



# 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, November 3<sup>rd</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>Paula King</i>	<i>Public Safety Dispatch Supervisor</i>	<i>20 Years</i>
<i>Gregory “Greg” D Bristow</i>	<i>Fire Fighter, Fire Tactical Operations</i>	<i>30 Years</i>
<i>Alvin “Pat” P Edwards Jr.</i>	<i>Fire Fighter, Fire Tactical Operations</i>	<i>30 Years</i>
<i>Don W Estes Jr.</i>	<i>Fire Lieutenant, Fire Tactical Operations</i>	<i>30 Years</i>
<i>Daniel “Danny” W Jacobs</i>	<i>Fire Fighter, Fire Tactical Operations</i>	<i>30 Years</i>
<i>Douglas “Doug” Reno</i>	<i>Fire Fighter, Fire Tactical Operations</i>	<i>30 Years</i>
<i>Larry R Swonger,</i>	<i>Fire Fighter, Fire Organizational Dev</i>	<i>30 Years</i>
<i>Robin D Talley</i>	<i>Fire Captain, Fire Tactical Operations</i>	<i>30 Years</i>
<i>Lewis D Washburn</i>	<i>Fire Fighter, Fire Tactical Operations</i>	<i>30 Years</i>

5. **MINUTES** – Approval of the minutes from the October 27<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*) Consider adoption of the Youth Standards of Care; and setting a public hearing for November 17<sup>th</sup> 2011. (*Hall*)
2. **Award of Bid:** **CB#1203** South Side Misc. Streets Phase II - rehabilitation of existing pavement, concrete curb and gutter, valley gutters, and curb ramps from Sayles to Butternut/South 7<sup>th</sup> to South 11<sup>th</sup>. (*M. Santee*)

7. **REGULAR AGENDA – ORDINANCES & PUBLIC HEARINGS – RESOLUTIONS**

1. **Ordinance & Public Hearing:** (*Final 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. (*James*)
2. **Ordinance & Public Hearing:** (*Final 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. (*James*)
3. **Ordinance & Public Hearing:** (*Final 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. (*James*)
4. **Ordinance & Public Hearing:** (*Final 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. (*James*)

5. **Ordinance & Public Hearing:** *(Final 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. *(James)*
6. **Ordinance & Public Hearing:** *(Final 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. *(James)*
7. **Ordinance & Public Hearing:** *(Final 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. 6<sup>th</sup> St. *(James)*
8. **Ordinance & Public Hearing:** *(Final 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. *(James)*
9. **Ordinance & Public Hearing:** *(Final 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. 1<sup>st</sup> St. *(James)*
10. **Ordinance & Public Hearing:** *(Final Reading)* Allowing Golf Carts on Public Streets with Restrictions. *(Messer)*
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:** Voting for individuals to the Board of Directors of the Taylor County Appraisal District
12. **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

### **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 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**