

CITY COUNCIL MEETING
October 13th, 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 October 13th, 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, City Attorney Stanley Smith, City Secretary Danette Dunlap, and various members of the City staff.

Councilman Hardaway gave the invocation.

Mayor Archibald introduced Emily Swangin who is a 4th grade student from Bowie Elementary and Audace Museveni who is 4 years old, Emily and Audace led the Pledge of Allegiance to the Flags of the United States of America and the State of Texas.

EMPLOYEE SERVICE AWARD

Mayor Archibald was joined by City Manager Robert Hanna to recognize the following employee for his years of service:

Phillip Engel	Theatre Technical Coord. II	20 Years
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PROCLAMATIONS

Mayor Archibald presented the following proclamations:

National Physical Therapy Month – was accepted by Dr. Marsha Rutland, Dr. Janelle O’Connell, and Dr. Mark Armstrong Hardin Simmons University. HSU students of the Physical Therapy Department were in attendance.

Fire Prevention Week –accepting the proclamation were Chief Larry Bell, Deputy Chief Mike Burden, Deputy Chief Cande Flores, Fire Marshall Marty Sanders, John Brunett, Richard Fuentes and Jeremy Williams.

White Cane Day – was accepted by Mary Kendrick, National Federation for the Blind and other members of the Federation for the Blind were in attendance.

DISPOSITION OF MINUTES

5.0 Mayor Archibald stated Council has been given the minutes from the September 22nd Regular Council Meeting and the September 27th Council Workshop 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, Kreitler, Williams, Hardaway, McAlister, Savage and Mayor Archibald
NAYS: None

CONSENT AGENDA

Councilman McAlister pulled item 6.2 and Councilman Kreitler pulled 6.3. Councilman Savage made the motion to approve items 6.1, 6.4 through 6.8 as presented by staff. Councilman Hardaway seconded the motion, motion carried.

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

Ordinances:

- 6.1** **Ordinance:** *(First Reading)* Amending Ordinance 50-2016 Adopting Fees and Charges for the Fiscal Year October 1, 2016, through September 30, 2017, for the City of Abilene; adding Abilene Taylor Co Public Health District Vaccine Fees and Charges and the CityLink Fares and Charges; and setting a public hearing for October 27th 2016.

AN ORDINANCE AMENDING ORDINANCE 50-2016 ADOPTING FEES AND CHARGES, BY AMENDING THE FEES FOR THE ABILENE-TAYLOR COUNTY PUBLIC HEALTH DISTRICT VACCINE FEES AND CHARGES; AND ADDING THE CITYLINK FARES AND CHARGES, FOR THE CITY OF ABILENE, TEXAS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES, RESOLUTIONS AND PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; AND CALLING A PUBLIC HEARING

- 6.2** **Ordinance:** *(First Reading)* amending, Chapter 6 of the Code of the City of Abilene by adopting a revision of Chapter 6: Animals and Fowl; providing a severability clause; declaring a penalty; and calling for a Public Hearing on October 27, 2016. *(Item pulled from consent by Councilman McAlister)*
- 6.3** **Ordinance:** *(First Reading)* To regulate parking on E. N. 19th St. between Ave. D and Campus Court; and setting a public hearing for October 27th, 2016. *(Item pulled from consent by Councilman Kreitler)*

Resolutions:

- 6.4** **Oral Resolution:** City Council approved the extension of the Term Street Use License with Sojourner Drilling, Inc. to place oil and water lines in the Rights-of-way of Vogel Street, Westview Drive, an alley north of Vogel Street between Westview Drive and Bridge Avenue, and Bridge Avenue.

The applicant wishes to place two (2)-four (4) inch pipelines for the transportation of crude oil and water from an oil well location to existing storage facilities.

- 6.5** **Resolution:** City Council approved the purchase of 139 body worn cameras from WatchGuard Video. 125 Body Worn Cameras will be issued to patrol and 14 will go to the Marshall's Service in the amount of \$187,604.50.

Resolution: **#128-2016**

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE PURCHASE OF 139 BODY WORN CAMERAS AND ASSOCIATED EQUIPMENT FROM WATCHGUARD VIDEO FOR \$187,604.50.

- 6.6 **Resolution:** City Council authorized the Police Department to spend more than \$50,000 in the course of the fiscal year for Police uniforms and related equipment through BuyBoard contract with Gall's LLC.

Resolution: #129-2016

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING ABILENE POLICE OFFICERS TO PURCHASE UNIFORMS AND RELATED ITEMS FROM GALL'S INC. IN EXCESS OF \$50,000.

- 6.7 **Resolution:** City Council authorized the purchase of ammunition exceeding \$50,000 for the Police Department most ammunition will be ordered from Precision Delta which is the holder of the state awarded contract for Winchester.

Resolution: #130-2016

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE ABILENE POLICE DEPARTMENT TO PURCHASE AMMUNITION FROM PRECISION DELTA THROUGH THE TEXAS PROCUREMENT & SUPPORT SERVICES (TPASS) CONTRACT #680-A1.

- 6.8 **Resolution:** City Council approved the agreement to Administer the 9-1-1 Program for a term of five (5) years. The 9-1-1 Board approved the renewal on their September 27, 2016 meeting.

Resolution: #131-2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS APPROVING THE AGREEMENT TO ADMINISTER THE 9-1-1 PROGRAM

ITEMS PULLED FROM CONSENT

- 6.2 **Ordinance:** (*First Reading*) amending, Chapter 6 of the Code of the City of Abilene by adopting a revision of Chapter 6: Animals and Fowl; providing a severability clause; declaring a penalty; and calling for a Public Hearing on October 27, 2016. (*Item pulled from consent by Councilman McAlister*)

Council and Staff discussion included: 1) dangerous dogs list and State law; 2) business days vs days for impoundment; 3) days of operation of the animal services; and 4) court case and bringing the current ordinance into compliance.

Councilman Price made the motion to approve the (*First Reading*) of the Ordinance amending Chapter 6 of the Code of adopting a revision of Chapter 6: Animals and Fowl; providing a severability clause; and declaring a penalty; and calling for a Public Hearing on October 27, 2016. Councilman Hardaway 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 AMENDING CHAPTER 6, ANIMALS AND FOWLS, ARTICLE II. PETS, DIVISION 3. DANGEROUS DOGS, SECTION 6-60, "AUTHORIZATION," AND SECTION 6-62, "SEIZURE;" ARTICLE III. IMPOUNDMENT, DIVISION 1. GENERALLY, SECTION 6-69, "AUTHORIZED," SECTION 6-71, "CONFINEMENT BY PRIVATE CITIZEN," SECTION 6-73, "DISPOSITION AT SUPERINTENDENT'S DISCRETION," SECTION

6-74, "REDEMPTION BEFORE SALE," SECTION 6-75, "SALE OF IMPOUNDED ANIMALS," SECTION 6-76, "REDEMPTION AFTER SALE," AND SECTION 6-77, "RECORDS OF IMPOUNDMENT," DIVISION 2. PETS, SECTION 6-89, "AUTHORIZED," SECTION 6-90, "VACCINATED DOGS," SECTION 6-91, "UNVACCINATED DOGS AND CATS," SECTION 6-93, "REDEMPTION GENERALLY," SECTION 6-98, "DESTRUCTION OF UNREDEEMED ANIMALS," AND SECTION 6-99, "DESTRUCTION OF DONATED, SICK, INJURED ANIMALS," ARTICLE IV. RABIES CONTROL, DIVISION 2. QUARANTINE OF SPECIFIC ANIMAL, SECTION 6-138, "SAME-EMERGENCY SITUATION," OF THE ABILENE MUNICIPAL CODE AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND CALLING FOR A PUBLIC HEARING.

6.3 Councilmen Williams, Price, McAlister and Kreitler declared a conflict on this item.

Ordinance: (*First Reading*) To regulate parking on E. N. 19th St. between Ave. D and Campus Court; and setting a public hearing for October 27th, 2016. (*Item pulled from consent by Councilman Kreitler*)

Council and Staff discussion included: 1) enforcement issues; 2) plenty of parking in the parking lot of the facility; 3) neighbors.

Mayor Archibald made the motion to approve the (*First Reading*) of the Ordinance to regulate parking on E. N. 19th St. between Ave. D and Campus Court; and setting a public hearing for October 27th, 2016. Councilman Savage seconded the motion, motion carried.

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

CONFLICT DECLARED: Councilmen Williams, Price, McAlister & Kreitler

AN ORDINANCE AMENDING CHAPTER 18, "MOTER VEHICLES AND TRAFFIC," ARTICLE VIII, "SCHEDULES," SECTION 18-293, "PARKING PROHIBITED -AT ALL TIMES" AS SET OUT BELOW; AND CALLING A PUBLIC HEARING.

REGULAR ITEMS

7.1 Lesli Andrews, Director of Community Services briefed the city council on the Grover Nelson Park Master Plan. The City of Abilene in partnership with the Abilene Zoological Society hired La Terra Studio to design the Grover Nelson Park Master Plan and give an opinion of probable cost to implement the plan. This was done as a result of two external stakeholder groups, Abilene Zoological Society (AZS) and Abilene Youth Sports Authority (AYSA), regarding the development of a new facility in Grover Nelson Park and the impact that this project and other future expansion would have on the existing facilities within the park. It became apparent during the process that it was in the best interest of all parties, including the City, to bring in a third party group to develop a plan for the immediate proposed facility as well as a long-term master plan for future development within the entire park.

Michael Black with La Terra Studio spoke on the process and Grover Nelson Park Master Plan.

Council and Staff discussion included: 1) private funds could be used to build different areas in the park; 2) Abilene Youth Sports Authority (AYSA); 3) a plan no expectation of spending any money; 4) a vision for the park; and 5) grants will require that the city have a master plan.

Councilman Williams made the motion to adopt the Grover Nelson Park Master Plan. Councilman McAlister seconded the motion, motion carried.

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

Resolution: #132-2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS ADOPTING
THE GROVER NELSON PARK MASTER PLAN

7.2 Don Green, Director of Transportation Services briefed the city council on the contract for the Airport Master Plan. As part of the Airport's FY16 Airport Improvement Program (AIP) Grant 46, Task Order 9, under the Master Contract with Garver, is requested to be considered for authorization. Under this task order, Garver will provide the consulting and planning services necessary to update Abilene Regional Airport's Master Plan. The Airport Master Plan consists of many elements used to determine the best use of the airport for the next five, ten and twenty years. It guides Airport Management in land use on and around the airport and predicts areas of airport growth. A major component of a master plan is the Airport Layout Plan (ALP), which provides critical technical information used for aircraft performance and identifying and protecting airspace and noise sensitive areas. Therefore, it is important to have current information available to Airport Management, Federal Aviation Administration (FAA), pilots and other airport users; however, the last Airport Master Plan was completed in 2002. In accordance with FAA guidance and Advisory Circulars, Garver will conduct the tasks described in Task Order 9 Appendix A. The fee for this service is a fixed in the amount not to exceed \$726,100.00.

Council and Staff discussion included: 1) will include passenger information; 2) look at other carriers that could possibly come to the airport; 3) noise contours; and 4) requirement of FAA.

Councilman Savage made the motion to authorize the City Manager to execute the contract for the Airport Master Plan – Garver Task Order 9 in the not to exceed amount of \$726,100.00. Councilman Kreitler seconded the motion, motion carried.

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

Resolution: #133-2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS AUTHORIZING THE
CITY MANAGER TO EXECUTE TASK ORDER 9 WITH GARVER FOR PROFESSIONAL SERVICES
ASSOCIATED WITH AIRPORT MASTER PLAN UPDATE.

7.3 Don Green, Director of Transportation Services briefed the city council Professional Engineering Design Services associated with Task Order 8 with Garver for Taxiways seal coat rehabilitation. Over time, rain and ultraviolet light exposure decrease the oil content of asphalt-paved surfaces causing the rock aggregates to break away and the surface to become brittle. To help restore the oil in asphalt, airports will have a rejuvenating sealant applied every few years to these paved surfaces to maximize the life of the asphalt. The airport's taxiways are now due for such a treatment. Airport staff has asked Garver to do the engineering design work for this project as part of the airport's FY16 Airport Improvement Program (AIP) Grant 46. Garver's Task Order 8, under the airport's Master Contract, is requested to be considered for authorization for the design and bidding services of this project. The fee for this task order is \$79,700.

The actual seal coat project will be bid under a near future fiscal year's AIP grant.

Councilman Williams made the motion to authorize the City Manager to execute the Professional Services Agreement with Garver for Task Order 8 – Taxiways Seal Coat Rehabilitation. Councilman Savage seconded the motion, motion carried.

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

Resolution: #134-2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE TASK ORDER 8 WITH GARVER FOR PROFESSIONAL ENGINEERING DESIGN SERVICES ASSOCIATED WITH TAXIWAYS SEAL COAT REHABILITATION

7.4 Don Green, Director of Transportation Services briefed the city council on the contract with the Development Corporation of Abilene, Inc. for FY 17 Airport Marketing and Development. The Development Corporation of Abilene, Inc. (DCOA) contracts with the City of Abilene each year to provide funding for Abilene Regional Airport's Marketing and Development Program. DCOA recognizes the importance to the city of efforts to increase air service and commercial development of the airport. This contract funds such activities as the salary and benefits cost for the Airport Marketing and Development Manager and airline and passenger marketing. The DCOA Board approved \$185,150 to fund this contract in FY17 and is a 1.33% funding increase over last year's contract.

Council and Staff discussion included: 1) Conference travel – this is a time for a face to face with potential airlines.

Councilman Savage made the motion to authorize the City Manager to enter into a Contract with the Development Corporation of Abilene for FY 17 Airport Marketing and Development. Councilman Price seconded the motion, motion carried.

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

Resolution: #135-2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT WITH DEVELOPMENT CORPORATION OF ABILENE FOR AIRPORT MARKETING AND DEVELOPMENT IN FY17.

7.5 Chris Taylor, Assistant Director of Transportation Services, briefed the city council on the purchase of a solid waste roll-off truck through the BuyBoard Contract.

Council and Staff discussion included: 1) oil changes; 2) EPA emissions; and 3) reports regarding information on the vehicle to be replaced.

Councilman Savage made the motion to approve the purchase of the solid waste roll off truck through the BuyBoard Contract in the amount of \$171,299.92. Councilman Kreitler seconded the motion, motion carried.

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

Resolution: #136-2016

A RESOLUTION OF THE CITY OF ABILENE, TEXAS, AWARING BID TO RUSH TRUCK CENTER - ABILENE

7.6 Dana Schoening, Director of Planning and Development Services briefed the city council on the Ordinance for Case **Z-2016-39** a request from the City of Abilene to rezone property from an AO (Agricultural Open Space) zone to a PD (Planned Development) district located at the southeast corner of Ben Richey Dr. and Boys Ranch Rd.

Council and Staff discussion included: 1) sidewalk waiver; 2) city owned property; and 3) flood plain.

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

- David Todd – agent for Ben Richey Boy’s Ranch in support of the zone change.

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

Councilman Kreitler made the motion to approve the first reading on the Zoning Case **Z-2016-39** a request from the City of Abilene to rezone property from an AO (Agricultural Open Space) zone to a PD (Planned Development) district located at the southeast corner of Ben Richey Dr. and Boys Ranch Rd; and setting a public hearing for October 13, 2016. Councilman Hardaway seconded the motion, motion carried.

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

Ordinance: #53-2016

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, CONCERNING PD-158 A PLANNED DEVELOPMENT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

Location: A0801 SUR 66 B A L SE/4, TRACT ABILENE BOYS RANCH, ACRES 20.54; WESTERN PORTION OF A0801 SUR 66 B A L SE/4, ADJACENT TO BOYS RANCH PROPERTY, ACRES 7.7

7.7 Mayor Archibald and Councilman Williams declared a conflict on this item.

Dana Schoening, Director of Planning and Development Services briefed the city council on the Ordinance for Case **TC-2016-02** a request from Hendrick Medical Center to abandon all the portions of Wilson Street between Cedar and Hickory Streets, and the alley between Cedar and Hickory Street, both between N. 16th and N. 17th Streets.

Site characteristics include an east-to-west street right-of-way (ROW) and an east-to-west alley located west of Cedar Street and between N. 16th St & N. 17th St. Improvements have been made for these segments of the ROW. The applicant intends to close the subject right-of-ways for future expansion and parking lots for their existing developments to the east.

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

- Duane Martin – Hendrick Medical Center – in support of the abandonment

- David Todd – in support of the abandonment

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

Councilman Price made the motion to approve the Ordinance for Case **TC-2016-02** a request from Hendrick Medical Center to abandon all the portions of Wilson Street between Cedar and Hickory Streets, and the alley between Cedar and Hickory Street, both between N. 16th and N. 17th Streets. Councilman Hardaway seconded the motion, motion carried.

AYES: Councilmen Price, Kreitler, Hardaway, McAlister, and Savage

NAYS: None

ABSTAINED: Councilman Williams and Mayor Archibald

EXECUTIVE SESSION

Mayor Archibald recessed the Council into Executive Session at 11:17 am pursuant to the Open Meetings Act for the following:

Consultation with Attorney - Section 551.071

- A) TML-IRP – Roofs
- B) DCOA – Contract with the City of Abilene

Deliberations about Real Property Section 551.072

- C) Regional Water Supply
- D) Property at 182 Maxwell Drive and 217 Amarillo

Personnel Matters – Section 551.074

- E) Board of Building Standards
- F) Civic Abilene, Inc.

The Council reconvened in Open Session at 12:16 pm and reported no votes or action was taken in Executive Session.

10.1 Robert Hanna City Manager briefed the city council on the Agreement with the Development Corporation of Abilene Inc. The City and DCOA have negotiated a new Administrative and Support Agreement which has terms that reflect additional changes in hiring and supervision of the CEO and Staff of the DCOA, as well as the current needs of the DCOA regarding human resources, accounting, legal, maintenance and information technology. The new Agreement takes effect October 1, 2016

Council and Staff discussion included: 1) DCOA Board has approved this agreement at their last regular meeting; and 2) Kim Tarrant spoke in favor of the agreement.

Councilman Hardaway made the motion to authorize the City Manager to enter into the Agreement with the Development Corporation of Abilene, Inc. Councilman Price seconded the motion. Motion carried.

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

NAYS: None

Resolution: **#137-2016**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE DEVELOPMENT CORPORATION OF ABILENE, INC. FOR ADMINISTRATIVE AND SUPPORT SERVICES.

There being no further business the meeting was adjourned at 12:20 p.m.



Danette Dunlap, TRMC
City Secretary



Norm Archibald
Mayor