

CITY COUNCIL MEETING
July 13th, 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 July 13th, 2017, at 8:30 a.m. in the Council Chambers, 555 Walnut St. Mayor Anthony Williams 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.

Councilman McAlister gave the invocation.

Mayor Williams introduced the following Anicia Berain she will be a 5th grade student at McMurry Center for Innovation, Anicia led the Pledge of Allegiance to the Flags of the United States of America and the State of Texas.

EMPLOYEE SERVICE AWARD

Mayor Williams was assisted by City Manager Robert Hanna in recognizing the following City Employee for his years of service to the City of Abilene:

Darrin Cox	Civic Center Stagehand	20 Years
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PROCLAMATION

Mayor Williams presented the following proclamation:

National Recreation and Parks Association – Lesli Andrews accepted the proclamation and she was joined by several parks staff members.

DISPOSITION OF MINUTES

5.0 Mayor Williams stated Council has been given the minutes from the Workshop Meeting on June 20th, the Regular City Council Meeting June 22nd and the Special Called meeting June 26th 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, Kreidler, Hurt, McAlister, Savage, Councilwoman Albus and Mayor Williams
NAYS: None

CONSENT AGENDA

No items for consent.

REGULAR AGENDA

7.1 Michael Rice Director of Public Works briefed the city council on the Ordinance amending Chapter 18, "Motor Vehicles and Traffic," Article XIII, "Schedules," Section 18-289.1, "Same - During Certain Hours," and Section 18-297 "Stopping, Standing and Parking Prohibited".

Jane Long Elementary is now Long Early Learning Center, and it has the capacity for 850 students. With the new site improvements the existing operation of the one-way street and on street parking need to be modified. These modifications will facilitate the timely and efficient drop off and pickup of the 850 students.

Currently, Minter Lane has one-way traffic from North to South during school days. Recent renovations including new driveways require the traffic movement to change from Southbound to Northbound. This change will help relieve conflicts and minimize the amount of queued traffic that could block the driveways. Minter Lane is currently a one-way road during school days, so changing the direction should have minimal impact. The new site improvements allow for on street parking on Sherry Lane, which is currently prohibited on school days.

Council and Staff discussion included: 1) notifications to rental property.

Mayor 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 Chapter 18, "Motor Vehicles and Traffic," Article XIII, "Schedules," Section 18-289.1, "Same - During Certain Hours," and Section 18-297 "Stopping, Standing and Parking Prohibited". Councilman Kreitler seconded the motion, motion carried.

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

Ordinance: #21-2017

AN ORDINANCE AMENDING CHAPTER 18, "MOTOR VEHICLES AND TRAFFIC," ARTICLE XIII, "SCHEDULES," SECTION 18-289.1, "SAME—DURING CERTAIN HOURS," AND SECTION 18-297 "STOPPING, STANDING AND PARKING PROHIBITED," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY

7.2 Marty Sanders Fire Marshall briefed the city council on the Ordinance amending Chapter 10 "Fire Protection and Prevention" Article IV "Liquefied Petroleum Gas" regulating liquefied petroleum gas within the City of Abilene's jurisdiction.

This is an amendment of the current Code of Ordinances, Chapter 10: Article IV. Liquefied Petroleum Gas, to reflect the intent of HB 2663. HB 2663, effective September 1, 2011, purportedly removed all authority of local political subdivisions to adopt and/or enact liquid propane gas rules or standards. The Railroad Commission of Texas "Commission" is the entity charged with administering and enforcing the laws of this state and the rules and standards relating to liquefied petroleum gas.

Council and Staff discussion included: 1) definitions in the code regarding fire zones.

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

Councilman Savage made the motion to approve the Ordinance amending Chapter 10 "Fire Protection and Prevention" Article IV "Liquefied Petroleum Gas" regulating liquefied petroleum gas within the City of Abilene's jurisdiction. Councilman Hurt seconded the motion, motion carried.

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

Ordinance #22-2017

AN ORDINANCE AMENDING CHAPTER 10 "FIRE PROTECTION AND PREVENTION" ARTICLE IV "LIQUEFIED PETROLEUM GAS" REGULATING LIQUEFIED PETROLEUM GAS WITHIN THE CITY OF ABILENE'S JURISDICTION BY REPEALING AND REPLACING THE ARTICLE AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND CALLING FOR A PUBLIC HEARING.

7.3 Dana Schoening, Director of Planning and Development Services briefed the city council on the Ordinance for Case# **Z-2017-11** a request from City of Abilene to rezone property from MD/H (Residential Medium Density/Historic Overlay) to MD (Residential Medium Density), which will remove the Historic Overlay zoning district on the property, Located at 857 Peach St.

The applicant is requesting to rezone property from MD/H (Residential Medium Density/Historic Overlay) to MD (Residential Medium Density) zoning. The City of Abilene is seeking to rezone a 0.43 acre parcel located at 857 Peach St, legal description being Lots 16 & 17 and the north 1/2 of Lot 18, Block A, Hughes Subdivision, out of Block 186, Original Town, Abilene, Taylor County, Texas; filed for record Deed Records Volume E, Page 640, and the parcel from MD (Residential Medium Density/Historic Overlay) to MD (Medium Density Residential), which will remove the Historic Overlay zoning district on the parcel.

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

On May 23, 2017, the Landmarks Commission considered and recommended approval of this proposed rezoning by a vote of six (6) in favor and none (0) opposed.

On June 5, 2017, the Planning & Zoning Commission considered and recommended approval of this proposed rezoning by a vote of five (5) in favor (Smith, Bixby, Famble, Rosenbaum, and Calk) and none (0) opposed.

Council and Staff discussion included: 1) taxes on property when there has been an historic overlay.

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

Councilman Savage made the motion to approve the Ordinance for Case# **Z-2017-11** a request from City of Abilene to rezone property from MD/H (Residential Medium Density/Historic Overlay) to MD (Residential Medium Density), which will remove the Historic Overlay zoning district on the property, Located at 857 Peach St. Councilwoman Albus seconded the motion, motion carried.

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

Ordinance: #23-2017

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

Location: 857 Peach Street

7.4 Mayor Williams declared a conflict on this item and turned the meeting over Mayor Pro-tem Price.

Dana Schoening Director of Planning & Development Services for the Ordinance for Case #Z-2017-12 a request from City of Abilene to rezone property from CB/H (Central Business/Historic Overlay) to CB (Central Business), which will remove the Historic Overlay zoning district on the property, Located at 750 Mesquite St.

The applicant is requesting to rezone property from CB/H (Central Business/Historic Overlay) to CB (Central Business) zoning. The City of Abilene is seeking to rezone a 0.16 acre parcel located at 750 Mesquite St, legal description being Lot 27, Lewis Subdivision of Block 147, Original Town, Abilene, Taylor County, Texas, and the parcel from CB/H (Central Business/Historic Overlay) to CB (Central Business), which will remove the Historic Overlay zoning district on the parcel.

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

On May 23, 2017, the Landmarks Commission considered and recommended approval of this proposed rezoning by a vote of six (6) in favor and none (0) opposed.

On June 5, 2017, the Planning & Zoning Commission recommends approval by a vote of five (5) in favor (Smith, Bixby, Famble, Rosenbaum, and Calk) with none in opposition

Mayor Pro-tem Price 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 for Case #Z-2017-12 a request from City of Abilene to rezone property from CB/H (Central Business/Historic Overlay) to CB (Central Business), which will remove the Historic Overlay zoning district on the property, Located at 750 Mesquite St. Councilman Hurt seconded the motion, motion carried.

AYES: Councilmen Kreidler, Hurt, McAlister, Savage, Councilwoman Albus and Mayor Pro-tem Price

NAYS: None

ABSTAINED: Mayor Williams

Ordinance: #24-2017

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.

Located at 750 Mesquite St

Mayor Williams resumed the meeting.

7.5 Dana Schoening Director of Planning and Development Services briefed the city council on the Ordinance for Case# Z-2017-13 a request from Contractor Services, Ltd., agent Tal Fillingim, to rezone approximately 14 acres from AO (Agricultural Open Space) to RS6 (Residential Single-Family) to allow single-family homes within the approximately 14-acre tract of land. Located north of Independence Boulevard and east of Liberty Boulevard.

The applicant is seeking to rezone property from AO (Agricultural Open Space) to RS-6 (Residential Single-Family). The property is described as being 14 acres out of A1039 SUR 21 B A L SW/4, described as Heritage Parks, Section 9. The applicant's request is to plat the next section, as described as "Section 9", of a Preliminary Development Plat originally described as Quail Valley Northeast, for the entire area of 438.5 acres of land in the northeast corner of E Lake Road and HWY 351, approved in 1983. The intent of the Preliminary Plat was to plat out new residential lots as they were ready to be developed. They are requesting the rezoning to RS-6 as the zoning, in order to build and plat a new section of the existing Preliminary Plat.

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

On June 5, 2017, the Planning & Zoning Commission considered and recommended approval of this proposed rezoning by a vote of four (4) in favor (Smith, Bixby, Calk, and Rosenbaum) with one (1) abstention (Famble) and none (0) opposed.

Council and Staff discussion included: 1) Homeowners association (HOA) in the area – the city is not involved with the HOA.

Mayor Williams opened the public hearing and council heard from:

- Clayton Farrell agent for developer – supported the rezone

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

Councilman McAlister made the motion to approve the Ordinance for Case# **Z-2017-13** a request from Contractor Services, Ltd., agent Tal Fillingim, to rezone approximately 14 acres from AO (Agricultural Open Space) to RS6 (Residential Single-Family) to allow single-family homes within the approximately 14-acre tract of land. Located north of Independence Boulevard and east of Liberty Boulevard. Councilman Price seconded the motion, motion carried.

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

Ordinance: **#25-2017**

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

Location: approximately 14-acre tract of land. Located north of Independence Boulevard and east of Liberty Boulevard

7.6 Dana Schoening Director of Planning and Development Services briefed the city council on the Ordinance for Case# **Z-2017-14** a request from Hardin Simmons University, agent Enprotec/Hibbs & Todd, to rezone property from HC/COR (Heavy Commercial/COR Overlay), HC (Heavy Commercial), and RS6 (Residential Single-Family) to CU/COR (College University/Corridor Overlay) and CU (College University) to allow for CU (College University) and related uses on property located just north of Hardin Simmons University. Location being 12 parcels/lots, north of Vogel Avenue, between Cedar Street and Pine Street.

The applicant is requesting to allow for CU and CU/COR (College University) permitted uses, in order to expand the Hardin Simmons University Campus.

The applicant is seeking to rezone 12 lots/parcels, consisting of approximately 1.8 acres, from RS-6 (Residential Single-Family), HC (Heavy Commercial), and HC/COR (Heavy Commercial/Corridor Overlay), to CU (College University) and CU/COR (College University/Corridor Overlay).

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

On June 5, 2017, the Planning & Zoning Commission considered and recommended approval of this proposed rezoning by a vote of five (5) in favor (Smith, Bixby, Famble, Rosenbaum, and Calk) and none (0) opposed.

Council and Staff discussion included: 1) same development standards apply to this development.

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

- B.J. Prichard agent for developer – supported the rezone

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

Councilman Savage made the motion to approve the Ordinance for Case# **Z-2017-14** a request from Hardin Simmons University, agent Enprotec/Hibbs & Todd, to rezone property from HC/COR (Heavy Commercial/COR Overlay), HC (Heavy Commercial), and RS6 (Residential Single-Family) to CU/COR (College University/Corridor Overlay) and CU (College University) to allow for CU (College University) and related uses on property located just north of Hardin Simmons University. Location being 12 parcels/lots, north of Vogel Avenue, between Cedar Street and Pine Street. Councilman Kreitler seconded the motion, motion carried.

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

Ordinance: **#26-2017**

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.

Location: being 12 parcels/lots, north of Vogel Avenue, between Cedar Street and Pine Street

7.7 Dana Schoening Director of Planning and Development Services briefed the city council on the Ordinance) **TC-2017-03** A request from Hardin Simmons University, agent Enprotec/Hibbs & Todd, to abandon the entire north-south length of Cypress Street ROW (20' Width based on current GIS Mapping), beginning at Vogel Avenue and heading north 730 feet towards Lowden Street (20' Width based on current GIS Mapping).

The applicant is requesting to abandon the entire Cypress Street ROW (20-foot width based on current GIS Mapping), beginning at Vogel Avenue and heading north 730-feet towards Lowden Street, and terminating approximately 365-feet south of Lowden Street, located between Pine Street and Cedar Street.

STAFF RECOMMENDATION

Staff recommends approval with the conditions as recommended by the Development Review Committee as follows:

1. The applicant must replat within 12 months.
2. The applicant is responsible for providing easements for and/or relocating any existing utilities.
3. The applicant must provide ROW (Right-of-Way) for a turnaround (See Attached Exhibit) on the northernmost end of the proposed Thoroughfare Abandonment at the time of a replat.

BOARD OR COMMISSION RECOMMENDATION

On June 5, 2017, the Planning & Zoning Commission considered and recommended approval of this proposed thoroughfare closure by a vote of five (5) in favor (Smith, Bixby, Famble, Rosenbaum, and Calk) and none (0) opposed per Development Review Committee recommendation.

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

- B.J. Prichard agent for developer – supported the rezone

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

Councilman Savage made the motion to approve the Ordinance for Case #TC-2017-03 a request from Hardin Simmons University, agent Enprotec/Hibbs & Todd, to abandon the entire north-south length of Cypress Street ROW (20' Width based on current GIS Mapping), beginning at Vogel Avenue and heading north 730 feet towards Lowden Street (20' Width based on current GIS Mapping). Councilwoman Albus seconded the motion, motion carried.

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

Ordinance: #27-2017

AN ORDINANCE PROVIDING FOR THE ABANDONMENT OF A PORTION OF PUBLIC RIGHT OF WAY; PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH ABANDONMENT, AND CALLING A PUBLIC HEARING

Location: abandon the entire north-south length of Cypress Street ROW (20' Width based on current GIS Mapping), beginning at Vogel Avenue and heading north 730 feet towards Lowden Street (20' Width based on current GIS Mapping);

7.8 Dana Schoening Director of Planning and Development Services briefed the city council on the Ordinance TC-2017-04 a request from AEP Texas, Inc., agent John Garcia, to abandon the remaining portion of an abandoned railroad ROW. Being an abandoned 20' wide railroad spur and ROW, running north approximately 120', north of N. 3rd St. and terminating south of N 4th St. Located between Mesquite Street and Plum Street (20' Width based on current GIS Mapping).

The applicant request to abandon the remaining southern-most portion of a platted alley/railroad spur ROW (right-of-way). Being an abandoned 20-wide wide railroad spur and alley ROW, running north from N. 3rd Street approximately 120-feet and terminating approximately 267-feet south of N. 4th Street, located between Mesquite Street and Plum Street.

Staff recommends approval with the conditions recommended by the Development Review Committee as follows:

1. The applicant must replat within 12 months.
2. The applicant is responsible for providing easements for and/or relocating any existing utilities

BOARD OR COMMISSION RECOMMENDATION

On June 5, 2017, the Planning & Zoning Commission considered and recommended approval of this proposed thoroughfare closure by a vote of five (5) in favor (Smith, Bixby, Famble, Rosenbaum, and Calk) and none (0) opposed.

Mayor 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 for Case #TC-2017-04 a request from AEP Texas, Inc., agent John Garcia, to abandon the remaining portion of an abandoned railroad ROW. Being an abandoned 20' wide railroad spur and ROW, running north approximately 120', north of N. 3rd St. and terminating south of N 4th St. Located between Mesquite Street and Plum Street (20' Width based on current GIS Mapping). Councilman Kreitler seconded the motion, motion carried.

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

Ordinance: **#28-2017**

AN ORDINANCE PROVIDING FOR THE ABANDONMENT OF A PORTION OF PUBLIC RIGHT OF WAY; PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH ABANDONMENT, AND CALLING A PUBLIC HEARING

Location: Being an abandoned 20' wide railroad spur and ROW, running north approximately 120', north of N. 3rd St. and terminating south of N 4th St. Located between Mesquite Street and Plum Street (20' Width based on current GIS Mapping).

7.9 Dana Schoening Director of Planning and Development Services briefed the city council on the Ordinance OAM-2017-02 Amending the Land Development Code regarding Section 2.4.2.1 'The Land Use Matrix', Section 2.3.2.9 Residential Multiple-Family (MF) District permitted (P), by right, in non-residential zoning districts and Section 2.4.3.3 All Other Uses With Specific Requirements.

In the past several years, the Planning and Zoning Commission and City Council has considered rezoning of property to non-residential zoning districts, which provide multi-family use as a permitted by-right use. The Land Development Code (LDC) allows for multi-family residential uses in the following non-residential zoning districts as reflected in Section 2.4.2.1 Land Use Matrix:

1. CU (College & University)
2. NO (Neighborhood Office)
3. O (Office)
4. NR (Neighborhood Retail)
5. GR (General Retail)
6. MU (Medical Use)
7. CB (Central Business)
8. MX (Mixed Use)

As previously presented, MF (Multi-Family) residential zoning has a separate zoning district designation to allow for multi-family development, up to 24 units per acre. The thought behind reviewing the LDC for potential location of multi-family residential developments in non-residential districts stems from location of proposed non-

residential districts near less intensive residential districts. For instance, a property owner of a single-family home that abuts a non-residential zoning district such as NO, O, NR and GR districts does not necessarily know that multi-family residential use is an allowed by-right use and may be located in the general vicinity or next door to their property.

Staff recommends amendment to the Land Development Code that changes MF (Multiple-Family) as a Permitted (P) use to Conditional Use Permit (C) in certain non-residential zoning districts to include NO, O, NR, and GR zoning districts.

Alternate recommendation if City Council would like to consider would be to delay the effect of the ordinance for one year that changes MF (Multiple-Family) as a Permitted (P) use to Conditional Use Permit (C) in certain non-residential zoning districts to include NO, O, NR, and GR zoning districts.

BOARD OR COMMISSION RECOMMENDATION

On June 5, 2017, the Planning and Zoning Commission recommended approval of MF as a conditional use in NO, O and NR zoning districts. MF as a conditional use in GR, is conditional with provision of a two-year grace period upon ordinance approval to obtain vested right for MF as a permitted use by-right, with an additional three years from the end of the two-year grace period as vested right. The Planning and Zoning Commission approved by a vote of five (5) (Smith, Bixby, Famble, Rosenbaum, and Calk) with none in opposition.

Council and Staff discussion included: 1) the Planning and Zoning recommendation; 2) different lengths of grace periods; 3) delay of the effective date of the ordinance; 4) due to some confusion on behalf of the Planning and Zoning Commission to send the amendment back for their review with a clear agenda notification of the intent to make a decision of the Commission; and 5) pull the General Retail zoning and send them notification of the possible change in the Land Development Code.

Mayor 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 TABLE the Ordinance OAM-2017-02 Amending the Land Development Code regarding Section 2.4.2.1 'The Land Use Matrix', Section 2.3.2.9 Residential Multiple-Family (MF) District permitted (P), by right, in non-residential zoning districts and Section 2.4.3.3 All Other Uses With Specific Requirements. Councilman Kreitler seconded the motion, motion carried.

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

7.10 Rodney Taylor Director of Water Utilities briefed the city council on the Resolution authorizing the City Manager to execute a Contract with United States Geological Survey for Streamflow Monitoring Stations.

The Contract has an effective date from October 1, 2017 to September 30, 2018. The contract provides for monitoring of stream flow and lake levels. It also provides for more specialized water quality monitoring of certain stream segments associated with permitting.

The resolution authorizes the City Manager to execute the contract with USGS in the amount of \$177,490.

Council and Staff discussion included: 1) Clear fork of the Brazos; and 2) Cedar Ridge.

Councilman McAlister made the motion to approve the Resolution authorizing the City Manager to execute the contract with the United State Geological Survey for Streamflow Monitoring Stations in the amount of \$177,490. Councilwoman Albus seconded the motion, motion carried.

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

Resolution: #85-2017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING A CONTRACT WITH THE UNITED STATES GEOLOGICAL SURVEY FOR THE OPERATION AND MAINTENANCE OF SURFACE WATER DATA COLLECTION FACILITIES.

7.11 Stanley Smith City Attorney briefed the council on the Oral Resolution: Ethics: Training Program for Council.

The City of Abilene (Citylink), as a sub recipient, receives state and federal public transportation funds from the state and the federal governments through the Texas Department of Transportation (TXDOT). Pursuant to 43 Texas Administrative Code Section 31.39, sub recipients receiving state or federal public transportation funds from or through TXDOT must have adopted an internal ethics and compliance program.

Beginning this year, TXDOT has determined that the City of Abilene is required to have an ethics training program for the City Council in order to continue to receive state and federal public transportation funding. The proposed Council Policy for an Ethics Training Program is designed to satisfy this requirement. TXDOT has reviewed and approved the proposed Policy as being compliant with the requirements.

Councilman Hurt made the motion to approve the City Council Policy 2017-002 Ethics Training Program for the City Council. Councilman Price seconded the motion, motion carried.

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

7.12 Robert Hanna City Manager briefed the city council on the amendment to the Resolution repealing and replacing 56-2017 Adopting Rules of Procedure for the City Council.

Mayor Williams has asked that city council consider moving one of the regular day meetings to an evening meeting each month.

Council and Staff discussion included: 1) Council would start with Executive Session first then move to the regular portion of the meeting at 5:30 pm; 2) keep tally of those attending the evening meetings and then have a review of attendance with real data; 3) what about Facebook live the meeting; and 4) length of executive session history.

Mayor Williams opened the meeting for public input and the council heard from the following:

- Doug Offermann – spoke on the possible change
- Grant Vandever – spoke for increasing public involvement

Councilman Price made the motion to amend the Resolution repealing and replacing 56-2017 Adopting Rules of Procedure for the City Council by moving the 1st regular meeting to a start time of 4:30 p.m. for Executive Session and 5:30 p.m. will begin the Open Session. Councilman Savage seconded the motion, motion carried.

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

Resolution: #86-2017

A RESOLUTION REPEALING AND REPLACING RESOLUTION 56-2017 ADOPTING RULES OF PROCEDURE FOR THE CITY COUNCIL OF ABILENE, TEXAS

7.13 Brenda Alexander Interim Director Administrative Services introduced Matt Weatherly with Public Sector Personnel Consultants who then briefed the council on the findings of the survey.

It has been over 20 years ago since the last compensation and classification study of employee positions was conducted. In order to ensure that the City is paying appropriate market-based salaries to its employees, in April 2016 the City retained the consulting firm Public Sector Personnel Consultants to conduct a comprehensive market study and recommend changes to the City's current pay plan.

The market study and pay plan revisions consisted of:

- Individual meetings with department managers and reviewing job descriptions
- Surveying Abilene's municipal peer group on current salaries of 150 job titles
- Utilizing local employer salary data
- Evaluating internal equity concerns
- Restructuring the pay plan to be based on 95% of competitive market
- Determining implementation costs associated with bringing employees below their "minimum" pay range up to minimum, as well as projecting costs for giving overall increases in years 1 and 2 of implementation

The market study's findings determined that Abilene's civil service employees are paid competitively at market. However, non-civil service employees are paid significantly below market as indicated in the report.

The new pay plan for non-civil service employees has been developed to represent 95% of the competitive market.

STUDY FINDINGS

- Using pay range midpoint the City's current pay ranges or actual averages for civilian jobs are competitive (within 5%) for 54% of the survey sample. 46% of classified jobs surveyed are behind market at midpoint by -5% of more
- The city's current pay ranges for police and fire jobs are competitive
- Current salaries within the City's civilian pay ranges are low

PROPOSED CIVILIAN PAY PLAN

- New pay table with 5% between each midpoint and 45%-55% width from entry to top
- Establish "career ladders" where possible with 10% or 15% (2 or 3 ranges) difference from level 1, 11, 111 etc.
- Plan also places managers and directors on the scale

IMPLEMENTATION OPTIONS

- Move anyone falling below proposed minimum up to new minimum, upon adoption, including managers and above

- Before any general pay increase, the initial cost including benefits to move 278 full time civilians falling below Minimum up the proposed Minimum for their job is \$173,256 (general fund, 7% of civilian payroll) and an additional \$244,487 (1.7%) for other funds
- Additional pay increases within the proposed pay ranges are appropriate for each of the next several budget years and when financially feasible

Recommendations – Year 1

- Move anyone falling below proposed minimum up to new minimum, upon adoption (approx. \$173,000 general fund cost).
- Provide a general increase for all civilian employees, for example 3% on 1/1/2018 (¾ year general fund cost of approx. \$553,000 and ¾ year other funds cost of \$345,000)
- Provide additional in-range adjustments for those with 5+ years in their job that are lowest in their range in year 1 or year 2, when financially able

Recommendations – Year 2

- Provide a general increase for all civilian employees, for example 3% on 10/1/18 (approx. \$759,000 general fund, or \$380,000 for ½ year if you wait until April 2019).
- Provide additional in-range adjustments for those that are lowest in their range
Estimated cost for this model is \$1.1m General Fund for civilian

Council and Staff discussion included: 1) Meet and confer process for civil service employees; 2) midpoint 95% of market; and 3) cook is the lowest on the pay scale along with custodial services.

Councilman McAlister made the motion to acknowledge the Compensation and Classification Study. Councilwoman Albus seconded the motion, motion carried.

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

EXECUTIVE SESSION

Mayor Williams recessed the Council into Executive Session at 11:33 a.m. pursuant to the Open Meetings Act for the following:

Consultation with Attorney - Section 551.071

- A) Regional Water Supply
- B) Brad McGray – Appeal to Civil Service Commission
- C) Economic Development Contracts
- D) Ethics training and internal compliance program

Personnel Matters – Section 551.074

- A) West Central Texas Municipal Water District
- B) Deputy Mayor Pro-tem

The Council reconvened in Open Session at 12:40 p.m. and reported no votes or action was taken in Executive Session.

10.1 Resolution: Appointing members to various boards and commissions per the City Charter.

- West Texas Municipal Water District

Mayor Williams made the motion to appoint Norm Archibald to the West Texas Municipal Water District. Councilman Savage seconded the motion, motion carried.

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

Resolution: 87-2017

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

10.2 Oral Resolution: Appointment of Deputy Mayor Pro-tem.

Mayor Williams made the motion to appoint Councilman Steve Savage to Deputy Mayor Pro-tem. Councilman Price seconded the motion, motion carried.

AYES: Councilmen Price, Kreitler, Hurt, McAlister, Councilwoman Albus and Mayor Williams
NAYS: None
ABSTAINED: Councilman Savage

There being no further business the meeting was adjourned at 12:41 p.m.


Danette Dunlap, TKMC
City Secretary


Anthony Williams
Mayor