

**CITY COUNCIL MEETING**  
**June 26<sup>th</sup>, 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 June 26<sup>th</sup>, 2014, at 8:30 a.m. in the Council Chambers, 555 Walnut St. Mayor Archibald was present and presiding with Councilmen Joe Spano, Jay Hardaway, Anthony Williams, and Kyle McAlister. Councilwoman Miller and Councilman Price were absent. Also present were City Manager Larry Gilley, City Attorney Dan Santee, City Secretary Danette Dunlap, and various members of the City staff.

Councilman Spano gave the invocation.

Mayor Archibald introduced J. J. Bernal who is a 5<sup>th</sup> grade student at Bowie Elementary and son of City of Abilene employee Jessie Bernal-Crew Chief Solid Waste. J. J. led the Pledge of Allegiance to the Flags of the United States of America and the State of Texas.

Mayor Archibald moved item 11 to the start of the meeting to introduce the suggestions for the Bond Advisory Committee. Each councilmember has suggested two members to serve on the committee. The Chamber of Commerce and Dyess Air Force Base will have a representative.

Mayor Archibald:	Jack Wilson and Carissa Plat
Councilman Price:	Brent Casey and Sylvia Leal
Councilman Spano:	Mike Dunnahoo and Michael Hernandez
Councilman Williams:	Dr. Allison Garrett and Pastor Izair Lankford
Councilman Hardaway:	John Hill and Sam Vinson
Councilman McAlister:	Pending
Councilwoman Miller:	Stormy Higgins (Chair) and Terry Johnson
Chamber of Commerce:	Jason Smith
Dyess Air Force Base:	Pending

Councilman Hardaway made the motion to approve the suggested board members for the 2014 Bond Advisory Committee. Councilman McAlister seconded the motion, motion carried.

AYES: Councilmen Spano, Williams, Hardaway, McAlister and Mayor Archibald  
NAYS: None

**DISPOSITION OF MINUTES**

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

AYES: Councilmen Spano, Williams, Hardaway, McAlister and Mayor Archibald  
NAYS: None

## CONSENT AGENDA

Councilman Hardaway made the motion to approve consent item 6.1 through 6.8 as recommended by staff. Councilman McAlister seconded the motion, motion carried.

AYES: Councilmen Spano, Williams, Hardaway, McAlister and Mayor Archibald  
NAYS: None

### **Oral Resolutions:**

- 6.1 Oral Resolution:** The City Council authorized the City Manager to accept the Airport Improvement Program Grant 44 for the Abilene Regional Airport.

AIP Grant 44 is the FY14 grant from FAA to support Abilene Regional Airport's FY14 Capital Improvement Program, which includes Runway 17L/35R Rehabilitation (Construction Phase) and engineering and FAA support costs and Runway 17R/35L Rehabilitation Design (Phase 1). The grant is in the amount of \$8,647,266 and will pay 90% of the costs of each of the listed projects. The city is responsible for the remaining 10% match for the projects; a total of \$960,809, of which \$944,444 is included in the Department of Aviation's FY14 budget. FAA amended (increased) the grant amount over what was initially planned to fully fund the federal portion of the projects. All contracts for the above projects will be brought to Council separately for approval. The Airport Development Board recommends approval

- 6.2 Oral Resolution:** The City Council approved the Garver Task Order 4 - Runway 17L/35R Rehabilitation Construction Management for the Abilene Regional Airport

As part of the Airport's FY14 Airport Improvement Program (AIP), Task Order 4 Garver will provide construction management services to include full-time inspection, materials testing, progress meetings and design modifications due to field conditions or other factors. The fee for this service is a fixed fee in the amount not to exceed \$266,311.00. The Airport Development Board recommends approval.

This fee is covered at 90% by AIP Grant 44. The total cost for the city's 10% match is \$26,632.00.

- 6.3 Oral Resolution:** The City Council approved the Garver Task Order 5 - Runway 17R/35L Rehabilitation Design, Phase 1 for the Abilene Regional Airport.

As part of the Airport's FY14 Airport Improvement Program (AIP), Task Order 5, under the Master Contract with Garver, is requested to be considered for authorization. Under this task order, Garver will provide design and bidding services to rehabilitate Runway 17R/35L to repair failing base material and asphalt. Actual construction will be done in two phases beginning in FY15 and the second in FY16. The fee for this service is a fixed in the amount not to exceed \$334,000.00. The Airport Development Board recommends approval. The Airport Development Board recommends approval.

This fee is covered at 90% by AIP Grant 44. The total cost for the city's 10% match is \$33,400.00.

- 6.4 Oral Resolution:** The City Council authorized the City Manager to enter into a contract with Crenshaw Consulting Group LLC, Roofing Consulting and Design as the City's On-Demand Roofing Consultants.

The City of Abilene Facilities Maintenance Service Division is requesting the Council to authorize Facilities Maintenance to establish an on-demand contract for Roofing Engineering Services. Facilities Maintenance would establish a contract with Crenshaw Consulting Group LLC, roofing & design (the firm). The Council authorizes the City Manager to execute an on-demand contract with the firm. Facilities Maintenance requires professional roofing engineering services on an ongoing basis to plan and deliver multiple projects throughout the City. This contract will allow Facilities Maintenance to secure the services in a more efficient manner. When roofing design and engineering services are needed; staff can quickly contact the firm and proceed toward assigning the work. This process fulfills the requirement described in the Texas Code §2254.004 for a government entity procuring engineering services.

The on-demand contract does not alleviate or change the role of the City Council in reviewing and authorizing expenditures exceeding \$50,000. The on-demand contract would be utilized for projects requiring specifications for roofing design, specification and roofing engineering services. The annual value of the on-demand contract will be determined by the project approved by the fiscal budget and administrative review and approval.

**Ordinances:**

- 6.5** **Ordinance:** (*First Reading*) **Z-2014-21** - a request from NIB, Inc. & Robert Calk, agent Tom Niblo, to rezone property from RS-6 (Single-Family Residential) to NO (Neighborhood Office) zoning, located at 841 EN 10th St; and setting a public hearing for July 10, 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.

- 6.6** **Ordinance:** (*First Reading*) **Z-2014-23** - a request from Vincent Coates to rezone property from HI (Heavy Industrial) to LI (Light Industrial) zoning, located at 4290 S. Treadaway Blvd; and setting a public hearing for July 10, 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*) **Z-2014-24** - a request from Tannehill Corporate Offices, LLC, agent Judy Harris, to rezone property from HI (Heavy Industrial) to GC (General Commercial) & HC (Heavy Commercial) zoning, located at 4542 Loop 322; and setting a public hearing for July 10, 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

- 6.8** **Award of Bid:** **CB#1425** – Duininck, Inc - Runway 17L/35R Rehabilitation Construction Contract Award for the Abilene Regional Airport. The City Council authorized the City Manager to execute the construction contract with Duininck, Inc.

As part of the Airport’s FY14 Airport Improvement Program (AIP), the city received bids (CB-1425) on June 5 for the construction contract to perform the Runway 17L/35R Rehabilitation. One bid was received, from Duininck, Inc. Duininck’s bid came in slightly below the engineer’s estimate and our engineering firm, Garver, has reviewed the bid tabulation and believes it meets the bid specifications. Airport staff is recommending award of the base bid only at \$8,736,095.40.

Airport staff and our engineer were concerned about the possibility of only one bidder for this project and contacted local and regional contractors to generate interest. Two local contractors and one regional contractor, besides Duininck, requested and received a bid set of plans and specifications, but did not bid. Duininck is currently working on the Taxiway M, N and P Rehabilitation project on the airport and has satisfactorily completed three previous jobs here.

This project will mean that the runway, which is our only precision approach runway, will be closed for approximately 150 days, but we have worked with the Airport Development Board, our engineers and FAA on the timing to try to avoid construction during our more weather-prone winter season when we have more times when flight operations could be impacted by low visibility and cloud ceilings. However, there may be times during this runway closure when aircraft operations will be impacted. Airport staff will keep our airline and general aviation tenants, military aviation as well as other frequent airport users informed.

The Airport Development Board voted to recommended approval of Duininck, Inc.

**REGULAR ITEMS**

**7.1** Ronnie Kidd, Managing Director for Administration & Civil Service Director and Ken Dozier Fire Chief briefed the council on the Ordinance for amending the Budget Ordinance #69-2013, Part 6.

We recently conducted a promotional process for the position of Battalion Chief, in accordance with local civil service rules and the meet and confer agreement between the City of Abilene and the Abilene Professional Firefighters Association. Two candidates successfully completed the promotional process and an eligibility list has been established. The individual in the first position to promote from the eligibility list is currently the Fire Captain responsible for the Department’s Training Division. Due to the Training Division’s significance to the operations of the Fire Department, particularly as it relates to the evolving EMS training and services, the Fire Chief seeks to designate the position responsible for the Training Division as a Battalion Chief, or Division Chief. This designation will also align the organizational structure more effectively by having the EMS Coordinator, who is a Captain, report to a Chief Officer.

Pursuant to Texas Local Government Code Chapter 143, the FY 2014 budget ordinance provides the number, classification, and designation of each position for the Police and Fire Departments. Regarding the Fire Department, the table below reflects positions currently designated by the ordinance as well as the positions we seek to amend the ordinance to designate, as follows:

	<u>Current</u>	<u>Proposed</u>	<u>Change</u>
Deputy Chief	2	2	0
Battalion Chief	4	5	1
Fire Captain	14	13	(1)
Fire Lieutenant	32	32	0
Fire Fighter	121	121	0
Total	173	173	0

Chief Dozier gave a brief report on the damage to the north side fire station from the hail storm this last week.

Mayor Archibald opened the public hearing and there being no one else present and desiring to be heard the public hearing was closed.

Councilman Williams made the motion to approve the Ordinance amending the budget ordinance #69-2013 part 6. Councilman McAlister seconded the motion, motion carried.

AYES: Councilmen Spano, Williams, Hardaway, McAlister and Mayor Archibald

NAYS: None

Ordinance [#36-2014](#)

AN ORDINANCE APPROVING A REVISION TO SECTION 6 OF ORDINANCE NUMBER 69-2013; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; CALLING A PUBLIC HEARING.

**7.2** Jon James Director of Planning and Development Services briefed the council on the Ordinance for Case **Z-2014-19** a request from Russ Petty, agent Bing Outdoor Media, LLC, to rezone property from NR (Neighborhood Retail) to GR (General Retail) zoning, located at 1766 S. Clack St.

The property is being considered for an off-premise (billboard) sign. The existing NR zoning does not allow for such signs. The applicant is requesting a change to the GR zoning which would allow for an off-premise sign. The surrounding area is developed generally with single-family residential homes to the west & retail uses to the north and south along Highway 83-84.

The Future Land Use section of the Comprehensive Plan designates this general area for commercial activity and is part of a Major Commercial/Business Center node. There are several different businesses operating along the freeway ranging from personal service, retail, and restaurant uses. The requested zoning would specifically allow for an off-premise sign on the property. Although there are single-family homes directly adjacent to the west, staff has determined that the GR zoning would be appropriate due to its orientation toward Highway 83-84 and the designation in the Future Land Use map.

Staff recommends approval as requested.

The Planning and Zoning Commission recommends approval by a vote of 7 in favor (Bixby, Calk, Ellinger, Glenn, McClarty, Rosenbaum, and Famble) and none opposed.

Council and Staff discussion included: 1) spacing; 2) zone change; 3) billboard sign; 4) difference between Neighborhood Retail and General Retail; and 5) Board of Adjustment will hear this case in regards to a billboard.

Mayor Archibald opened the public hearing and council heard from Jeanne Farquharson spokesperson for the property owner who spoke in favor of the zone change. There being no one else present and desiring to be heard the public hearing was closed.

Mayor Archibald made the motion to approve the Ordinance for Case **Z-2014-19** a request from Russ Petty, agent Bing Outdoor Media, LLC, to rezone property from NR (Neighborhood Retail) to GR (General Retail) zoning, located at 1766 S. Clack St. Councilman Spano seconded the motion, motion carried.

AYES: Councilmen Spano, Williams, Hardaway, McAlister and Mayor Archibald  
NAYS: None

Ordinance [#37-2014](#)

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.

**7.3** Ronnie Kidd, Managing Director for Administration and Chris Lane with Kronos briefed the council on the Timekeeping System.

The City of Abilene replaced its payroll and Human Resource Information Systems (HRIS) in 2009 when we converted to the Lawson (which has since become Infor) solution. We did not, however, address our timekeeping process with the 2009 payroll/HRIS conversion. Currently, we have about 100 staff members who are designated as timekeepers. They use a myriad of methods to track time, to include shuffling paper, recording entries on logs, and sometimes utilizing Excel spreadsheets. Then for each bi-weekly payroll process cycle, each employee's time worked and/or leave usage must be keyed into the Lawson system through a batch entry process. The timekeeping process is resource intensive and incredibly inefficient. Also, because it is so manually oriented, it creates great opportunity for error and inconsistency. This in turn creates compliance and reporting exposure with employment law and regulations.

Staff and management have identified a viable solution utilizing hardware and software provided by Kronos and Telestaff to automate the timekeeping process. The solution provides for timekeeping and absence management through an integrated network of online time clocks, computers, mobile applications and telephones. The solution also automates the scheduling and filling of vacancies for the Fire Department shifts, which is a significant efficiency enhancement

The Kronos and Telestaff solution is available through the Federal GSA buy board pricing, negating the need to issue an RFP. Further, to meet cash flow needs, the solution is available via an installment payment purchasing agreement through ePlus Group, Inc. over a 36 month period. At the end of the term, the City will own the hardware and software and be able to maintain same moving forward.

Monthly payments will be \$13,219.86 for 36 months for a total of approximately \$476,000. This will be funded through the technology fund. Appropriate language is in the installment payment agreement to protect the City in the event that the budgetary obligation cannot be met.

Councilman Hardaway made the motion to approve the Resolution approving the installment payment agreement with ePlus, Inc. for procurement of timekeeping system. Councilman Spano seconded the motion, motion carried.

AYES: Councilmen Spano, Williams, Hardaway, McAlister and Mayor Archibald  
NAYS: None

Resolution [#15-2014](#)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING INSTALLMENT PAYMENT AGREEMENT WITH ePLUS, INC. FOR PROCUREMENT OF TIMEKEEPING SYSTEM.

7.4 Richard Burdine CEO for the DCOA, briefed the city council on the semi-annual report of activities for the DCOA through March 31, 2014.

DCOA Semi-Annual Report of Activities through March 31, 2014

*Summary of Assistance Approved*

FY14 DCOA Approved Assistance through March 2014			
Company	DCOA Assistance Reserved <sup>1</sup>	Committed Job Retention/ Job Creation	Projected Annual Payroll <sup>2</sup> / Capital Investment <sup>3</sup>
<b>Fehr Foods Expansion (Crackers)</b>	<b>\$5,123,000</b>	<b>00/105</b>	<b>\$3,005,549/\$30,000,000</b>
<b>Clavel Corporation</b>	<b>\$77,717</b>	<b>7.2/5.7</b>	<b>\$203,500/\$225,480</b>
<b>Project BE</b>	<b>\$553,750</b>	<b>00/29</b>	<b>\$925,000/\$3,025,000</b>
<b>Smith Pipe – Phase 5 Expansion</b>	<b>\$452,000</b>	<b>00/00</b>	<b>\$0/\$4,520,000</b>
<b>Corley Wetsel Trucking</b>	<b>\$455,200</b>	<b>00/00</b>	<b>\$0/\$6,500,000</b>
<b>Broadwind Towers</b>	<b>\$1,625,710</b>	<b>00/00</b>	<b>\$0/\$0</b>
<b>Fehr Foods 2014 Projects (Cookies)</b>	<b>\$200,000</b>	<b>00/00</b>	<b>\$0/\$2,000,000</b>
<b>TOTAL</b>	<b>\$8,487,377</b>	<b>7.2/139.7</b>	<b>\$4,134,049/\$46,270,480</b>

100% to Abilene companies (names in bold)  
 Notes:  
 1. Paid to company based on actual performance under the terms of the Agreement for Financial Assistance.  
 2. Annual Payroll figure is for total new jobs created only.  
 3. Capital Investment includes DCOA Capital Assistance Amount, typically 10%-15% of total.

Councilman Williams made the motion to accept the semi-annual report of activities for the DCOA through March 31, 2014. Councilman Hardaway seconded the motion, motion carried.

AYES: Councilmen Spano, Williams, Hardaway, McAlister and Mayor Archibald  
 NAYS: None

**EXECUTIVE SESSION**

Mayor Archibald recessed the Council into Executive Session 9:40 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 10:52 a.m. and reported no votes or action was taken in Executive Session in regards to Section 551.074 Personnel (Boards), and Section 551.071 Consultation with Attorney/Litigation.

No action from executive session.

10. **Oral Resolution:** Approving the Mayor's appointment and reappointment to the following boards and commissions as listed:

Mayor Archibald made the motion to appoint and reappoint members to the various boards listed below with the approval of the council. Councilman McAlister seconded the motion, motion carried.

AYES: Councilmen Spano, Williams, Hardaway, McAlister and Mayor Archibald  
NAYS: None

**Abilene Taylor County Public Health Advisory Board:**

**New appointments**

- Dr. Maxey D. McKnight – Term expires 2015
- Dr. Leigh Taliaferro – Term expires 2015

**CityLink ADA Advisory Board:**

**Reappointments**

- Mary Cooksey - Alternate - Term expires 2017
- Donna Reiff - Agency - Term expires 2017
- Patsy Daniel - At-Large - Term expires 2017

**\*Civic Abilene, Inc.**

**New appointment**

- Clint Rosenbaum - Term expires 2015 (filling unexpired term)

**Reappointments**

- Tom Boecking - Term expires 2017
- Neomia Banks - Term expires 2017
- Shaun Rea Martin - Term expires 2017
- Ted Starnes - Term expires 2017
- John Thomas - Term expires 2017

**Mayor's Council on Physical Fitness**

**Reappointments**

- Kari Williams - Term expires 2017
- Kathy Owen - Term expires 2017

**\*MPE/Swimming Pool Board of Appeals**

**Reappointments**

- Kenneth Rich -Regular - Term expires 2016
- Frank Perez - Regular - Term expires 2016
- James Wheeler -Regular - Term expires 2016
- Terry Williams -Regular - Term expires 2016



- Henry Sanchez -Alternate - Term expires 2016
- Gary Neal -Alternate - Term expires 2016
- Pete Torres - Regular - Term expires 2016

**\*Municipal Golf Course Advisory Board**

**Reappointment**

- Scott Findley - Term expires 2017

**\*Parks and Recreation Board**

**Reappointments**

- Robyn Wertheim - Term expires 2017
- Leigh Black - Term expires 2017
- Jeff Goodin - Term expires 2017

**Senior Citizens Advisory Board**

**New appointments**

- Sydnye Moore - Term expires 2015 (filling unexpired term)
- Maxine Williams - Term expires 2016
- James Francies - Term expires 2016
- Johnny Whisenhunt - Term expires 2016

**Reappointments**

- Harriet Conner - Term expires 2016
- Leroy King - Term expires 2016

**Visual Arts Jury**

**Reappointments**

- Mike Warren - Term expires 2017
- Marilyn Cluck - Term expires 2017
- Chris Procter-Cleveland - Term expires 2017
- Guinn Smith - Term expires 2017

11. **Oral Resolution**: Approving members of the 2014 Bond Advisory Committee. *(Moved to start of meeting)*

There being no further business the meeting was adjourned at 10:52 a.m.

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Danette Dunlap, TRMC  
City Secretary

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Norm Archibald  
Mayor