

CITY COUNCIL MEETING
May 13, 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 May 13, 2004, at 8:30 a.m. in Conference Room 2 of the Civic Center, 1100 North 6th Street. Mayor Grady Barr was present and presiding with Councilmen Anthony Williams, John Hill, Norm Archibald, Jimmy McNeil, Kris Southward, and Councilwoman Kay Alexander. Also present were City Manager Larry Gilley, City Attorney Sharon Hicks, City Secretary Jo Moore, Assistant City Secretary Renee Scott, and various members of the City staff.

Councilwoman Alexander gave the invocation.

Ebony Smith a fourth grade student from Reagan Elementary School led the Pledge of Allegiance. Ebony's brother Anthony and Mr. Lockett, Principal of Reagan Elementary, were also present.

EMPLOYEE SERVICE AWARDS

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

30 Years	Larry Frymire	Police Lieutenant II Police
30 Years	Thomas Martin	Fire Captain Fire
30 Years	Richard Rogge	Fire Lieutenant Fire
30 Years	Albert Wilhite	Fire Lieutenant Fire
20 Years	Larry Brooks	Equipment Mechanic II Equipment Services
20 Years	Marie Noe	Librarian II Library

PROCLAMATIONS

Mayor Barr presented a proclamation to Gail Kaiser recognizing the month of May as "Older Americans and Elder Abuse Prevention Month".

DISPOSITION OF MINUTES

2.0 There being no corrections, additions or deletions to the minutes of the April 8, 2004 Regular City Council Meeting, or the April 12, 2004 Called Council Meeting, and with noted corrections to the April 22, 2004 Regular City Council Meeting, Councilman McNeil made a motion to approve the minutes as corrected and printed. Councilman Williams seconded the motion, and the motion carried.

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

NAYS: None

CONSENT AGENDA

3.0 Councilman Hill made a motion to approve consent agenda items 3.1 through 3.5, items 3.9 through 3.12, and first reading of items 3.6 through 3.8, as recommended by staff. Councilwoman Alexander seconded the motion, and the motion carried.

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

NAYS: None

Resolutions:

3.1 Resolution approving issuing of Abilene-Taylor County Events Venue District Hotel Occupancy Tax Revenue Bonds, Series 2004 and other matters related thereto.

The Resolution is numbered **14-2004** and captioned as follows:

RESOLUTION APPROVING ISSUING OF ABILENE-TAYLOR COUNTY EVENTS VENUE DISTRICT HOTEL OCCUPANCY TAX REVENUE BONDS, SERIES 2004 AND OTHER MATTERS RELATED THERETO.

3.2 Oral Resolution approving the reappointment of Ms. LaShae Sloan and Reverend Matthew Lubin to the Human Relations Committee, terms expiring May 2007.

3.3 Oral Resolution authorizing the purchase of the influenza vaccine from Aventis-Pasteur at the State contract price.

3.4 Oral Resolution authorizing the City Manager to execute Task Order 11 of the Airside Engineering Contract with HNTB for General Aviation Ramp Taxilane Reconstruction project design and bidding services.

3.5 Oral Resolution approving a Street Use License Agreement with McMurry University.

Ordinances:

- 3.6 Ordinance amending Chapter 6, “Animal and Fowl”, Article I, of the Abilene Municipal Code.

AN ORDINANCE AMENDING CHAPTER 6, ANIMAL AND FOWL, ARTICLE I, IN GENERAL, OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR ENFORCEMENT AND PENALTY.

- 3.7 **Z-0604** - Rezone from AO (Agriculture Open Space) and PDD-2 (Planned Development District) to PDD (Planned Development District) zoning district, property located at State Highway 36 and FM 18; and set a public hearing for May 24, 2004 at 8:30 a.m.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, “ZONING”, OF THE ABILENE MUNICIPAL CODE, CONCERNING PDD-90 A PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

- 3.8 **Z-1404** - Rezone from RS-8 (Residential Single-family) to RM-2 (Residential Multi-family) zoning district, property located at 2417-2425 Church Street; and set a public hearing for May 24, 2004 at 8:30 a.m.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, “ZONING”, OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

Bid Awards:

- 3.9 **Bid #CB-4050** – Exchange Server 2003 and Windows Server 2003 Licenses. The bid was awarded to low bidder SHI-Government Solutions of Austin, Texas in the amount of \$31,262.00.
- 3.10 **Bid #CB-4052** – Re-roofing of City Hall. The bid was awarded to Lydick-Hooks Roofing in the amount not to exceed \$133,387.00, and to ratify purchase of materials previously ordered.
- 3.11 **Bid #CB-4038** – High Level Pump Station repair and replacement of roofs on four (4) facilities. The bid/contract was awarded to Water Rx, Inc. of Weatherford, Texas in the amount of \$39,950.00 and the City Manager or his designee was authorized to execute all necessary documents related to the contract.
- 3.12 **Bid #CB-4049** – Proposed drainage channel at Canyon Rock Road. The bid was awarded to Contract Paving Co., Tye, Texas, in the amount of \$109,260.56.

REGULAR AGENDA

Mayor Barr stated at approximately 11:00 a.m., as noted on the agenda, Council would move to item 4.4 to consider the award of bids and ordinances authorizing the issuance of Certificates of Obligation.

4.1 Mayor Barr noted that item 4.1 is a tabled item and requires council action to remove it from the table.

Councilman Archibald made a motion to remove item 4.1 from the table. Councilman McNeil seconded the motion, and the motion carried.

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

NAYS: None

Shannon Meinhold, Planning & Development Services, briefed the Council on item 4.1, Z-1004, an Ordinance on final reading to rezone property from Shopping Center (SC) to Planned Development District (PDD); located at 5501 Hwy 277 South. Ms. Meinhold stated the applicant, Faith Deliverance Community Church intends to house visiting preachers in a mobile home next to its main facility that fronts on Highway 277 South and had originally requested the zoning be changed from Shopping Center to Mobile Home zoning. The Council tabled the request at the April 22, 2004 council meeting and directed staff to prepare a PDD Ordinance, which is before the Council for consideration today. The Agent on the case, Mr. Jerry Jordan, is amenable to the items contained in the proposed PDD ordinance.

Mayor Barr opened a public hearing on the item and there being no one present and desiring to be heard, the public hearing was closed.

Councilman Hill made a motion to approve an Ordinance on final reading to rezone property from Shopping Center (SC) to Planned Development District (PDD), property located at 5501 Hwy. 277 South. Councilwoman Alexander seconded the motion, and the motion carried.

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

NAYS: None

The Ordinance is numbered **9-2004** and captioned as follows:

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING", OF THE ABILENE MUNICIPAL CODE, CONCERNING PDD-89 A PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

4.2 Rodney Taylor, Interim Director of Water Utilities briefed the Council on an Oral Resolution

authorizing the City Manager to execute a contract with Hibbs & Todd Engineering to conduct a Reclaimed Water Supply System Evaluation.

Mr. Taylor briefed the Council on the current Reuse System, the Resource Users, Reuse Issues and noted the proposed project scope addresses four general areas of interest: 1) Evaluation of supply; 2) Analysis of Customer Demand; 3) Infrastructure, and; 4) Policies and Procedures. Mr. Taylor noted the study would result in a set of policies to guide strategic and operational decisions related to the reuse system. Staff recommends the City Council approve, by oral resolution, a contract with Hibbs and Todd Engineering in the amount not to exceed \$65,000 to provide engineering services to conduct a Reclaimed Water Supply System Evaluation, and to authorize the City Manager or his designee to execute all necessary documents related to the contract.

Council and staff discussion included: 1) the need to maximize the reuse system; 2) investigating possible agriculture uses; 3) percentage of reuse water being used; 4) possibility of releasing some water in Kirby Lake; 5) political and legislative issues pertaining to permit processes; 6) additional water storage sources, and; 7) expected results from the proposed study.

Councilman Southward made a motion to approve, by oral resolution, a contract with Hibbs & Todd Engineering in the amount not to exceed \$65,000 for engineering services to conduct a Reclaimed Water Supply System Evaluation, and to authorize the City Manager or his designee to execute all necessary documents related to the contract. Councilman Hill seconded the motion, and the motion carried.

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

NAYS: None

4.2 Rodney Taylor, Interim Director of Water Utilities briefed the Council on an Oral Resolution authorizing the City Manager to execute a contract with Cater & Burgess, Inc. to conduct a Fort Phantom Hill Reservoir Water Quality Study.

Mr. Taylor stated the proposed project consist of two phases; Phase A and Phase B. Mr. Taylor further stated Phase A which is before the Council for consideration today includes surveys, mapping, data compilation, and hydraulic modeling to determine the impact on quality of the lake water given the following four influences: 1) Septic systems on existing lake front and future lots; 2) The introduction of ground water from the Seymour Aquifer; 3) The introduction of treated wastewater effluent, and; 4) Residential/Commercial Development of City owned properties. Phase A has a cost of \$225,000. Mr. Taylor noted if Phase A is approved following completion of that phase the City may choose to further explore development opportunities in the Fort Phantom Hill area by approving Phase B. Phase B, which incorporates Phase A results along with input from various stakeholder groups into a general land use plan for the area has a base cost of \$225,000 and includes the sewer design option for \$100,000 and the Marketing and Development study for \$45,000. Staff recommends the City Council approve, by oral resolution, a contract with Carter and Burgess, Inc. in the amount of \$225,000 to provide Phase A engineering services to conduct a Fort Phantom Hill Reservoir Water Quality Study and to authorize the City Manager or his designee to execute all necessary documents related to the contract.

Following Council and staff discussion Councilwoman Alexander made a motion to approve by oral resolution a contract with Carter & Burgess, Inc. in the amount of \$225,000 to provide Phase A engineering services to conduct a Ft. Phantom Hill Reservoir Water Quality Study and to authorize the City Manager or his designee to execute all necessary documents related to the contract. Councilman Williams seconded the motion, and the motion carried.

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

NAYS: None

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.

REGULAR SESSION

At 10:55 a.m. the Council reconvened from Executive Session and reported no action taken.

4.4 David Wright, Finance Director distributed Bid Results, the "Bond Buyer's" Index (20 years) of Municipal Bonds/Current Interest Rates information, and the 2004 Certificates of Obligation List of Projects and Associated Costs for the Combination Tax and Revenue Certificates of Obligation, Series 2004, in the amount of \$2,000,000, and; 2) Combination Tax and Airport Revenue Certificates of Obligation, Series 2004, in the amount of \$800,000.

2004

CERTIFICATES OF OBLIGATION

LIST OF PROJECTS AND ASSOCIATED COST

NON-AIRPORT

EN 10 th 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

AIRPORT

GA Ramp Reconstruct Phase II	\$ 75,000
RWY 17L RSA Improvements	182,700
Taxiway D Extension, Phase I	144,000
Terminal Renovation Phase III	255,000
Contingency on Airport Projects or Future Grant Match	<u>143,300</u>
 TOTAL Airport	 \$ 800,000

Mr. Wright briefed the Council on the Ordinances authorizing the issuance of City of Abilene, Texas: 1) Combination Tax and Revenue Certificates of Obligation, Series 2004, in the amount of \$2,000,000, and; 2) Combination Tax and Airport Revenue Certificates of Obligation, Series 2004, in the amount of \$800,000. Mr. Wright noted the ordinances authorize the issuance of the certificates to the lowest overall interest cost bidder.

Mr. Wright introduced Mr. George Williford of First Southwest Company. Mr. Williford reviewed the Bid Results noting the lowest TIC on the \$2,000,000 CO's was A.G. Edwards & Sons, Inc. at 4.232780 and the lowest TIC on the \$800,000 CO's was also A.G. Edwards & Sons, Inc. at 5.050918.

Councilman Archibald made a motion to approve the Ordinances authorizing the issuance of City of Abilene, Texas: 1) Combination Tax and Revenue Certificates of Obligation, Series 2004, in the amount of \$2,000,000, and; 2) Combination Tax and Airport Revenue Certificates of Obligation, Series 2004, in the amount of \$800,000 to A.G. Edwards & Sons, Inc. Councilman Hill seconded the motion, and the motion carried.

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

NAYS: None

The Ordinance is numbered **10-2004** and captioned as follows:

AUTHORIZING THE ISSUANCE OF CITY OF ABILENE, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2004, IN THE PRINCIPAL AMOUNT OF \$2,000,000 AND OTHER MATTERS RELATED THERETO.

The Ordinance is numbered **11-2004** and captioned as follows:

AUTHORIZING THE ISSUANCE OF CITY OF ABILENE, TEXAS COMBINATION TAX AND AIRPORT REVENUE CERTIFICATES OF OBLIGATION, SERIES 2004, IN THE PRINCIPAL AMOUNT OF \$800,000 AND OTHER MATTERS RELATED THERETO.

City Council Meeting
May 13, 2004
Page 8

5.4 Councilman Williams made a motion to approve Mayor Barr's appointments and re-appointments to various boards and commissions as listed below. Councilman McNeil seconded the motion, and the motion carried.

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

NAYS: None

West Central Texas Municipal Water District

2 year terms

Re-Appoint:

Joe Canon

Gary McCaleb

Syd Niblo

Frontier Texas! Board of Directors

3 year terms

Appoint:

Brandon Polk, Downtown Association representative, term expires 2/2005

Russell Lenz, TXDOT representative, term expires 2/2005

9-1-1 Emergency Communications District Board of Directors

2 year terms:

Re-Appoint:

Jo Moore

Appoint:

Jeff Wyatt

There being no further business, the meeting was adjourned at 11:05 a.m.

Jo Moore
City Secretary

Grady Barr
Mayor