

**CITY COUNCIL MEETING**  
**November 16, 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 November 16, 2017, at 8:30 a.m. in the Council Chambers, 555 Walnut St. Mayor Anthony Williams was present and presiding with Mayor Pro-tem Shane Price and Councilmembers Bruce Kreitler, Weldon Hurt, Kyle McAlister, Steve Savage, and Donna Albus. Also present were City Manager Robert Hanna, City Attorney Stanley Smith, Interim City Secretary Tiffni Hererra, and various members of the City staff.

Councilmember Bruce Kreitler delivered the invocation.

Ryleigh Green and Steven Cowling, 4<sup>th</sup> graders at Wylie Elementary School, led the Pledge of Allegiance to the Flags of the United States of America and the State of Texas.

**PROCLAMATION**

Mayor Williams presented the following proclamation:

- Wylie High School-Tennis State Champions, accepted by Head Coach Brent Abilez.

**CITY EMPLOYEE SERVICE AWARDS**

The following was recognized for years of service to the City of Abilene:

- Harvey Heath, Supervisor III, Public Works Department – 30 years

**MINUTES**

- 5.0** Approval of the minutes from the Regular Meeting held on October 26, 2017 and the Regular Meeting held on November 2, 2017

Councilmember Savage moved to approve the minutes as presented. Councilmember McAlister seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Price, and Councilmembers Kreitler, Hurt, McAlister, Savage, and Albus

NAYS (0): None

**CONSENT AGENDA**

The consent agenda consisted of agenda items 6.1 through 6.4. Mayor Pro-tem Price pulled items 6.1, 6.2, and 6.4 for individual consideration.

Mayor Pro-tem Price moved to approve the consent agenda, consisting of item 6.3, as presented. Councilmember Hurt seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Price, and Councilmembers Kreitler, Hurt, McAlister, Savage, and Albus

NAYS (0): None

- 6.3 **Resolution:** Approving the purchase of four (4) solid waste roll off trucks from Rush Truck Center for \$721,928.00

**Resolution: # 140-2017**

A RESOLUTION OF THE CITY OF ABILENE, TEXAS PURCHASING FOUR SOLID WASTE 2018 PETERBILT SBFA ROLL OFF TRUCKS PURCHASED FROM RUSH TRUCK CENTER THROUGH BUYBOARD COOPERATIVE PURCHASING

**ITEMS PULLED FROM CONSENT FOR INDIVIDUAL CONSIDERATION**

- 6.1 **Ordinance:** (First Reading) Adopting the 2018 Standards of Care; and setting a public hearing for December 7, 2017

*Mayor Pro-tem Price pulled the item.*

Discussion centered on: 1) background checks, 2) CPR certifications, 3) discipline reports, 4) program manual, 5) acronym clarification in verbiage of the ordinance, and 6) purpose of the Standards of Care.

Mayor Pro-tem Price moved to approve the ordinance. Councilmember McAlister seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Price, and Councilmembers Kreidler, Hurt, McAlister, Savage, and Albus

NAYS (0): None

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, ESTABLISHING STANDARDS OF CARE FOR CITY OF ABILENE YOUTH PROGRAMS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; AND CALLING A PUBLIC HEARING.

- 6.2 **Resolution:** Authorizing the City Manager to hire a Zoo Veterinary Technician and upgrade a part time Zoo Keeper to a full time Zoo Keeper position

*Mayor Pro-tem Price pulled the item.*

Discussion centered on: 1) approval not affecting the current-year budget and being reflected in next year's revised budget, and 2) funding for these additions being provided by the Abilene Zoological Society indefinitely.

Councilmember Kreidler moved to approve the item as presented. Mayor Pro-tem Price seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Price, and Councilmembers Kreidler, Hurt, McAlister, Savage, and Albus

NAYS (0): None

**Resolution: # 141-2017**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS AUTHORIZING THE CITY MANAGER TO HIRE A ZOO VETERINARIAN TECHNICIAN AND UPGRADE A PART TIME ZOO KEEPER TO A FULL TIME ZOO KEEPER

- 6.4 **Resolution:** Authorizing the City Manager to execute a Construction Contract for Demolition Activities with Geneco Technologies, LLC in support of the Kmart Remodel/LEC project for \$160,909.00  
*Mayor Pro-tem Price pulled the item.*

Discussion centered on: 1) timing on the phases of the demolition, and 2) the bidding process.

Councilmember Savage moved to approve the item as presented. Councilmember Albus seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Price, and Councilmembers Kreidler, Hurt, McAlister, Savage, and Albus

NAYS (0): None

**Resolution: # 142-2017**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH GENECO TECHNOLOGIES, LLC FOR DEMOLITION SERVICES

**REGULAR AGENDA**

- 7.1 **Resolution:** Awarding bid to Nova Painting LLC for the Grimes Water Treatment Plant 5.0 MG Clearwell Rehabilitation Project for \$1,150,700.00

Rodney Taylor, Director of Water Utilities, presented the item.

Discussion centered on: 1) identifying all damages to the truck and the possibility of additional costs being included in the bid package, and 2) the previous truck rehabilitation project having incurred additional costs after the bid had been awarded.

Mayor Pro-tem Price requested a correction to the resolution to accurately reflect the name of the Interim City Secretary. Councilmember Hurt moved to approve the resolution with the correction. Councilmember Savage seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Price, and Councilmembers Kreidler, Hurt, McAlister, Savage, and Albus

NAYS (0): None

**Resolution: # 143-2017**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AWARDING A BID TO NOVA PAINTING, LLC FOR THE GRIMES WTP 5.0 MG CLEARWELL REHABILITATION PROJECT

- 7.2 **Ordinance:** Consider adoption of an ordinance authorizing the issuance of City of Abilene, Texas, General Obligation Refunding Bonds for refinancing outstanding debt; establishing procedures and delegating authority for the sale and delivery of the bonds; approving and authorizing an official statement and certain documents relating to said bonds; providing an effective date; and enacting other provisions relating to the subject

Michael Rains, Director of Finance, presented the item. George Willeford of First Southwest and Leroy Grawunder of McCall, Parkhurst and Horton LLP also spoke.

Discussion centered on: 1) refinancing amount; 2) percentages and current market conditions; 3) whether water Certificates of Obligation are ever refinanced; 4) the 2013 certificates being water debt; 5) refunding timeframe being up to year 2035; 6) deadlines for the refinancing and current legislation; 7) explanation of ordinance verbiage, 8) small savings being applied to debt service which affects the tax rate, with the majority of the savings being applied toward water debt; and 8) the city's current rating being at AA+.

Councilmember Kreitler moved to approve the ordinance as presented. Councilmember McAlister seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Price, and Councilmembers Kreitler, Hurt, McAlister, Savage, and Albus  
NAYS (0): None

**Ordinance: # 42-2017**

ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF ABILENE, TEXAS, GENERAL OBLIGATION REFUNDING BONDS; DELEGATING THE AUTHORITY TO CERTAIN CITY OFFICIALS TO EXECUTE CERTAIN DOCUMENTS RELATING TO THE SALE OF THE BONDS; APPROVING AND AUTHORIZING AN OFFICIAL STATEMENT AND INSTRUMENTS AND PROCEDURES RELATING TO SAID BONDS; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT

- 7.3 **Ordinance & Public Hearing:** *(Final Reading)* **Z-2017-18** A request from HIT Ventures LLC, represented by Harley Burnett, Agent CJ Chaney, to rezone two (2) lots from AO (Agricultural Open Space) to GC (General Commercial) located at the northwest corner of Maple St. and S. 27th St.

Taurus Freeman, Interim Director of Planning & Development Services, presented the item.

Discussion centered on: 1) response map being updated before the council meeting; 2) non-utilization of eminent domain in the alley-way; 3) requirement of 25-point systems for buffering; 4) conducting a traffic study during the site plan review although not required; 5) allowed uses in AO zoning; 6) requiring buffering on both sides, 2690 & 2691, when the development takes place; and 7) requirement of a sidewalk, although the applicant can request a waiver or deferral.

Mayor Williams opened the public hearing. The following addressed the city council:

- LD Dick – against the rezoning
- Donny Casey – the affect to his residence tax appraisal
- Joanna Aggerton – concerns about excess foot traffic in front of her residence; against the rezoning
- Ann Casey – concerns that someone wanting to build a residence on the property was told they could not

With no other speakers coming forward, Mayor Williams closed the public hearing.

Councilmember McAlister moved to approve the ordinance as presented. Councilmember Kreitler seconded the motion; motion carried.

Motion seconded by Councilmember Hurt.

Councilmember Kreitler moved a Point of Order that the original motion presented by Mayor Pro-tem Price needed to be withdrawn prior to his presenting an amending motion; and further stated this would ensure the city council complied with its adopted Rules.

Mayor Pro-tem Price withdrew his original motion to approve the ordinance as well as his amending motion earlier presented. Following the withdrawals, Mayor Pro-tem Price moved approval of the ordinance with the following amendments:

Specific Modifications

- Add: Patio Home lots (11.57 acres) shall be developed lots shall be in compliance with the attached site plan labeled Exhibit "C"
- Add: D. Patio Home lots (11.57 acres per Exhibit "C"), Minimum 50' wide lots (40' minimum per PH zoning); Minimum 85' depth lots (100' minimum per PH zoning); Minimum 5' interior side setbacks (0' minimum, total of 10' min (both sides) per PH zoning; Allowance for required sidewalks to be placed at the back of curb, in accordance with the approved design standards (per the Public Works Department); Private Streets

Motion seconded by Councilmember Hurt; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Price, and Councilmembers Kreitler, Hurt, McAlister, Savage, and Albus

NAYS (0): None

Ordinance: # 44-2017

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

- 7.5 Ordinance & Public Hearing: *(Final Reading)* OAM-2017-04 Amendment to the Land Development Code (LDC) regarding Section 2.4.3.3 'All Other Uses Without Specific Requirements' pertaining to changing (33) LIQUOR STORE, On-Premise Consumption; subpart a. Distances Required

Taurus Freeman, Interim Director of Planning & Development Services, presented the item.

Council and Staff discussion included: 1) businesses licensed to sell alcohol not losing their license if a church or school moves within 300 feet of their established location, 2) results of the change due to city being stricter than state law and the tighter restrictions not being enforceable, and 3) no foreseeable changes to state law in the future.

Mayor Williams opened the public hearing.

With no speakers coming forward, Mayor Williams closed the public hearing.

Councilmember Hurt moved to approve the ordinance as presented. Motion seconded by Councilmember Savage; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Price, and Councilmembers Kreitler, Hurt, McAlister, Savage, and Albus  
NAYS (0): None

**Ordinance: # 45-2017**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AMENDING CITY OF ABILENE LAND DEVELOPMENT CODE, CHAPTER 2, "ZONING REGULATIONS," ARTICLE 4, "USE REGULATIONS," DIVISION 3, "REQUIREMENTS APPLICABLE TO SPECIFIC LAND USES," SECTION 2.4.3.3, "ALL OTHER USES WITH SPECIFIC REQUIREMENTS," SUBSECTION (a)(33), "LIQUOR STORE (ON PREMISE CONSUMPTION)," BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW

**EXECUTIVE SESSION**

Mayor Williams recessed the meeting into Executive Session at 10:40 a.m. pursuant to the following of the Open Meetings Act:

1. 551.071 (Consultation with Attorney)
2. 551.072 (Deliberations about Real Property)
3. 551.073 (Deliberations about Gifts and Donations)
4. 551.074 (Personnel Matters)

The meeting reconvened to Open Session at 11:32 a.m. Mayor Williams reported no votes or action were taken in Executive Session.

Councilmember Hurt left during the Executive Session.

**REGULAR AGENDA**

10.1. **Resolution:** Voting for an individual on the Board of Directors of the Jones County Appraisal District

Mayor Williams moved to cast all 89 votes for Mr. Seaton Higginbotham. Motion seconded by Councilmember McAlister; motion carried.

AYES (6): Mayor Williams, Mayor Pro-tem Price, and Councilmembers Kreitler, McAlister, Savage, and Albus

NAYS (0): None

ABSENT WHEN VOTE TAKEN: Councilmember Hurt

**Resolution: # 144-2017**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, VOTING FOR THE FOLLOWING INDIVIDUAL TO THE BOARD OF DIRECTORS OF THE JONES COUNTY APPRAISAL DISTRICT OF JONES COUNTY FOR 2017-2018

10.2. **Resolution:** Voting for an individual(s) on the Board of Directors of the Central Appraisal District of Taylor County

Mayor Williams moved to cast all 1,254 votes for Mr. Paul Falade. Motion seconded by Mayor Pro-tem Price; motion carried.

AYES (6): Mayor Williams, Mayor Pro-tem Price, and Councilmembers Kreidler, McAlister, Savage, and Albus

NAYS (0): None

ABSENT WHEN VOTE TAKEN: Councilmember Hurt

**Resolution: # 145-2017**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, VOTING FOR THE FOLLOWING INDIVIDUAL TO THE BOARD OF DIRECTORS OF THE CENTRAL APPRAISAL DISTRICT OF TAYLOR COUNTY FOR 2017-2018

- 10.3. **Resolution:** Appointing Members to various Boards and Commissions per the City Charter - Civil Service Commission

Mayor Williams moved to appoint Rev. Izair Lankford to the Civil Service Commission for a 3-year term. Motion seconded by Councilmember Savage; motion carried.

AYES (6): Mayor Williams, Mayor Pro-tem Price, and Councilmembers Kreidler, McAlister, Savage, and Albus

NAYS (0): None

ABSENT WHEN VOTE TAKEN: Councilmember Hurt

**Resolution: # 146-2017**

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 STATUTES OF THE STATE OF TEXAS

Councilmember Hurt returned to the meeting.

- 10.4. **Oral Resolution:** Discussion and possible action for appointment to the City Secretary position

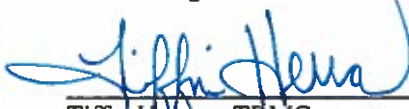
Mayor Williams moved to appoint Ms. Rosa Rios to the position of City Secretary. Motion seconded by Councilmember Savage; motion carried.

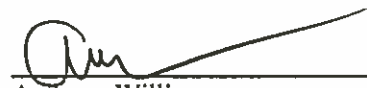
AYES (7): Mayor Williams, Mayor Pro-tem Price, and Councilmembers Kreidler, Hurt, McAlister, Savage, and Albus

NAYS (0): None

**ADJOURNMENT**

There being no further business, the meeting adjourned at 11:40 a.m.

  
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Tiffni Herrera, TRMC  
Interim City Secretary

  
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Anthony Williams  
Mayor