

**CITY COUNCIL MEETING**  
**February 11<sup>th</sup> 2016, 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 February 11<sup>th</sup> 2016, 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, Interim City Attorney Stanley Smith, City Secretary Danette Dunlap, and various members of the City staff.

Councilman Williams gave the invocation.

Mayor Archibald introduced Anastasia Braun who is a 5<sup>th</sup> grade student at Martinez Elementary School. Anastasia 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 City Manager Robert Hanna recognized the following City employees for their years of service.

**20 Years of Service:**

Debbie Dudensing  
Dennis Miller

Secretary II (Police)  
Librarian II

**25 Years of Service:**

Guy Workman Sr.  
Billy Richardson  
Michael Burden  
David Phillips  
Kenneth Stites

Fire Lieutenant  
Lead Supervisor (Fleet Maintenance)  
Battalion Chief  
Fire Fighter  
Fire Fighter

**DISPOSITION OF MINUTES**

**5.0** Mayor Archibald stated Council has been given the minutes from the January 28<sup>th</sup> Regular Meeting and Special Called Meeting on January 19<sup>th</sup> there being no deletions, no additions, and no corrections. Councilman Savage made a motion to approve the minutes as presented. Councilman Williams seconded the motion, motion carried.

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

**CONSENT AGENDA**

Councilman Savage pulled item 6.2. Councilman Hardaway made the motion to approve items 6.1 and 6.3 as presented by staff. Councilman Savage seconded the motion. Motion carried.

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

**Resolutions:**

- 6.1** **Resolution:** City Council ordered the City of Abilene General Election to be held on May 7<sup>th</sup>, 2016 for Council Place 5 & 6 at-large.

ARTICLE III. ELECTIONS of the City Charter

Sec. 24. Annual elections.

The regular election of council to places on the council occupied by council whose terms are expiring and the regular election of the mayor, if his term is expiring, shall be held on such date as prescribed by the election laws of the State of Texas. In such election each qualified voter shall vote for not more than one candidate for each council place to be filled, and for not more than one candidate for mayor. Said elections shall be ordered by the Council, and in case of its failure to order same, the mayor shall make such order. In case of the inability of the council and mayor to act, the elections may be called by the city secretary, and in case of his inability to act, by the county judge of Taylor County, Texas, and in case of his inability to act, by the governor of the State of Texas. The city secretary shall give notice of such election by causing said notice to be published at least thirty (30) days prior to the day of such election.

Sec. 25. Regulation of elections.

All elections shall be held in accordance with the laws of the State of Texas regulating the holding of municipal elections and in accordance with this Charter and ordinances or resolutions adopted by the council for the conduct of elections.

Texas Government Code Chapter 791, Authorizes local governments to contract with one another and with agencies of the state for various governmental functions including those in which the contracting parties are mutually interested.

Texas Election Code, Chapter 43 authorizes countywide polling place programs, Taylor County Commissioners Court has applied for and received permission from the Secretary of State for the utilization of Vote Centers in Taylor County.

Texas Election Code, Chapter 271, authorizes political subdivisions of the State of Texas to hold elections jointly in voting precincts if it will be of benefit to the citizens and voters thereof to be served by common polling places and elections are ordered by the authorities of two or more political subdivisions to be held on the same day in all or part of the same territory.

Council seats up for election in May 2016 are: Council Place 5 At-Large and Council Place 6 At-Large.

Total cost of the May 7 Election is \$30,745.00 to be split between the City of Abilene and Abilene Independent School District.

If either entity is able to cancel their election then the other entity pays the full cost.

Resolution **#15-2016**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS ORDERING A GENERAL ELECTION TO BE HELD ON MAY 07, 2016.

(UNA RESOLUCIÓN DEL CONSEJO DE LA CIUDAD DE ABILENE, TEXAS, PIDIENDO UNA ELECCIÓN GENERAL QUE SE LLEVARA A CABO EL 06 DE MAYO DEL 2016.)

- 6.2** **Resolution:** Awarding a bid to Gray and Green Laboratory Systems for Laboratory furniture for the Abilene Environmental Laboratory. *Item pulled by Councilman Savage.*

**Ordinance:**

- 6.3** **Ordinance:** *(First Reading)* To bring City code into compliance with FEMA regulations by adding a definition of Base Flood Elevation (BFE); and setting a public hearing for February 25, 2016.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING THE "LAND DEVELOPMENT CODE" OF THE ABILENE MUNICIPAL CODE, CHAPTER 3 "SUBDIVISION REGULATIONS," ARTICLE 2, "SUBDIVISION STANDARDS," DIVISION 11, "STORMWATER MANAGEMENT," SECTION 1(B) BY AMENDING THE SECTION AS SET OUT BELOW, PROVIDING A DEFINITION FOR BASE FLOOD ELEVATION.

**ITEM PULLED FROM CONSENT**

- 6.2** **Resolution:** Awarding a bid to Gray and Green Laboratory Systems for Laboratory furniture for the Abilene Environmental Laboratory. *(Item pulled by Councilman Savage)*

Council and Staff discussion included: 1) Rodney Taylor Water Utilities Director briefed the council on the furniture and the use of the furniture; 2) cabinets tops and the material of the top; 3) is there alternative material that could be used; 4) have redone the cabinets and they are still rusting; 5) types of test that are performed in the lab; and 6) rebid the furniture.

Motion made by Councilman Price to approve the purchase of the laboratory furniture. Councilman McAlister seconded the motion. Motion failed.

AYES: Councilmen Price, McAlister and Mayor Archibald

NAYS: Councilmen Kreidler, Williams, Hardaway, Savage

**REGULAR ITEMS**

- 7.1** Mindy Patterson Assistant City Manager briefed the council on the first reading of the Ordinance for the Transportation Network Companies.

The City currently has an ordinance that governs vehicles for hire. A new business model has emerged which uses digital networking and software applications to connect passengers to transportation networking company (TNC) services provided by TNC drivers. Our existing ordinance does not address this new business model and does not adequately regulate this new industry. After nine months of dialogue with representatives from Uber and City Staff, an agreement could not be made on the process of background checks. During a Council presentation on December 17, 2015, council provided direction to the City Manager to draft an ordinance which would allow TNCs to operate legally in the City. The attached ordinance implements that direction. The provisions in the ordinance include the issuance of operating permits, revocation or suspension of permits, establishes an annual fee for permitting, and sets forth insurance requirements for operating a TNC in the City.

Council and Staff discussion included: 1) working with the Taxi Cab companies; 2) the definitions in Section 1 of Exhibit A are the definitions from the State Insurance Code Chapter 1954, Insurance for Transportation Network Company Drivers; 3) address not prorating the annual permit fee; and 4) Section 12 addressing no cash trips relating to cash tips is controlled by the TNC company by the driver policies.

Councilman Hardaway made the motion to approve the first reading of the Ordinance for the Transportation Network Companies. Councilman Price seconded the motion, motion carried.

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE DELETING AND REPLACING CHAPTER 14, "RESERVED" OF THE ABILENE MUNICIPAL CODE AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND CALLING FOR A PUBLIC HEARING

**7.2** Michael Rice Director of Public Works, briefed the council on the bid award **CB-1629** West Lake Road reconstruction project.

This project was advertised as a Public Notice on January 10th and 17th of 2016 with a bid opening dated January 26th 2016. This construction contract involves the reconstruction and widening of West Lake Rd. from Ambler Ave. to approximately 400' South of Anson Ave. which will include lime treating the subgrade, new flexible base material, and an improved HMAC surface. Also included in the contract is the installation of culverts under the roadway and at driveways, as well as excavation for ditch improvement.

The West Lake Road project is one of four streets projects scheduled for this year as part of Proposition 1 of the voter approved 2015 Bond Program.

Council and Staff discussion included: 1) if they were adding shoulders to the roadway; 2) no bike lanes; and 3) came in below budget.

Councilman Price made the motion to award the contract to Contract Paving Co. of Tye Texas in the amount of \$990,492.22. Councilman Hardaway seconded the motion, motion carried.

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

Resolution: **#16-2016**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AWARDED BID TO CONTRACT PAVING, TYE, TEXAS

**Location: West Lake Road from Ambler to S Anson Ave.**

**7.3** Michael Rice Director of Public Works, briefed the council on the Industrial Boulevard Railroad Crossing project.

Council and Staff discussion included: 1) The railroad crossing was repaired by Southern Switching owner of the rail line; 2) they repaired the crossing with concrete; 3) underground utilities need to be addressed before the major repair of Industrial can be done; 4) repairs will be done with CIP funds and Bond funds; and 5) Public works will fix a temporary repair to smooth out the approaches to the railroad track.

No action on this item for information purposes.

**7.4** Rodney Taylor Water Utilities Director, briefed the council on the resolution to award a bid to Starks Construction Company for the East Business Highway 80 Water Line Project.

The Water Utilities Department is requesting that by resolution the City Council award a bid to Starks Construction Company of Abilene, TX (Starks) in the amount of \$340,003.00 for the East Business Highway 80 Water Line Project CB-1631 (Project). The Project was advertised in the Abilene Reporter News on January 10 and 17, 2016. Bids were opened on January 26, 2016. A total of four bids were received. The Design Engineer has evaluated the low bid for conformity with the advertisement for bids and checked the references of the apparent low bidder and does recommend awarding the bid to Starks.

The Project is for the replacement of approximately 1,800 linear feet of existing 14inch cast iron water main along east highway 80 beginning at Cockerell Drive and continuing east to 802 East Highway 80 (east of Washington Boulevard). The existing pipe is aged and in very poor condition. Several failures have occurred in the past few years resulting in disruptions of water service to the TSTC Campus, the AISD ATEMS academy, and the Medical Care Mission. The Project will be scheduled and performed so to minimize the impact on the access to and operations of the campuses and businesses along the project route. Enprotec/Hibbs & Todd Inc. (EHT) prepared the plans, specifications, and contract documents and provided bidding assistance. EHT will also provide contract administration and general supervision (not Resident Project Representative) of the project. The bid value of \$340,003 is below the Engineer's cost estimate for the project.

Councilman Kreitler made the motion to approve the resolution awarding the bid to Starks Construction in the amount of \$340,003.00. Councilman Hardaway seconded the motion, motion carried.

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

Resolution **#17-2016**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AWARDED A BID TO STARKS CONSTRUCTION COMPANY FOR THE EAST BUSINESS HIGHWAY 80 WATER LINE PROJECT.

**7.5** Dana Schoening Director of Planning and Development Services, briefed the council on the resolution supporting the Stellar Development Group application to the Housing Tax Credit Program.

The Stellar Development Group, under the name of SH Abilene Windmill North, LP is applying for Housing Tax Credits (HTC) through the Department of Housing and Community Affairs (TDHCA) to develop and construct a 48 unit facility for multi-family affordable housing. Estimated project cost is \$7.2 million. Property is located at 13 and 15 Windmill Circle (approximately 2.51 acres located west of intersection of Windmill Circle and S. Clack Street).

- The property will need to be rezoned from Light Industrial to General Retail to accommodate the proposed multi-family use. There is no guarantee that a rezoning will be approved for the subject property, as the decision is made by City Council with recommendation made by the Planning and Zoning Commission. A request for a rezoning from Light Industrial to General Retail has been submitted for the March 7th Planning and Zoning Commission Meeting.
- Breakdown of units: 1-3 bedroom apartments.
- Number of apartments that will qualify for each income group: 10% at 30% of Area Median Income (AMI), 20% at 50% AMI and 70% at 60% AMI
- There will be 5% ADA and 2% Audio/Visual apartment units.
- Property amenities include: clubhouse, fitness center, computer center, media room, pool, garages, covered parking, gated community, Playscape, BBQ grills, gazebo and mail kiosk.
- Apartment unit amenities: hardwood flooring, hard surface counter tops, luxury appliance package, 9 ft

ceilings, washer/dryer connections, walk-in closets, large pantries, covered patios/balconies, high speed internet, energy efficient, fire sprinklers in all units.

- Utility capacity is currently in place to support the proposed development.
- Proposed development is within proximity to required services and facilities

A primary objective associated with the 2015-2019 Consolidated Plan is to improve the housing stock in the Abilene community. A significant benefit of these types of projects is to improve housing stock in the community with modern amenities. In addition, these types of developments are required to have minimum 15 year ownership and maintenance agreements.

Council heard from the following citizens:

- Drew Gray, Director of Acquisitions, Stellar Group – in support of the resolution
- Tony Conder – local developer, had concerns reference location of the proposed site

Mayor Archibald made the motion to approve the resolution in support of the application for Housing Tax Credit Program from the Stellar Development Group. Councilman Williams seconded the motion, motion carried.

AYES: Councilmen Price, Williams, Hardaway, McAlister, Mayor Archibald

NAYS: Councilmen Kreitler and Savage

Resolution: **#18-2016**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, IN SUPPORT OF THE SUBMISSION OF AN APPLICATION TO THE HOUSING TAX CREDIT (HTC) PROGRAM THROUGH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) BY STELLAR DEVELOPMENT COMPANY (SDC) FOR THE 2016 LOW INCOME HOUSING TAX CREDIT (HTC) PROGRAM FOR THE PROJECT KNOWN AS “THE RESERVE”.

**7.6** Dana Schoening Director of Planning & Development Services, briefed the council on the Ordinance for **CUP-2016-01** A request from Allen & Tanya Bolt, agent TowerTex, LLC, for a Conditional Use Permit to allow for ‘Antenna Tower - Commercial’ on property zoned GC (General Commercial), located at 7550 Hwy 83-84 (S. Clack St).

Currently the property is zoned GC and is developed with a veterinarian clinic. The property is developed on the front portion of the property and has some vacant land to the rear. The surrounding area is generally undeveloped but there are a few single-family residential uses nearby. Highway 83/84 borders the property to the east. The request is to allow for an ‘Antenna Tower – Commercial’ for a new cell tower. The GC zoning district requires approval of a Conditional Use Permit for the proposed use.

The Future Land Use section of the Comprehensive Plan designates this general area as part of a ‘Gateway/Mixed Use’ area. The intersection of Beltway S. and Hwy 83/84 is planned to be a major node for retail and office uses. Highway 83/84 is designated as an ‘enhancement corridor’. The requested CUP is compatible with the Future Land Use Map and the adjacent residential uses in the area. However, if there are concerns, conditions may be added to ensure compatibility with the area.

**STAFF RECOMMENDATION**

Staff recommends approval as requested with no conditions.

**BOARD OR COMMISSION RECOMMENDATION**

The Planning and Zoning Commission recommended approval with a condition that the tower be located to the rear of the property ( $\pm 330'$  from the front property line) by a vote of 4 in favor (Bixby, Dunnahoo, Rosenbaum, & McClarty) and none opposed.

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

- Travis Hudspeth – with TowerTex LLC, spoke in support

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

Councilman Savage made the motion to approve the Ordinance **CUP-2016-01** a request from Allen & Tanya Bolt, agent TowerTex, LLC., for a Conditional Use Permit to allow for “Antenna Tower- Commercial” on property zoned GC (General Commercial), located at 7550 Hwy 83-84 (S. Clack St.). Councilman Hardaway seconded the motion, motion carried.

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

Ordinance: **#5-2016**

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, 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.

**Location: 7550 Hwy 83-84 (S. Clack St)**

**7.7** Dana Schoening Director of Planning & Development Services, briefed the council on the Ordinance for **Z-2016-01** A request from Cinemark USA, Inc., agent Ironwood Equity, LLC, to rezone property from AO (Agricultural Open Space) to GC (General Commercial) zoning, located at 750 E. Overland Tr and extending north being a total of 103.13 acres.

Currently the property is undeveloped. The surrounding area is developed with a livestock auction and a warehouse facility to the east. The property to the north and west is undeveloped. Cedar Creek runs along the western edge of the property. Interstate 20 borders the property to the south. The applicant is proposing to develop a large part of the site with a new multi-screen movie theater. The remaining area would be set up for ancillary retail, office, and commercial uses.

The Future Land Use section of the Comprehensive Plan designates this general area as ‘low density residential’. The area is adjacent to existing industrial and heavy agricultural uses to the east. The property has direct frontage onto the existing frontage road of Interstate 20. As the area develops it is anticipated that retail, office, and commercial development will occur. The requested zoning is deemed compatible with the Future Land Use Map and the adjacent properties. However, staff recommends GC zoning for the front area only. The existing floodway and inadequate street access does not justify zoning the entire area at this time.

**STAFF RECOMMENDATION**

Staff recommends approval as requested but on the front portion only ( $\pm 50$  acres). The remainder area is within flood areas and does not have adequate street access to justify zoning the entire area.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommended approval of GC zoning for the entire area as requested by a vote of 4 in favor (Bixby, Dunnahoo, Rosenbaum, & McClarty) and none opposed.

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

- David Todd with Enprotec/Hibbs & Todd, spoke for the zone change
- Sylvia Lalama with Cinemark USA, spoke for the zone change

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

Councilman Savage made the motion to approve the Ordinance **Z-2016-01** A request from Cinemark USA, Inc., agent Ironwood Equity, LLC, to rezone property from AO (Agricultural Open Space) to GC (General Commercial) zoning, located at 750 E. Overland Tr. and extending north being a total of 103.13 acres. Councilman Kreitler seconded the motion, motion carried.

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

Ordinance: **#6-2016**

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: 750 E. Overland Tr. and extending north being a total of 103.13 acres**

**7.8** Dana Schoening Director of Planning & Development Services, briefed the council on the Ordinance for **Z-2016-02** a request from East Lake Five, LLC, agent Tal Fillingim, to rezone property from AO (Agricultural Open Space) to MD (Medium Density Residential) zoning, located at 1826 Colony Hill Rd

Currently the property is undeveloped. The surrounding area is developed with single-family homes. The property to the east is developing as the Southlake Estates subdivision. The property to the south is undeveloped but does have land sufficient for farming activities. The applicant is proposing 'Medium Density Residential' zoning for this property which would allow for multi-family dwellings such as duplexes, triplexes, and quadplexes. The zoning would not allow for an apartment complex.

The Future Land Use section of the Comprehensive Plan designates this general area as 'low density residential'. Both Maple St and Colony Hill Rd are designated as 'arterial' roadways. The area is primarily single-family residential homes to the north, west & east. However, as the area develops it is anticipated that retail and office development will occur at the intersection of Maple St & Colony Hill Rd. The requested zoning is deemed compatible with the Future Land Use Map and the adjacent properties. The MD zoning would provide a transition to less intense zoning to the north and east.

STAFF RECOMMENDATION

Staff recommends approval as requested.

BOARD OR COMMISSION RECOMMENDATION



The Planning and Zoning Commission recommended approval as requested by a vote of 4 in favor (Bixby, Dunnahoo, Rosenbaum, & McClarty) to none opposed.

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

- Tal Fillingim agent for the developer, spoke for the zone change

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

Councilman Williams made the motion to approve the Ordinance **Z-2016-02** a request from East Lake Five, LLC, agent Tal Fillingim, to rezone property from AO (Agricultural Open Space) to MD (Medium Density Residential) zoning, located at 1826 Colony Hill Rd. Councilman Hardaway seconded the motion, motion carried.

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

Ordinance: **#7-2016**

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: 1826 Colony Hill Rd**

**7.9** Dana Schoening Director of Planning & Development Services, briefed the council on the Ordinance for **Z-2016-03** a request from Christian Service Center of Abilene, Inc. to rezone property from MD (Medium Density Residential) to GR (General Retail) zoning, located at 3185 N. 10th St.

Currently the property is developed with a church. The surrounding area is developed with additional churches to the north & south, an undeveloped property to the west, and retail uses to the east along N. Mockingbird Ln. The YMCA on State St is located just to the southwest of this site. The applicant is proposing to convert the church into their main office and distribution center. The applicant provides food and clothing to those in the community who are in need.

The Future Land Use section of the Comprehensive Plan designates this general area as a 'local community center' centered on the intersection of N. Mockingbird Ln and N. 10th St. North 10th St is designated as an 'enhancement corridor' as well. The area is part of a larger mixed use area that includes retail, office, churches, and residential. The requested zoning is deemed compatible with the Future Land Use Map and the adjacent properties. The zoning will allow the Christian Service Center to accommodate all existing services to include a small thrift store at this location.

**STAFF RECOMMENDATION**

Staff recommends approval as requested.

**BOARD OR COMMISSION RECOMMENDATION**

The Planning and Zoning Commission recommended approval as requested by a vote of 4 in favor (Bixby, Dunnahoo, Rosenbaum, & McClarty) to none opposed.

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

- Jim Clark with Christian Service Center, spoke for the zone change

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

Councilman Savage made the motion to approve the Ordinance for **Z-2016-03** a request from Christian Service Center of Abilene, Inc. to rezone property from MD (Medium Density Residential) to GR (General Retail) zoning, located at 3185 N. 10th St. Councilman Price seconded the motion, motion carried.

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

Ordinance: **#8-2016**

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: 3185 N. 10th St**

**10.1** Robert Hanna City Manager asked that the Resolution authorizing the Texas Coalition for Affordable Power (TCAP) to negotiate an electric supply agreement for 5 years for deliveries of electricity effective January 1, 2018; be TABLED to a future meeting.

Councilman Hardaway made the motion to TABLE the Resolution authorizing the Texas Coalition for Affordable Power (TCAP) to negotiate an electric supply agreement for 5 years for deliveries of electricity effective January 1, 2018;. Councilman Williams seconded the motion, motion carried.

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

## EXECUTIVE SESSION

Mayor Archibald recessed the Council into Executive Session at 11:31 a.m. pursuant to Sections 551.071, 551.074, 551.072 and 551.087 of the Open Meetings Act, to seek the advice of the City Attorney with respect to pending and contemplated litigation, to consider the appointment and evaluation of public officers, to consider the purchase, exchange, lease or value of real property, and to discuss contemplated business prospects and or economic development matters.

The Council reconvened in Open Session at 12:34 p.m. and reported no votes or action was taken in Executive Session in regards Personnel Section 551.074, Real Property Section 551.072 Economic Development Section 551.087.

**10.2** **Resolution:** Appointing members to various Boards and Commissions per City Charter.

Mayor Archibald made the motion to approve the appointment to the Boards and Commissions as listed. Councilman Williams seconded the motion, motion carried.

AYES: Councilmen Price, Kreidler, William, Hardaway, McAlister, Savage and Mayor Archibald  
NAYS: None

Resolution: **#19 -2016**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPOINTING MEMBERS TO VARIOUS BOARDS AND COMMISSIONS AS REQUIRED BY THE CHARTER OF THE CITY OF ABILENE AND STATUES OF THE STATE OF TEXAS

Frontier Texas

Members

- James Childers

Term expires: 11/2017

There being no further business the meeting was adjourned at 12:35 p.m.

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Danette Dunlap, TRMC  
City Secretary

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Norm Archibald  
Mayor