

**CITY COUNCIL MEETING**  
**January 26, 2012 at 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 January 26<sup>th</sup> 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 Anthony Williams gave the invocation.

Mayor Archibald introduced Hannah McLean a student of Jackson Elementary. Hannah 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:

**January 2012**

**Crime Stoppers Month**

Rick Dorman, Executive Director Abilene Crime Stoppers, Inc. accepted the proclamation

**DISPOSITION OF MINUTES**

**5.0** Mayor Archibald stated Council has been given the minutes from the January 12<sup>th</sup> regular meeting there being no deletions, no additions, and no corrections. Councilman Higgins made a motion to approve the minutes as presented. Councilwoman Miller seconded the motion, motion carried.

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

NAYS: None

**CONSENT AGENDA**

Mayor Archibald pulled item 6.5 to be considered during the Regular Agenda. Mayor Archibald also noted that item 6.7 is pulled and will be reconsidered at the next council meeting. Councilman Spano made the motion to approve consent item 6.1 through 6.8 except 6.5 and 6.7 as recommended by staff. Councilman Price seconded the motion, motion carried.

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

NAYS: None

**Ordinances:**

**6.1** Ordinance - (*First Reading*)- Amending Budget Ordinance No. 32-2011, Part 7; and setting a public hearing for February 9, 2012.

AN ORDINANCE APPROVING A REVISION TO SECTION 7 OF ORDINANCE NUMBER 32-2011; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; CALLING A PUBLIC HEARING.

**6.2** **Ordinance** – (*First Reading*) **Z-2012-01** a request from Sandra Hernandez to rezone property from LI (Light Industrial) to HC (Heavy Commercial) zoning, located at 4358 Sayles Blvd.; and setting a public hearing for February 9, 2012.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, “LAND DEVELOPMENT CODE,” 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.

**Location: 4358 Sayles Blvd.**

**6.3** **Ordinance** – (*First Reading*) **Z-2012-02** - a request from Pebbles Lee to rezone property from RS-12 (Single Family Residential) to RS-12/H (Single Family Residential with Historic Overlay) zoning, located at 873 River Crest Dr.; and setting a public hearing for February 9, 2012.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, “LAND DEVELOPMENT CODE,” 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.

**Location: 873 River Crest Dr.**

**6.4** **Ordinance** - (*First Reading*) **Z-2012-03** - a request from Don Bledsoe to rezone property from LI (Light Industrial) to GC (General Commercial) zoning, located at 620 Ambler Ave.; and setting a public hearing for February 9, 2012.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, “LAND DEVELOPMENT CODE,” 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.

**Location: 620 Ambler Ave.**

#### **Oral Resolutions:**

**6.5** **Oral Resolution** - Authorizing the City Manager to enter into negotiations and execute a contract for transit management services. *Item pulled by Mayor Archibald.*

**6.6** **Oral Resolution** – Council ratified a commercial lease agreement with Gary Cheek, Ft Phantom lake lots 492, 492A, 492B & 492C. The term of this lease will be from the date of approval by the City Council and execution by the City until December 31<sup>st</sup> 2012, or until the Cheek’s are able to purchase the leasehold. The rental payment for the initial term will be \$600.00.

#### **Bid Awards:**

**6.7 Bid Award – CB#1208** purchase of 1 tandem axle Dump Truck from Bruckner Truck Sales in the amount of \$145,697.00. *Item pulled prior to start of meeting, will be taken up at a later council meeting.*

**6.8 Bid Award – CB#1210** City Council approved the purchase of 95 gallon automated refuse containers from Toter Inc. Qty/1500 for a Total \$68,955.00.

## REGULAR ITEMS

**7.1** Megan Santee, Director of Public Works briefed the city council on the application/permit to drill and/or operate an Oil and/or gas well by PETEX, Ltd., “Ramon Unit #1”, Permit # 72740.

PETEX, Ltd of Breckenridge, Texas has submitted an application to drill the Ramon Unit #1 well on property owned by Jesus P. Ramon, located at 11142 West Lake Road, and lying south of the City of Abilene Clear Fork Pump Station Tract. The applicant is requesting a variance, per sections 21-26 and 21-27 of Chapter 21 of the City of Abilene Code of Ordinances, Oil and Gas, to drill within 200 feet of an existing residence, and the applicant has obtained the notarized written consent of the owner of the residence as required by ordinance. This application has been reviewed and approved by City Staff. All owners of real property within 500 feet of the proposed drill site have been notified of this application and of the City Council meeting to consider its approval, as required by City Ordinance.

Mayor Archibald opened the public hearing and council heard from the following citizen:

- Koby Killion with PETEX, explained the precautions they will have in place due to the close proximity to the river.

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

Councilman Briley made the motion to approve the application/permit to drill and/or operate an oil and/or gas well by PETEX, Ltd., “Ramon Unit #1”, Permit #72740. Councilman Williams seconded the motion, motion carried.

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

NAYS: None

**6.5 Oral Resolution** - Authorizing the City Manager to enter into negotiations and execute a contract for transit management services. *Item pulled by Mayor Archibald from Consent.*

David Vela, Deputy City Manager gave the city council a brief overview of the transit management services in the city.

### History

- McDonald Transit, Inc.
  - Abilene’s Transit Provider since 1981
- May 2011 – City issued Request for Proposals
  - Compliance with Federal Transportation Administration recommendations
- June 2011 – City received two proposals
  - McDonald Transit, Inc., Fort Worth, Texas

- First Transit, Inc., Cincinnati, Ohio
- July – September 2011 – Staff review
- October 2011 – City interviews respondents
- January 2012 – City Council recommendation

Megan Santee, Director of Public Works gave an overview of the process that staff went through to be able to make their recommendation to the City Manager.

The Review Team recommends First Transit, Inc. based on the best overall package

- Emphasis on safety and training
- Vast experience in transit field
- Lowest Cost/Best Overall Value

**Safety and training**

- Emphasis on customer service, safety and security
- Safety an essential aspect of daily work activities
- Employee training and periodic scheduled and unscheduled inspections
- Best practices and management oversight

**Experience**

- **Current operations include**
  - El Metro, Laredo, TX
  - Sun Metro, El Paso, TX
  - Ozark Regional Transit, Fayetteville, AR
  - Presbyterian Salud!, Albuquerque, NM
  - Denton Co. Transportation Authority, Denton, TX
- **First Group, Inc. Business Units**
  - First Transit, Inc. (6,600 vehicles, 11,513 emp., 176.2M pass./yr.)
  - First Student (school buses, 600 locations, 62,000 emp.)
  - First Vehicle Services (fleet mgmt., 146 locations, 51,000 vehicles)
  - Greyhound Bus System (3,800 destinations, 18M pass./yr.)

**Cost comparison**

FIRM	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
<b>FirstTransit (monthly)</b>	\$9,980	\$10,250	\$10,525	\$10,800	\$11,100
<b>McDonald (monthly)</b>	\$12,000	\$12,360	\$12,730	\$13,111	\$13,504
<b>First Transit Annualized</b>	\$119,760	\$123,000	\$126,300	\$129,600	\$133,200

<b>McDonald Annualized</b>	\$144,000	\$148,320	\$152,760	\$157,332	\$162,048
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Council and Staff discussion included: 1) Revenues for CityLink; 2) Fixed routes; 3) heard from McDonald Transit representative Mr. Robert Babbitt who urged the city to have another review; 4) heard from First Transit representative Bob Edwards; and 5) Steve Savage (citizen) believes the change to First Transit will be a good thing for the city.

Councilman Williams made the motion to authorize the City Manager to enter into negotiations and execute a contract for transit management services with First Transit Inc. Councilman Higgins 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 9:27 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 10:34 a.m. and reported no votes or action was taken in Executive Session in regards to Sections 551.072 Real Property and Section 551.071 Litigation/Consultation with City Attorney.

**10. Oral Resolution** – Discussion and possible action related to annual performance evaluations of City Manager, City Attorney, City Secretary and Municipal Judge.

No action.

**11. Oral Resolution** – Approving the appointment/reappointments to the following Boards and Commissions:

Abilene Housing Authority

**Reappointments:**

David Mukire	Term expires 2013
Kiddy Boswell	Term expires 2013
Vanessa Faz	Term expires 2013

Abilene/Taylor County Public Health

**Reappointment:**

Tom Perini	Term expires 2014
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Abilene/Taylor Co. Venue District

**Reappointments:**

Norm Archibald	Term expires 2013
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Robert Briley Term expires 2013

Airport Development Board

**Reappointments:**

Joe Crowder Term expires 2014

Myrna Grigsby Term expires 2014

Cindy Haley Term expires 2014

**Appointments:**

Gray Bridwell Term expires 2014

Jacque McCoy Term expires 2014

Board of Adjustment

**Reappointments:**

Brad Carter Term expires 2013

Roger Huber Term expires 2013

Col. Langholtz Term expires 2013

Bob Beerman Term expires 2013

Board of Building Standards

**Reappointments:**

Alana Maddox Term expires 2013

Marvin Barber Term expires 2013

David Beard Term expires 2013

Lloyd Turner Term expires 2013

Edgar Cordova Term expires 2013

Gretchen Denney, Alternate Term expires 2013

**Appointment:**

Jeremy Kahl Term expires 2013

Child Advocacy Advisory Board

**Reappointments:**

Karen Munoz Term expires 2014

Craig Shaw Term expires 2014

Nikki Favors Term expires 2014

Laura Lee Hines Term expires 2014

**Appointments:**

Becky Poindexter Term expires 2014

Casey Wasson Term expires 2014

Justin Smith Term expires 2014

Civil Service

**Reappointment:**

Pamela Mann Term expires 2014

**Appointment:**

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Jean Noel Thompson Filling unexpired term	Term expires 2012
Development Corporation of Abilene Inc. <b>Reappointment:</b> Scott Senter	Term expires 2014
Friends of Safety City <b>Appointments:</b> Annemarie Holder Ryan Gibson Mary Brooks <b>Unexpired term</b>	Term expires 2014 Term expires 2014 Term expires 2012
Frontier Texas! <b>Reappointments:</b> Margaret Hoogstra	Term expires 2014
Peter Lauve (Past-President – Ex Officio) Term expires 2014 (Note from staff By-laws not approved by council so the Ex-Officio Past-President doesn't exist.)	
Kim Snyder	Term expires 2014
<b>Appointment:</b> Col. Kristina O'Brien (Dyess)	Term expires 2014
Keep Abilene Beautiful <b>Reappointments:</b> Tara Castille Ray Grothaus Stephanie Kralej <b>Appointments:</b> E'Lisa Smetana Sarah Strom Kieschnick Cory Ruff Rob Bigham	Term expires 2014 Term expires 2014 Term expires 2014 Term expires 2013 Term expires 2012 (unexpired term) Term expires 2013 Term expires 2014
Landmark's Commission <b>Reappointments:</b> Robert Calk Pebbles Lee Rick Weatherl	Term expires 2014 Term expires 2014 Term expires 2014
Library Board <b>Reappointments:</b> Stan Chapman Dr. John Williams	Term expires 2013 Term expires 2013

Robert Carleton	Term expires 2013
Debra Lillick	Term expires 2013
Carrie Casada	Term expires 2013
Joe Specht	Term expires 2013

Mayor's Council on Physical Fitness

**Appointments:**

Kathy Owen	Term expires 2014
Terri Watkins	Term expires 2014

Office of Neighborhood Services

**Reappointments:**

Rachel Slaymaker	Term expires 2013
Vanessa Roberts	Term expires 2013
Linda Carlton	Term expires 2013
Harold Preston	Term expires 2013

Planning & Zoning Commission

**Reappointments:**

Gary Glenn	Term expires 2014
Fred Famble	Term expires 2014

Youth Advisory Board

**Appointments:**

Kylie Moore – Woodson	Term expires 2012
Ty Rowdy Riggins - Craig Middle School	Term expires 2012
Humberto Diaz - Mann Middle School	Term expires 2012
Kianni Mitchell - Clack Middle School	Term expires 2012
Heather Butler - Eula High School	Term expires 2012

Councilman Higgins made the motion to approve the Mayor's appointments/reappointments to the above listed boards. Councilman Williams seconded the motion, motion carried.

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

NAYS: None

There being no further business the meeting was adjourned at 10:37 a.m.

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Danette Dunlap, TRMC  
City Secretary

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Norm Archibald  
Mayor