

CITY COUNCIL MEETING
May 19th, 2014, 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 May 19th, 2014, at 8:30 a.m. in the Council Chambers, 555 Walnut St. Mayor Archibald was present and presiding with Councilmen Shane Price, Joe Spano, Robert O. Briley, Anthony Williams, Kyle McAlister, Councilwoman Kellie Miller and Councilman Elect Jay Hardaway. Also present were City Manager Larry Gilley, City Attorney Dan Santee, City Secretary Danette Dunlap, and various members of the City staff.

Councilwoman Miller gave the invocation.

Mayor Archibald introduced JJ Ceballos who is a 5th grade student at Ortiz Elementary. JJ 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:

National EMS Week, Captain Derek Briggs representing Abilene Fire Department and Mr. Neil White representing Metro Care accepted the proclamation

SPECIAL CONSIDERATION
2014 CITY ELECTION RETURNS

City Secretary Danette Dunlap presented the Resolution Canvassing the May 10th General Election Norm Archibald received 50.73% of the vote for Mayor. Anthony Williams received 76.79% of the vote for Council Place 3. Jay Hardaway was elected to Council Place 4 running unopposed.

Councilman Williams made the motion to approve the Resolution canvassing the May 10th General Election. Councilman Spano seconded the motion, motion carried.

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

NAYS: None

Resolution **#12-2014**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS CANVASSING RETURNS AND DECLARING THE RESULTS OF THE GENERAL ELECTION, HELD ON MAY 10, 2014.

(UNA RESOLUCION DEL CONSEJO DE LA CIUDAD DE ABILENE TEXAS, REVISANDO LA RESPUESTA Y DECLARANDO LOS RESULTADOS DE LA ELECCION GENERAL EL 10 DE MAYO DEL 2014.)

Mayor Archibald announced that this is the time of year that the council receives their annual pay per the City Charter. The City Charter states that the Mayor and each Councilman shall receive a salary of one dollar per year for each year he serves as Mayor and Councilman.

Mayor Archibald called Councilman Robert O. Briley forward and presented him with a plaque for his years of service as a councilman for the City of Abilene.

Mayor Archibald, Councilman Williams and Councilman Elect Jay Hardaway came forward to have the Oath of Office administered. After the Oath was administered Mayor invited all to attend a reception honoring Councilman Robert O. Briley for his service and Councilman Jay Hardaway on his election.

DISPOSITION OF MINUTES

5.0 Mayor Archibald stated Council has been given the minutes from the May 8th regular meeting there being no deletions, no additions, and no corrections. Councilwoman Miller made a motion to approve the minutes as presented. Councilman Price seconded the motion, motion carried.

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

NAYS: None

CONSENT AGENDA

Councilman Spano made the motion to approve consent item 6.1 through 6.9 as recommended by staff. Councilman Hardaway seconded the motion, motion carried.

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

NAYS: None

Oral Resolutions:

6.1 **Oral Resolution:** The City Council authorized the City Manager to enter into an agreement with HillCo Partners, LLC, for Legislative Services.

The City of Abilene currently utilizes the services of HillCo Partners, LLC, a legislative and regulatory consultant, to assist with legislative and other issues. HillCo proposes to continue the arrangement for an additional two years. As part of the agreement HillCo will provide assistance in the City's efforts to develop our legislative agenda, track legislation and provide reports, help us support/oppose legislation, represent the City at legislative and regulatory hearings, and other similar services.

Monthly contract amount of \$7,000 (seven thousand), plus expenses, to cover the period from June 1, 2014 through May 31, 2016.

6.2 **Oral Resolution:** The City Council approved the acceptance of the donated "Rise of the Guardian" sculptures to be permanent exhibit in downtown Abilene.

Six Rise of the Guardian commissioned sculptures: Man in the Moon, The Easter Bunny, Santa Claus, Jack Frost, Tooth Fairy, and The Sandman that are based on the novel "Rise of the Guardians" by William Joyce are being offered to the City of Abilene as a permanent addition to Abilene's Outdoor Sculpture Collection. The statues are located along a block long walk on North 1st, Cypress, North 2nd and Cedar Streets.

The Visual Arts Jury reviewed the donation request at the April 22, 2014 meeting, and recommends acceptance. The Parks and Recreation Board approved placement of the Toothfairy statue in Minter Park at the May 6, 2014 meeting.

- 6.3** **Oral Resolution:** The City Council approved the Street Use License Agreement with Abilene Cultural Affairs Council and the Center for Contemporary Arts for “Children’s Art & Literacy Festival”.

The Abilene Cultural Affairs Council and The Center for Contemporary Arts have submitted a Street Use License (SUL) application to hold a public event entitled “Children’s Art & Literacy Festival” within the public right-of-way on North 1st Street. The applicant wishes to close North 1st Street from the east right-of-way line of Cedar Street to the west right-of-way line of Cypress Street, closure of Cedar Street from north right-of-way line of North 1st Street to the south right-of-way line of North 2nd for this event. The event will take place from Thursday, June 12th through Saturday, June 14th, 2014 throughout much of downtown. However, the applicant only wishes to close the aforementioned right-of-way for the event during the following times:

From 3:00 p.m. – 9:00 p.m. on Thursday, June 12, 2014

From 8:00 a.m. – 6:00 p.m. on Friday, June 13, 2014

From 8:00 a.m. – 6:00 p.m. on Saturday, June 14, 2014

The applicant has obtained the approval of all affected property owners and/or business tenants for this event.

Ordinances:

- 6.4** **Ordinance:** (*First Reading*) **Z-2014-09** on a request from the City of Abilene, to rezone property from MH (Manufactured/Mobile Home) to NO (Neighborhood Office) zoning, located at 1000 S 32nd St; and setting a public hearing for June 12, 2014.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "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.

- 6.5** **Ordinance:** (*First Reading*) **Z-2014-17** on a request from David & Rhonda Webb, to rezone property from LI (Light Industrial) to PD (Planned Development) zoning, located at 2442 Industrial Blvd; and setting a public hearing for June 12, 2014.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, CONCERNING PD-143 A PLANNED DEVELOPMENT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

- 6.6** **Ordinance:** (*First Reading*) **Z-2014-18** on a request from Franklin Land Associates, LLC, to rezone property from CU (College University) to GR (General Retail) zoning, located at 5301 Texas Ave; and setting a public hearing for June 12, 2014.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "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.

- 6.7** **Ordinance:** (*First Reading*) **TC-2014-04** on a request from Danielle Delhomme to abandon Fair Drive south of E. Highway 80; and setting a public hearing for June 12, 2014.

AN ORDINANCE PROVIDING FOR THE ABANDONMENT OF A PORTION OF PUBLIC RIGHT OF WAY; PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH ABANDONMENT, AND CALLING A PUBLIC HEARING.

Bid Awards:

- 6.8** **Award of Bid: CB-1423** Cockerell Area Sidewalk Project to Justice Construction of Abilene, Texas.

This project is for the construction of curb ramps and sidewalks to include N 7th/EN 7th Street from Treadaway to Cockerell Drive, and Cockerell Drive from E Hwy 80 to N 10th Street.

City Council approved the bid award to Justice Construction in the amount of \$238,561.50.

- 6.9** **Award of Bid: CB-1419** Kennel C. Expansion Project.

This project is Phase Three of the Animal Shelter Renovation and Expansion Project. Kennel C will add an additional south wing with 28 indoor/outdoor kennels.

Funds for the base project are from Certificates of Obligation issued per the 2013 Capital Improvements Program (CIP) for this project. Rescue the Animals, SPCA (Mr. Paul Washburn) has donated \$33,300 in funds in order to also include the Alternate #1 portion of the project.

City Council awarded the bid award to Don Faulkner Construction in the amount of \$292,170 for the Base Project and Alternate #1.

REGULAR ITEMS

- 7.1** **No items for Regular Agenda**

EXECUTIVE SESSION

Mayor Archibald recessed the Council into Executive Session 9:30 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 Executive Session at 10:30 a.m. and reported no votes or action was taken in Executive Session in regards to Section 551.074 Personnel (Boards).

No action from executive session.

- 10.** **Oral Resolution:** Approving appointment/reappointment to the following board and the appointment of Mayor Pro-Tempore(s):

Abilene/Taylor County Events Venue District
Appointment of Mayor Pro Tempore(s)

Mayor Archibald made the made the motion to appoint Councilman McAlister to the Abilene/Taylor County Events Venue District Board. Councilman Williams seconded the motion, motion carried.

AYES: Councilmen Price, Spano, Williams, Hardaway, McAlister, Councilwoman Miller and Mayor Archibald.

NAYS: None

Mayor Archibald made the motion to appoint Councilman Spano as Mayor Pro-tem and Councilman Price as Deputy Mayor Pro-tem. Councilman McAlister seconded the motion, motion carried.

AYES: Councilmen Price, Spano, Williams, Hardaway, McAlister, Councilwoman Miller and Mayor Archibald.

NAYS: None

There being no further business the meeting was adjourned at 10:35 a.m.

Danette Dunlap, TRMC
City Secretary

Norm Archibald
Mayor