

**CITY COUNCIL MEETING**  
**January 22<sup>nd</sup> 2015, 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 22<sup>nd</sup> 2015, at 8:30 a.m. in the Council Chambers, 555 Walnut St. Mayor Pro-tem Joe Spano was present and presiding with Councilmen Shane Price, Anthony Williams, Jay Hardaway, Kyle McAlister and Councilman Elect Steve Savage. Mayor Archibald 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.

Anthony Williams gave the invocation.

Mayor Pro-tem Spano introduced Lauren & Catherine Gilley. They are 5<sup>th</sup> grade students at Bowie Elementary and daughters of former City Manager, Larry Gilley. Lauren & Catherine led the Pledge of Allegiance to the Flags of the United States of America and the State of Texas.

**SPECIAL CONSIDERATION**  
**2015 CITY ELECTION RETURNS**

City Secretary Danette Dunlap presented the Resolution Canvassing the January 13<sup>th</sup> Special Called Election. Steve Savage received 58.18% of the vote for Council Place 6.

Councilman Price made the motion to approve the Resolution canvassing the January 13<sup>th</sup> Special Called Election. Councilman Hardaway seconded the motion, motion carried.

AYES: Councilman Price, Williams, Hardaway, McAlister, and Mayor Pro-tem Spano  
NAYS: None

Resolution [#03-2015](#)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS CANVASSING RETURNS AND DECLARING THE RESULTS OF THE SPECIAL CALLED ELECTION, HELD ON JANUARY 13TH, 2015.

(UNA RESOLUCION DEL CONSEJO DE LA CIUDAD DE ABILENE TEXAS, REVISANDO LA RESPUESTA Y DECLARANDO LOS RESULTADOS DE LA ELECCION ESPECIAL EL 13 DE ENERO DEL 2015.)

Councilman Elect Steve Savage came forward to have the Oath of Office administered. After the Oath was administered Mayor Pro-tem Spano invited all to attend a reception honoring Councilman Steve Savage on his election.

**DISPOSITION OF MINUTES**

**5.0** Mayor Pro-tem Spano stated Council has been given the minutes from the January 8<sup>th</sup> Regular meeting and January 12<sup>th</sup> Special Called meeting, there being no deletions, no additions, and no corrections. Councilman Williams made a motion to approve the minutes as presented. Councilman Hardaway seconded the motion, motion carried.

AYES: Councilmen Price, Williams, Hardaway, McAlister, Savage and Mayor Pro-tem Spano  
NAYS: None

## CONSENT AGENDA

Councilman Savage asked to pull items 6.3, 6.4 & 6.5. Councilman Price made the motion to approve consent items 6.1, 6.2 and 6.6 as recommended by staff. Councilman Williams seconded the motion, motion carried.

AYES: Councilmen Price, Williams, Hardaway, McAlister, Savage and Mayor Pro-tem Spano  
NAYS: None

### Ordinances:

- 6.1** **Ordinance:** *(First Reading)* **Z-2015-03** On a request from PCH Investments, agent Enprotec/Hibbs & Todd, Inc., to rezone property from AO (Agricultural Open Space) to RS-6 (Single-Family Residential) zoning, being a total of approximately 56.6 acres being a portion of 7550 Hardwick Rd & a portion of the approximately 38.9 acres; and setting a public hearing for February 12, 2015.

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.

- 6.2** **Ordinance:** *(First Reading)* **Z-2015-04** A request from the City of Abilene to rezone property from LI (Light Industrial) to LI/H (Light Industrial/Historic Overlay) zoning, located at 189 Locust St; and setting a public hearing for February 12, 2015.

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.

### Bid Awards:

- 6.3** **Award of Bid: #CB-1516**, Full-Size SUVs. *(Item pulled by Councilman Savage)*
- 6.4** **Award of Bid: #CB-1517**, Three-Quarter Ton Utility Trucks. *(Item pulled by Councilman Savage)*
- 6.5** **Award of Bid: #CB-1518**, One ton Utility Trucks. *(Item pulled by Councilman Savage)*
- 6.6** **Award of Bid: #CB-1520** - Purchase of 300-gallon automated refuse containers as needed to replenish inventory due to new housing starts and to replace worn-out and damaged containers. City Council approved the purchase of six hundred (600) three hundred (300) gallon automated Poly refuse containers awarded to Snyder Industries, Brownsburg, Indiana in the amount of \$148,800.00.

This bid is for the purchase of six hundred (600), three hundred (300) gallon automated Poly refuse containers to be purchased in truckload quantities. Advertisements were published on December 21 and 28, 2014. Three bids were received. The bids were opened on January 6, 2015.

### SPECIAL CONSIDERATIONS

This bid provides the City with fully automated three hundred (300) gallon carts to keep pace with new residential construction starts and to replace worn-out and damaged containers. The bid allows for a contract extension for an additional one (1) year term with concurrence of the successful bidder.

### ITEMS PULLED FROM CONSENT

#### **Bid Awards:**

#### **6.3 Award of Bid: #CB-1516, Full-Size SUVs.**

Councilman Savage had questions regarding the age and condition of the equipment that these purchases would be replacing.

Mindy Patterson Director of Finance briefed the Council on the purchase of the SUVs. One will be an addition to the fleet and 3 are replacements for the Fire Department. The age of the 3 to be replaced are 1999, 2001 & 2003 all with various issues such as transmission problems or engine problems. Ms. Patterson gave the process that is involved for the fleet replacement program.

Fleet Management seeks approval to purchase four full-size SUVs. Three units are to replace vehicles assigned to the Fire Department that are worn out and no longer cost-effective to maintain and are utilized to perform public education, organizational development and technical services, and emergency medical services. One unit is a newly budgeted item for Public Works Administration and will be assigned to the Land Agent in order to carry out the duties of well site inspections for oil and gas drilling, rights-of-way, and utility and pipeline easement inspections and overseeing land surrounding Lake Fort Phantom Hill and Lake Abilene.

Advertisements were published on November 30 and December 7, 2014. Bids were opened on December 16, 2014 at 11:00 A.M. Seventeen (17) bid invitations were requested with three (3) vendors submitting a bid.

#### **6.4 Award of Bid: #CB-1517, Three-Quarter Ton Utility Trucks.**

Mindy Patterson Director of Finance briefed the Council on the purchase of the ¾ Ton Utility Trucks. The two trucks will be replacing a 2008 truck with 102,000 miles and has transmission and engine problems. Also a 2010 truck with 122,000 miles and transmission and engine problems.

Fleet Management seeks approval to purchase two three-quarter ton utility trucks to replace vehicles assigned to Water Production that are worn out and no longer cost-effective to maintain. Both units are utilized to maintain water production equipment in Abilene, Crews, Lake Fort Phantom, and Lake Ivie along with the inspection and repair of electrical lines, raw water pipelines and valves.

Advertisements were published on November 30 and December 7, 2014. Bids were opened on December 16, 2014 at 11:00 A.M. Seventeen (17) bid invitations were requested with three (3) vendors submitting a bid.

#### **6.5 Award of Bid: #CB-1518, One ton Utility Trucks.**

Mindy Patterson Director of Finance briefed the Council on the purchase of the two (2) One (1) Ton Utility trucks. The two will replace a 2009 truck from the Water Department and 2001 from the Fire Department.

Fleet Management seeks approval to purchase two one ton utility trucks. One unit is to replace a vehicle assigned to Water Distribution that is utilized by the water leak crew and the other replaces a unit in the Fire Department that will be assigned to safety equipment mechanics. Both units are worn out and no longer cost-effective to maintain.

Advertisements were published on November 30 and December 7, 2014. Bids were opened on December 16, 2014 at 11:00 A.M. Seventeen (17) bid invitations were requested with three (3) vendors submitting a bid.

Councilman McAlister made the motion to approve the purchases for the SUVs, ¾ Ton Utility Trucks and 1 Ton Utility Trucks from the various vendors. Councilman Williams seconded the motion, motion carried.

AYES: Councilmen Price, Williams, Hardaway, McAlister and Mayor Pro-tem Spano  
NAYS: Councilman Savage

### REGULAR ITEMS

**7.1** Jon James Director of Planning and Development Services briefed the Council the Ordinance for **Z-2014-55**, a request from Martin Sprocket & Gear, agent Kris Johnson, to rezone property from AO (Agricultural Open Space) to HI (Heavy Industrial) zoning, located at 4300 FM 18.

Currently the property is zoned AO and is developed with Martin Sprocket & Gear business. The surrounding area is developed generally with similar industrial uses. The purpose of the zoning is to allow for an expansion to the site. The current AO zoning does not allow for the existing non-conforming use to expand; therefore, the applicant has requested to rezone the property to the HI zoning district. The FM 18 corridor has similar properties with HI zoning and can be expected to continue to develop similarly in the future.

The Future Land Use section of the Comprehensive Plan designates this general area as part of a 'Gateway/Major Business-Industrial' area. The requested zoning is deemed compatible with the Future Land Use Map and the adjacent properties.

Staff recommends approval.

#### BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval as presented by a vote of 5 in favor (Calk, Ellinger, Glenn, McClarty, & Famble) and none opposed

Mayor Pro-tem Spano 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 **Z-2014-55** a request from Martin Sprocket & Gear, agent Kris Johnson, to rezone property from AO (Agricultural Open Space) to HI (Heavy Industrial) zoning, located at 4300 FM 18. Councilman Williams seconded the motion, motion carried.

AYES: Councilmen Price, Williams, Hardaway, McAlister, Savage and Mayor Pro-tem Spano  
NAYS: None

Ordinance: **#7-2015**

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: 4300 FM 18**

**7.2** Mayor Pro-tem Spano announced that due to the opposition to the zone request it will take a supermajority vote of the Council. Since not all members of the Council are in attendance the proponent has requested that the zone request be TABLED to another City Council meeting.

Jon James Director of Planning and Development Services briefed the Council on the Ordinance for Case **Z-2014-56**, a request from Southwest Housing Providers, LLC & First Baptist Church, agent EHT, to rezone property from AO (Agricultural Open Space) to PD (Planned Development) zoning, located on the south side of the 600-700 Blk of E. Stamford St.

Currently the property is zoned AO and is undeveloped. The surrounding area is developed generally with single-family residential uses to the south and proposed multi-family residential zoning to the east. The purpose of the zoning is to allow for a Vacation Travel Trailer (RV) Park. The current AO zoning requires a Conditional Use Permit in order to allow for the proposed use. In reviewing the regulations for Travel Trailer Parks, the use must be a minimum of 300 feet from residentially zoned properties. The applicant is proposing a PD zoning to request modifications to this regulation as well as regulations dealing with setbacks, paving, and duration of stay. The proposed use will have access onto E. Stamford St only.

The Future Land Use section of the Comprehensive Plan designates this general area as 'low density residential'. The requested PD zoning will maintain the AO zoning and allow for a Travel Trailer (RV) Park. The requested zoning is compatible with the Future Land Use Map and the adjacent residential uses in the area.

Staff recommends approval of the PD with exception of the proposed paving regulation. Staff recommends that the entrance roadway from the public street to the main office plus the parking for the office and all uses accessible by the general public be paved.

#### BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval with conditions that the main drive may remain stone until development occurs on either side and that a 6-foot screen or fence shall be provided along the south property line by a vote of 5 in favor (Calk, Ellinger, Glenn, McClarty, & Famble) and none opposed.

Mayor Pro-tem Spano opened the public hearing and David Todd, agent for Southwest Housing Providers, LLC was present to answer questions from Council. There being no one else present and desiring to be heard the public hearing was closed.

Councilman Price made the motion to TABLE the Ordinance for Case # **Z-2014-56** a request from Southwest Housing Providers, LLC & First Baptist Church, agent EHT, to rezone property from AO (Agricultural Open Space) to PD (Planned Development) zoning, located on the south side of the 600-700 Blk of E. Stamford St. to the February 12<sup>th</sup> Council meeting. Councilman McAlister seconded the motion, motion carried.

AYES: Councilmen Price, Williams, Hardaway, McAlister, Savage and Mayor Pro-tem Spano  
NAYS: None

**7.3** Jon James Director of Planning and Development Services briefed the Council on the Ordinance for **Z-2015-01**, a request from Reunion Enterprises, Inc., agent James Griffith, to rezone property from GC (General Commercial) to GR (General Retail) zoning, located at 2826 S. 2nd St.

Currently the property is zoned GC and is developed with a residence. The surrounding area is developed generally with commercial and retail uses to the north, east, & west. Residences exist on the properties to the south. The home on the subject parcel appears to be the last remaining residence on the north side of the block. Residential uses are no longer permitted in the GC zoning district. The purpose of the zoning is to bring the site into conformance with a zoning district that permits residential uses; therefore, the applicant has requested to rezone the property to allow for single-family residential uses. The original request was for RS-6 zoning; however, the GR zoning district does permit residential uses and is more compatible with the surrounding zoning. The GR zoning has similar permitted uses as the GC zoning and can be considered compatible to the zoning. Therefore, staff has notified for GR zoning to allow for the most flexibility.

The Future Land Use section of the Comprehensive Plan designates the block as 'commercial'. The GR zoning is similar to the current GC zoning but does allow for residential uses. The requested zoning is deemed compatible with the Future Land Use Map and the adjacent properties.

Staff recommends approval.

#### BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval of GR zoning by a vote of 5 in favor (Bixby, Calk, Ellinger, Rosenbaum, & Famble) and none opposed.

Mayor Pro-tem Spano 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 # **Z-2015-01** a request from Reunion Enterprises, Inc., agent James Griffith, to rezone property from GC (General Commercial) to GR (General Retail) zoning, located at 2826 S. 2nd St. Councilman Price seconded the motion, motion carried.

AYES: Councilman Price, Williams, Hardaway, McAlister, Savage and Mayor Pro-tem Spano  
NAYS: None

Ordinance: **#8-2015**

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: 2826 S 2<sup>nd</sup> St.**

**7.4** Mayor Pro-tem Spano called for a Motion to Remove 7.4 from the TABLE. Councilman Williams made the motion to remove item 7.4 from the TABLE. Councilman Price seconded the motion, motion carried.

AYES: Councilmen Price, Williams, Hardaway, McAlister, Savage and Mayor Pro-tem Spano  
NAYS: None

Ronnie Kidd Managing Director for Administration briefed the Council the Sole Source Purchase of Hardware, Software, and Licenses related to Kronos Workforce Management Implementation.

At its June 26, 2014 meeting the City Council authorized an installment payment agreement to procure an automated timekeeping system. The cost of the system procurement was approximately \$476,000 spread over 36 months. The solution selected was Kronos Workforce Management, integrated with Telestaff for scheduling for the Fire Department.

As we have moved through the implementation project, we have identified the need to procure additional hardware, software, and licenses to complete the project. These changes are partly a result of miscommunications between Kronos and staff. Staff presented information to the City Council at its December 18, 2014 meeting. The City Council tabled the item in order for staff to provide more information. Analysis and additional conversation with key members of the project team have resulted in changes to the final project approach and an updated request to City Council as follows:

Total project additions requested are \$45,134, or approximately 9.4% of the original project and include \$27,900 for hardware, \$14,026 for 200 additional Kronos licenses plus 25 additional Telestaff licenses, and \$3,207 in additional software maintenance costs for the three year lease/purchase term.

Committing to the business relationship, Kronos has agreed to discount the additional clocks by \$200 each, for a savings of \$1,800 and has waived at least \$4,000 in programming fees.

#### FUNDING/FISCAL IMPACT:

As this purchase is for additional components to an existing system, Texas Local Government Code §252.022 exempts the purchase from competitive bidding as a sole source purchase. It can be added to the remaining term of the original 36 month installment payment purchasing agreement through ePlus Group, Inc. Beginning February 28, 2015 for the remaining 29 months of the lease/purchase agreement, monthly payments will increase by approximately \$1,774. The payments are currently \$13,220 and will now be \$14,994. This will be funded through the Technology Fund.

Council and Staff discussion included: 1) Miscommunication between Kronos rep and City staff during the original purchase; 2) the need for additional time clocks; 3) Kronos surveyed employees to see how they were tracking time and the company compiled a review of time keeping processes; 4) Patti Watson Program Manager spoke on the implementation of the project and how the system will enhance payroll processing every two weeks; 5) the number of city employees vs the licenses that are required on the system; 6) look to go live on March 11; and 7) several employees are currently involved in the testing phase.

Councilman Price made the motion to deny the purchase of the additional components to an existing system in the amount of \$45,124. Councilman Hardaway seconded the motion, motion carried.

AYES: Councilmen Price, Williams, Hardaway, McAlister, Savage and Mayor Pro-tem Spano  
NAYS: None

**7.5** Megan Santee Public Works Director briefed the Council on Application/Permit to Drill and/or Operate an Oil and/or Gas well (2) – Bullet Development, LLC: “Lytle #1” and “Lytle #2”, Permit No.’s 794758 and 794759.

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.

Bullet Development, LLC of Abilene, Texas has submitted applications to drill the “Lytle #1” and “Lytle #2” wells on property owned by Lytle Lake Water District, located at 2002 Hardison Lane, southwest of Abilene Regional Airport, were shown on an attached map. Because of the proximity to Abilene Regional Airport, a Federal Aviation Administration (FAA) Aeronautical Study was required for each well. The aeronautical studies are attached to, and made part of each application/permit. The studies concluded that the drilling rig for each well does not exceed obstruction standards and would not be a hazard to air navigation, provided that the marking/lighting and notification requirements detailed in the studies are met. Additionally, because the drilling rig for the Lytle #2 well will have a height of 110 feet, an Airport Zoning Development Permit was required for the temporary structure. The required City of Abilene Airport Zoning Development Permit, covering both the Lytle #1 and Lytle #2 wells on this tract, were attached to and made part of each application/permit.

These applications have been reviewed and approved by City Staff. All owners of real property within 500 feet of the proposed drill sites have been notified of these applications and of the City Council meeting to consider their approval, as required by City ordinance.

Don Green Director of Aviation answered questions regarding areas around the airport.

Mayor Pro-tem Spano opened the public hearing and Larry Wellhausen was present from Bullet Development, LLC 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 (2) –Bullet Development, LLC: “Lytle #1” and “Lytle #2”, Permit No.’s 794758 and 794759. Councilman Williams seconded the motion, motion carried.

AYES: Councilmen Price, Williams, Hardaway, McAlister, and Mayor Pro-tem Spano

NAYS: None

ABSENT FOR VOTE: Councilman Savage

**7.6** Megan Santee Public Works Director briefed the Council on Application/Permit to Drill and/or Operate an Oil and/or Gas well – Bullet Development, LLC: “Beam #6”, Permit No. 795006.

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.

Bullet Development, LLC of Abilene, Texas has submitted an application to drill the “Beam #6” well on property owned by Bill Beam, located at 834 Colony Hill Road, south of the south end of the Abilene Regional Airport runway, as shown on the attached map. Because of the proximity to Abilene Regional Airport, a Federal Aviation Administration (FAA) Aeronautical Study was required for this well. This aeronautical study is attached to, and made part of the application/permit. The study concluded that the drilling rig for this well does not exceed obstruction standards and would not be a hazard to air navigation, and that marking and lighting are not necessary for aviation safety. However, if marking/lighting is accomplished on a voluntary basis, it is recommended that it be installed and maintained in accordance with the FAA regulations specified in the aeronautical study.



This application have been reviewed and approved by City Staff. All owners of real property within 500 feet of the proposed drill sites have been notified of these applications and of the City Council meeting to consider their approval, as required by City ordinance.

Mayor Pro-tem Spano opened the public hearing and Larry Wellhausen was present from Bullet Development, LLC 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 – Bullet Development, LLC: “Beam #6”, Permit No. 795006. Councilman Williams seconded the motion, motion carried.

AYES: Councilmen Price, Williams, Hardaway, McAlister, Savage and Mayor Pro-tem Spano  
NAYS: None

**7.7** Mindy Patterson Director of Finance briefed the Council on the CO-OP Purchase of a motor grader.

Fleet Management seeks approval to purchase one motor grader for Streets Services. This will replace a unit that is worn out and no longer cost-effective to maintain. This piece of equipment will be used for maintenance and reconstruction of the street and alley systems.

Each motor grader and its operator are assigned to a crew and work in unison with other motorized equipment and operators at their individual work site. The grader is a core piece of equipment and its consistent availability is necessary to sustain the productivity of the remainder of that crew.

In the absence of the motor grader, crew members cannot effectively perform their functions. Considering the type of work performed regularly by City crews, renting or relying on a motor grader pulled from a pool of equipment is both ineffective and inefficient.

The unit is to be purchased through the Local Government Purchasing Cooperative (BuyBoard) to effectively coordinate the build process and delivery.

Funds for this purchase are to be provided by the Fleet Replacement Fund.

Council and Staff discussion included: 1) repair work that has been done on this equipment is approximately \$96,000; and 2) Megan Santee Director of Public Works explained that the equipment is used in alley maintenance and street repair.

Warren Caterpillar	Motor grader 120M2 BR BuyBoard contract # 424-13	\$181,408.40
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Councilman McAlister made the motion to purchase through BuyBoard contract #424-13 a Motor grader 120M2 BR from Warren Caterpillar in the amount of \$181,408.40. Councilman Williams seconded the motion, motion carried.

AYES: Councilmen Price, Williams, Hardaway, McAlister and Mayor Pro-tem Spano  
NAYS: Councilman Savage

**7.8** Mindy Patterson Director of Finance briefed the Council on the CO-OP Purchase of a Street Sweeper.

Fleet Management seeks approval to purchase a street sweeper for the Stormwater division. This is to replace a unit that is worn out and no longer cost-effective to maintain. The sweeper will be utilized in the routine and daily street cleaning.

The unit is to be purchased through the Local Government Purchasing Cooperative (BuyBoard) to effectively coordinate the build process and delivery.

Funds for this purchase are to be provided by the Fleet Replacement Fund.

Kinloch Equipment	Elgin Road Wizard BuyBoard contract # 420-10	\$258,313.00
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Council and Staff discussion included: 1) the unit that is being replaced is broken down; and 2) age of the broke equipment (2006).

Councilman McAlister made the motion to approve the purchase of a Street Sweeper through BuyBoard contract #420-10 in the \$258,313.00 from Kinloch Equipment. Councilman Hardaway seconded the motion, motion carried.

AYES: Councilman Price, Williams, Hardaway, McAlister and Mayor Pro-tem Spano

NAYS: Councilman Savage

**7.9** Don Green, Director of Aviation on the Resolution to Sponsorship of Dyess Air Force Base Joint Land Use Study.

As part of the Department of Defense's (DOD) efforts to keep bases viable and updated, it conducts Joint Land Use Studies (JLUS) in partnership with the local governing entity to determine the best use of surrounding land to ensure compliance with applicable safety and noise zones around the base. Dyess AFB believes it is time to conduct a JLUS and has asked the City of Abilene to sponsor the study. If the City agrees, it will be responsible for selecting and hiring a consultant to conduct the study and City Council would consider updates to the Airport Zoning Ordinance and other applicable zoning ordinances as suggested by the JLUS determination.

City staff would work with the consultant, Dyess AFB staff, representatives from Taylor County and the City of Tye and other interested entities as part of a committee to have input into the JLUS.

Staff will conduct a Request for Qualifications for a JLUS consultant.

Based on previous JLUS at other bases, DOD estimates a cost range of \$250,000 to \$400,000. DOD will pay 90% of this study and the City of Abilene, as sponsor, will pay 10%. DCOA agreed at its December 17, 2014 meeting to fund the City's 10% match, up to \$50,000. However, the City will receive in-kind credit for its match for any staff time incurred during this study.

**STAFF RECOMMENDATION**

Staff recommends that City Council authorize the Interim City Manager to enter into a JLUS Sponsorship Agreement with DOD and Dyess AFB.

Council and Staff discussion included: 1) break down in cost would be the Department of Defense will pay 90% of the costs and DCOA will pay 10%; 2) the importance of the study and how it could impact the next BRAC that could come down; 3) Economic Development; and 4) protect Dyess Air Force Base.

Mayor Pro-tem Spano allowed citizens to make public comment and council heard from the following:

- Taylor County Commissioner Randy Williams – spoke of working together with Dyess and other entity's.
- Jason Smith – President of Abilene Chamber of Commerce – spoke in favor of the study
- Jon James – Director of Planning and Development Services – answered questions in regards to the study. Two parts do we have problems now or what we can do in the future to be sure that we don't have any issues.
- Winston Ohlhausen – don't need another study
- Gail Potter – said Dyess has encroached upon the land owners
- Jerry Walls – has concerns regarding the study

Mayor Pro-tem Spano made the motion to authorize the Interim City Manager to execute the Joint Land Use Study. Councilman Williams seconded the motion, motion carried.

AYES: Councilman Price, Williams, Hardaway, McAlister and Mayor Pro-tem Spano

NAYS: Councilman Savage

Resolution #[04-2015](#)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE A SPONSORSHIP AGREEMENT FOR A JOINT LAND USE STUDY FOR DYESS AIR FORCE BASE.

### EXECUTIVE SESSION

Mayor Pro-tem Spano recessed the Council into Executive Session 11:31 am. 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 12:26 p.m. and reported no votes or action was taken in Executive Session in regards to Real Property Section 551.072 and Consultation with Attorney 551.071.

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 12:26 p.m.

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Danette Dunlap, TRMC  
City Secretary

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Joe Spano  
Mayor Pro-tem