to PD (Planned Development) zoning, located at 1699 S. 1st St.; and setting a public hearing for November 3, 2011. *(James)*
 10. **Ordinance:** *(First Reading)* Allowing Golf Carts on Public Streets with Restrictions; and setting a public hearing for November 3, 2011. *(Messer)*
 11. **Oral Resolution:** Approving an agreement with the Texas Department of Transportation and the City of Abilene for a State and Community Highway Safety Grant Program for Safety City - Building Safer Communities Project. *(Wilson)*
 12. **Oral Resolution:** Approving the purchase of property particularly described as 750-782 Pine Street. *(Gilley)*
 13. **Bid Award:** For improvements to the Abilene Water Treatment Plant. *(Taylor)*
 14. **Bid Award:** For improvements to the Grimes Water Treatment Plant. *(Taylor)*
 15. **Bid Award:** CB#1137 - Bucket Truck, Traffic Engineering. *(Patterson)*
 16. **Bid Award:** CB#1140 - Small Wheel Loader, Streets Division. *(Patterson)*
 17. **Bid Award:** CB#1139 - Stake Trucks, Solid Waste. *(Patterson)*
7. **REGULAR AGENDA – ORDINANCES & PUBLIC HEARINGS – RESOLUTIONS**
1. **Ordinance & Public Hearing:** *(Final Reading)* Amending the City Code dealing with the discharge of weapons within the city limits. *(D. Santee)*
 2. **Remove from TABLE - Bid Award:** CB #1135 - Presentation and discussion regarding self insurance fund, health plan and approval of request for proposal for Medical Health Insurance. *(Kidd)*
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:** Discussion and possible action related to annual performance evaluations of City Manager, City Attorney, City Secretary and Municipal Judge
11. **Resolution:** Nominations for the Taylor County Appraisal District
12. **Resolution:** Voting For the Following Individuals to the Board of Directors of the Jones County Appraisal District of Jones County for 2012-2013.
13. **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 October, 2011, at _____.

Danette Dunlap, City Secretary

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; 104th 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, 350th 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 104th Judicial District Court, Taylor County, Texas.
- 8) Byron LaRue Barefield v. City of Abilene; J. Peters Abilene Police Impound et al, 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