

CITY COUNCIL MEETING
October 20, 2009, 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 October 20th, at 8:30 a.m. in the Council Chambers at 555 Walnut Street. Mayor Archibald was present and presiding with Councilmen Shane Price, Joe Spano, Robert O. Briley, Stormy Higgins and Councilwoman Laura Moore. Councilman Anthony Williams was absent. Also present were City Manager Larry Gilley, City Attorney Dan Santee, City Secretary Danette Dunlap, and various members of the City staff.

Councilman Price gave the invocation.

Mayor Archibald introduced Jaxon Shultz Mayor of Thomasville City Council; Jaxon attends Thomas Elementary and is a 5th grader. Jaxon along with Bailey Smith, Ethan Lewis, and Daniel Luna the Thomasville City Council 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:

October 2009

“Disability Awareness Month”

Kathy Turner, Workforce Solutions Center, accepted the proclamation.

October 23, 2009

“Care Enough to Wear Pink Day”

Ken Dozier and Kevin Johnson, along with members of the Abilene Fire Department accepted the proclamation.

November 8-14, 2009

“Youth Appreciation Week”

Rocky Champion, Optimist Club, accepted the proclamation.

DISPOSITION OF MINUTES

5.0 Mayor Archibald stated Council has been given the minutes from the Regular Meeting on October 8th. There being no deletions, no additions, and no corrections, Councilman Higgins made a motion to approve the minutes as presented. Councilman Price seconded the motion, the motion carried.

AYES: Councilmen Price, Spano, Briley, Higgins, Councilwoman Moore and Mayor Archibald
NAYS: None

CONSENT AGENDA

Councilman Briley made the motion to approve consent items 6.1, 6.2 and 6.5 as presented. Councilman Spano seconded the motion, the motion carried. *A citizen pulled items 6.3 and 6.4.*

AYES: Councilmen Price, Spano, Briley, Higgins, Councilwoman Moore and Mayor Archibald
NAYS: None

Ordinance:

- 6.1** (First Reading) **Z-2009-14** a request from Lawrence Brannon to rezone property from O (Office) to LC (Limited Commercial) zoning, located at 501 N. Willis Street; and setting a public hearing for November 5, 2009.

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.

Resolution:

- 6.2** Resolution reducing the number of Board Members that comprise the Mayor's Council on Physical Fitness.

Resolution **#32-2009** and captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS REDUCING THE NUMBER OF BOARD MEMBERS THAT COMPRISE THE MAYOR'S COUNCIL ON PHYSICAL FITNESS.

Bid Awards:

- 6.3** Bid Award **#CB-1000** – Purchase of Dump Trucks for Various Divisions. (*Item pulled for consideration*)
- 6.4** Bid Award Purchase of Refuse Trucks for Solid Waste Division: (*Item pulled for consideration*)
- 6.5** **Bid # CB-9062** – Annual purchase of Fuel products. Contract was awarded for a one year period with the City reserving the option to renew for four (4) additional one-year terms at the same terms and conditions. Bid went to Delek Supply and Marketing for Unleaded fuel and #2 Diesel fuel.

ITEMS PULLED FROM CONSENT

- 6.3** Bid Award **#CB-1000** – Purchase of Dump Trucks for Various Divisions. The bid was awarded to Roberts Truck Center, in the amount of \$125,610.00.
- 6.4** Bid Award Purchase of Refuse Trucks for Solid Waste Division. Council awarded the purchase through BuyBoard in the amount of \$2,669,975.00 for the following purchases:

Rush Truck Center	(12) Peterbilt 320 trucks	\$1,440,225.00
Heil of Texas	(9) Sideload bodies	\$ 944,950.00
Heil of Texas	(3) Frontloader bodies	\$ 284,800.00

Council heard from Citizen Ms. Irene Grant, who voiced her concerns in regards to the timing of the bid process and the purchase of equipment from an out of town vendor vs. a local vendor.

City Staff addressed the concerns voiced by Ms. Grant. The city is following regular procedures for time lines on bidding. The city had sent out numerous bid invitations and only received back the one. The city is using BuyBoard a Cooperative Purchasing Agency to purchase the refuse trucks for the Solid Waste Division.

Councilwoman Moore made the motion to approve items 6.3 and 6.4 as presented. Councilman Price seconded the motion, motion carried.

AYES: Councilmen Price, Spano, Briley, Higgins, Councilwoman Moore and Mayor Archibald
NAYS: None

REGULAR AGENDA

7.1 No items for Regular Agenda.

EXECUTIVE SESSION

Mayor Archibald recessed the Council into Executive Session at 9:03 a.m. 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 at 11:17 a.m. and reported no votes or action was taken in Executive Session in regards to Section 551.071 Consultation with the City Attorney and Section 551.074 Personnel Matters.

10. Oral Resolution for the appointments to the following Board and Commissions:

Mayor's Council on Physical Fitness

Councilman Higgins made the motion to approve the Mayor appointment of Pug Parris to the Mayor's Council on Physical Fitness Board. Councilman Spano seconded the motion, motion carried.

AYES: Councilmen Price, Spano, Briley, Higgins, Councilwoman Moore and Mayor Archibald
NAYS: None

11. Discussion and possible action related to annual performance evaluations of the City Manager and the Municipal Judge.

No decisions were made on the performance evaluations.

There being no further business the meeting was adjourned at 11:18 a.m.

Danette Dunlap, TRMC
City Secretary

Norm Archibald
Mayor