

**CITY COUNCIL MEETING**  
**September 27, 2007, 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 September 27, 2007, at 8:30 a.m. in the Council Chambers at 555 Walnut Street. Mayor Archibald was present and presiding with Councilmen Sam Chase, Stormy Higgins, Joe Spano, Anthony Williams, Councilwomen Laura Moore and Celia Davis. Also present were City Manager Larry Gilley, City Attorney Dan Santee, Interim City Secretary Danette Dunlap, and various members of the City staff.

Councilman Higgins gave the invocation.

Mayor Archibald introduced Baxter Speed Jr. who led the Pledge of Allegiance to the Flags of the United States of America and the State of Texas. Baxter is eight years old and is a 3<sup>rd</sup> grader at Bonham Elementary. Baxter is the son of Baxter and Millicent Speed Sr., Baxter lives with his Grandparents who are in attendance today Richard and Rachel Valdez. Baxter's Principal Ms. Rose is also here.

**PROCLAMATION**

Mayor Archibald presented the following proclamation:

- **"Pink Ribbon Sunday" – October 28, 2007**

**SPECIAL PRESENTATION**

Mayor Archibald made a special presentation to Dyess Air force Base. On behalf of the City of Abilene, the City is presenting to Dyess a City of Abilene Flag so that they may take it with them on deployment. On behalf of Dyess Air Force from the 317<sup>th</sup> Airlift Group Deputy Commander Lt. Col. Chris Goff and from the 40<sup>th</sup> Airlift Squadron Commander Lt. Col. Mike Zick accepted the flag. C-130's from the 40<sup>th</sup> AS and other elements of the 317<sup>th</sup> AG are being deployed in mid October, and the city wishes to send along with them a token of our City to serve as a reminder of where home is and that the City of Abilene backs Dyess Air Force. Best Wishes and Thank you for your service to our country and your dedication to keeping America safe.

Mayor Archibald would like to let the citizens know about a fund raiser benefit on October 13 benefiting those that had heavy flood damage in the Elm Valley and Coronado's Camp area during the August flood.

**DISPOSITION OF MINUTES**

2.0 Mayor Archibald stated Council has been given the minutes from the September 6, 2007 Special Called Meeting. There being no deletions, corrections or additions to the minutes Councilwoman Moore made a motion to approve the minutes as presented. Councilman Higgins seconded the motion, and the motion carried.

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AYES: Councilmen Chase, Higgins, Spano, Williams, Councilwomen Moore and Davis, and Mayor Archibald.

NAYS: None

**CONSENT AGENDA**

Mayor Archibald advised that prior to the start of the meeting today Items 3.5, 3.11 and 3.12 has been pulled.

Councilman Spano made a motion to approve consent agenda items 3.1 through 3.4 and 3.6 through 3.10 and 3.13, as recommended by staff. Councilwoman Davis seconded the motion, and the motion carried.

AYES: Councilmen Chase, Higgins, Williams, Spano, Councilwomen Moore and Davis, and Mayor Archibald.

NAYS: None

**Resolutions:**

3.1 Oral Resolution authorizing the City Manager to execute Professional Engineering Services Agreement with Enprotec/Hibbs & Todd Engineering for work associated with the design and construction of the Reclaimed Water Supply Transportation Facilities to serve the Veterans Land Board Cemetery.

3.2 Resolution approving Amendments to the City's Water Management Plan by adding (1) Industrial/Mining Water Conservation Plan; and (2) System Inventory and Water Conservation Plan for Agricultural Water Supplies providing water to more than one user.

The Resolution is numbered #32-2007 and captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING AMENDMENTS TO THE CITY'S WATER MANAGEMENT PLAN.

3.3 Resolution certifying Connecting Caring Communities as a Community Housing Development Organization (CHDO) and authorizing disbursement of HOME funds.

The Resolution is numbered #33-2007 and captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS APPROVING THE CERTIFICATION OF CONNECTING CARING COMMUNITIES AS A COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CHDO), AND AUTHORIZING DISBURSEMENT OF HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) FUNDS.

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3.4 Oral Resolution approving the Development Corporation of Abilene's annual contract renewal with the City of Abilene for Business Services.

3.5 **This item pulled prior to the meeting:** Resolution authorizing the City Manager to execute a 20 year renewal of the Recreational Lease with the Abilene Gun Club for the shooting range facilities on City property at Lake Fort Phantom.

3.6 Oral Resolution for consideration of a Street Use License Request from McMurry University to control Vehicular Access on Ross Avenue.

3.7 Oral Resolution ratifying contract for the Police Training Academy Asbestos Abatement, Mold Remediation, and Facility Build Back.

**Ordinances:**

3.8 **Z-2007-18** – (Appealed Item) Request to rezone property from AO (Agricultural Open Space) to PDD (Planned Development District). Located at the corner of Musgrave Blvd. and I-20; and setting a public hearing for October 11, 2007.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, CONCERNING PDD-120 A PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

3.9 **Z-2007-20** – Request to rezone property from RS12 (Residential Single-Family) to RS12/H (Residential Single-Family with Historic Overlay) property located at 1120 Elmwood Drive; and setting a public hearing for October 11, 2007.

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.

3.10 **Z-2007-21** – Request to rezone property from RM2 (Residential Multi-Family) to GC (General Commercial) at the intersection of Catclaw Drive and Cedar Run Road; and setting a public hearing for October 11, 2007.

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 **This item pulled prior to the meeting:** Ordinance - for proposed amendments to Chapter 23, Subpart D of the Code of the City of Abilene, Subdivision Regulations regarding the Extra-Territorial Jurisdiction; and setting a public hearing for October 11, 2007.

3.12 **This item pulled prior to the meeting:** Ordinance – for proposed amendments to the Zoning Ordinance to establish Rural Residential zoning districts and to change the minimum lot size requirements in the Agricultural Open Space district; and setting a public hearing for October 11, 2007.

**Bid Award:**

3.13 Zoo Parking Lot – Bid #CB-7062. The bid was awarded to Contract Paving, Tye, Texas in the amount of \$133,978.49.

**REGULAR AGENDA**

There were no items on the Regular Agenda.

**EXECUTIVE SESSION**

Mayor Archibald recessed the Council into Executive Session pursuant to Sections 551.071, 551.074, 551.072 and 551.087 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, to consider the purchase, exchange, lease or value of real property, and to discuss contemplated business prospects and or economic development matters.

The Council reconvened from Executive Session and reported no votes or action was taken in Executive Session.

5.5 No action was taken on an appointment to the Housing Authority Board of the City of Abilene.

5.6 No action was taken on the possible action related to annual performance evaluations of the City Manager, City Attorney, Municipal Judge and the position of the City Secretary.

There being no further business the meeting was adjourned at 11:13 a.m.

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Danette Dunlap  
Interim City Secretary

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Norm Archibald  
Mayor