

CITY COUNCIL MEETING
November 6th, 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 November 6th 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, Jay Hardaway, and Kyle McAlister. Councilman Anthony Williams was absent. Also present were Interim City Manager David A. Vela, City Attorney Dan Santee, City Secretary Danette Dunlap, and various members of the City staff.

Mayor Archibald gave the invocation.

Mayor Archibald introduced Brenna Barbarick a 2nd grader at Abilene Christian Schools. Brenna 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 Interim City Manager David Vela recognized the following City employees for their years of service.

<i>Bobby Woodward</i>	<i>Electronics Technician III</i>	<i>20 years</i>
<i>David Williams</i>	<i>Emergency Vehicle Tech II</i>	<i>30 years</i>

PROCLAMATION & RECOGNITION

Mayor Archibald presented a proclamation to Andy Garcia for his 41 years working with UPS and making deliveries to the downtown merchants.

Mayor Archibald recognized Audria Hammond on behalf of the Veterans of Foreign Wars (VFW) Post for her meritorious and distinguished service regarding and promoting the VFW.

DISPOSITION OF MINUTES

5.0 Mayor Archibald stated Council has been given the minutes from the October 23rd Regular meeting, there being no deletions, no additions, and no corrections. Councilman Spano made a motion to approve the minutes as presented. Councilman Hardaway seconded the motion, motion carried.

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

CONSENT AGENDA

Citizen Steve Savage asked to pull item 6.1. Councilman Price made the motion to approve consent items 6.2 and 6.3 as recommended by staff. Councilman McAlister seconded the motion, motion carried.

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

Oral Resolutions:

- 6.1 Oral Resolution:** Authorizing the Mayor to enter into an agreement to provide sanitary sewer services with the Town of Buffalo Gap. *(Item pulled by citizen Steve Savage)*
- 6.2 Oral Resolution:** City Council authorized the Interim City Manager to execute Real Estate Sales Contract for the purchase of 790 Cypress Street.

An agreement has been reached between the City of Abilene and InSite Wireless Group, LLC of Alexandria, Virginia, property owner, for the City's purchase of the property at 790 Cypress Street in Abilene. The total purchase price will be \$150,000.00, plus the City's cost for the title insurance policy and buyer's closing costs.

Bid Award:

- 6.3 Award of Bid: CB-1503** purchase of Laboratory Furniture for the replacement work benches at the Abilene Environmental Laboratory. City Council approved the purchase from Gray and Green Laboratory Systems in the amount of \$165,441.00.

On October 14, 2014 the City of Abilene received bids for the purchase of Laboratory Furniture for the Abilene Environmental Laboratory project CB-1503 (Project). The Project consists of the replacement of existing laboratory work benches. The Project was advertised in the Abilene Reporter News on September 21st and 28th, 2014. Three bids were received. The lowest bid meeting the minimum requirements of the bid documents was submitted by Gray and Green Laboratory Systems Inc. (G&G), of Pearland, TX in the amount of \$165,441.00. City staff evaluated the bid submittal and does recommend awarding the bid to G&G. VWR International submitted the lowest bid price, but its bid was rejected because it did not meet the bid specifications for the reconnection of plumbing and electrical.

The Abilene Environmental Laboratory performs chemical analysis of water, wastewater, and stormwater samples. Performing certain chemical analysis methods requires the use of laboratory benches as both a work surface and for holding and storing work related equipment, chemicals, and apparatus. The existing laboratory benches are made of painted metal, which is better suited for clinical or dry labs rather than an environmental laboratory. The laboratory benches are regularly exposed to physical wear due to normal use, contact with chemicals used in analysis, and chemical vapors common to the laboratory environment. The existing benches are at least 24 years old and exhibit obvious surface corrosion, sagging cabinet doors, sticking drawer slides, and excessive wear due to heavy use over time.

The Project is for the replacement of certain laboratory benches in the GC/MS room, the Metals room, and the TOC room. The new laboratory benches will be constructed of polypropylene, which has superior corrosion resistance. The new laboratory benches are acid, base and chemical resistant, and are the correct material for work benches in an environmental laboratory. This Project is Phase I of an ongoing process to upgrade laboratory furniture and fixtures of the Abilene Environmental Laboratory.

ITEM PULLED FROM CONSENT

- 6.1 Oral Resolution:** Authorizing the Mayor to enter into an agreement to provide sanitary sewer services with the Town of Buffalo Gap. *(Item pulled by citizen Steve Savage)*

The Water Department is requesting that by oral resolution the City Council authorize the Agreement to Provide Sanitary Sewer Service (Agreement) with the Town of Buffalo Gap (Buffalo Gap). The Agreement authorizes Buffalo Gap to connect to and discharge its total sanitary sewer output into the

Abilene sanitary sewer collection system for treatment in compliance with all State and Federal Regulations.

The Town of Buffalo Gap is located approximately five miles south of Abilene. The voters of Buffalo Gap approved funds for the construction of a sanitary sewer collection system to serve the citizens within Buffalo Gap. At the recommendation of Jacob and Martin, Ltd. Buffalo Gap petitioned Abilene for an Agreement to Provide Sanitary Sewer Services, which establishes the terms and conditions for the connection and the discharge into the Abilene sanitary sewer system. The Buffalo Gap collection system will include gravity sanitary sewer piping and appurtenances, lift station(s), and a sewer force main. All sewage collected from Buffalo Gap will be transported by force main to a connection point with the City of Abilene cedar gap outfall sewer located at the Hargesheimer Water Treatment Plant site. The maximum annual average daily flow of Buffalo Gap shall not exceed 150,000 gallons per day. There exists sufficient capacity at the point of connection and at the Hamby Wastewater Treatment Plant to accept the sanitary sewage from Buffalo Gap. Abilene currently treats the sanitary sewage output from the City of Tuscola, the City of Tye, and the Hawley ISD.

The construction of the Buffalo Gap sanitary sewer project is funded by USDA Rural Development. The Agreement has a forty year term. The effective date of the Agreement will coincide with the closing date of the loan between Buffalo Gap and USDA Rural Development.

Mr. Savage brought up several questions he had in regards to the wastewater system. Discussion included: 1) rate for other cities that send their sewer to Abilene; 2) estimate rate for Buffalo Gap; 3) estimate monthly flows; and 4) maintenance of the lines in Buffalo Gap.

Rodney Taylor Assistant Director of Water Utilities briefed the council on the following items concerning the sanitary sewer project for Buffalo Gap: 1) Abilene is a regional provider; 2) rates are the same for all wholesale customers; 3) currently do not allow for collection of wastewater from septic haulers; 4) creating and designing a location at the Hamby Wastewater treatment plant for septic haulers; and 5) maintenance is billed out based on hourly rate for equipment and man power when called upon.

Mayor Archibald made the motion to TABLE this item to the November 20th council meeting. Councilman Hardaway seconded the motion, motion carried.

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

REGULAR ITEMS

Mayor announced that for items 7.1 and 7.2 they would need a super majority vote of the City council due to the opposition to the proposed zoning cases. With Councilman Williams out it would take all 5 members voting for the zone change for them to pass. Items 7.1 and 7.2 will be TABLED after the public hearings for both items and will be brought back at another meeting.

7.1 Jon James, Director of Planning and Development Services briefed the council on Case #Z-2014-41 a request from Timothy Smith, to rezone property from RS-12 (Single-Family Residential) to GR (General Retail) zoning, located at 5526 Buffalo Gap Rd.

Currently the property is zoned RS-12 and is developed with a home. The surrounding area is developed generally residential uses. A church exists directly to the north. Another church exists close by across Buffalo Gap Rd and to the south. This property has frontage along Buffalo Gap Rd and gains access directly from

Buffalo Gap Rd. The applicant is requesting the GR zoning for development of a fitness facility. This would be the 2nd fitness facility for the applicant.

The Future Land Use section of the Comprehensive Plan designates the area as low-density residential. The property is not close to a major intersection. The Buffalo Gap Corridor study indicates that retail & commercial zoning is allowable in nodes at intersections of major thoroughfares. The requested zoning would allow for retail & commercial uses, including a fitness facility. The requested zoning would not be compatible with the adjacent uses or the Comprehensive Plan.

When a written protest against the amendment is signed by the owners of twenty percent (20%) or more of either the area of the lots or land covered by the proposed change, or the area of the lots or land immediately adjoining the area covered by the proposed change and extending two hundred feet (200') from that area, a zoning amendment shall not become effective except by the favorable vote of three fourths of all members of the City Council. The opposition from the surrounding property owners equals approximately 26%; therefore, a super-majority vote is required for this item.

Staff recommends denial.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval of a PD zoning with restrictions by a vote of 4 in favor (Bixby, Calk, Ellinger, & Famble) and 2 opposed (McClarty & Rosenbaum).

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

- Tim Smith – owner asking for a 24 hour operation and for the zone change
- Michael Carter – against zone change
- Harold Wicker – against zone change
- Pat Wicker – against zone change
- Doug May – for a business against location
- Virginia McDole – against
- Cheryl Hanks – against
- Pam Smith – co-owner for zone change
- Bruce Kreitler – for zone change
- Amy Quinonez – for zone change
- Charlie Quinonez – for zone change
- Tracy Allen – for zone change
- Steve Savage – for zone change
- Angel Quilan – for zone change
- Joseph Lopez – for zone change

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

Mayor Archibald made the motion to TABLE the Ordinance for Case #Z-2014-41 a request from Timothy Smith, to rezone property from RS-12 (Single-Family Residential) to GR (General Retail) zoning, located at 5526 Buffalo Gap Rd. Councilman Spano seconded the motion, motion carried.

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

NAYS: None

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, CONCERNING PD-147 A PLANNED DEVELOPMENT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE

Location: 5526 Buffalo Gap Rd.

7.2 Jon James, Director of Planning and Development Services briefed the council on Case for **Z-2014-44** a request from Caleb Ensor, to rezone property from RS-8 (Single-Family Residential) to NR (Neighborhood Retail) zoning, located at 2126 Campus Ct.

Currently the property is zoned RS-8 and is developed with a home. The surrounding area is developed generally with residential uses to the north, south, & west. The property across Campus Ct to the east is Abilene Christian University. Campus Ct is designated as a 'collector' street. The applicant is requesting the NR zoning for development of a neighborhood retail store, such as a coffee shop. Staff has concerns about the traffic that the potential uses would generate. Typically, retail zoning would be located at intersections or in nodes designated for retail/commercial activity. However being adjacent to the university, this neighborhood has a greater pedestrian population as students walk to and from school. This property is oriented toward Campus Ct. An alley separates it from the adjacent lot to the west. Additionally, there are other properties with similar uses further south on Campus Ct.

The Future Land Use section of the Comprehensive Plan designates this area as 'low-density residential'. The general area on the west side of Campus Ct is developed with single-family homes. Abilene Christian University exists to the east across Campus Ct. This area has seen some mixed-use development on properties further south.

When a written protest against the amendment is signed by the owners of twenty percent (20%) or more of either the area of the lots or land covered by the proposed change, or the area of the lots or land immediately adjoining the area covered by the proposed change and extending two hundred feet (200') from that area, a zoning amendment shall not become effective except by the favorable vote of three fourths of all members of the City Council. The opposition from the surrounding property owners equals approximately 58%; therefore, a super-majority vote is required for this item.

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends denial by a vote of 6 in favor (Bixby, Calk, Ellinger, McClarty, Rosenbaum, & Famble) and none opposed.

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

- Linda Childers – against the zone change
- Robin Hardegree - against the zone change
- Susan Pigeon – against the zone change
- Scott Hughes – against the zone change
- Gary Oliver – against 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 TABLE the Ordinance for Case for **Z-2014-44** a request from Caleb Ensor, to rezone property from RS-8 (Single-Family Residential) to NR (Neighborhood Retail) zoning,

located at 2126 Campus Ct. Councilman Price seconded the motion, motion carried. This item will move to the December 4th council meeting.

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

NAYS: None

Conflict Statements were signed by Councilman Price and McAlister.

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

Location: 2126 Campus Ct.

7.3 Jon James, Director of Planning and Development Services briefed the council on Case for **Z-2014-42** a request from Richard & Terri Hartmann, agent Southwind Group, Inc., to rezone property from HI (Heavy Industrial) to LI (Light Industrial) zoning, being Lots 11 & 12, Block C, Lone Oak Industrial Park, Section 3, located at 115 Caddo Dr.

Currently the property is zoned HI and an undeveloped portion of the property currently addressed as 115 Caddo Dr. The surrounding area is developed generally with industrial uses, warehousing, and associated office uses. The property is located between Loop 322 and Maple St. The applicant is requesting the LI zoning for development of an office building for a fuel wholesale company. The current HI zoning does not allow for office development.

The Future Land Use section of the Comprehensive Plan designates this area as 'industrial' and 'commercial'. This area is located near a "Major Commercial/Business Center" designated at the intersection of Industrial Blvd and Loop 322. The request is deemed compatible with the Future Land Use Map.

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval as requested by a vote of 6 in favor (Bixby, Calk, Ellinger, McClarty, Rosenbaum, & Famble) and none opposed.

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

Councilman Hardaway made the motion to approve the Ordinance for Case for **Z-2014-42** a request from Richard & Terri Hartmann, agent Southwind Group, Inc., to rezone property from HI (Heavy Industrial) to LI (Light Industrial) zoning, being Lots 11 & 12, Block C, Lone Oak Industrial Park, Section 3, located at 115 Caddo Dr. Councilman Spano seconded the motion, motion carried.

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

NAYS: None

Ordinance: **#70-2014**

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.

Location: 115 Caddo Dr.

7.4 Jon James, Director of Planning and Development Services briefed the council on Case for **Z-2014-43** a request from Rissan, Inc, to rezone property from RS-8 (Single-Family Residential) to NR (Neighborhood Retail) zoning, located at 2352 S. 33rd St.

Currently the property is zoned RS-8 and is developed with a home. The surrounding area is developed generally with residential uses to the north, south, & east. The properties across Buffalo Gap Rd are developed with an elderly care facility, a health spa, and a bank. Buffalo Gap Rd is designated as an arterial street. The applicant is requesting the NR zoning for development of a neighborhood retail store or office building. Staff has concerns about the traffic that the potential uses would generate. Typically, retail zoning would be located at intersections or in nodes designated for retail/commercial activity. Although other retail/commercial property exists nearby, this property is more of a mid-block location that is not suitable for this zoning.

The Future Land Use section of the Comprehensive Plan designates this area as 'low-density residential'. Buffalo Gap Rd is also designated as an "enhancement corridor" north of Winters Freeway. The general area on the east side of Buffalo Gap Rd is developed with single-family homes. The request is deemed incompatible with the Future Land Use Map.

Staff recommends denial.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends denial by a vote of 6 in favor (Bixby, Calk, Ellinger, McClarty, Rosenbaum, & Famble) and none opposed.

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

- Dan Masser – proponent for the zone change. Mr. Masser requested that the property be zoned as Neighborhood Office zoning.
- Pam Smith – spoke in favor of the zone change
- Doug May – spoke in favor of the zone change

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

Council and Staff discussion included: 1) Neighborhood Office zoning.

Councilman Price made the motion to approve the Ordinance for Case for **Z-2014-43** a request from Rissan, Inc, to rezone property from RS-8 (Single-Family Residential) to NO (Neighborhood Office) zoning, located at 2352 S. 33rd St. Councilman Spano seconded the motion, motion carried.

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

NAYS: None

Ordinance: **#71-2014**

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.

Location: 2352 S. 33rd St.

7.5 Jon James, Director of Planning and Development Services briefed the council on Case for **Z-2014-46** a request from Brad Pursley, to rezone property from HI/H (Heavy Industrial/Historic Overlay) to HI (Heavy Industrial) zoning, located at 2734 S. 27th St.

Currently the property is zoned HI and is undeveloped. The lot was recently created by a plat and was previously part of the property including the historic rock house at the corner. The surrounding area is developed generally with industrial uses to the north, south, & east. The Hendrick Home for Children exists nearby across S. Treadaway Blvd to the west. The Mrs. Baird's bakery exists nearby across Palm St to the east. The applicant is requesting that the historic overlay be removed from this lot as it does not include the historic rock house. This would allow for standard development to occur on the lot.

The Future Land Use section of the Comprehensive Plan designates this area as 'industrial' and 'commercial'. Both S. Treadaway Blvd & S. 27th St are classified as an 'enhancement corridor'. The underlying HI zoning will remain. Any future development will be required to comply with existing development regulations. The request is deemed compatible with the Future Land Use Map.

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

The Landmarks Commission recommends approval as requested by a vote of 5 in favor (Butman, Calk, McClellan, Miller, & Minter) and none opposed.

The Planning and Zoning Commission recommends approval as requested by a vote of 5 in favor (Bixby, Ellinger, McClarty, Rosenbaum, & Famble), none opposed, and 1 abstained (Calk).

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

Councilman McAlister made the motion to approve the Ordinance for Case for **Z-2014-46** a request from Brad Pursley, to rezone property from HI/H (Heavy Industrial/Historic Overlay) to HI (Heavy Industrial) zoning, located at 2734 S. 27th St. Councilman Hardaway seconded the motion, motion carried.

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

Ordinance: **#72-2014**

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.

Location: 2734 S. 27th St.

7.6 Megan Santee Director of Public Works briefed the council on the Application/Permit to Drill and/or Operate an Oil and/or Gas well – Sojourner Drilling Corporation: "City of Abilene No. 3", Permit No. 785008.

Chapter 21, Oil and Gas, of the City Code requires a permit for drilling and operating oil/gas wells within the city limits. As part of the review process, the City Council is to conduct a public hearing and then approve or deny the permit.

Sojourner Drilling Corporation of Abilene, Texas has submitted an application to drill the “City of Abilene No. 3” well on property owned by Ambler Charitable Bingo RE, Inc., located northwest of the intersection of Ambler Avenue and Mimosa Drive. This well is being drilled under the applicant’s 23.45 acre “City of Abilene Unit”, comprised of multiple property and mineral interest owners as detailed within the supporting documentation for the permit application. 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 (unoccupied) building on Ambler Charitable Bingo RE, Inc.’s property, and the applicant has provided Ambler Charitable Bingo RE, Inc.’s written consent to the drill site location. Additionally, the applicant was requested to provide, and has provided a mineral interest title opinion verifying that the City of Abilene owns no mineral or royalty interest in/under the streets and alleys within the 23.45 acre unit area. 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.

Because all prerequisites and requirements of Chapter 21, Oil and Gas; have been met, including no anticipated adverse effect on the health, safety and welfare of the public, staff recommends that the City Council vote to approve the application for this drilling permit and authorize the Mayor to execute permit # 785008 for Sojourner Drilling Corporation.

Mayor Archibald opened the public hearing and Whitney Cloud was present from Sojourner Drilling to answer any questions there being no one else present and desiring to be heard the public hearing was closed.

Mayor Archibald made the motion to approve the Application/Permit to Drill and/or Operate an Oil and/or Gas well – Sojourner Drilling Corporation: “City of Abilene No. 3”, Permit No. 785008. Councilman Hardaway seconded the motion, motion carried.

AYES: Councilmen Price, Hardaway, McAlister and Mayor Archibald

NAYS: None

Councilman Spano had to leave the meeting.

7.7 Megan Santee Director of Public Works briefed the city council on Application/Permit to Drill and/or Operate an Oil and/or Gas well – Sojourner Drilling Corporation: “Impact Unit 2, Well No. 4”, Permit No. 787090.

Chapter 21, Oil and Gas, of the City Code requires a permit for drilling and operating oil/gas wells within the city limits. As part of the review process, the City Council is to conduct a public hearing and then approve or deny the permit.

Sojourner Drilling Corporation of Abilene, Texas has submitted an application to drill the “Impact Unit 2, Well No. 4” on property owned by Angela Michelle Tate located at 1901 Rucker Street, at the southeast corner of the intersection of Rucker Street and Clinton Street. This well is being drilled under the applicant’s 41.92 acre “Impact Unit 2” lease, comprised of multiple property and mineral interest owners as detailed within the supporting documentation for the permit application. 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 provided the notarized written consent of the owner of the residence as required by ordinance. Additionally, the applicant was requested to provide, and has provided a mineral interest title opinion verifying that the City of Abilene owns no mineral or royalty interest in/under the streets and alleys

within the 41.92 acre unit area. 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 Whitney Cloud was present from Sojourner Drilling to answer any questions there being no one else present and desiring to be heard the public hearing was closed.

Councilman Hardaway made the motion to approve the Application/Permit to Drill and/or Operate an Oil and/or Gas well – Sojourner Drilling Corporation: “Impact Unit 2, Well No. 4”, Permit No. 787090. Councilman McAlister seconded the motion, motion carried.

AYES: Councilmen Price, Hardaway, McAlister and Mayor Archibald

NAYS: None

7.8 James Childers Director of Community Services briefed the city council on the resolution adopting Parks, Recreation and Senior Facilities Master Plan; Mr. Childers turned the presentation over to Jim Carilleo with Half & Associates who presented the Master Plan.

Steps in the Park Planning Process

- Establish goals of the master plan
- Review of City’s population growth
- Conduct inventory of existing parks
- Public input/opinion surveying
- Needs assessment and level of service
- Prioritize needs and projects
- Recommendations and Master Plan document that is based on all of the above.
- Approval by City Council and Texas Parks & Wildlife Department (TPWD)

12 Goals of the Parks Master Plan

1. Aim to establish Abilene’s park system as one of the premier park systems in the western half of Texas.
2. Focus on addressing indoor as well as outdoor recreation needs over the next 5 to 10 years.
3. Ensure that the parks system will be accessible.
4. The system will be well funded and will actively pursue partnership opportunities.
5. The system will identify and focus first on “core” services: livability, youth, health, revenue and outdoors.
6. Parks in Abilene will be extraordinary and timeless
7. Parks will be community focal points.
8. The City will focus on connectivity and linkage.
9. The City will continue to value and preserve open space.
10. Detention and drainage will be used as a green opportunity.
11. The system will focus on sustainability.
12. The system will continue to focus on reducing maintenance.

Telephone Survey Results Favorite Recreation Activity

- | | |
|---------------------------|-----|
| • Walking/jogging/running | 20% |
| • Basketball | 15% |
| • Swimming/water sports | 13% |
| • Fishing | 7% |
| • Baseball/softball | 7% |

What facility is lacking in your part of Abilene

- Water park 27%
- Trails 12%
- Park updating/maintenance 9%
- Parks 9%
- Sports complex/fields 8%

Councilman Price made the motion to approve the Parks Master Plan and to remove the reference to reuse water in the Master Plan. Councilman Hardaway seconded the motion, motion carried.

Resolution **#25-2014**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS ADOPTING THE YEAR 2014 PARKS, RECREATION AND SENIOR FACILITIES MASTER PLAN

7.9 Megan Santee Director of Public Works introduced the agenda item for Curb side Recycling Program. Mrs. Santee turned over the item to Ray Grothaus with Republic Services.

This item is an informational presentation from Republic Services regarding an opportunity to contract with the City of Abilene to provide automated curb side recycling services. Republic is one of the largest domestic providers of non-hazardous solid waste, including recycling. They operate in 39 states with more than 2,800 municipalities. In West Texas alone, Republic works with San Angelo, Midland/Odessa, Amarillo, Lubbock and Abilene for a variety of services. Republic is proposing to offer a single stream automated curb side recycling program and the construction of a Material Recovery Facility (MRF). This program will produce long term benefits for the community that include – promoting a modern collection method, a more convenient and more productive collection system, better management of long term labor and disposal costs and a safe environment for both employees and citizens.

Automated Collection of Recyclables

- Introduction to Single-stream (curbside) Recycling
- Benefits of curbside recycling
- Residents can comingle recyclables in one container
- Recycle where you live
- Carts are easy to use and hold a lot
- No more trips to drop-off centers

Discussion included: 1) Drop off centers vs curbside recycling; 2) waste to energy; 3) convert to curbside for recyclables; and 4) MRF (Material Recovery Facility)

No action on this item.

7.10 Megan Santee briefed the city council on the oral resolution authorizing Interim City Manager to negotiate with Republic Services for an Automated Curb Side Recycling Program.

Currently the City of Abilene offers seven (7) drop off recycling locations throughout the City. Under this program, the citizens bring their recyclables and sort at the facilities. Under an automated curb side recycling program, the City would contract with a private contractor to allow them to provide automated, single stream curb side recycling services to our residents. This agenda item would authorize the Interim City Manager to enter into negotiations with Republic Services. Any negotiated agreement will be brought back to Council for review and approval.

As part of the contract negotiations, Staff will review the fiscal/budgetary impact and any required ordinance revisions to Abilene Municipal Code, Chapter 27, Solid Waste, and the potential benefits for the City and its citizens. Any necessary ordinance revisions and fiscal impacts will be presented to Council as part of the contract process.

Council heard from: 1) Ryan Beard with a company out of Austin who encouraged the council to bid out the process; 2) Wayne Lanham with Texas Metal & Recyclables also encouraged the council to open it up to others.

Councilman Price made the motion to authorize the Interim City Manager to put together a Request for Proposals and/or Request for Qualifications on an Automated Curb Side Recycling Program and to bring back to council at a later date. Mayor Archibald seconded the motion, motion carried.

AYES: Councilman Price, Hardaway, McAlister and Mayor Archibald

NAYS: None

EXECUTIVE SESSION

Mayor Archibald recessed the Council into Executive Session 12:50 p.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 1:40 p.m. and reported no votes or action was taken in Executive Session in regards to Section 551.072 Real Property, and Personnel Section 551.074

No action from executive session.

10. Oral Resolution: Discussion and possible action related to annual performance evaluations of City Attorney, City Secretary and Municipal Judge. No-action taken.

There being no further business the meeting was adjourned at 1:40 p.m.

Danette Dunlap, TRMC
City Secretary

Norm Archibald
Mayor