

CITY COUNCIL MEETING
June 29, 2004, 8:30 a.m.

CITY COUNCIL OF THE CITY OF ABILENE, TEXAS
COUNCIL CHAMBERS, CITY HALL

The City Council of the City of Abilene, Texas, met in Regular Session on June 29, 2004, at 8:30 a.m. in Council Chambers, 555 Walnut Street. Mayor Norm Archibald was present and presiding with Councilmen John Hill, Jimmy McNeil, Kris Southward, and Councilwoman Laura Moore. Also present were City Manager Larry Gilley, City Attorney Sharon Hicks, City Secretary Jo Moore, and various members of the City staff. Councilman Anthony Williams was absent.

Councilman Hill gave the invocation.

Madison Moore a fourth grade student from Austin Elementary School led the Pledge of Allegiance. Madison is the daughter of Councilwoman Laura Moore.

DISPOSITION OF MINUTES

2.0 There being no corrections, additions or deletions to the June 10, 2004 Regular City Council Minutes Councilman Southward made a motion to approve the minutes as printed. Councilman Hill seconded the motion, and the motion carried.

AYES: Councilmen Hill, McNeil, Southward, Councilwoman Moore, and Mayor Archibald.

NAYS: None

CONSENT AGENDA

3.0 Councilman Hill made a motion to approve consent agenda items 3.1 and 3.2, items 3.4 through 3.6, items 3.8 and 3.9, and first reading of item 3.3. Item 3.7 was removed from the agenda as recommended by staff. Councilman Southward seconded the motion, and the motion carried.

AYES: Councilmen Hill, McNeil, Southward, Councilwoman Moore, and Mayor Archibald.

NAYS: None

Resolutions:

3.1 Oral Resolution approving a request from Burl Harris of the Abilene Dragstrip, 5601 W. Stamford, for a fireworks display to be held July 3, 2004, at approximately 9:00 p.m., with an alternate rain date of July 10, 2004.

3.2 Oral Resolution authorizing the City Manager to execute a deed transferring City property to the State of Texas via the Veterans' Land Board for a Veterans' Cemetery if Abilene is chosen as an approved site.

Ordinances:

3.3 Ordinance amending Chapter 18, "Motor Vehicles and Traffic", of the Abilene Municipal Code.

AN ORDINANCE AMENDING CHAPTER 18, "MOTOR VEHICLES AND TRAFFIC", OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

Bid Awards:

- 3.4 **Bid #CB-4055** – Sayles Blvd/Buffalo Gap Rd. Rehabilitation Phase I from South 27th Street to South 20th Street. The bid was awarded to J.H. Strain & Sons Inc., Tye, TX in the amount of \$327,316.90.
- 3.5 **Bid #CB-4057** – Ridgmont Drive Rehabilitation – between South Clack Street and Rebecca Lane. The bid was awarded to Contract Paving Co., Tye, TX in the amount of \$322,232.10.
- 3.6 **Bid #CB-4058** – South 9th Rehabilitation – between Sayles Blvd and Butternut. The bid was awarded to Bontke Bros. Construction Co., Abilene, TX in the amount of \$131,613.00.
- 3.7 **Bid #CB-4056** – Airport Terminal Phase III Project. This item was removed from the agenda.
- 3.8 **Bid #CB-4061** – Alley and utilities reconstruction from North 6th to North 7th Streets between Walnut Street and Mesquite Street. The bid was awarded to Starks Construction, Abilene, TX in the amount of \$38,000.00.
- 3.9 **Bid #CB-4059** – Lagoon construction and erosion control project at Hargesheimer Water Treatment Plant. The Bid was awarded to Epic Construction Co., Abilene, TX in the amount of \$198,000.00. The City Manager or his designee was authorized to execute all necessary documents related to the contract.

REGULAR AGENDA

- 4.1 City Secretary Jo Moore reported the results of the June 19, 2004 General & Special Runoff Elections. Ms. Moore stated the purpose of the City's General Runoff Election was to elect a Councilmember to Council Place 5 and the purpose of the City's Special Runoff Election was to elect a Councilmember to serve in the unexpired term of Council Place 1. Ms. Moore also stated the returns of the elections have been canvassed and the results show that in the General Runoff Election R.W. "Stormy" Higgins was elected to Council Place 5 having received 63.45 percent of the votes cast. Ms. Moore further stated the results also show in the Special Runoff Election that Sam Chase was elected to Council Place 1 having received 57.32 percent of the votes cast.

Total votes cast were as follows: **Council Place 1:** Mike Hernandez – 1934, Sam Chase – 2597 (57.32% of votes cast). **Council Place 5:** R.W. “Stormy” Higgins – 2873 (63.45% of votes cast), Dwayne Hargesheimer – 1655. Total votes cast in the June 19, 2004 General & Special Runoff Elections were 4590.

Councilman Southward made a motion to approve the Resolution canvassing the returns and declaring the results of the June 19, 2004 General & Special City Runoff Elections. Councilwoman Moore seconded the motion, and the motion carried.

AYES: Councilmen Hill, McNeil, Southward, Councilwoman Moore, and Mayor Archibald.
NAYS: None

The Resolution is numbered **17-2004** and captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,
CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL
AND SPECIAL RUNOFF ELECTIONS HELD IN THE CITY OF ABILENE ON JUNE 19,
2004.

4.2 City Manager Larry Gilley presented to outgoing Councilmember Jimmy McNeil a City of Abilene logo topaz stone lapel pin. Mr. Gilley also presented an arrangement of Iris’s, the City’s official flower to Mrs. McNeil.

4.3 City Secretary Jo Moore administered the Oaths of Office to Sam Chase, Council Place 1 and Stormy Higgins, Council Place 5.

4.4 At 9:05 a.m., Mayor Archibald announced the Council would recess for a reception honoring the newly elected and outgoing members of the Council. Mayor Archibald stated Council would reconvene, following the reception, in the Council Chambers.

Following the reception, Council reconvened in Regular Session at 9:35 a.m.

EXECUTIVE SESSION

Mayor Archibald 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

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

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5.4 Councilman Southward made a motion to elect Councilman Williams as Mayor Pro Tempore and Councilman Hill as Deputy Mayor Pro Tempore. Councilman Higgins seconded the motion and the motion carried.

AYES: Councilmen Chase, Southward, Hill, Higgins, Councilwoman Moore, and Mayor Archibald.

NAYS: None

There being no further business, the meeting was adjourned at 11:10 a.m.

Jo Moore
City Secretary

Norm Archibald
Mayor