

**CITY COUNCIL MEETING
May 27, 2010, 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 May 27, 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, Anthony Williams, Robert O Briley and Stormy Higgins, and Councilwoman Kellie Miller. Also present were City Manager Larry Gilley, City Attorney Dan Santee, City Secretary Danette Dunlap, and various members of the City staff.

Mayor Archibald gave the invocation.

Mayor Archibald introduced K'Ci Walker; K'Ci is a 2nd grader at Lee Elementary. K'Ci led the Pledge of Allegiance to the Flags of the United States of America and the State of Texas.

PROCLAMATION

Mayor Archibald presented the following proclamation:

May 2010

Motorcycle Safety and Awareness Month

Brandi Roberson and Lisa Massey accepted the proclamation

DISPOSITION OF MINUTES

5.0 Mayor Archibald stated Council has been given the minutes from the Workshop Meeting May 6 and Regular Meeting of May 13th, 2010. There being no deletions, no addition, and no corrections Councilman Higgins made a motion to approve the minutes as presented. Councilman Williams seconded the motion and the motion carried.

AYES: Councilman Price, Spano, Williams, Briley, Higgins, Councilwoman Miller and Mayor Archibald

NAYS: None

CONSENT AGENDA

Councilman Briley made the motion to approve consent items 6.1 through 6.5 as presented. Councilman Spano seconded the motion, the motion carried.

AYES: Councilmen Price, Spano, Williams, Briley, Higgins, Councilwoman Miller and Mayor Archibald

NAYS: None

Ordinances:

- 6.1** (*First Reading*) Amending Chapter 21, Section 21-26 establishing a Prohibition for Drilling Oil and Gas Wells. Sec. 21-26 Prohibition and setting a public hearing for June 10th 2010. Add (b) Under no conditions shall an oil and gas well drill bore be allowed on land owned by the City of Abilene and used for park purposes at Lake Fort Phantom Hill.

AN ORDINANCE AMENDING CHAPTER 21, SECTION 21-26 THE CITY OF ABILENE MUNICIPAL CODE BY AMENDING THE SECTION AS SET OUT BELOW, PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND CALLING FOR A PUBLIC HEARING.

- 6.2** (*First Reading*) Ordinance amending various portions of the Land Development Code; and setting a public hearing for June 10th 2010.

AN ORDINANCE AMENDING CHAPTER 23, "PLANNING AND COMMUNITY DEVELOPMENT," SUBPART B "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY AND CALLING A PUBLIC HEARING.

Resolutions:

- 6.3** Resolution – Reappointing an Assistant Municipal Court Judge to act in the absence or unavailability of the Judge of the Municipal Court. The City Charter provides that the Mayor with approval of the Council shall appoint a qualified attorney to act in the place of the Municipal Court Judge. Council approved Evans Rutledge as an Assistant Municipal Court Judge.

Resolution numbered [#16-2010](#) and captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS REAPPOINTING AN ASSISTANT MUNICIPAL COURT JUDGE TO ACT IN THE ABSENCE OR UNAVAILABILITY OF THE JUDGE OF THE MUNICIPAL COURT

- 6.4** Resolution – Authorizing continued participation with the ATMOS Cities Steering Committee (ACSC); and authorizing the payment of two cents per capita to the ATMOS Cities Steering Committee to fund regulatory and related activities related to ATMOS Energy Corporation. The City Council authorized the continuation of the City's membership with ACSC and approved the assessment to ACSC in the amount of .02¢ per capita based on the population figure for the City as shown in the latest TML Directory of City Officials.

Resolution numbered [#17-2010](#) and captioned as follows:

A RESOLUTION AUTHORIZING CONTINUED PARTICIPATION WITH THE ATMOS CITIES STEERING COMMITTEE; AND AUTHORIZING THE PAYMENT OF TWO CENTS PER CAPITA TO THE ATMOS CITIES STEERING COMMITTEE TO FUND

REGULATORY AND RELATED ACTIVITIES RELATED TO ATMOS ENERGY
CORPORATION

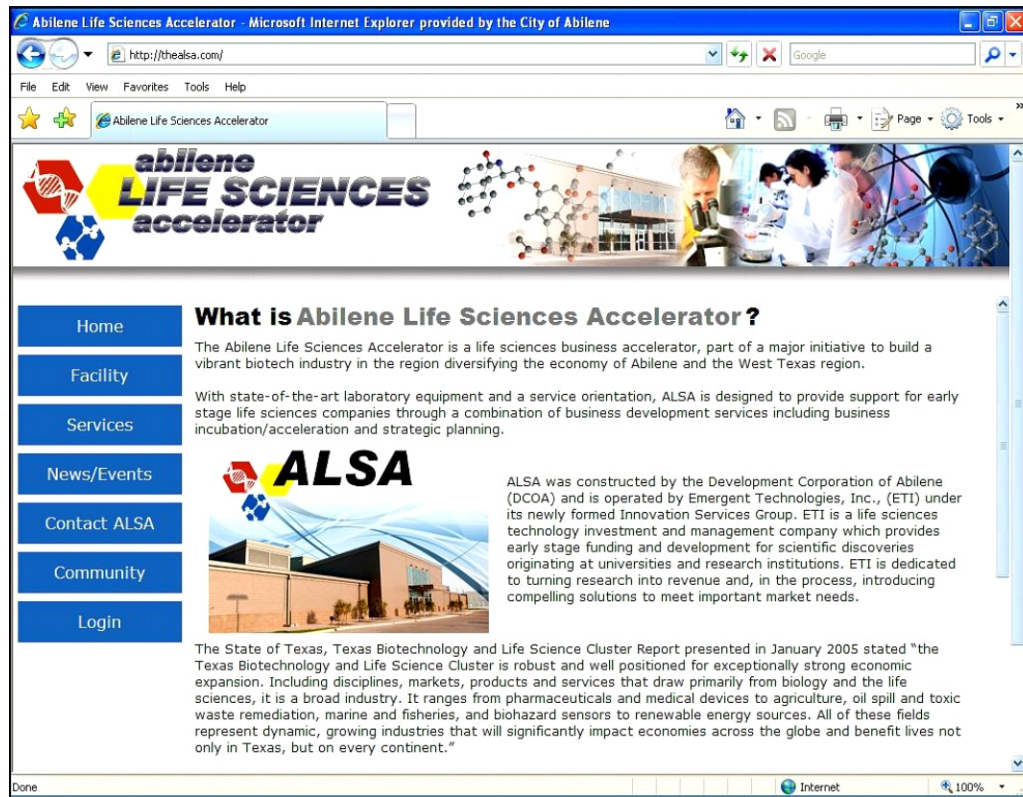
Bid Award:

- 6.5 Award of Bid – CB #1025** – Authorized the purchase of the Destination/Wayfinding Signage. City Council awarded the bid to Willis Electric Co. of Abilene in the amount of \$264,100.00 to be paid for through approved TIF funds approved in May 2007.

REGULAR AGENDA

7.1 Richard Burdine Assistant City Manager for Economic Development briefed the council on the Sector Initiatives in Biotechnology and the Semi-Annual report of Activities through March 31, 2010.

- **FY 04-05 Community Partners recruit a TTUHSC School of Pharmacy (SOP), DCOA funds research capability.**
- **FY 05-06 DCOA assists local Integrated Clinical Research, Inc. to expand their clinical trial business.**
- **FY 06-07 DCOA and TTUHSC-SOP agree to create the Center for Immunotherapeutic Research & Development.**
- **FY 06-07 DCOA recruits first biotechnology company, Receptor Logic, which located temporarily in the SOP.**
- **FY 07-08 22,000 square foot Abilene Life Sciences Accelerator (ALSA) project out to bid with anticipated completion in December 2009.**
- **FY 07-08 School of Pharmacy inducts first class of 40.**
- **FY 08-09 DCOA completes New Markets Tax Credit transaction, netting \$2M to the ALSA project.**
- **FY 08-09 Abilene SOP designated a regional health sciences center, providing access to more state funding.**
- **FY 09-10 Receptor Logic, our first biotech company, moves into the Abilene Life Sciences Accelerator.**
- **FY 09-10 DCOA contracts with Emergent Technologies, Inc. to recruit tenants for and manage the ALSA.**
- **FY 09-10 DCOA Board authorizes build out of remaining 10,140 square feet of “spec” laboratory space in ALSA.**
- **2nd professor hired for the Center for Immunotherapeutic Research & Development; recruiting efforts are ongoing.**
- **FY 09-10 Planning Grand Opening for Summer 2010.**



Councilman Williams made the motion to approve the Semi-Annual Report of Activities through March 31, 2010 for the DCOA. Councilman Price seconded the motion, motion carried.

AYES: Councilmen Price, Spano, Williams, Briley, Higgins, Councilwoman Miller and Mayor Archibald

NAYS: None

EXECUTIVE SESSION

Mayor Archibald recessed the Council into Executive Session at 8:59 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 11:34 a.m. and reported no votes or action was taken in Executive Session in regards to Section 551.071 Litigation/Consultation with Attorney, Section 551.072 Real Property and Section 551.087 Business Prospect/Economic Development.

There being no further business the meeting was adjourned at 11:34 a.m.

Danette Dunlap, TRMC
City Secretary

Norm Archibald
Mayor