

CITY COUNCIL MEETING
August 27th 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 August 27th 2015, at 8:30 a.m. in the Council Chambers, 555 Walnut St. Mayor Archibald was present and presiding with Councilmen Shane Price, Bruce Kreitler, Anthony Williams, Jay Hardaway, Kyle McAlister and Steve Savage. Also present were City Manager Robert Hanna, City Attorney Dan Santee, City Secretary Danette Dunlap, and various members of the City staff.

Councilman McAlister gave the invocation.

Mayor Archibald introduced Lucy (5) and Claire (3) Hardaway they attend St. John's Episcopal School and are the daughters of Councilman Hardaway. Lucy and Claire led the Pledges of Allegiance to the Flag of the United States of America and the State of Texas Flag.

DISPOSITION OF MINUTES

5.0 Mayor Archibald stated Council has been given the minutes from the amended July 23rd Regular Meeting, August 10th Workshop and August 13th Regular Council meeting. There being no additions, corrections or amendments to the minutes, Councilman Williams made the motion to approve the minutes as presented. Councilman Savage seconded the motion, motion carried.

AYES: Councilmen Price, Kreitler, Williams, Hardaway, McAlister, Savage and Mayor Archibald
NAYS: None

CONSENT AGENDA

No items for consent.

REGULAR ITEMS

7.1 Jon James Director of Planning and Development Services, briefed the council on the Ordinance amending Chapter 6 of the Code of Ordinances reference "Animals".

As part of an effort to update and modernize the City Code, as well as bringing city ordinances in line with requirements of State law, City staff began the process of updating Chapter 6 of the City Code of Ordinances related to the regulation of animals within the city. A citizen committee, the Animal Ordinance Review Committee, including general citizens, veterinarians, and representatives from local animal organizations met to discuss the ordinance and review various options for amendments.

The primary substantive changes include changes regarding the limitation on the number of animals allowed per household, regulation of roosters, cleanup after dogs, setting traps, adequate shelter, tethering of dogs, and the definition, procedures, and requirements for dangerous dogs.

STAFF RECOMMENDATION

Staff recommends approval of the proposed ordinance.

BOARD OR COMMISSION RECOMMENDATION

The Animal Services Advisory Board recommended approval of the proposed ordinance.

List of Topics:

- Limitation on the number of animals per household
- Provisions for roosters
- Cleanup provisions
- Traps
- Adequate shelter
- Tethering of animals
- Requirements for Dangerous Dogs

Number of Animals per Household

- Current Ordinance:
 - No limit in animal ordinance
 - Prior to 2005 the limit was 4 dogs/cats
- Proposed Ordinance:
 - Attached dwellings (apartments/duplexes) → 3 dogs/cats
 - Detached dwellings on less than ½ acre → 4 dogs/cats
 - Detached dwellings on ½ acre or more → 5 dogs/cats
- Options Considered:
 - No limit
 - Increase or decrease # animals allowed

Roosters

- Current Ordinance:
 - No restrictions
- Proposed Ordinance:
 - Allowed only on lots at least 1 acre in size
 - Must be confined in an enclosure at least 50 feet from the property line
- Options Considered:
 - No restrictions
 - Prohibit roosters except in Agricultural zoned areas
 - Prohibit roosters inside the city limits

Cleanup Requirements

- Current Ordinance:
 - None
- Proposed Ordinance:
 - Owner responsible for cleaning up after animal (defecation) immediately
 - Exceptions for owner's yard and service dogs
- Options Considered:
 - No requirement
 - Also require owner to have materials for cleanup (helps with enforcement)

Traps

- Current Ordinance:
 - Prohibits steel jaw or other spring loaded "killer" traps, except in Agricultural-Open Space zoning
- Proposed Ordinance:
 - Prohibits steel jaw or other spring loaded "killer" traps citywide
- Options Considered:
 - None

Tethering of Dogs

- Current Ordinance:

- Cannot tether in a way that allows the animal off their property
 - Cannot cause injury or pain
 - Must be able to reach food, water, and shelter
 - Tether must be at least 10' in length with swivel ends
- Proposed Ordinance:
 - In addition, may only be tethered in a rear yard, unless the owner is within 10' of the dog at all times
- Options Considered:
 - Keep current requirements

Requirements for Dangerous Dogs

- Current Ordinance:
 - Secure enclosure required
 - *\$100,000 of insurance*
 - Required microchipping
 - *Posted sign on the property*
 - If out of enclosure, must be on leash and muzzled
 - Have 30 days to comply
- Proposed Ordinance:
 - Increases insurance requirement to \$250,000
 - **Requires sterilization**
- Options Considered:
 - Reduced to 15 days to comply

Other topics considered:

- Items considered, but no changes recommended:
 - Sterilization & intact animal registration
 - Required sterilization of impounded animals
 - Definition of dangerous dogs
 - Creation of "aggressive dog" category
 - NEW ISSUE: How we deal with out-of-jurisdiction animals?

Council and Staff discussion included: 1) limits on animals; 2) barking dogs; 3) smells; 4) Foster care homes; 5) state law changes; 6) dangerous dogs; 7) noise and nuisances ordinance; and 8) chickens and roosters.

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

- Jorita Hagins – against the ordinance
- Lawayne Harris – leave ordinance as it has been
- Marian Ermis – complaints about barking dogs
- Joanna Zubair – what about show animals for school children
- Linda Pinkston – leave ordinance as is/education
- Gordon Hayes – against the ordinance
- Lou Oliver – against the ordinance
- Brittany Hill – against the ordinance
- Mindy Marquez – against the ordinance
- Lindsay Hallmark – against the ordinance
- Angela Hamil-Willis – against the ordinance
- Christy West – against the ordinance
- Anna Marie Monsivaiz – against the ordinance
- Robert Sudbury – has issues with cost of spay and neuter costs to those adopting animals

- Liza Blazier – against the ordinance
- Jim Urban – waste of time
- Ericka Mason – against more regulations
- Matty Lozano – against the ordinance
- Melissa Mason – against the ordinance
- Mandy Morrison - have foster pets
- Lark Mason – does not oppose all of the suggested changes
- Denise Wolfe - need education and low cost spay and neutering options
- Jud Beal – against ordinance changes
- John Gallagher – against the ordinance changes
- Michelle Gallagher – against the ordinance changes
- Cat Colson – against the changes
- Ashley O’Conner – pit bull owner; dangerous dog concerns
- Blake Champion – no limit on animals
- Jeana Posey – against ordinance changes
- Dale Boecker – commented on a grey fox
- Sylvia Urban – concerned about traps

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

Council directed staff to bring back two specific issues for future discussion: 1) consider language to allow for the opportunity for an annual review of a "Dangerous Dog" designation (not the whole dangerous dog section); and 2) consider language that addresses concerns of citizens that have a neighbor's dog coming partway through a fence into their yard. The current ordinance requires the dog to completely leave their property before there is an enforceable issue.

Mayor Archibald made the motion to keep the current Ordinance with the amendments that follow State Law and remove under definition of a Kennel “or pleasure”. Councilman Williams seconded the motion, motion carried.

AYES: Councilmen Price, Kreitler, Williams, Hardaway, McAlister, Savage and Mayor Archibald
NAYS: None

Ordinance #45-2015

AN ORDINANCE AMENDING, CHAPTER 6 OF THE CODE OF THE CITY OF ABILENE BY ADOPTING REVISIONS OF CHAPTER 6: ANIMALS AND FOWL; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND CALLING FOR A PUBLIC HEARING

7.2 Ronnie Kidd Managing Director for Administration, briefed the council on the ratification of the Meet and Confer Agreement for fiscal year 2016, 2017, 2018 between the City of Abilene and the Abilene Police Officers' Association.

The Meet and Confer Agreement currently in effect between the City of Abilene (City) and the Abilene Police Officers' Association (APOA) expires September 30, 2015. Accordingly, teams representing the City and the APOA have been in the negotiation cycle for the last several months to reach an agreement effective October 1, 2015, for a three (3) year term.

Texas Local Government Code Chapter 142 provides for the meet and confer process. We believe the newly negotiated agreement continues to provide benefits to both parties. Attached is a summary of the key points and/or

changes reflected in the new agreement. The agreement covers the three year period October 1, 2015 through September 30, 2018 (fiscal years 2016, 2017 and 2018).

APOA held its membership meetings to review the three year agreement during the week of August 10, 2015. APOA membership held its vote and its President has certified that the majority of the voting members have approved the three year agreement for fiscal years 2016 – 2018.

FUNDING/FISCAL IMPACT

The proposed fiscal year 2016 budget under consideration by Council provides for a 3% across-the-board compensation increase for all employees, effective April 1, 2016. The meet and confer agreement reflects this compensation adjustment, subject to Council approval of the budget. Further, effective October 1, 2015, the agreement provides for Police Training Officer (PTO) assignment pay to be increased from \$1.50 per hour to \$3.00 per hour when tenured police officers are actively assigned to train new police officers. Additionally, the agreement provides for a new methodology for accruing holiday pay for police officers. An officer will accrue holiday hours equal to the amount of hours associated with her/his primary duty day shift (8, 10 or 12 hours). These items are included in the proposed FY 16 budget.

Finally, the agreement provides for a phased in approach to special holiday pay for officers working on a City-designated holiday. Beginning October 1, 2016 officers working on the following holidays will receive an additional special pay of \$200.00 per day: Independence Day, Thanksgiving Day, Thanksgiving Friday, Christmas Day. Effective October 1, 2017, the additional special pay will apply to all nine (9) of the officially designated holidays for officers working on those days.

The agreement contains reopener clauses in the second and third years to discuss base salary in concert with the preparation of the City’s budget. Further, in the third year, the agreement provides for a minimum 2.5% across-the-board salary increase for all officers effective October 1, 2017. If other City employees receive an across-the-board increase greater than 2.5% of base salary, then police officers will receive an additional incremental increase to equate to the percentage increase received by other City employees at the effective date of the other City employee’s increase.

These items will be appropriately reflected in the FY 17 and FY 18 budgets.

STAFF RECOMMENDATION

Staff recommends that the City Council ratify the Meet and Confer agreement between the City and APOA for the period October 1, 2015 through September 30, 2018.

**EXECUTIVE SUMMARY
POLICE MEET & CONFER AGREEMENT
FISCAL YEARS 2016, 2017 & 2018**

- Three (3) year term – October 1, 2015 through September 30, 2018
- Base Salary and Other Pay

Year 1 (FY16)

- ◇ Compensation – 3% Across-the-Board, effective April 1, 2016 subject to budget approval by City Council

- ◇ Police Training Officer (PTO) Assignment Pay – increased the hourly rate to be paid when an officer is actively engaged in performing PTO assignments from \$1.50 to \$3.00 per hour
- ◇ Special Duty Pay – \$100 per month, beginning April 2016, for officers holding special duty assignments that require specialized training and frequent response outside regular duty hours (e.g., CID, Youth Investigation, Tactical Unit, Bomb Unit, K9 Unit, SOD, RID, and Traffic Division)
- ◇ Officers will accrue holiday time based upon their primary duty day shift (8, 10 or 12 hours).

Year 2 (FY17)

- ◇ Compensation – officers will receive the same percentage increase that other City employees are approved to receive, with the same effective date
- ◇ Special Duty Pay – \$100 per month
- ◇ Add special holiday pay of \$200 per day for officers working on these four (4) holidays: Independence Day, Thanksgiving Day, Thanksgiving Friday, Christmas Day

Year 3 (FY18)

- ◇ Compensation – a minimum 2.5% Across- the-Board salary increase for all officers, effective October1, 2017. If other City employees receive an across-the-board increase greater than 2.5% of base salary, then police officers will receive an additional incremental increase to equate to the percentage increase received by other City employees at the effective date of the other City employee’s increase
- ◇ Special Duty Pay – \$100 per month
- ◇ Add special holiday pay of \$200 per day for officers working on the remaining five (5) holidays – total of nine (9) holidays

□ Promotional Processes

- ◇ Agreed to changes to the promotional processes for the ranks of Sergeant and Lieutenant to include adding a written examination component to determine which candidates move forward in the process
- ◇ Agreed upon scoring methodology for the promotional processes, including removing seniority and education points from the calculation of the final score.

□ Removed Article 11 – Strategic Review and Analysis as both Parties agreed it had served its purpose for the department and Police Administration has effective processes in place.

□ Agreed upon a new methodology for providing hours in the Association Business Leave (ABL) Pool, whereby officers may make a one-time donation of up to 20 hours of sick leave to the pool. Further, retiring officers may make a donation of sick leave to the pool. Usage

of the ABL pool is capped at 500 hours per year.

- Reopener clauses for discussion of base salary in Years 2 and 3 in conjunction with the budget process
- Both Parties agree to work together each year to gather and analyze comparator city salary and pay plan information

Councilman Hardaway made the motion to approve the Meet and Confer Agreement for Fiscal Year 2016, 2017, 2018 between the City of Abilene and the Abilene Police Officer's Association. Councilman Williams seconded the motion, motion carried.

AYES: Councilmen Price, Kreitler, Williams, Hardaway McAlister, Savage and Mayor Archibald

NAYS: None

7.3 James Childers Director of Community Services, briefed the council on the on-demand Architectural and General Engineering Services.

The City of Abilene Community Services Department is requesting the Council to authorize Community Services to establish on-demand contracts for Architectural and General Engineering Services and Consulting Services. Community Services would establish a contract with Jacob & Martin, Ltd., Enprotec/Hibbs & Todd, Tittle Luther Partnership – Parkhill, Smith, & Cooper, Total Engineering Services, Ltd., and Meers Engineering. The contract authorizes the City Manager to execute an on-demand contract with each firm.

Various City Departments require professional architectural and engineering services on an ongoing basis to plan and deliver multiple projects throughout the organization. This contract will allow departmental users to secure the services in a more efficient manner. Invitations for on-demand Architectural and General Engineering Services were mailed and e-mailed out on July 17, 2015. The closing date to return proposals was July 31, 2015. When a need is identified staff can quickly reference the statement on file, select the most qualified firm for the project, and proceed toward assigning the work. This process fulfills the requirement described in the Texas Government Code § 2254.004 for a government entity procuring architectural and 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 small and routine projects and would not include large scale studies or design work for major projects. The annual value of the on-demand contract will be determined by the number of projects approved by the fiscal budget and administrative review and approval.

FUNDING/FISCAL IMPACT

The on-demand contract for Architectural and General Engineering Services and Consulting Services will be paid through the Bond funds, General Obligation Funds, Certificates of Obligation or General Fund.

STAFF RECOMMENDATION

Staff recommends that the City Council, by oral resolution, authorize the execution of a contract with each of Jacob & Martin, Ltd., Enprotec/Hibbs & Todd, Tittle Luther Partnership – Parkhill, Smith, & Cooper, Total Engineering Services, Ltd., and Meers Engineering, as described above and to authorize the City Manager to execute all necessary documents related to those contracts.

Councilman Savage made the motion to approve the on-demand contracts with Jacob & Martin, Ltd., Enprotec/Hibbs & Todd, Tittle Luther Partnership – Parkhill, Smith & Cooper, Total Engineering Services, Ltd., and Meers Engineering. Councilman Hardaway seconded the motion, motion carried.

AYES: Councilmen Price, Kreitler, Williams, Hardaway, McAlister, Savage and Mayor Archibald
NAYS: None

7.4 James Childers Director of Community Services, briefed the council on the purchase of a walk-in freezer for the Zoo.

This item requests approval to purchase a new 12' x 36' seamless fiberglass walk in freezer from Polar King International, Inc. for \$65,265.30 to replace the current freezer unit. This freezer holds a variety of food products including meat, fish, vegetables and dry product all used as animal food for the thousands of animals housed in the zoo. The current freezer is the original for the zoo and is nearly 50 years old.

The United States Department of Agriculture (USDA) inspection has found that the current walk in freezer does not meet their standards for the storage of animal food items. The issue pertains to the door not sealing properly and the potential for frozen product to be ruined. Unsuccessful efforts were made by both a refrigeration company and zoo maintenance staff to repair the door. Not addressing this concern could result in penalties from the USDA that range from fines to revocation of the zoo's license to operate.

The use of a seamless fiberglass freezer allows zoo staff to ensure that the stored food isn't contaminated by blood and other substances getting caught in the seams of a conventional panel constructed freezer. The fiberglass construction also greatly eases staff's ability to clean the unit. This purchase is being treated as a sole source because Polar King is the only manufacturer of seamless fiberglass freezers and holds the patents for this design.

FUNDING/FISCAL IMPACT

The funding for the new freezer was approved as part of the FY15 Revised budget. The \$65,265.30 price includes the shipping and setting the unit in place at the zoo.

STAFF RECOMMENDATION

Staff Recommends replacement of the freezer

Councilman Savage made the motion to approve the purchase of the walk-in freezer for the zoo in the amount of \$65,265.30 from Polar King. Councilman McAlister seconded the motion, motion carried.

AYES: Councilmen Price, Kreitler, Williams, Hardaway McAlister, Savage and Mayor Archibald
NAYS: None

7.5 Michael Rice Director of Public Works, briefed the council on the award of bid #CB-1530 - CityLink Transit Fuel Tank Repurposing.

The CityLink facility at 1189 S. 2nd St. currently has two diesel fuel tanks. CityLink applied for a grant to repurpose one of those tanks for the storage and dispensing of unleaded gasoline. The FTA grant was awarded in 2010, and funding for the city's 20% match was approved within the 2011-2012 budget. The fuel tank repurposing project was estimated at approximately \$50,000 with an 80/20 funding split between FTA and the City of Abilene. Due to a series of events, including the transition of City Link management companies and operations managers, the project remained dormant until recently when James Oliver, current CityLink Manager, worked to fulfill the requirements of the grant for the fuel tank repurposing. Meers Engineering was selected to produce the required plans and specifications for the project.

The project engineering was completed and the project was publicly advertised on April 12 and April 19 of this year. Bids were opened on May 7, 2015 with one bid submitted by Don Faulkner Construction in the amount of \$96,000. The project scope includes the conversion of an existing fuel tank from diesel to unleaded gas, and the installation of a new fuel dispensing station, complete with concrete fuel island, new fuel lines, conduit, communication and electrical wiring, pavement removal and replacement, new Gas boy 9100 fuel dispenser, Gas boy Islander ICR, and fuel terminal.

SPECIAL CONSIDERATIONS

The additional \$46,000 required to fully fund this project is currently available within the CityLink Transit revised 2014- 2015 budget. These funds are available due to 1) the discontinuation of Medical Transportation services, and 2) fuel expenditure savings. Medical Transportation Services were previously provided by CityLink and funded through a different funding source at a set cost per passenger. This service was discontinued after an analysis revealed the funding per passenger was well below the total cost of service (employee salary, vehicle operations, etc.) Fuel expenditure savings are a result of current and recent low unleaded fuel prices.

This project is estimated to save approximately \$5,000 per month through the acquisition of bulk fuel instead of paying current pump prices. The grant for this project will expire on September 30, 2015.

FUNDING/FISCAL IMPACT

Bid for conversion:	\$96,000
FT A Grant 80%:	\$40,000
City 20% (2011-12):	\$10,000
Current CityLink Budget:	<u>\$46,000</u>
TOTAL	\$96,000

STAFF RECOMMENDATION

Recommend award of project to Don Faulkner Construction in the amount of \$96,000.

Councilman McAlister made the motion to approve awarding the project to Don Faulkner Construction in the amount of \$96,000. Councilman Hardaway seconded the motion, motion carried.

AYES: Councilmen Price, Kreitler, Williams, Hardaway, McAlister, Savage and Mayor Archibald
 NAYS: None

7.6 Michael Rice Director of Public Works, briefed the council on the Bid Award: **#CB-1544** Plaza Street Sidewalk project.

This project is for the construction of curb ramps and sidewalks on Plaza St. from Capitol St. to N. 10th St. and along N. 10th St. from Plaza St. to 950 N. Clack St. Also included in the project is replacing driveway and alley aprons to accommodate the new sidewalk. Advertisements were published August 2, 2015 and August 9, 2015. Bids were opened August 18, 2015 at 11:00 a.m.

FUNDING/FISCAL IMPACT

Funding is available from a Community Development Block Grant.

STAFF RECOMMENDATION

The staff recommends that the Council award Bid **#CB-1544**, to the low bidder Bontke Brothers Construction Company, Abilene, Texas, in the total amount of \$91,449.50.

Council and Staff discussion included: 1) funding source is CDBG; and 2) location of which side the sidewalk would be built on.

Councilman Savage made the motion to award the construction contract to Bontke Brothers Construction in the amount of \$91,449.50. Councilman Williams seconded the motion, motion carried.

AYES: Councilmen Price, Kreitler, Williams, Hardaway, McAlister, Savage and Mayor Archibald
NAYS: None

7.7 Robert Hanna City Manager, briefed the council on the Council Policy Statement 2015-001 – Revenues Collected in Excess of Revised Budget.

As you know, staff committed to bringing a Council Policy Statement forward to identify a process whereby Council may elect to “ earmark ” end of year revenues that exceed revised budget amounts. This is that policy statement.

Staff has attempted to identify a process that respects Council’s right to establish funding priorities while also recognizing that staff doesn’t always predict expenditures accurately at the beginning of the fiscal year. Expenditure needs change over the course of a 12 month period and often there are unexpected expenditures that are appropriate and required to be made in order to continue to provide essential services without interruption. While communities handle this reality differently, Abilene has a long established history of adopting a revised budget to “ cap ” the fiscal year. This solution is as good as others, and perhaps better than some.

The attached policy statement asks that Council identify a funding program for the upcoming fiscal year to serve as a place holder for revenues in excess of revised budget expenditures. The policy sets forth a process that actualizes the potential expenditure identified in the funding program. That process is three fold.

The first step asks Council to identify a potential funding program as part of the annual budget process. The funding program shall consider unfunded budget requests, additional resources for recurring operating expenses, one-time capital expenditures, dedication of resources for capital replacement funds or other internal service funds. The funding program is intended to address larger, more complex one-time capital needs. That said, nothing prevents Council from funding recurring operational expenditures if the revenues themselves will remain available year over year.

The second step waits until the independent third-party auditor completes his or her work and identifies final revenues over expenditures. The City Manager will report any revenues above the City’s minimum fund reserve requirements and he will recommend any changes to the funding program that might have arisen between the adoption of the budget and the reporting of the audit.

The final step in the process requires Council to adopt a funding program and authorize the City Manager to expend the identified revenues in accordance with the program.

FUNDING/FISCAL IMPACT

Since the funds being spent in accordance with this policy are not expended until they have been fully realized and verified through an independent audit, staff sees no negative fiscal impact. One word of caution, we must exercise the required discipline to keep our reserves as we should, and we should only fund recurring expenditures when the revenues used to do so can reasonably be assumed to return year after year.

STAFF RECOMMENDATION

Staff recommends adoption of the policy as drafted, or as may be amended by the City Council.

Council and Staff discussion included: 1) Police CAD/RMS software; 2) communications equipment; and 3)

the funding is being worked out through finance and through the budget process.

Councilman Hardaway made the motion to approve the Council Policy Statement 2015-001 – Revenues Collected in Excess of Revised Budget. Councilman Kreitler seconded the motion, motion carried.

AYES: Councilmen Price, Kreitler, Williams, Hardaway McAlister, Savage and Mayor Archibald
NAYS: None

7.8 Councilmen McAlister, Price, Williams and Mayor Archibald declared their conflict of interest on this agenda item.

Jon James Director of Planning and Development Services, briefed the council on the first reading of the ordinance for Case #**Z-2015-21** - A request from Gerald Johnson, agent Jacob & Martin, to rezone property from AO (Agricultural Open Space) to PH (Single-Family Residential Patio Home) zoning, located at 1702 EN 10th St; and setting a public hearing for September 10, 2015.

Council and Staff discussion included: 1) traffic issues; 2) no connection to Wildlife Trails; and 3) street connectivity.

Councilman Kreitler made the motion to approve the first reading of the Ordinance for Case #**Z-2015-21** - A request from Gerald Johnson, agent Jacob & Martin, to rezone property from AO (Agricultural Open Space) to PH (Single-Family Residential Patio Home) zoning, located at 1702 EN 10th St; and setting a public hearing for September 10, 2015. . Councilman Williams seconded the motion, motion carried.

AYES: Councilmen Price, Kreitler, Williams, Hardaway McAlister, Savage 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-151 A PLANNED DEVELOPMENT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

7.9 Jon James Director of Planning and Development Services, briefed the council on the ordinance first reading on an amendment to the Land Development Code (LDC) regarding Section 4.2.1.4 (h) Off-Street Parking – Design & Construction Standards, Paving of Parking Areas for Permanent, Principal Uses; and setting a public hearing for September 10, 2015.

Council and Staff discussion included: 1) unique requirements through a Planned Development; 2) caliche parking areas; and 3) comes from the Planning and Zoning Commission to leave ordinance as is.

Councilman Williams made the motion to approve first reading of the ordinance to amend the Land Development Code (LDC) regarding Section 4.2.1.4 (h) Off-Street Parking – Design & Construction Standards, Paving of Parking Areas for Permanent, Principal Uses; and setting a public hearing for September 10, 2015. Councilman Hardaway seconded the motion.

AYES: Councilman Price, Williams, Hardaway, McAlister and Mayor Archibald
NAYS: Councilmen Kreitler and Savage

AN ORDINANCE AMENDING CHAPTER 23, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY AND CALLING A

PUBLIC HEARING.

7.10 Mindy Patterson, Director of Finance briefed the council on the Ordinance Setting tax levy; and set a public hearing for September 10, 2015 at 8:30 a.m.

The FY 2016 Budget approved by Council on July 21, 2015 set the tax rate at 71.40¢. State law requires that two (2) public hearings must be held prior to the final public hearing and vote. Another public hearing will be held on August 27, 2015, with the final public hearing and vote to be held on September 10, 2015.

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

Mayor Archibald announced that the city council is scheduled to vote on the tax rate on Thursday, September 10th at 8:30 a.m. at City Hall, 555 Walnut St., Abilene, TX.

No votes or actions are needed on this item.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, APPROVING THE ASSESSMENT ROLL FOR 2015, LEVYING AN AD VALOREM TAX FOR THE CITY OF ABILENE, TEXAS, FOR THE YEAR 2015; PROVIDING FOR THE ASSESSMENT AND COLLECTION THEREOF; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; CALLING A PUBLIC HEARING; PROVIDING AN EFFECTIVE DATE.

EXECUTIVE SESSION

Mayor Archibald recessed the Council into Executive Session at 1:08 pm. 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 in Open Session at 2:54 pm. and reported no votes or action was taken in Executive Session in regards to Deliberations about Business Prospects and Economic Development Section 551.087, Real Property Section 551.072, Consultation with Attorney Section 551.071.

There being no further business the meeting was adjourned at 2:54 pm.

Danette Dunlap, TRMC
City Secretary

Norm Archibald
Mayor