

CITY COUNCIL MEETING
January 26th 2017, 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 26th, 2017, at 8:30 a.m. in the Council Chambers, 555 Walnut St. Mayor Pro-tem Williams was present and presiding with Councilmen Shane Price, Bruce Kreitler, Jay Hardaway, Kyle McAlister and Steve Savage. Mayor Archibald was absent. Also present were City Manager Robert Hanna, City Attorney Stanley Smith, City Secretary Danette Dunlap, and various members of the City staff.

Councilman Kyle McAlister gave the invocation.

Mayor Pro-tem Williams introduced Adriana Rangel who is a 5th grade student from Martinez Elementary. Adriana led the Pledge of Allegiance to the Flags of the United States of America and the State of Texas.

RECOGNITION

Mayor Pro-tem Williams and the Council recognized Councilman Hardaway for his years of service to the citizens of Abilene as Councilman Place 4. Councilman Hardaway will be stepping down at the end of the meeting today to begin his new position working with U. S. Congressman Jodey Arrington.

DISPOSITION OF MINUTES

5.0 Mayor Pro-tem Williams stated Council has been given the minutes from the January 12th 2017 Regular Meeting there being no deletions, no additions, and no corrections. Councilman Savage made a motion to approve the minutes as presented. Councilman Hardaway seconded the motion, motion carried.

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

CONSENT AGENDA

Councilman Price pulled item 6.1. Councilman Kreitler pulled item 6.2. Councilman Savage pulled item 6.3. Councilman Hardaway made the motion to approve item 6.4 as presented by staff. Councilman Price seconded the motion, motion carried.

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

Resolutions:

- 6.1 **Resolution:** Approval of Change Order to N. 10th & N. Mockingbird Intersection Reconstruction Project. *Councilman Price pulled item 6.1.*
- 6.2 **Resolution:** Amending the Professional Services Contract for a Nurse Practitioner at Mercy Health Care Center. *Councilman Kreitler pulled item 6.2.*

Ordinances:

- 6.3 **Ordinance:** *(First Reading)* Case #Z-2017-01 A request from Nora Carpenter, to rezone property from AO/COR (Agricultural Open Space/Corridor Overlay) to GR/COR (General Retail/Corridor Overlay), being

1.005 acres, located at 7542 Buffalo Gap Rd.; setting a public hearing for February 9, 2017. *Councilman Savage pulled item 6.3.*

- 6.4 **Ordinance:** (First Reading) Case #Z-2017-02: A request from Tuscany Ridge, LLC., agent Enprotec/Hibbs and Todd, to rezone property from RS6 (Residential Single Family) to PH (Patio Home) being 17.292 acres located in the 7550 Block (west side) of Hardwick Rd, north of Waldrop Dr.; and setting a public hearing on February 9th 2017.

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

ITEMS PULLED FROM CONSENT

- 6.1 **Resolution:** Approval of Change Order to N. 10th & N. Mockingbird Intersection Reconstruction Project. This change order will consist of the removal of a majority of the traffic signal equipment currently in the approved contract. The signal equipment being removed will be part of a more substantial contract at a later date that will encompass several signals City-wide with the expectation of lower prices due to economy of scale. *Item pulled by Councilman Price.*

Council and Staff discussion included: 1) conduit for the traffic signal equipment is in place.

Councilman Savage made the motion to approve the change order to reduce the scope of work in the existing contract to Bontke Brothers Construction, Co. Inc. in the amount of \$123,158.00 for N 10th & N. Mockingbird Intersection Reconstruction Project. Councilman Price seconded the motion, motion carried.

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

NAYS: None

Resolution: #07-2017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, ALLOWING EXECUTION OF CHANGE ORDER TO EXISTING N. 10TH & N. MOCKINGBIRD INTERSECTION RECONSTRUCTION PROJECT.

- 6.2 **Resolution:** Amending the Professional Services Contract for a Nurse Practitioner at Mercy Health Care Center. *Item pulled by Councilman Kreitler.*

The current contract, which began on September 21, 2016 and ends on August 31, 2017 will need to be revised to modify the number of days of Nurse Practitioner service provided from two to four days per week for a total of 32 hours per week. The implementation date of February 7, 2017 will encompass a 30-week period of the increased days of service. The goal of the increase is to expand the number of clients the Healthy Texas Women (HTW) Program will be able to provide services for and in turn, increase revenue.

Council and Staff discussion included: 1) part of a new grant; 2) will not continue if not funded into the next budget year.

Councilman Savage made the motion to approve the amendment to the Professional Services Contract for a Nurse Practitioner at Mercy Health Care Center. Councilman Kreitler seconded the motion, motion carried.

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

Resolution: #08-2017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AMENDMENT TO THAT CERTAIN PROFESSIONAL SERVICES CONTRACT, DATED SEPTEMBER 21, 2016, BY AND BETWEEN THE ABILENE TAYLOR COUNTY PUBLIC HEALTH DISTRICT AND CINDY LYN HESS.

Ordinances

- 6.3 **Ordinance:** *(First Reading)* Case #Z-2017-01 A request from Nora Carpenter, to rezone property from AO/COR (Agricultural Open Space/Corridor Overlay) to GR/COR (General Retail/Corridor Overlay), being 1.005 acres, located at 7542 Buffalo Gap Rd.; setting a public hearing for February 9, 2017. *Item pulled by Councilman Savage.*

Council and Staff discussion included: 1) Councilman Savage had concerns regarding the allowed uses that staff had circled on the proposed zone change request in the agenda item documentation.

Councilman Savage made the motion to approve the first reading for Case #Z-2017-01 A request from Nora Carpenter, to rezone property from AO/COR (Agricultural Open Space/Corridor Overlay) to GR/COR (General Retail/Corridor Overlay), being 1.005 acres, located at 7542 Buffalo Gap Rd.; setting a public hearing for February 9, 2017. Councilman Hardaway seconded the motion, motion carried.

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

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

REGULAR ITEMS

- 7.1 Michael Rice Director of Public Works briefed the city council on the award of bid #CB-1720 - North 3rd St. Rehabilitation Project. This contract involves the mill and overlay with spot full depth repairs of North 3rd St. from N. Willis St. to Graham St. where the scope will change to a reconstruction section ending at Grape St. The contract will also include alley aprons, valley gutters, addition of curb ramps, and areas of curb and gutter replacement throughout the project.

The North 3rd St. project is one of the street projects scheduled for this year as part of Proposition 1 of the voter approved 2015 Bond Program.

Councilman Price made the motion to award the bid #CB-1720 – North 3rd Street Rehabilitation Project to Bontke Brothers Construction Co., Inc in the amount of \$1,019,257.41. Councilman Savage second the motion, motion carried.

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

Resolution: #09-2017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AWARDED BID TO BONTKE BROTHERS CONSTRUCTION CO., INC., ABILENE, TEXAS

7.2 Larry Bell Fire Chief briefed the city council on the Ordinance Amending the Fire Code Pamphlet, which amends The International Fire Code, 2009 Edition, adopted by City of Abilene Ordinance, Section 10-47.

Abilene Fire Department is currently responsible for tracking the inspection, testing, and maintenance of fire and life safety systems within the City of Abilene. Occupancies that have fire and life safety systems installed are required by the Abilene Fire Code to have the systems inspected and tested on a regular basis. Contractors are not required to notify the Fire Department of the completed inspections unless the systems do not pass inspection creating inaccurate data in Abilene Fire Department's reporting software.

An internet-based tool used to document all inspections would improve code compliance, reduce false alarm activity and provide a safer community.

Council and Staff discussion included: 1) annual inspections are done by the Fire Department; 2) this testing of fire and life safety systems are done by 3rd party inspectors; and 3) the 3rd party vendor will allow the Fire Department to track the inspections of the fire and life safety systems.

Mayor Pro-tem Williams opened the public hearing and there being no one present and desiring to be heard the public hearing was closed.

Councilman Price made the motion to approve the Ordinance Amending the Fire Code Pamphlet, which amends The International Fire Code, 2009 Edition, adopted by City of Abilene Ordinance, Section 10-47. Councilman Hardaway seconded the motion, motion carried.

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

Ordinance: #03-2017

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS AMENDING THE FIRE CODE PAMPHLET, WHICH AMENDS THE INTERNATIONAL FIRE CODE, 2009 EDITION, ADOPTED BY CITY OF ABILENE ORDINANCE SECTION 10-47; CALLING A PUBLIC HEARING; AND PROVIDING AN EFFECTIVE DATE.

7.3 Larry Bell Fire Chief briefed the city council on the Resolution authorizing Brycer LLC, The Compliance Engine to provide a 3-year contract to the City of Abilene for the purpose of tracking and maintaining compliance of life and fire safety systems within the city boundaries.

Abilene Fire Department is currently responsible for tracking the inspection, testing, and maintenance of fire and life safety systems within the City of Abilene. Occupancies that have fire and life safety systems installed are required by the Abilene Fire Code to have the systems inspected and tested on a regular basis. The Compliance Engine (TCE) is a simple internet based tool that fire prevention divisions can use to track and drive code compliance, reduce false alarm activity and provide a safer community. TCE provides a secure cloud environment that would require third

party contractors that inspect, test, and maintain fire and life safety systems to submit their reports on TCE web-based site portal directly to the authority having jurisdiction. TCE would facilitate a more efficient review, tracking, and follow-up process with occupants to correct deficiencies and maintain systems. Systems requiring submittal will include fire alarm systems, sprinkler systems, standpipes, commercial kitchen hood suppression systems, special suppression systems, private hydrants, fire pumps, and spray booths.

Council and Staff discussion included: 1) no cost to the city.

Councilman Hardaway made the motion to approve the Resolution authorizing Brycer LLC, The Compliance Engine to provide a 3-year contract to the City of Abilene for the purpose of tracking and maintaining compliance of life and fire safety systems within the city boundaries. Councilman Price seconded the motion, motion carried.

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

NAYS: None

Resolution: #10-2017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE A 3-YEAR CONTRACT WITH BRYCER LLC, THE COMPLIANCE ENGINE FOR THE PURPOSE OF TRACKING AND MAINTAINING COMPLIANCE OF LIFE AND FIRE SAFETY SYSTEMS WITHIN THE CITY BOUNDARIES.

7.4 Larry Bell Fire Chief briefed the city council on the Resolution authorizing the City Manager to execute the Final Guaranteed Maximum Price amendment for Fire Station #4.

On March 24, 2016, the City Council approved a Construction Manager at Risk Agreement with Speed Fab-Crete. At the time of the Agreement, the construction budget for Fire Station #4 was \$2,264,900. After all preconstruction and design activities were completed, the work associated with Fire Station #4 was bid out and came in at a cost of \$3,053,094. This was \$788,194 over the budget for this project.

The team of PSC and Speed Fab-Crete quickly went to work to modify the design and construction aspects of the project and were able to bring the cost of the station down to \$2,467,909. (This is a cost reduction of \$585,185!) In order to realize these savings, there were several features of the Fire Station removed that affected the functionality and look of the facility. City staff directed that a few of these options be put back into the design and scope of the facility. This resulted in a Final GMP of \$2,578,830 for Fire Station #4. This Final GMP is \$313,930 over the original construction budget for Station #4.

The increased costs associated with Fire Station #4 can be covered by reducing the scope of the Fire Training Facility by \$313,930. This reduction in scope will change the type of construction for the training facility from brick/tilt-up walls to a pre-engineered metal construction.

Council and Staff discussion included: 1) funding sources; 2) cuts have been made to features of the station to bring down costs; 3) the number of bays in the station; 4) costs of construction; and 5) local subs will be used.

Councilman McAlister made the motion to approve the Resolution authorizing the City Manager to execute the Final Guaranteed Maximum Price amendment for Fire Station #4 for the Final GMP of \$2,578,830.00. Councilman Price seconded the motion, motion carried.

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

NAYS: None

Resolution: #11-2017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE A GUARANTEED MAXIMUM PRICE AMENDMENT WITH SPEED FAB-CRETE FOR FIRE STATION NO. 4

7.5 Larry Bell Fire Chief briefed the city council on the construction costs and construction schedule regarding the Fire Maintenance Facility.

On April 28, 2016, the City Council approved a Design Build Agreement with Hasen Design Build & Development for the design and construction of the Fire Maintenance Facility as part of the 2015 Bond Program. The Agreement established the preliminary Guaranteed Maximum Price (GMP) at \$1,990,000. Hasen has completed all design activities and has bid all aspects of the work. The Final GMP remains at \$1,990,000. Construction is scheduled to be completed in early June 2017.

No action required on this item.

7.6 Kent Sharp CEO of the Development Corporation of Abilene briefed the city council on a quarterly update of Five Year Strategic Plan for Economic Development.

Strategy 1: Aggressively market and promote Abilene as a destination for new investment and employment

- Lots cleared of mesquites/tall grass/weeds at Five Points (DCOA)
- Bids on RR extension at Five Points (DCOA)
- RR Crossing repaired with more permanent concrete (DCOA)
- Mesquites cleared at 18/36 Property (DCOA)
- AIF database (CLP2) is populated with 82 developers, brokers, site consultants (AIF)
- DCOA and AIF met with 32 site selection consultants at three different events:
 - (DCOA/AIF)
- 6 at Site Consultant Day in Dallas, Texas
- 16 at Dallas Mavericks vs Sacramento King event in Dallas, TX
- 10 at Great States Investment Summit in Dallas, TX
- Warehouse availability becoming a problem, immediate needs currently
- Up to 150,000 sq. ft. needed within next 2-3 months

Strategy 2: Build a deep and highly skilled talent base through development, retention and attraction

- World of Work 2016 was held on Wednesday, November 16, 2016. Approximately 2,500 students in grades 8 – 12 from 41 schools attended the event, (see attached list and schedule) which featured 90 different exhibitors, including local resources, educational providers and employers. For the first time, a small number of 8th grade students from two of the four Abilene ISD middle schools were in attendance at WOW. High school juniors and seniors also had the opportunity to participate in mock interviews conducted by local business and community leaders (WS)

Strategy 3: Develop an innovation ecosystem that spawns and supports innovative people and businesses

- Abilene Start-up Community: \$1,000 - DCOA hosted an Entrepreneurial Mindset Lunch November 14, 2016 at Lytle Land and Cattle. 45 individuals attended the event; most were entrepreneurs learning about the resources in the Abilene community associated with helping their efforts and included DCOA, AIF, SBD and TWC (DCOA)

- Initial meetings with Griggs Center at ACU conducted to develop a more formalized partnership between the Chamber and the Center (ACOC/ACU)
- ACU Startup Week: DCOA is \$7,500 Sponsor - ACU Startup Week will took place last November 14th - 18th and was one of the largest events of its kind on a college campus in the nation. We are working with our nationally recognized ACU CEO group to host approximately 100-150 events on-campus and across town that are focused on promoting entrepreneurship (ACU/DCOA)
- Springboard Program: DCOA is \$25,000 Sponsor- the DCOA is matching the Workforce Solution of West Central Texas' support of \$25,000 for the ACU Springboard program. (ACU/DCOA)

Strategy 4: Position Abilene as top of mind for businesses and talent in the DFW Metroplex

- A new campaign has been developed called "Why I ABI," featuring local people of interest. The 52-week campaign is dependent upon funding and features specific vignette-style stories to illustrate the people of Abilene and the compelling story of living and doing business here. (ACOC)

Strategy 5: Support the growth and prosperity of existing businesses

- AIF developed database actively monitors information on 311 local businesses including number of employees, products and services produced, NAICS code and business needs (AIF)
- AIF has purchased and will begin to deploy the Synchronist program for its business and retention program this year. Deployment to begin December 2016. (ACOC/AIF)
- AIF has been hosting a semi-annual "Manufacturers Luncheon" for the last few years and plans to continue to do so. (AIF)

Strategy 6: Make downtown Abilene a center of employment and investment

- (Update for 6.1 – 6.6) Significant focus has been undertaken by Chamber/AIF, supported by City of Abilene, Dian Graves Owen Foundation and the Dodge Jones Foundation. Phase one of two has been completed (community engagement) and an intensive strategic growth and development plan should be delivered in the Spring, 2017. (ACOC)

Strategy 7: Continue redeveloping the Pine Street corridor as a central mixed-use artery connecting downtown to the City's emerging education and healthcare district

- Underway, included in 6.1. through 6.2.. above (ACOC)

Strategy 8: Engage emerging leaders in economic development and civic affairs

- The AYP has diversified its offerings to members and is preparing the rollout of "On the Board," a comprehensive listing/online source for matching YP members with these opportunities. In addition, many Chamber leadership functions have been filled for 2017 by those involved in AYP. (ACOC)

Strategy 9: Leverage Dyess Air Force Base as a source of talent and as an economic driver

- Workforce Solutions in conjunction with the Military Partnership hosted the 4th annual Hiring Red White and You on November 10, 2016 at the Taylor County Round Building. The event is targeted to active duty military and spouses who are transitioning out and veterans. Approximately 60 different employers participated in the event and approximately 100 military members and their families. (WS)
- The Chamber's Team Workforce has entered into discussions with Monster.com for the development and use of a localized jobs board, initially geared specifically to exiting Dyess personnel. In addition, Team Workforce will address and staff this opportunity closely going forward. (ACOC/MAC)
- Workforce Solutions will be launching the Military Family Support Pilot Program in late 2016 or early 2017. This program will focus on providing employment assistance specifically to military spouses at Dyess AFB. Workforce is coordinating with Shea Hopkins (AIF) on this project and anticipates hiring a military spouse to serve in the lead role. (WS)

Strategy 10: Launch a community-wide public awareness campaign designed to encourage residents to become ambassadors for Abilene's success

- The Chamber is broadening and adding depth to those programs already within its programs to facilitate this tactic. (ACOC)
- Working through the early stages of identifying and standing up a "Red Carpet Task Force" that will more closely link the private sector and specific local leaders to economic development prospects under strictly controlled and confidential settings. The AIF is nearing completion of a restructuring that brings closer alignment of its activities with this specific tactic. (ACOC)

No action required on this item.

EXECUTIVE SESSION

Mayor Pro-tem Williams recessed the Council into Executive Session at 11:04 a.m. pursuant to the Open Meetings Act for the following:

Consultation with Attorney - Section 551.071

8. E. G. et al v Barry Bond, City of Abilene, and Abilene Independent School District, Case 1:16-cv-00068-BL, U. S. District Court, Northern District, Abilene Division, filed April 28, 2016.

Deliberations about Real Property – Section 551.072

A) Regional Water Supply

Business Prospect/Economic Development – Section 551.087

A) Hotel Proposals

B) Consider 380 Agreement for Public Utilities

The Council reconvened in Open Session at 11:57 a.m. and reported no votes or action was taken in Executive Session.

10.1 Resolution: Authorizing a Development Agreement with Carriage Hills Development Corporation for the Carriage Hill Estates Subdivision.

Councilman Hardaway made the motion to approve the Resolution authorizing a Development Agreement with Carriage Hills Development Corporation for the Carriage Hill Estates Subdivision. Councilman Price seconded the motion, motion carried.

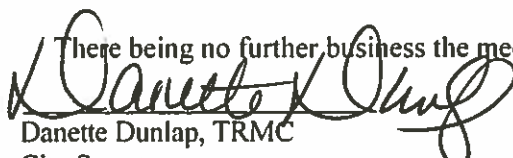
AYES: Councilmen Price, Kreidler, Hardaway, McAlister, Savage and Mayor Pro-tem Williams

NAYS: None

Resolution: #12-2017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING A DEVELOPMENT AGREEMENT BETWEEN CITY OF ABILENE AND CARRIAGE HILLS DEVELOPMENT CORPORATION FOR THE CARRIAGE HILL ESTATES DEVELOPMENT

There being no further business the meeting was adjourned at 11:58 a.m.


Danette Dunlap, TRMC
City Secretary


Anthony Williams
Mayor Pro-tem