

**CITY COUNCIL MEETING**  
**April 24, 2008, 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 April 24, 2008, 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, City Secretary Danette Dunlap, and various members of the City staff.

Councilman Stormy Higgins gave the invocation.

Mayor Archibald introduced Clarissa Gomez a 5<sup>th</sup> grader from Lee Elementary School; Clarissa led the Pledge of Allegiance to the Flags of the United States of America and the State of Texas.

**PROCLAMATIONS**

Mayor Archibald presented the following proclamations:

**National Music Week in Abilene**— proclamation was presented to Sue Siltman, Harmony Club of Abilene

**National Police Week** - proclamation was presented to Chaplain Donna Clayman and Sgt. Joe Tauer.

Mayor Archibald announced the Hands Around City Hall Ceremony will begin at 11:00 a.m. today.

**SPECIAL EMPLOYEE RECOGNITION**

Mayor Archibald recognized Mickey Chaney, Wastewater Plant Superintendent, for the Daniel C. Allen Memorial Distinguished Service Award. Awarded by the Texas Water Utility Association, the Distinguished Service Award is presented to one who has exhibited untiring dedication to the water utilities industry and to TWUA organization.

**DISPOSITION OF MINUTES**

**2.0** Mayor Archibald stated Council has been given the minutes from the April 10, 2008 Regular Council Meeting, There being no deletions, no corrections, and no additions to the

minutes Councilman Chase made a motion to approve the minutes as presented. Councilman Williams seconded the motion, and the motion carried.

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

NAYS: None

## **CONSENT AGENDA**

### **Items 3.2 and 3.4 pulled from consent by Councilman Chase.**

Councilwoman Moore made a motion to approve consent agenda items 3.1 through 3.10 excluding items 3.2 and 3.4, as recommended by staff. Councilman Spano 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 accepting anticipated FY08 FAA Airport Improvement Program.
- 3.2** Resolution Establishing a Red Light Camera Citizens Advisory Committee. ***Pulled from consent by Councilman Chase.***
- 3.3** Update Report from Community Access Task Force and Resolution changing the number of Members Appointed.

The Resolution is numbered **#14-2008** and captioned as follows:

A RESOLUTION OF THE CITY OF ABILENE, TEXAS CHANGING THE NUMBER OF MEMBERS OF THE COMMUNITY ACCESS TASK FORCE.

- 3.4** A Resolution authorizing the City Manager to enter into an agreement with Anson Park Seniors L.P. in support of and contingent upon successful application for Low-Income Housing Tax Credits (LIHTC) through the Texas Department of Housing and Community Affairs. ***Pulled from consent by Councilman Chase.***

### **Ordinances:**

- 3.5** **Z-2008-06** Request to rezone property from AO (Agricultural Open Space) to GC (General Commercial) zoning, located at 3801 & 3865 Sharon Rd and setting a public hearing for May 8, 2008.

- 3.6 Z-2008-09** Request from James Griffith to rezone property from RS6 (Single-Family Residential) to RM-3 (Multi-Family Residential) zoning, located at south side of the 500 block of EN 16<sup>th</sup> St.; and setting a public hearing on May 8, 2008.
- 3.7 Z-2008-10** Request to rezone property from RM-3 (Multi-Family Residential) and RS-6 (Single-Family Residential) to LC (Limited Commercial) and RM-3 (Multi-Family Residential) zoning, located at 241, 233, 209 and 201 N. 13<sup>th</sup> St and setting a public hearing for May 8, 2008.
- 3.8 Z-2008-11** Request to amend the text of PDD-28 (Planned Development District), regarding signage, located at 4321 Southwest Dr and setting a public hearing for May 8, 2008.
- 3.9 Amending Chapter 19** – Nuisances; and setting a public hearing for May 8, 2008.

**Bid Award:**

- 3.10** Purchase Approval of a Replacement Street Sweeper. The City council approved the purchase of a Replacement Street Sweeper from Kinloch Equipment & Supply, Arlington, TX, through the Local Government Purchasing Cooperative (Buy Board) in the amount not to exceed \$164,996.00.

*Item 3.2 Resolution Establishing a Red Light Camera Citizens Advisory Committee. Pulled from consent by Councilman Chase.*

Councilman Chase had a couple of questions. One question had to do with the length of time the members would be asked to serve. The Resolution states the committee would serve for 6 months and may be extended to one year. David Vela, Assistant City Manager stated that the first meeting would be May 29 for orientation and come back for the second meeting around July 10. Mr. Vela didn't believe that the one year term would be needed but that the citizens could be there if needed for later review.

Councilman Chase's second question had to do with the charge to the committee members. Mr. Vela stated the charges to the committee would be:

- Make recommendation regarding any design changes to an approach;
- Make recommendations related to changes in signalization of an intersection;
- Make recommendations for the locations of red light cameras based on the engineering study, traffic volume, accident history, red light violations and other similar data; and
- Make other recommendations related to the installation and operation of the red light camera enforcement system.

Discussion included: 1) Transportation Code, Chapter 707.003 (e) The committee shall advise the local authority on the installation and operation of a photographic traffic signal enforcement system established under this chapter; 2) various strategies to combat red light running which includes a) Public Education b) Public Service Announcement c) possible establishment of a web site; 3) communication with the citizens is very important; and 4) Engineer Study.

Councilman Chase would like to see added language to the Resolution establishing A Red Light Camera Citizens Advisory Committee, under Section 3 to be worded as the following: **The committee shall advise the City on the feasibility of the installation and operation of a photographic traffic signal enforcement system established by Chapter 707 of the Texas Transportation Code, or any alternate to the system likely to reduce the number of Red Light violations and improve safety.**

Councilman Chase made the motion to approve Resolution Establishing a Red Light Camera Citizens Advisory Committee with the amendment to Section 3, **The committee shall advise the City on the feasibility of the installation and operation of a photographic traffic signal enforcement system established by Chapter 707 of the Texas Transportation Code, or any alternate to the system likely to reduce the number of Red Light violations and improve safety.** Councilman Higgins seconded the motion, and the motion carried.

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

NAYS: None

The Resolution is numbered **#13-2008** and captioned as follows:

**RESOLUTION ESTABLISHING A RED LIGHT CAMERA CITIZENS ADVISORY COMMITTEE**

**Item 3.4** *A Resolution authorizing the City Manager to enter into an agreement with Anson Park Seniors L.P. in support of and contingent upon successful application for Low-Income Housing Tax Credits (LIHTC) through the Texas Department of Housing and Community Affairs. Pulled from consent by Councilman Chase.*

Councilman Chase had a question in regards to whether or not there needed to be added language to the Resolution in regards to the funding sources. Mr. Gilley stated that there is a process where by the council would have to approve the funding sources later in the process if they receive the Low Income Housing Tax Credits from the Texas Department of Housing and Community Affairs.

Councilwoman Davis made the motion to approve A Resolution authorizing the City Manager to enter into an agreement with Anson Park Seniors L.P. in support of and contingent upon successful application for Low-Income Housing Tax Credits (LIHTC) through the Texas Department of Housing and Community Affairs. Councilwoman Moore seconded the motion and the motion carried.

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

NAYS: None

The Resolution is numbered **#15-2008** and captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH ANSON PARK SENIORS L.P. FOR THE PROVISION OF GRANTS, LOANS, FEE DEFERMENTS, FEE WAIVERS, TAX ABATEMENTS, TAX DEFERRALS OR OTHER QUALIFYING FORMS OF CITY PARTICIPATION FOR UP TO 5% OF DEVELOPMENT COSTS, NOT TO EXCEED \$420,000, IN SUPPORT OF A PROPOSED SENIOR APARTMENT COMMUNITY AT THE SOUTHEAST CORNER OF AMBROCIO FLORES JR. RD AND VOGEL ST. COMMONLY REFERRED TO AS THE "ANSON PARK SENIORS' PROJECT AND IN SUPPORT OF AND CONTINGENT UPON SUCCESSFUL APPLICATION FOR LOW-INCOME HOUSING TAX CREDITS (LIHTC) THROUGH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA).

### **REGULAR AGENDA**

**4.1** Mayor Archibald stated that this Item has been pulled prior to the meeting. This Item has been moved to the May 8, 2008 Regular Meeting.

**4.2** Jon James, Director of Planning and Development Services, briefed the Council on annexation of property located south of the existing Beltway Park Baptist Church located at 4009 Beltway South and east of the Bella Vista Estates subdivision.

This is the second public hearing to receive public input on a proposed annexation of land located as described above and shown on the attached map. This item originated as a request from Ray Templeton, Associate Pastor at Beltway Park Baptist Church, to have approximately 5 acres of land annexed south of their existing facility. The proposed area will be adjacent to the proposed extension of Sierra Sunset.

The proposed area is currently undeveloped with no utilities (water and sewer) and no public facilities to be maintained (streets, drainage facilities, etc.). Police and Fire services will be available. The proposed annexation would present no adverse service impacts to any of the services or facilities offered by the Community Services Department.

Mayor Archibald opened a public hearing on the item and the city council heard from:

Ken Martin, with Jacob & Martin LTD Consulting Engineers, Mr. Martin stated the reason the Church asked for a voluntary annexation of this property, and this is the minimum acreage requirement for annexation. This will extend the Thoroughfare Street Sierra Sunset.

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

No action needed on this item.

### **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 the Mayor's board appointments.

There being no further business the meeting was adjourned at 10:25 a.m.

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Danette Dunlap  
City Secretary

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Norm Archibald  
Mayor