

CITY COUNCIL MEETING
June 8th, 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 June 8th, 2017, at 8:30 a.m. in the Council Chambers, 555 Walnut St. Mayor Norm Archibald was present and presiding with Councilmen Shane Price, Bruce Kreidler, Weldon Hurt, Kyle McAlister, Steve Savage and Councilwoman Donna Albus. Also present were City Manager Robert Hanna, City Attorney Stanley Smith, City Secretary Danette Dunlap, and various members of the City staff.

Councilwoman Albus gave the invocation.

Mayor Archibald led the Pledge of Allegiance to the Flags of the United States of America and the State of Texas.

RECOGNITION

Mayor Archibald was joined by City Manager Robert Hanna who announced the following students who are receiving the Employee Scholarship Awards. The students were unable to attend the meeting.

Kaitlyn Brooke Harris is the daughter of Tim Harris, a Body & Fender Repairer in Fleet Maintenance. Kaitlyn graduated from Cooper High School ranked third in her class of 351 with a 104.05 grade point average. She will attend University of Texas in Austin where she will study geology with the aim of helping large corporations to find ways to conduct their business while conserving the environment.

Morgan Le Hightower is the daughter of Sam Hightower, a Fire Lieutenant. Morgan graduated from Abilene High School ranked 20th in her class of 457 with a grade point average of 100.27. She will attend Texas Technical University's Honors College to study biology with the ultimate goal of attending medical school to become an oncologist.

Brandon Michael Miller is the son of Mike Miller, Fire Lieutenant. Brandon graduated from Cooper High School ranked 33 in a class of 351 with a grade point average of 98.37. He will attend Hardin-Simmons University to study physical therapy and become an orthopedic physician's assistant.

Whitney Duran is the daughter of Joan Duran, a Customer Service Representative in Police Records. Whitney graduated from Stamford High School ranked first in a class of 33 with a grade point average of 4.0. She will attend the University of Arizona to pursue a career in pediatric oncology.

PROCLAMATIONS

Mayor Archibald presented the following proclamations:

Ride to Work Day

E'Lisa Smetana, Executive Director MPO accepted the proclamation, those also in attendance were Steve Hood – Kent's Harley Davison, Jill Christie, TxDOT and the D.R.I.V.E. Safe Coalition, Rick Tomlin, Abilene Police Department and Dean Carter, D.R.I.V.E Safe Coalition.

Myasthenia Gravis Awareness Month

No one was able to attend to receive the proclamation.

100th Anniversary – Abilene Founders Lions Club

Club President Jeff Eckard accepted the proclamation. Club members were present.

DISPOSITION OF MINUTES

5.0 Mayor Archibald stated Council has been given the minutes from the Special Called Workshop May 23rd, the Regular Called Meeting May 25th, 2017 there being no deletions, no additions, and no corrections. Councilman Savage made a motion to approve the minutes as presented. Councilman Price seconded the motion, motion carried.

AYES: Councilmen Price, Kreitler, Hurt, McAlister, Savage, Councilwoman Albus and Mayor Archibald
NAYS: None

CONSENT AGENDA

Councilman Savage pulled both items from Consent.

ITEMS PULLED FROM CONSENT

Resolution:

- 6.1 **Resolution:** Approving a request to enter into agreements with SADA Systems, Inc. (SADA) a Google Cloud Premier Partner, to provide Information Technology services. *Councilman Savage pulled this item from Consent.*

Email system

The email system currently utilizes Microsoft Exchange 2010, a seven-year-old software system installed by IT staff in 2012. The ageing system needs to be replaced as Microsoft discontinued mainstream support for Exchange 2010 in January 2015, and the extended support phase will end in January 2020. The five-year warranty for the servers running Exchange is now expired. Due to the ever-increasing volume of user email, the replacement server hardware will require an increase in total storage capacity, which increases server replacement costs.

In the time since the current email system was installed, Exchange 2013 was marketed, and now the current version of Exchange is 2016. The City's cost for server software and client access licenses has been quoted at \$145,643. The cost of server hardware replacement is an estimated \$60,000.

File servers

In addition to the email system upgrades needed, many of the City's file servers will require replacement over the next three years due to the continuous growth in storage demands. Not only must primary storage capacity be increased, but backup capacity must be upgraded as well. Storage upgrade costs are estimated at \$80,000.

Current cost summary

Based on the expected upcoming costs of upgrading the email system and file servers, we are anticipating a cost outlay of \$418,153 over the next three years as follows: Exchange software/CALs (\$145,643), Exchange server hardware (\$60,000), file server storage upgrades/replacement (\$80,000), and maintenance/management of email and files servers (\$132,510).

In an effort to gain economies by reducing the costs associated with hardware procurement and

management, IT investigated cloud-based solutions (further discussed below). After a 4-week guided product trial, Google G Suite was selected as a viable, cost effective solution to both the email and file storage issues. The cost of G Suite over the next three years is \$273,000 and is projected to provide savings of \$145,153.

Council and Staff discussion included: 1) Looking at a Google product; 2) will save the city money over 3 years; 3) migration of email; 4) time line – will begin in about 30 days; 5) no additional hardware costs; and 6) HIPAA compliant.

Councilman Price made the motion to approve the Resolution authorizing the City Manager to enter into Agreements with SADA Systems, Inc. a Google Cloud Premier Partner to provide Information Technology Services. Councilman McAlister seconded the motion, motion carried.

AYES: Councilmen Price, Kreitler, Hurt, McAlister, Councilwoman Albus and Mayor Archibald

NAYS: Councilman Savage

- 6.2 **Ordinance:** *(First Reading)* Repealing and Deleting Chapter 14 “Transportation Network Company Services” of the Abilene Municipal Code; and setting a public hearing for June 22nd 2017. *Councilman Savage pulled this item from consent.*

Council and Staff discussion included: 1) Taxi cab companies; and 2) airport regulations.

Councilman Savage made the motion to approve the first reading of the Ordinance repealing and deleting Chapter 14 “Transportation Network Company Services” of the Abilene Municipal Code; and setting a public hearing for June 22nd 2017. Councilman Hurt seconded the motion, motion carried.

AYES: Councilmen Price, Kreitler, Hurt, McAlister, Savage, Councilwoman Albus and Mayor Archibald

NAYS: None

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE REPEALING AND DELETING CHAPTER 14, “TRANSPORTATION NETWORK COMPANY SERVICES” OF THE ABILENE MUNICIPAL CODE AS SET OUT BELOW; AND CALLING FOR A PUBLIC HEARING.

REGULAR AGENDA

- 7.1 Mayor Archibald made the motion to remove from the TABLE the Ordinance amending Chapter 15 “Lakes”, Article I “In General”, Article II “Lake Fort Phantom Hill” and Article III “Lake Abilene and Lake Kirby”. Councilman Kreitler seconded the motion, motion carried.

AYES: Councilmen Price, Kreitler, Hurt, McAlister, Savage, Councilwoman Albus and Mayor Archibald

NAYS: None

Rodney Taylor Director of Water Utilities briefed the city council on the Ordinance amending Chapter 15 “Lakes”, Article I “In General”, Article II “Lake Fort Phantom Hill”, and Article III “Lake Abilene and Lake Kirby”.

Staff has reviewed federal and state regulations, and consulted with various stakeholders including Texas Commission on Environmental Quality (TCEQ), Texas Parks and Wildlife Department (TPWD). The culmination of this exercise is the following recommendations to the city council as expressed in the proposed amendment to Ordinance Chapter 15-Lakes:

1. DO NOT alter the existing prohibition against swimming in Lake Kirby [Section 15-73(b)]. Staff will implement a sampling program for E. Coli in Lake Kirby on a monthly basis for a period of not less than one full year before recommending an action regarding prohibition of swimming in Lake Kirby.
2. REMOVE prohibition against operation of small recreational water vessels, e.g., jet skis and wind/surf craft on Lake Kirby [Section 15-73(c)].
3. REMOVE prohibition against operation of small recreational water vessels, e.g., wind/surf craft on Lake Abilene [Section 15-73(c)]. TPWD currently prohibits the operation of jet skis on Lake Abilene.

Council and Staff discussion included: 1) enforcement on all lakes; 2) septic tanks around Ft. Phantom; 3) no swimming in Nelson Park or Lake Kirby; 4) ok to swim in Cameron Lake; 5) security requirements for the Zoo; 6) driving on the lake beds prohibited; 7) the radius around the control tower at Lake Kirby; 8) intent to monitor Lake Kirby; 9) begin monitoring of Nelson Lake for E-Coli; and 10) bring back the information to council on Nelson Lake in late May next year.

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

Councilman Kreidler made the motion to approve the Ordinance amending Chapter 15 "Lakes", Article I "In General", Article II "Lake Fort Phantom Hill", and Article III "Lake Abilene and Lake Kirby". Councilman Price seconded the motion, motion carried.

AYES: Councilmen Price, Kreidler, Hurt, McAlister, Savage, Councilwoman Albus and Mayor Archibald
NAYS: None

Ordinance: #16-2017

AN ORDINANCE AMENDING CHAPTER 15, "LAKES," ARTICLE I, "IN GENERAL," SECTION 15-9, "RESERVED", ARTICLE II, "LAKE FORT PHANTOM HILL", SECTION 15-17, "HIGH WATER LINE," SECTION 15-18, "PROHIBITED AREAS," AND SECTION 15-43, "SEPTIC TANKS RESTRICTED," AND ARTICLE III "LAKE ABILENE AND LAKE KIRBY", SECTION 15-72, "ENFORCEMENT," AND SECTION 15-73, "PROHIBITED AREAS," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; AND PROVIDING A SEVERABILITY CLAUSE

7.2 Dana Schoening, Director Planning & Development Services briefed the city council on the Ordinance for Case #Z-2017-06 a request from Orange Theory Fitness., agent Enprotec/Hibbs & Todd, to amend the terms and conditions of PD77 (Planned Development 77) to allow for increased hours of operation for 'Recreation and Commercial Recreation (Indoor)' from 6 a.m.-11 p.m. to 5 a.m.-11 p.m.

Staff and Planning & Zoning Commission all recommend approval.

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

- David Todd, with Enprotec/Hibbs & Todd

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

Councilman McAlister made the motion to approve Ordinance for Case #Z-2017-06 a request from Orange Theory Fitness., agent Enprotec/Hibbs & Todd, to amend the terms and conditions of PD77 (Planned Development 77) to allow for increased hours of operation for 'Recreation and Commercial Recreation (Indoor)' from 6 a.m.-11 p.m. to 5 a.m.-11 p.m.. Councilman Savage seconded the motion, motion carried.

AYES: Councilmen Price, Kreitler, Hurt, McAlister, Savage, Councilwoman Albus and Mayor Archibald
NAYS: None

Ordinance: #17-2017

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.

Amend the terms and conditions of PD77 (Planned Development 77) to allow for increased hours of operation for Indoor Recreation use on Lot 1, Block A, PAK Addition, from 6 am-11pm to 5 am-11 pm

EXECUTIVE SESSION

Mayor Archibald recessed the Council into Executive Session at 10:02 am pursuant to the Open Meetings Act for the following:

Consultation with Attorney - Section 551.071

B) Brad McGary – Appeal to Civil Service Commission

Deliberations about Real Property – Section 551.072

B) Kmart Building

Business Prospect/Economic Development – Section 551.087

A) Hotel Proposals

Personnel Matters – Section 551.074

A) Municipal Judge

The Council reconvened in Open Session at 1:31 pm and reported no votes or action was taken in Executive Session.

Mayor Archibald moved 10.2 up to be voted on.

10.2 Oral Resolution: Regarding Pre-Development of Downtown Hotel Project.

Mayor Archibald made the motion to authorize the City Manager by Oral Resolution to enter into a Pre-Development Agreement with Garfield Public Private for the Downtown Hotel Project. Councilwoman Albus seconded the motion, motion carried.

AYES: Councilmen Price, Kreitler, Hurt, McAlister, Savage, Councilwoman Albus and Mayor Archibald
NAYS: None

10.1 Oral Resolution: Discussion and possible action related to annual performance evaluations of City Manager, City Secretary, City Attorney and Municipal Judge. Council will take this back up at the June 22nd meeting.

No action taken on annual performances.

There being no further business the meeting was adjourned at 1:34 p.m.



Danette Dunlap, TRMC
City Secretary



Norm Archibald
Mayor