

**CITY COUNCIL MEETING**  
**March 11, 2004, 8:30 a.m.**

**CITY COUNCIL OF THE CITY OF ABILENE, TEXAS**  
**CONFERENCE ROOM 2, ABILENE CIVIC CENTER**

The City Council of the City of Abilene, Texas, met in Regular Session on March 11, 2004, at 8:30 a.m. in Conference Room 2 of the Civic Center, 1100 North 6<sup>th</sup> Street. Mayor Grady Barr was present and presiding with Councilmen Anthony Williams, Kris Southward, John Hill, Norm Archibald and Councilwoman Kay Alexander. Also present were City Manager Larry Gilley, City Attorney Sharon Hicks, City Secretary Jo Moore, and various members of the City staff. Councilman Jimmy McNeil was absent.

Councilman Archibald gave the invocation.

Jacy Andrews a first grade student from Wylie Elementary School led the Pledge of Allegiance. Also present was Jacy's mother Lesli Andrews, Keep Abilene Beautiful Coordinator, her father Toby Andrews and her sister Madison.

Mayor Barr, assisted by City Secretary Jo Moore, presented Employee Service Awards to the following individuals for their years of service:

20 Years	Pascual Mirelez	Purchasing Program Manager Finance
20 Years	Donna Littlefield	Police Communications Program Manager Police
20 Years	Gary Cheek	Fire Lieutenant Fire
20 Years	Alton Randy Doan	Fire Lieutenant Fire
20 Years	Gary Hamner	Firefighter Fire
20 Years	Phillip Hay	Fire Lieutenant Fire
20 Years	John Gregory Jones	Fire Captain Fire
20 Years	Margarito Ramirez, Jr.	Firefighter Fire
20 Years	Ronald Smith	Firefighter Fire
20 Years	James Webb	Fire Captain Fire
20 Years	Edward Williams	Fire Marshal Fire
20 Years	Michael Collins	Police Sergeant II Police
20 Years	James Davis	Police Officer Police

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20 Years	Edward Hobbs	Police Officer Police
20 Years	Terry Monroe	Police Officer Police
20 Years	John Reid	Police Sergeant I Police
20 Years	David Spraberry	Police Officer Police

**PROCLAMATIONS**

Mayor Barr presented a proclamation to James Wheeler recognizing March 20, 2004 as "Lion's White Cane Day".

**DISPOSITION OF MINUTES**

2.0 There being one noted correction and no additions or deletions to the February 26, 2004 Regular City Council Minutes, Councilman Southward made a motion to approve the minutes as corrected and printed. Councilman Hill seconded the motion, and the motion carried.

AYES: Councilmen Archibald, Williams, Hill, Southward, Councilwoman Alexander, and Mayor Barr.

NAYS: None

**CONSENT AGENDA**

3.0 Councilwoman Alexander made a motion to approve consent agenda items 3.1 through 3.7, as recommended by staff. Councilman Hill seconded the motion, and the motion carried.

AYES: Councilmen Archibald, Williams, Southward, Hill, Councilwoman Alexander, and Mayor Barr.

NAYS: None

**Resolutions:**

- 3.1 Oral Resolution authorizing the City Manager to enter into an agreement with CoJer Surveying, Inc., to provide surveying services.
- 3.2 Oral Resolution approving Change Order One to the General Aviation Ramp Reconstruction Project Base Bid.
- 3.3 Oral Resolution approving the allocation of patrol seized funds for the purchase of a new K9.

- 3.4 A Joint Resolution of the City Council of the City of Abilene, Texas the Board of Trustees of the Abilene Independent School District, and the Board of Directors of the Lytle Lake Water Control and Improvement District, ordering a Joint Election to be held in said City, School District and Water District on May 15, 2004; providing for the election of persons to serve in Places 5 and 6 on the City Council of the City of Abilene, in Places 1, 2, 3, and 7 on the Board of Trustees of the Abilene Independent School District, and three persons to serve on the Board of Directors of the Lytle Lake Water Control and Improvement District.

The Resolution is numbered **4-2004** and captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, THE BOARD OF TRUSTEES OF THE ABILENE INDEPENDENT SCHOOL DISTRICT, AND THE BOARD OF DIRECTORS OF THE LYTLE LAKE WATER CONTROL AND IMPROVEMENT DISTRICT; ORDERING ELECTIONS TO BE HELD IN SAID CITY AND SCHOOL DISTRICT AND WATER DISTRICT ON MAY 15, 2004; PROVIDING FOR THE ELECTION OF PERSONS TO SERVE IN PLACES 5 AND 6 ON THE CITY COUNCIL OF THE CITY OF ABILENE AND IN PLACES 1, 2, 3 AND 7 ON THE BOARD OF TRUSTEES OF THE ABILENE INDEPENDENT SCHOOL DISTRICT AND THREE PERSONS TO SERVE ON THE BOARD OF DIRECTORS OF THE LYTLE LAKE WATER CONTROL AND IMPROVEMENT DISTRICT; PROVIDING METHOD OF APPLICATION FOR PLACEMENT OF CANDIDATE'S NAME ON BALLOT; PROVIDING A FILING DEADLINE FOR ALL CANDIDATES; AND PROVIDING FOR A PROCLAMATION NOTICE AND PUBLICATION OF NOTICE OF SAID ELECTIONS.

- 3.5 A Resolution of the City Council of the City of Abilene, Texas and the Board of Trustees of the Abilene Independent School District ordering and establishing procedures for a Joint Special Election to fill the unexpired terms of Mayor and Council Place 1 and for an Abilene Independent School District Bond Election for new construction and improvements to be held in said City on May 15, 2004 in conjunction with the General City, Abilene Independent School District, and Lytle Lake Water Control and Improvement District Election.

The Resolution is numbered **5-2004** and captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AND THE BOARD OF TRUSTEES OF THE ABILENE INDEPENDENT SCHOOL DISTRICT; ORDERING A JOINT SPECIAL ELECTION TO BE HELD IN SAID CITY ON MAY 15, 2004 IN CONJUNCTION WITH THE JOINT REGULAR ELECTION OF THE CITY OF ABILENE, ABILENE INDEPENDENT SCHOOL DISTRICT, AND LYTLE LAKE WATER CONTROL AND IMPROVEMENT DISTRICT ELECTION, PREVIOUSLY ORDERED; PROVIDING FOR THE SPECIAL ELECTION TO FILL THE UNEXPIRED TERMS OF MAYOR AND COUNCIL PLACE 1 AND FOR AN ABILENE INDEPENDENT SCHOOL DISTRICT BOND ELECTION FOR NEW CONSTRUCTION AND IMPROVEMENTS; PROVIDING METHOD OF APPLICATION FOR PLACEMENT OF CANDIDATE'S NAME ON BALLOT; PROVIDING A FILING DEADLINE FOR ALL CANDIDATES; DESIGNATING ELECTION PRECINCTS AND POLLING PLACES; PROVIDING FOR BILINGUAL ELECTIONS FOR CITY

ELECTIONS; AND PROVIDING FOR A PROCLAMATION NOTICE AND PUBLICATION OF NOTICE OF SAID ELECTIONS.

**Bid Awards:**

- 3.6 **Bid #CB-4037** – Abilene Zoo picnic pavilion. The bid was awarded to Jeff Luther Construction of Abilene, TX in the amount of \$82,523.00.
- 3.7 **Bid #CB-4025** – Maple Street pump station additions. The bid was awarded to Nelson Lumber & Construction of Ft. Stockton, TX in the amount of \$86,157.25.

**REGULAR AGENDA**

4.1 Jeff Armstrong, Planning & Development Services Manager, briefed the Council on **Z-0304**, an Ordinance considered on second and final reading to rezone property located at 4438 Oldham Lane from AO (Agriculture Open Space) to PDR (Planned Development Residential) zoning district and to amend PDR-83.

Mr. Armstrong stated in November of 2003 the Council approved a 65-acre PDR for a gated community, which surrounds the subject 5-acre tract. Since then, the agent, Mr. Perry Stockard has purchased the tract and now wishes to incorporate it into the larger PDR. Except for the addition of the parcel, neither the boundaries of the site plan nor the terms of the existing PDR ordinance will change. Staff and the Planning & Zoning Commission recommend approval of the request.

Mayor Barr opened a public hearing on the item, and the following individual addressed the Council:

- David Todd of Hibbs & Todd, Inc., representing Mr. Stockard requested Council's approval of the request.

There being no one else present and desiring to be heard, the public hearing was closed.

Councilman Williams made a motion to approve the Ordinance to rezone property located at 4438 Oldham Lane from AO (Agriculture Open Space) to PDR (Planned Development Residential) zoning district and to amend PDR-83. Councilman Archibald seconded the motion, and the motion carried.

AYES: Councilmen Williams, Hill, Southward, Archibald, Councilwoman Alexander, and Mayor Barr.

NAYS: None

The Ordinance is numbered **4-2004** and captioned as follows:

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING", OF THE ABILENE MUNICIPAL CODE, CONCERNING

PDR-83 A PLANNED DEVELOPMENT RESIDENTIAL DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

4.2 Richard Gertson, Director of Planning & Development Services, distributed to Council the ACE Oversight Committee Report and introduced Larry Gill, Chairman of the ACE Oversight Committee. Mr. Gill presented the Annual Report of the ACE Oversight Committee, which included the progress of the thirty-two strategies of the ACE Task Force.

Mr. Gill reviewed the strategies, which were prioritized into two tiers and noted to date there has been good progress in implementing the first tier, with ten of the twelve having been completed, or are judged to be at least 75% complete. Based upon estimates from the key actors, eleven strategies in the second tier have not yet achieved at least 50% of the progress toward implementation.

Council discussed the various strategies in progress and the actions required to obtain closure on those strategies. Council further discussed, as a priority, the street system maintenance strategy noting the budgetary commitment that would be required to fund deferred street maintenance.

Council commended Mr. Gill and the ACE Oversight Committee for the report and for their work on the committee. No Council action was required.

4.3 City Manager Larry Gilley stated in continuing the council budget workshop presentations Andy Anderson, Director of Public Works would be presenting the 2004 Certificates of Obligation List of Projects and Associated Cost and David Wright, Director of Finance would present the Water Rates item which would be limited to the Ivie surcharge rate.

Andy Anderson, Director of Public Works distributed the CO list, briefed the Council on the Capital Improvement Program projects development process, then reviewed the following:

2004  
CERTIFICATES OF OBLIGATION  
LIST OF PROJECTS AND ASSOCIATED COST

NON-AIRPORT

EN 10 <sup>th</sup> Street Reconstruction	\$770,000
Maple Street Reconstruction	\$580,000
Ridgemont Drive Reconstruction	\$300,000
Health Department Parking Lot	\$138,400
Lake Kirby Lighting and Bldg	\$ 42,000
Nelson Park Restroom	\$120,000
Library Renovation	<u>\$ 49,600</u>

TOTAL Non-Airport	\$2,000,000
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AIRPORT

GA Ramp Reconstruct Phase II	\$ 75,000
RWY 17L RSA Improvements	\$182,700
Taxiway D Extension, Phase II	\$144,000
Terminal Renovation Phase III	\$255,000
Misc Other Airport Projects	<u>\$143,300</u>
 TOTAL Airport	 \$800,000

Council and staff discussion included: 1) funding for the Airport projects being the city's matching dollars; 2) E.N. 10<sup>th</sup> St., and Maple St. reconstruction needs with or without the proposed sports and water parks; 3) the Capital Improvement Plan having addressed the back log of work needed; 4) the ongoing need for capital improvement at the airport; 5) safety issues being the priority in street cost; 6) street capacity issues; 7) the savings to the tax rate being 1 cent or approximately \$331,000 if the CO's are not issued; 8) Council's request to staff for a list of the next 10 projects that were not considered due to budget restraints; 9) Council's request, for long range planning, for an estimation of the years of life that would be added to streets, if maintained and; 10) the possibility of street reconstruction cost having to be addressed through a bond issue.

No Council action was required.

David Wright, Director of Finance distributed information on the Refinancing of the Ivie Pipeline Project; Rural Development financing; 2 loans totaling \$10 million Series 2003A & B; \$10 million grant; and Market Refunding of remaining \$10 million from Series 2001B through issuance of Series 2003C.

Mr. Wright briefed the Council on the history of the Ivie surcharge noting the rate was originally implemented at 88 cents per 1,000 gallons of water to help fund the Ivie Pipeline Project. The rate was then reduced, due to receiving federal funding, to 65 cents per 1,000 gallons. Mr. Wright explained the final refinancing figures on the project and stated staff recommends the rate be reduced to 60 cents per 1,000 gallons of water, with the effective date to be set by Council.

Mr. Wright noted the effective date of the 60 cent surcharge could be as soon as the first billing cycle in April and that Council could consider the Water Rate Schedule/Resolution, which will include the reduced Ivie surcharge rate at their next meeting.

City Manager Larry Gilley stated he is confident the numbers presented to Council are accurate and represent the cost of the Ivie Pipeline project. Mr. Gilley recommended Council move forward with implementing the reduced rate.

No Council action was required.

**EXECUTIVE SESSION**

Mayor Barr recessed the Council into Executive Session pursuant to Sections 551.071, 551.074, and 551.072 of the Open Meetings Act, to seek the advice of the City Attorney with respect to pending and contemplated litigation, to consider the appointment and evaluation of public officers, and to consider the purchase, exchange, lease or value of real property.

The Council reconvened from Executive Session and reported no action taken.

There being no further business, the meeting was adjourned at 11:25 a.m.

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Jo Moore  
City Secretary

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Grady Barr  
Mayor