

CITY COUNCIL MEETING
May 12, 2011 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 12th, 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, Anthony Williams, 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.

Councilman Briley gave the invocation.

Mayor Archibald introduced Sarah Pena. Sarah attends Ward Elementary and is a 1st grader. Sarah led the Pledge of Allegiance to the Flags of the United States of America and the State of Texas.

EMPLOYEE SERVICE AWARDS

Mayor Archibald and City Manager Larry Gilley presented the following Service Awards:

| | | |
|--------------------------------|--|-----------------|
| <i>Rodney P Goodman</i> | <i>Fire Lieutenant III, Fire Tactical Operations</i> | <i>25 Years</i> |
| <i>John D Smith</i> | <i>Fire Lieutenant III, Fire Tactical Operations</i> | <i>25 Years</i> |
| <i>Russell "Rusty" E Watts</i> | <i>Fire Lieutenant II, Fire Tactical Operations</i> | <i>25 Years</i> |

PROCLAMATIONS

Mayor Archibald presented the following proclamations:

May 2011

Older Americans and Elder Abuse Prevention Month

Gail Kaiser, Area Agency on Aging, accepted the proclamation.

May 2011

Motorcycle Safety and Awareness Month

Proclamation was accepted by a representative.

May 15 – 21, 2011

National Public Works Week

Megan Santee, Interim Director Public Works, accepted the proclamation

RECOGNITIONS

Dog Bite Prevention Week

Aaron Vannoy, Animal Services Manager, talked about the corporation of local organizations that are having dog bite prevention classes in conjunction with the Animal Services Department.

Mayor Archibald recognized The City of Abilene Water Department for their “**2010 Leadership Award**” presented by the Texas Water Utilities Association.

This award recognized City of Abilene staff for their excellent work during the past 2 years in an intensive program called “**Water Treatment Plant Performance Based Training**”. This program, sponsored by the EPA and TCEQ, was the first of its kind. EPA is using the results of this first program to create a similar training program throughout the United States.

Councilman Briley left during presentations.

DISPOSITION OF MINUTES

5.0 Mayor Archibald stated Council has been given the minutes from the April 24th Regular Meeting 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, motion carried.

AYES: Councilmen Price, Spano, Williams, Higgins, Councilwoman Miller and Mayor Archibald
NAYS: None

CONSENT AGENDA

Councilman Price pulled Item 6.1. Councilwoman Miller made the motion to approve consent item 6.2 as recommended by staff. Councilman Spano seconded the motion, motion carried.

AYES: Councilmen Price, Spano, Williams, Higgins, Councilwoman Miller and Mayor Archibald
NAYS: None

Ordinance:

6.1 **Ordinance:** (*First Reading*) of Ordinance Adopting the 2009 International Fire Code, with Local Amendments and calling public hearing for 5/24/11. *Item pulled by Councilman Price.*

AN ORDINANCE AMENDING CHAPTER 10, ARTICLE III, “FIRE PREVENTION CODE”, DIVISION 1, SEC. 10-46 OF THE ABILENE MUNICIPAL CODE BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE, AND DECLARING A PENALTY.

Oral Resolution:

6.2 **Oral Resolution:** Council approved the Street Use License Agreement with the Center for Contemporary Arts for “Carwalk-Artwalk”. The applicant wishes to close Cypress Street from the north right-of-way line of North 2nd Street to the south right-of-way line of North 6th Street for this event. The event will take place on Thursday June 9, 2011.

ITEM PULLED FROM CONSENT

6.1 Ordinance: (*First Reading*) of Ordinance Adopting the 2009 International Fire Code, with Local Amendments and calling public hearing for 5/24/11. *Item pulled by Councilman Price.*

Councilman Price asked that the codes reference the Abilene Codes.

Councilman Price made the motion to approve on First Reading the Ordinance amending Chapter 10, Article III, "Fire Prevention Code", Division 1, Sec. 10-46 of the Abilene Municipal Code by amending certain sections as set out. Councilman Williams seconded the motion, motion carried.

AYES: Councilmen Price, Spano, Williams, Higgins, Councilwoman Miller and Mayor Archibald
NAYS: None

AN ORDINANCE AMENDING CHAPTER 10, ARTICLE III, "FIRE PREVENTION CODE", DIVISION 1, SEC. 10-46 OF THE ABILENE MUNICIPAL CODE BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE, AND DECLARING A PENALTY.

REGULAR AGENDA

7.1 Richard Burdine Assistant City Manager for Economic Development briefed the council on the Development Corporation of Abilene, Inc. semi-annual report of activities through March 31, 2011.

*Semi-Annual Report to City Council
October 1, 2010 through March 31, 2011*

| Company | Assistance Amount | Committed Job Retention/ Job Creation | Actual to Date Job Retention/ Job Creation |
|---|------------------------|--|---|
| Pepsi Beverages | \$ 350,000.00 | 00/00 | 00/00 |
| Teleperformance USA | \$ 125,000.00 | 00/250 | 00/00 |
| Cooperative Response Center | \$ 296,500.00 | 00/17 | 00/00 |
| Genesis Networks Solutions, Inc. | \$ 2,874,185.00 | 115/253 | 115/02 |
| Enavail, LLC | \$ 23,814.00 | 00/28 | 00/01 |
| TOTAL | \$ 3,669,499.00 | 115/520 | 115/03 |
| | | | |
| % to Abilene companies | 91 % | | |

Current Activities

- Hangar 4 construction underway - project will save 50 jobs, add 50 jobs immediately and allow space for 50 more jobs later.
- Build out of clean room space in the ALSA for Enavail, LLC begins next week.
- Texas Healthcare Linen Plant at Five Points Business Park is substantially complete. DCOA provided infrastructure assistance.
- The TTUHSC School of Nursing building is under design with completion by fall 2012. DCOA provided infrastructure assistance.

Upcoming Projects

- Pursuing 5 potential biotech companies for the Abilene Life Sciences Accelerator.
- Hosting 100-150 members of the Texas Economic Development Council for their summer meeting, July 27-29, 2011.

Councilman Spano made the motion to approve the semi-annual report of activities of the Development Corporation of Abilene, Inc. Councilman Higgins seconded the motion, motion carried.

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

NAYS: None

7.2 Mike Hall Director of Community Services and Phil Gage Chairman of the Municipal Golf Course Committee briefed the council on the Resolution approving the fees for Maxwell Municipal Golf Course.

Councilman Spano made the motion to approve the Resolution approving a fee schedule for Maxwell Municipal Golf Course and establishing an effective date. Councilman Price seconded the motion, motion carried.

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

NAYS: None

Resolution [#11-2011](#) and captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING A FEE SCHEDULE FOR MAXWELL MUNICIPAL GOLF COURSE, AND ESTABLISHING AN EFFECTIVE DATE

EXECUTIVE SESSION

Mayor Archibald recessed the Council into Executive Session 9:31 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 10:33 a.m. and reported no votes or action was taken in Executive Session in regards to 551.087 Business Prospect and Section 551.071 Litigation/Consultation with Attorney.

There being no further business the meeting was adjourned at 10:33 a.m.

Danette Dunlap, TRMC
City Secretary

Norm Archibald
Mayor