

CITY COUNCIL MEETING
August 11, 2005, 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 August 11, 2005, at 8:30 a.m. in the Council Chambers at 555 Walnut Street. Mayor Archibald was present and presiding with Councilmen Sam Chase, Anthony Williams, Kris Southward, John Hill, Stormy Higgins 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 Williams gave the invocation.

Mayor Archibald introduced Michael White a 4th grade student from Jackson Elementary School who led the Pledge of Allegiance. Michael's parents and brother were also present.

EMPLOYEE SERVICE AWARDS

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

25 Years	Kelly Beard	Executive Secretary Traffic Division
20 Years	Jessie Duncan	Supervisor I Traffic Division
20 Years	Al Windham	Equipment Mechanic II Fleet Maintenance

DISPOSITION OF MINUTES

2.0 There being no corrections, additions, or deletions to the July 28, 2005 Regular Council Meeting Minutes Councilman Hill made a motion to approve the minutes as presented. Councilman Southward seconded the motion, and the motion carried.

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

NAYS: None

CONSENT AGENDA

Mayor Archibald stated item 3.6 has been removed from today's agenda.

Item 3.16, **Bid #CB-5074** – Street improvements – microsurfacing of Southwest Drive, Antilley Road, and South Willis was removed from the consent agenda to be considered separately at the request of Councilman Chase.

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Item 3.9, Ordinance amending Chapter 11, Food and Food Handlers, By Amending Article 1, In General, Section 11-4, of the Abilene City Code, and by adding Article IV, Certified Food Manager Program was removed from the consent agenda to be considered separately at the request of Brian Green.

3.0 Councilman Southward made a motion to approve consent agenda items 3.1 through 3.5, item 3.7, first reading of items 3.8 and 3.10 through 3.13, and items 3.14, 3.15 and 3.17 as recommended by staff. Councilman Williams seconded the motion, and the motion carried.

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

NAYS: None

Resolutions:

- 3.1 Oral Resolution approving a Street Use License Request from the United States Postal Service.
- 3.2 Oral Resolution approving a Street Use License Request from Hardin-Simmons University to control vehicular access on Simmons Avenue and authorizing the Mayor to execute the agreement.
- 3.3 Oral Resolution authorizing purchase of the influenza vaccine from Sanofi Pasteur, Inc. at the state contract price.
- 3.4 Oral Resolution authorizing the City Manager to accept Airport Improvement Program (AIP) Grant 3-48-0002-29-05 from the Federal Aviation Administration.
- 3.5 Oral Resolution authorizing the City Manager to execute Change Order One of the Orval Hall Excavating Contract for Runway 17L RSA Improvements, Taxiway D Extension.
- 3.6 *Removed from the agenda:* Oral Resolution authorizing the City Manager to execute Amendment One of the Airport Food, Beverage, News and Retail Services Concession Agreement, changing the name of the concessionaire.
- 3.7 Resolution replacing Resolution Numbers 10-1991 and 31-1992 concerning the City of Abilene Youth Advisory Council.

The Resolution is numbered **17-2005** and captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS
REPLACING RESOLUTIONS NOS. 10-1991 AND 31-1992 CONCERNING THE CITY
OF ABILENE YOUTH ADVISORY COUNCIL OF ABILENE, TEXAS.

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Ordinances:

- 3.8 Ordinance amending Chapter 32, Utilities, Article I, In General, Section 32-6, Right of Entry of the Abilene City Code; and set a public hearing for August 25, 2005 at 8:30 a.m.

AN ORDINANCE AMENDING CHAPTER 32, UTILITIES, ARTICLE I, OF THE CITY OF ABILENE MUNICIPAL CODE, BY AMENDING SECTION 32-6, RIGHT OF ENTRY, BY REQUIRING EVIDENCE OF COMPLIANCE WITH STATE OR FEDERALLY ISSUED STORMWATER PERMIT, AS SET OUT BELOW; DECLARING A PENALTY; PROVIDING A SEVERABILITY CLAUSE, AND CALLING FOR A PUBLIC HEARING.

- 3.9 *Removed from the consent agenda to be considered separately:* Ordinance amending Chapter 11, Food and Food Handlers, By Amending Article 1, In General, Section 11-4, of the Abilene City Code, and by adding Article IV, Certified Food Manager Program; and set a public hearing for August 25, 2005 at 8:30 a.m.

- 3.10 **Z-2005-25** – Rezone from AO (Agriculture Open Space) and RS-6 (Residential Single-family) to RS-12 (Residential Single-family), property located east of Wyndham Place and Waterside at Wyndham subdivisions at the end of Lynbrook Drive; and set a public hearing for August 25, 2005 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.

- 3.11 **Z-2005-26** – Ordinance to amend PDD-91 regarding signage regulations, property located on the northern corner of I-20 and Highway 351; and set a public hearing for August 25, 2005 at 8:30 a.m.

A. Amendments to PDD recommended by the Planning & Zoning Commission.

B. **Appealed Item:** Denial of change in height to pole sign.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, “ZONING”, OF THE ABILENE MUNICIPAL CODE, CONCERNING PDD-91 AND ORDINANCE NO. 20-2004 A PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

- 3.12 **TC-2005-4** – Thoroughfare closure of a north-south alley extending north from Potomac Avenue between South Pioneer Drive and Buccaneer Drive, at 701 S. Pioneer Dr.; and set a public hearing for August 25, 2005 at 8:30 a.m.

AN ORDINANCE PROVIDING FOR THE ABANDONMENT OF A PORTION OF PUBLIC RIGHT OF WAY; PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH ABANDONMENT, AND CALLING A PUBLIC HEARING.

- 3.13 **Pending Appeal: TC-2005-5** – Thoroughfare closure of a north-south alley extending from North 2nd to North 3rd Streets, east of Bois D’Arc; and set a public hearing for August 25, 2005 at 8:30 a.m.

AN ORDINANCE PROVIDING FOR THE ABANDONMENT OF A PUBLIC RIGHT OF WAY; PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH ABANDONMENT, AND CALLING A PUBLIC HEARING.

Bid Awards:

- 3.14 Camera van for the Sewage Collection Division. The bid was awarded in the amount of \$143,999.00 as follows:

• Philpott Motor Company Nederland, Texas	2005 Ford E350 Cut-Away Chassis Van	\$26,206.00
• Green Equipment Co. Fort Worth, Texas	2005 Envirosight Rovver 600 Camera System and Construction Of Van Interior Work Station	\$117,793.00

- 3.15 **Bid #CB-5070** – Metal Panel Security Fence at CityLink Transit. The bid was awarded to Deryl Black Welding in the amount of \$29,520.23, which includes the base bid of \$23,532.64, with Alternate #1 for \$5,987.59. Alternate #1 being a second side added for increased security.

- 3.16 *Removed from the consent agenda to be considered separately:* **Bid #CB-5074** – Street improvements – microsurfacing of Southwest Drive, Antilley Road, and South Willis. The bid was awarded to Viking Construction, Inc., Georgetown, Texas in the amount of \$299,129.33.

- 3.17 **Bid #CB-5075** – Traffic signal modifications at various intersections. The bid was awarded to Willis Electric Company, LP, Abilene, Texas in the amount of \$783,591.60.

Removed From Consent Agenda:

- 3.16 **Bid #CB-5074** – Street improvements – microsurfacing of Southwest Drive, Antilley Road, and South Willis. Councilman Chase requested clarification on what microsurfacing consist of.

Paul Knippel, Director of Public Works and Bob Lindley, City Engineer briefed the Council on the microsurfacing process, the equipment required for this type of application, the expected life span of the application, and the benefits of microsurfacing over other types of applications.

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Director of Finance David Wright briefed the Council on staff's recommendation that the three referenced streets be removed from the certificate program and be funded from paving assessment funds. Staff recommends the bid be awarded to Viking Construction, Inc., Georgetown, Texas in the amount of \$299,129.33.

Following discussion Councilman Chase made a motion to award **Bid #CB-5074** – Street improvements – microsurfacing of Southwest Drive, Antilley Road, and South Willis to Viking Construction, Inc., Georgetown, Texas in the amount of \$299,129.33. Councilman Hill seconded the motion, and the motion carried.

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

NAYS: None

Removed From Consent Agenda:

3.9 An Ordinance amending Chapter 11, Food and Food Handlers, By Amending Article 1, In General, Section 11-4, of the Abilene City Code, and by adding Article IV, Certified Food Manager Program; and set a public hearing for August 25, 2005 at 8:30 a.m.

Mayor Archibald called on Brian Green who had requested the item be removed from the Consent Agenda and considered separately. Mr. Green was not in attendance.

Mayor Archibald noted this Ordinance is on the agenda for first reading today and that there will be a second reading and public hearing on the Ordinance at the August 25, 2005 Council meeting.

Councilman Higgins made a motion to approve first reading of the Ordinance amending Chapter 11, Food and Food Handlers, By Amending Article 1, In General, Section 11-4, of the Abilene City Code, and by adding Article IV, Certified Food Manager Program. Councilman Hill seconded the motion, and the motion carried.

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

NAYS: None

AN ORDINANCE AMENDING CHAPTER 11, FOOD AND FOOD HANDLERS, BY AMENDING ARTICLE I, IN GENERAL, SECTION 11-4, OF THE ABILENE CITY CODE, AND BY ADDING ARTICLE IV, CERTIFIED FOOD MANAGER PROGRAM AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND CALLING FOR A PUBLIC HEARING.

REGULAR AGENDA

4.1 Sandy Bowen and Erica Bates of Planning & Development Services briefed the Council on the 2005-2009 Consolidated Plan, the FY 2005-2006 One-Year Action Plan and the Resolution approving the Plans for the Community Development Block Grant (CDBG) and Home Investment Partnerships (HOME) programs.

Ms. Bowen stated as an entitlement city receiving funds from the U.S. Department of Housing and Urban Development (HUD), the City of Abilene is required to submit a Consolidated Plan that strategically addresses the City's goals and objectives for housing and community development over the course of a five-year period. Ms. Bowen further stated the City of Abilene is also required to submit a One-Year Action Plan outlining specific uses of Community Development Block Grant (CDBG) and Home Investment Partnerships Program (HOME) funds planned for the coming fiscal year. Ms. Bowen noted the Office of Neighborhood Services Advisory Council was instrumental in the development of the goals and objectives of the Consolidated Plan which were adopted by Council on May 12, 2005, after a public hearing to receive public comment was held. The Consolidated Plan and One-Year Action Plan must be submitted to HUD by August 12, 2005. Ms. Bowen stated a series of four workgroup sessions were held in February and March of 2005 at the Abilene Civic Center to discuss/determine services, needs and gaps in the following areas of concentration which included housing, homelessness/special needs, economic development, and community/neighborhood developments. At these sessions, representatives of nonprofit agencies and members of the general public made various comments on community development needs that they hoped could be addressed with CDBG/HOME funds or alternative funds. In addition, three meetings of the same type were held with community residents of Community Development Eligible Area neighborhoods. Ms. Bowen noted the CDBG/HOME funding guidelines and applications were made available to the public from May 6th-June 3rd and a summary of the One-Year Action Plan outlining the proposed FY 2005/2006 budget was published in the Abilene Reporter News on July 9th (which began the HUD required 30-day comment period). As of August 2, 2005 one written comment, on behalf of the Day Nursery of Abilene, had been received in response to the proposed Action Plan as published. There will be no impact on local taxes with the projects being funded using 2005 entitlements of \$1,255,055 CDBG and \$616,055 HOME. In addition, the City anticipates that it will receive at least \$45,000 in program income for the CDBG program during FY 2005/06. Staff recommends Council approve the Resolution approving the 2005-2009 Consolidated Plan and 2005/06 One-Year Action Plan for use of CDBG and HOME funds.

Council and staff discussion included: 1) criteria considered for sidewalk eligibility and housing rehabilitation; 2) number of houses rehabbed in a years time; 3) targeting neighborhoods that have Neighborhood Plans; 4) regulatory limits in housing administration costs; 5) basis for decline in entitlements; 6) staff noting public hearing on the new Sidewalk Plan expected to occur within 2005; 7) new process in combining condemnation and code enforcement; 8) funding recommendation process and impact to Day Nursery's funding request, and; 9) CDBG funding moved to capital projects in 1990's.

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Mayor Archibald opened a public hearing on the item and the following individuals addressed Council:

- Stanfield Hunter, noted concerns on how CDBG funds are used and requested city staff revisit how those funds are used.
- Cynthia Pearson, Executive Director of Day Nursery of Abilene – Ms. Pearson stated she feels CDBG process is equitable and noted appreciation for previous funding and for Day Nursery’s opportunity to apply for funding. Ms. Pearson addressed the basis for the increased funding request and explained her goal for a supplemental after school care facility.
- Jan Powell, Volunteer Weatherization Program – Ms. Powell explained the activities of the Weatherization Program and stated appreciation for funding.
- Alana Maddox, Executive Director of Big Country AIDS Resources – Ms. Maddox explained how funds will be utilized and stated appreciation for funding.
- Megan Santee, Adult Protective Services Partners, Inc. – Ms. Santee stated appreciation to Council for funding.

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

The Day Nursery of Abilene’s funding request was discussed with Council inquiring as to the possibility of some funding being allocated (i.e. \$25,000) with specific stipulations being established. The possibility of Day Nursery utilizing an existing AISD building, a gym being located across from Day Nursery proposed future building and the HUD provision that allows a 25% change to be made to allocations within a year time frame was also discussed.

Mayor Archibald stated that although Council is making no commitment nor are they providing a grant opportunity to Day Nursery they would encourage Ms. Pearson to, within an appropriate time and considering the scope of the entire project, provide the information necessary in order for Council to understand if Day Nursery could use other facilities, or if Day Nursery’s needs could be adapted to a capital expense. The Mayor further stated if a grant were made possible for Day Nursery to also provide Council with ideas as to what extent the Day Nursery could raise the remainder of the funds needed for their facility.

Councilman Williams made a motion to approve the Resolution approving the 2005-2009 Consolidated Plan and FY 2005-2006 One-Year Action Plan for the Community Development Block Grant (CDBG) and Home Investment Partnerships (HOME) programs. Councilman Higgins seconded the motion, and the motion carried.

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

NAYS: None

The Resolution is numbered **18-2005** and captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING THE FY 2005/06 ACTION PLAN FOR THE CONSOLIDATED PLAN AND PROJECTED USE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) FUNDS.

Council recessed for a break at 10:15 a.m. and reconvened at 10:25 a.m.

4.2 David Sartor, Building Official briefed the Council on an ordinance considered on second and final reading to adopt the 2003 International Building, Plumbing, Mechanical, Residential, and Fuel Gas Codes, with Local Amendments to each.

In order to allow contractors and citizens the opportunity to utilize the latest advancements in approved materials and methods of construction the City of Abilene's construction regulations need to be kept up to date. Local amendments pertain to licensing and administrative procedures with very limited modifications made to the technical provisions of the International Codes. Mr. Sartor briefed the Council on the significant changes in the Building Code as they relate to fire suppression in residential occupancies and the use of king trusses in construction. Mr. Sartor noted the importance of Abilene maintaining compatible construction regulations with other cities in order to reduce variations to typical standards, and eliminate uncertainty to the design professions and the construction industry. Mr. Sartor further noted each Code was reviewed by a citizen's ad-hoc committee, which met weekly from February through May of 2005, comprised of contractors, architects, engineers and board members. The Mechanical, Plumbing, Electrical & Swimming Pool Board of Appeals, the Board of Building Standards, and staff recommend approval of the ordinance.

Council and staff discussion included: 1) the 2003 Code being the most current code; 2) the sprinkler rule, and; 3) engineering issues.

Mayor Archibald opened a public hearing on the item and the following individuals addressed Council:

- Tommy Harendt – citizen and on behalf of Big Country Home Builder Association. Mr. Harendt noted his years of building experience and endorsed the use of king trusses.
- Bill Brabbin, Brabbin Construction Co. – Mr. Brabbin stated he agrees with Mr. Harendt on the use of king trusses. Mr. Brabbin acknowledged and stated appreciation of David Sartor's qualifications as Building Official.
- Diana McIver, ARBORS Director – Ms. McIver addressed the negative impact the new code will have on the ARBORS. Ms. McIver stated the structures were designed

under the old code but will have to be permitted under the new one which will add approximately \$1,000 per unit to the cost.

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

Council and staff discussion included: 1) the Review Committee having reviewed the situation with the ARBORS and determined the safety feature was needed; 2) cost of market rates and multi-family dwelling sprinkler system stipulations; 3) common walls and building set back issues; 4) alarm systems versus fire suppression systems; 4) levels of alternation impacting rehab apartment complex structures; 5) appeal processes through the Board of Building Standards and District Court, and; 6) safety, commerce and cost issues.

Councilman Southward made a motion to approve an ordinance considered on second and final reading to adopt the 2003 International Building, Plumbing, Mechanical, Residential, and Fuel Gas Codes, with Local Amendments to each. Councilman Hill seconded the motion. Council requested the stipulations concerning the requirement for fire suppression systems in single story, multifamily, two or more entrances residential dwellings, and the water heater outside piping requirement be reviewed by the Board of Building Standards. The motion carried.

AYES: Councilmen Chase, Hill, Southward, and Mayor Archibald.

NAYS: Councilmen Williams, Higgins, and Councilwoman Moore.

The Ordinance is numbered **40-2005** and captioned as follows:

AN ORDINANCE AMENDING: (1) CHAPTER 8, "CONSTRUCTION REGULATIONS", ARTICLE VI, "CODES AND OTHER REGULATIONS", DIVISION 2, "BUILDING CODE"; OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; (2) CHAPTER 8, "CONSTRUCTION REGULATIONS", ARTICLE VI, "CODES AND OTHER REGULATIONS", DIVISION 4, "PLUMBING CODE"; OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; (3) CHAPTER 8, "CONSTRUCTION REGULATIONS", ARTICLE VI, "CODES AND OTHER REGULATIONS", DIVISION 5, "MECHANICAL CODE"; OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; AND AN ORDINANCE APPROVING: (4) CHAPTER 8, "CONSTRUCTION REGULATIONS", ARTICLE VI, "CODES AND OTHER REGULATIONS", DIVISION 8, "RESIDENTIAL CODE", OF THE ABILENE MUNICIPAL CODE, BY ADDING CERTAIN SECTIONS AS SET OUT BELOW; (5) CHAPTER 8, "CONSTRUCTION REGULATIONS", ARTICLE VI, "CODES AND OTHER REGULATIONS", DIVISION 9, "FUEL GAS CODE", OF THE ABILENE MUNICIPAL CODE, BY ADDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE, DECLARING A PENALTY, AND CALLING A PUBLIC HEARING.

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4.3 Jeff Armstrong, Development Services Manager briefed the Council on **Z-0404**, an ordinance considered on second and final reading to rezone property from GC (General Commercial) and RS-6 (Residential Single-family) to PDD (Planned Development District) zoning district, property located in the 2600-2700 block of South 7th Street.

Mr. Armstrong noted that Mr. Bob Gomez, ONS Advisory Council, had been present but had to leave the meeting and requested that his support of this ordinance be relayed to the Council. Mr. Armstrong stated in February 2004, this item was considered and approved by the Planning and Zoning Commission however the applicant had requested that the item be delayed from going forward to the City pending the outcome of a tax credit housing application that resulted in not being successful in 2004. Recently, however, the applicant learned that the project has been awarded funding in 2005. The request is to rezone a tract of land located across from Rose Park to PDD for a multi-family development for elderly residents, consisting of one and two-story buildings. The PDD provides for landscaping, a sidewalk, fencing along the east property line, a lower parking requirement than typical multi-family development, and identification signage. Staff and the Planning and Zoning Commission recommend approval of the ordinance.

Mayor Archibald opened a public hearing on the item and the following individuals addressed Council:

- Diana McIver, designer and owner of ARBORS – Ms. McIver addressed the various funding received for ARBORS and stated appreciation to Council for the HOME funding. Ms. McIver noted ground breaking for the facility is expected in the spring.
- John Imen, Amarillo Island Neighborhood Association, noted that no opposition to this request has been voiced.

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

Councilman Hill made a motion to approve **Z-0404**, an ordinance considered on second and final reading to rezone property from GC (General Commercial) and RS-6 (Residential Single-family) to PDD (Planned Development District) zoning district, property located in the 2600-2700 block of South 7th Street. Councilwoman Moore seconded the motion, and the motion carried.

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

NAYS: None

The Ordinance is numbered **41-2005** 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-84** A PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

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4.4 Councilman Hill made a motion to remove item 4.4 from the table to consider awarding **Bid #CB-5072**, Catclaw Drive Rehabilitation – Southwest Drive to South Clack. Councilman Williams seconded the motion, and the motion carried.

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

NAYS: None

Paul Knipple, Director of Public Works briefed the Council on **Bid #CB-5072**, Catclaw Drive Rehabilitation – Southwest Drive to South Clack.

Mr. Knipple stated at the July 28, 2005 Council meeting it was recommended that the bid be awarded to Stephens Martin Paving under the local preference rule. However, that rule is inapplicable to construction contracts and therefore the recommendation is to award the bid to the lowest responsible bidder, Contract Paving Co., Tye, TX, in the amount of \$214,749.54.

Councilman Williams made a motion to award **Bid #CB-5072**, Catclaw Drive Rehabilitation – Southwest Drive to South Clack to Contract Paving Co., Tye, Texas in the amount of \$214,749.54. Councilwoman Moore seconded the motion, and the motion carried.

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

NAYS: None

Mayor Archibald stated following Executive Session Council will recess for a lunch break and reconvene at 1:15 p.m. for the Budget Workshop.

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 votes or action was taken in Executive Session. Mayor Archibald stated Council would recess for lunch and would reconvene in the Council Chambers at 1:15 p.m. for the Budget Workshop.

CITY COUNCIL BUDGET WORKSHOP

5.4 Mayor Archibald called the Budget Workshop to order at 1:25 p.m. All Councilmembers were present (Councilman Hill arrived at 1:45 p.m.).

Director of Finance David Wright distributed and briefed the Council on the 2005-2006 Budget Water & Sewer Operating Fund Statement of Revenues & Expenditures, the 2005-2006 Budget Water & Sewer Capital Project Fund Statement of Revenues & Expenditures (noting the Sewer and Ivie Projects as reflected under the Revised FY04-05 Budget would be brought for Council's consideration before the end of September '05), the comparison of 2005 water rates for 10 comparable cities, and the past 5 years percentage comparison for General Fund Approved-Revised Budgets and Undesignated Fund Balance information.

Mayor Archibald noted if first reading of the Tax Levy Ordinance is approved today due to property values rising and as required by SB 18 the motion must be stated "I move that property taxes be increased by the adoption of a tax rate of (specify tax rate)."

Council and staff discussion included: 1) tax rate publication requirements; 2) public hearings to be held on the tax rate on August 25 and September 8 and final public hearing on the tax rate and budgets will be held on September 22, 2005; 3) clarification of 5-year vesting; 4) cost of retirement program and maintaining highly qualified workforce; 5) estimated cost and funding sources to light ball fields; 6) employees compensation and benefits issues; 7) clarification of paramedic training and Emergency Management transport; 8) possible sale of city property, staff to provide Council with city property list; 9) review of increases in various dept. budgets; 10) service city provides versus BFI services; 11) County no longer providing Mental Health transport and impact to city budget; 11) cost and benefits of City Council meetings video project; 12) basis for increase in solid waste fees; 13) evaluation of Stormwater Utility rate structure to be brought to Council early spring of next year; 14) Parks Buck Program; 15) restroom facilities at Johnston Park to be placed on Community Services priority list; 16) funding for Convention & Visitors Bureau and Council reviewing hotel/motel tax revenue in a couple of months; 17) DCOA Statement of Revenue/Expenditures, and; 18) Abilene being a 4A City and unable to spend funds on 4B (quality of life) projects.

Council discussed the need for further review of the Revised and Proposed Budgets and requested a Budget Workshop be placed on the Council's agenda for the August 25, 2005 meeting.

5.4 A. Councilman Hill made a motion to approve the first reading of the Ordinance approving the Revised 2004-2005 Budget and the Proposed 2005-2006 Budget. Councilman Williams seconded the motion, and the motion carried.

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

NAYS: None

AN ORDINANCE APPROVING REVISED BUDGET FIGURES FOR FISCAL YEAR 2004-2005; APPROVING AND ADOPTING BUDGET FOR THE FISCAL YEAR OCTOBER 1, 2005, THROUGH SEPTEMBER 30, 2006, FOR THE CITY OF ABILENE; APPROPRIATING FUNDS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH, CALLING A PUBLIC HEARING.

5.4 B. Councilman Williams stated "I move that property taxes be increased by the adoption of a tax rate of sixty-three and fifty-five hundredth cents (63.55 cents) on each hundred dollars (\$100.00) valuation of property", approving the first reading of the Ordinance setting the Tax Levy. Councilman Hill seconded the motion, and the motion carried.

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

NAYS: None

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, APPROVING THE ASSESSMENT ROLL FOR 2005, LEVYING AN AD VALOREM TAX FOR THE CITY OF ABILENE, TEXAS, FOR THE YEAR 2005; PROVIDING FOR THE ASSESSMENT AND COLLECTION THEREOF; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; CALLING A PUBLIC HEARING; PROVIDING AN EFFECTIVE DATE.

There being no further business, the meeting was adjourned at 3:20 p.m.

Jo Moore
City Secretary

Norm Archibald
Mayor