

**CITY COUNCIL MEETING
January 11, 2018 at 4:30 p.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 11, 2018, at 4:30 p.m. in the Council Chambers, 555 Walnut St. Mayor Anthony Williams was present and presiding with Mayor Pro-tem Shane Price, Deputy Mayor Pro-tem Steve Savage, and Councilmembers Bruce Kreitler, Weldon Hurt, Kyle McAlister, and Donna Albus. Also present were City Manager Robert Hanna, City Attorney Stanley Smith, City Secretary Rosa Rios, and various members of the City staff.

EXECUTIVE SESSION

Mayor Williams called the meeting to order and recessed into Executive Session at 4:30 p.m. pursuant to the following of the Open Meetings Act, with the following issues discussed during the closed session:

1. 551.074 (Personnel Matters)
 - a. Any action, if needed, on annual evaluation of the city manager, city attorney, city secretary, and municipal judge (Agenda Item 10.2)
2. 551.087 (Deliberations about business prospects and economic development)
 - a. Hotel Proposals

The meeting reconvened to Open Session at 5:33 p.m. Mayor Williams reported no votes or action were taken in Executive Session.

Councilmember Bruce Kreitler delivered the invocation.

Avery Hymel, 5th grader at Taylor Elementary, led the Pledge of Allegiance to the Flags of the United States of America and the State of Texas.

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS, ANNOUNCEMENTS

- Special Presentation: The 2017 Exemplary Five Star Award to the Abilene-Taylor County Public Health District by the Texas Department of State Health Services was presented to Jo Roberts, City Registrar, by Santos Navarrette, Director of Public Health.
- Recognition, later in the meeting: The appointment of Michael Rice as Interim Assistant City Manager, was announced by City Manager Robert Hanna.

MINUTES

5.1 Approval of minutes from the Regular Called Meeting held December 21, 2017

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

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

NAYS (0): None

CONSENT AGENDA

Items pulled for individual consideration were as follows:

- Councilmember Kreitler: Items 6.1 and 6.4;

Deputy Mayor Pro-tem Savage moved to approve the consent agenda, now consisting of items 6.2 and 6.3. Councilmember Hurt seconded the motion; motion carried.

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

- 6.2. Resolution: Award of Bid #CB-1816 - Old Anson Rd. Overlay Project
[ASSIGNED RESOLUTION NO. 02-2018]
- 6.3. Resolution: Approve purchase of Solid Waste refuse containers
[ASSIGNED RESOLUTION NO. 03-2018]

ITEMS PULLED FROM CONSENT FOR INDIVIDUAL CONSIDERATION

- 6.1 Resolution: Designating Peter K. Norton, M.D. as Medical Director and Health Authority for the Abilene-Taylor County Public Health District and authorizing the City Manager to enter a professional services contract
[ASSIGNED RESOLUTION NO. 01-2018]
Councilmember Kreitler pulled the item.

Staff clarified the (1) non-disclosure language was standard in city contracts and also provided the assurance of non-disclosure of city work product without the city's permission; and (2) Section XIV (NO Indebtedness) of the agreement was standard language.

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

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

- 6.4 Resolution: Approving amendment to Water Supply Contract between the City of Abilene and the View-Caps Water Supply Corporation
[ASSIGNED RESOLUTION NO. 04-2018]
Councilmember Kreitler pulled the item.

Discussion centered on (1) language in Article I, Section N.3, being required by the USDA, with debt issued by the water supply corporation, and once paid, USDA stepping out of it, which essentially allows the water supply corporation to issue water service to more customers; (2) if the water supply corporation went back into debt, it would likely require a new contract versus amending the existing contract.

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

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

REGULAR AGENDA

7.1 Ordinance & Public Hearing: (Final Reading) An ordinance amendment to extend the school zone on Hartford Street near Corsicana Avenue
(ASSIGNED ORDINANCE NO. 01-2018)

Michael Rice, Interim Assistant City Manager, presented the item. The change relocates the school zone flasher from its current location east of Corsicana, to a point 160 feet west of Corsicana Ave. There are no plans to place flashers on Corsicana. Staff agreed to review traffic flow from the area onto Winters Freeway as travelers may not be aware it is a school zone and likely speed through the area.

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

- Kevin Scroggins – spoke in favor of the item
- Ryan Naylor – spoke in favor of the item

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

Deputy Mayor Pro-tem Savage moved to approve the item as presented. Councilmember Albus seconded the motion; motion carried.

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

7.2 Ordinance & Public Hearing: (Final Reading) Amend 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," Declaring a penalty
(ASSIGNED ORDINANCE NO. 02-2018)

Michael Rice, Interim Assistant City Manager, presented the item. With the new site improvements to Bowie Elementary, the existing operation of the one-way street and on street parking will be modified as needed.

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

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

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

7.3 Ordinance: (Final Reading) (Remove From Table) Amending Chapter 32 "Utilities" by inserting a new Article IX: Hauled Liquid Waste

A conflict and abstention from voting was announced for the following, who left the council chamber:

- Deputy Mayor Pro-tem Savage

Mayor Williams moved to remove the item from the table. Deputy Mayor Pro-tem Price seconded the motion; motion carried.

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

NAYS (0): None

ABSTENTION (1): Deputy Mayor Pro-tem Savage

The item was tabled on November 2, 2017, with the public hearing held and closed. Following discussion at that time, the item was to return at a later date with additional proposed edits. Adoption of the item would at this time not provide a specific fee, but be a determination on whether or not the program should proceed.

Rodney Taylor, Director of Water Utilities, presented the item. Discussion centered on additional study required to ensure the proposed initial rate of \$0.08 per gallon of hauled liquid waste would be a break-even point to cover estimated expenses, with no additional staff needed and without any additional subsidization by the city.

Mayor Williams called for speakers. The following individuals addressed the city council:

- Marcus Anderson – spoke in favor of the item
- Diane Wilson – spoke in favor of the item
- Jeremy Sales – spoke on septic tanks and related hauling expenses/city charges
- Tim Yandell – found the item informational
- Kim Martin – spoke in favor of the item
- Doug Offerman – inquired on cash reserve requirements/targets and why stopped in the past
- Cristi Savage – spoke in favor of the item
- Ryan Naylor – spoke in favor of the item
- Bob Thomas – spoke in favor of the item
- Dale Boecker – spoke in favor of the item

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

Additional discussion centered on the city recuperating costs; inherent risks by including hauled liquid waste into the city's system, and the loophole that exists in continuing to accept certain low-risk liquid wastes from two local portable toilet providers.

Councilmember McAlister moved the following:

- deny the item as presented; and
- staff to return with a revised ordinance closing the loophole.

Councilmember Hurt seconded the motion; motion failed.

AYES (3): Councilmembers Albus, Hurt, and McAlister

NAYS (3): Mayor Williams, Mayor Pro-tem Price, and Councilmember Kreitler

ABSTENTION (1): Deputy Mayor Pro-tem Savage

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

AYES (3): Mayor Williams, Mayor Pro-tem Price, and Councilmember Kreitler

NAYS (3): Councilmembers Albus, Hurt, and McAlister

ABSTENTION (1): Deputy Mayor Pro-tem Savage

At 6:52 p.m., the meeting was recessed for a break and reconvened at 6:58 p.m.

7.4 Resolution: Authorizing a System Water Availability Agreement with the Brazos River Authority
[ASSIGNED RESOLUTION NO. 05-2018]

Rodney Taylor, Director of Water Utilities, presented the item. The item provides for purchase of 7,200 acre-feet of raw water annually and made available from the BRA system. Staff clarified “municipal water” is potable water as supplied to Coca Cola. Staff clarified that the City's existing water supply contracts do not explicitly create an interbasin transfer of Possum Kingdom water, and that the City would confer with both the TCEQ and the BRA should interbasin transfers of Possum Kingdom water be contemplated.

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

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

NAYS (0): None

7.5 Ordinance & Public Hearing: (Final Reading) Z-2017-21 A request from Prairie Song LLC, agent eHT, to rezone two (2) tracts of land from PD144 (Planned Development 144) to a combination of MD and MF (Medium-Density Residential and Multi-Family Residential) Districts, located at 2668 Garfield

Conflicts and abstentions from voting were announced for the following:

- Mayor Williams;
- Mayor Pro-tem Price; and
- Councilmember McAlister.

Therefore, Deputy Mayor Pro-tem Savage presided over the item.

Taurus Freeman, Interim Director of Planning & Development Services, presented the item. The proposed change would provide for development apartments and patio homes. Due to a 60.7% opposition, the item required a $\frac{3}{4}$ affirmative vote for adoption. Although access to the property would be addressed under the site plan review process, concern was expressed on limited access to the property as it appears to be landlocked.

Deputy Mayor Pro-tem Savage opened the public hearing. The following addressed the city council:

- BJ Pritchard – provided details of the proposed development
- Nick Coates – spoke in favor of the item
- Carmen Price – spoke in opposition to the item
- David Todd – provided historical information on the initial development of the property
- Mike Rogers – spoke in opposition to the item
- Darrell Sloan – spoke in opposition to the item
- Kris Kowach – provided comparison from what was originally adopted to what is now proposed
- Judd White – spoke in opposition to the item
- Pierce Carpenter – spoke in opposition to the item
- Bobbette Haddock – spoke in opposition to the item
- Tamara Walker – spoke in opposition to the item
- Matt Stevenson – expressed concerns on the proposed development
- Kris Kinnaman – spoke in opposition to the item

With no other speakers coming forward, Deputy Mayor Pro-tem Savage closed the public hearing.

Councilmember Kreidler moved to approve the item as recommended by the Planning and Zoning Commission with the following amendment:

- require a barrier fence to prevent access from Garfield Street to the Multi-Family section except for emergency vehicles; and
- the barrier fence include a gated access for emergency vehicles which is not usable by the general public.

Councilmember Hurt seconded the motion; motion failed.

AYES (3): Councilmembers Kreidler, Albus, and Hurt

NAYS (1): Deputy Mayor Pro-tem Savage

ABSTENTIONS (3): Mayor Williams, Mayor Pro-tem Price, and Councilmember McAlister

- 7.6 Ordinance & Public Hearing: (Final Reading) Z-2017-26 A request from J.R. Team Holdings, LLC, to rezone property from AO (Agricultural Open Space) to RR-1 (Rural Residential), located in the 6800 Block (west side) of East Lake Road
[ASSIGNED ORDINANCE NO. 03-2018]

Taurus Freeman, Interim Director of Planning & Development Services, presented the item. The proposed change would subdivide the property into large, single-family home sites at least one acre in size.

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

- Joseph Team – provided details of the proposed development

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

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

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

7.7 Ordinance & Public Hearing: (Final Reading) Z-2017-27 A request from Weatherbee Construction, agent David Todd/eHT, to rezone property from AO (Agricultural Open Space) to RS-6 (Residential Single Family), located on 5800-5900 blocks (south side) of Autumn Sage Lane
[ASSIGNED ORDINANCE NO. 04-2018]

Taurus Freeman, Interim Director of Planning & Development Services, presented the item. The proposed change would subdivide the property into single-family home sites of at least 6,000 square feet each. Discussion centered on improvements to Autumn Sage for curb and gutter by respective property owner(s).

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

- David Todd – available to answer questions, if any

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

Deputy Mayor Pro-tem Savage moved to approve the item as presented. Councilmember Kreitler seconded the motion; motion carried.

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

7.8 Ordinance & Public Hearing: (Final Reading) Z-2017-28 A request from Prince of Peace Ministries, agent Tal Fillingim/Jacob and Martin, to rezone property from AO (Agricultural Open Space) to PD (Planned Development) allowing certain commercial use(s), located at southeast corner of Maple Street & Hardison Lane
[ASSIGNED ORDINANCE NO. 05-2018]

Taurus Freeman, Interim Director of Planning & Development Services, presented the item. The proposed change would allow certain commercial use(s) including self-service storage. Due to a 23+% opposition, the item required a $\frac{3}{4}$ affirmative vote for adoption. Discussion centered on (1) types of development allowed on the property, with self-storage being an acceptable use but not residential; and (2) additional set back required due location of the gas line along the property area.

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

- Bill Yoes – spoke in opposition to the item
- Tal Fillingim – provided details of the proposed development
- Ken Barbian – provided annexation history within the area
- Timothy Harless – spoke in opposition to the item

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

Mayor Williams moved to approve (re)appointment of the following:

Board	Term End Date
<i>911 Emergency Communications</i>	
Vincent Cantu [New]	September 2018 (Unexpired Term)
<i>Abilene Housing Authority</i>	
Gwendolyn Blount [Reappointment]	November 2019
Roberta Thompson [New]	November 2019
Tim Evans [New]	November 2019
<i>Abilene-Taylor County Child Advocacy Center Advisory Board</i>	
Leslie Boiles [Reappointment]	December 2020
Craig Shaw [Reappointment]	December 2020
Becky Poindexter [Reappointment]	December 2020
Casey Wasson [Reappointment]	December 2020
Martin Hernandez [New]	December 2020
Sherita Nickerson [New]	December 2020
<i>Abilene-Taylor County Public Health Advisory Board</i>	
Tom Perini (Food Industry) [Reappointment]	November 2020
Dr. Lynn Robinson (Physician) [New]	November 2018 (Unexpired Term)
James McCoy (Pharmacist) [Reappointment]	November 2020
<i>Abilene-Taylor County Venue District</i>	
Kyle McAlister (Council Member) [Reappointment]	November 2019
Anthony Williams (Mayor) [Reappointment]	November 2019
<i>Airport Development Board</i>	
Joe Crowder [Reappointment]	November 2020
Gray Bridwell [Reappointment]	November 2020
Cindy Haley-Ramsey [Reappointment]	November 2020
Kathy Keane [Reappointment]	November 2020
Steve Rodrigues [New]	November 2020
<i>Citizen's Advisory Board for People with Disabilities</i>	
JoAnne Fluke (Position 1) [New]	October 2019
Edwin Bumpass (Position 2) [New]	October 2018
Donna Reiff (Position 3) [New]	October 2019
Virginia Zack (Position 4) [New]	October 2018
Sheria Davis (Position 5) [New]	October 2019
Glen K. McGraw (Position 6) [New]	October 2018

Board	Term End Date
<i>CityLink ADA Advisory Board</i>	
Casey Hertel (Regular; Representing the Disabled) [Reappointment]	May 2020
Mary Cooksey (At-Large; Representing Agency) [Reappointment]	May 2020
Mary Kathryn Hill (Alternate) [New]	May 2020
Patsy Daniels (At-Large) [Reappointment]	May 2020
<i>Frontier Texas! Board of Directors</i>	
Caitlyn Richards [New]	February 2019 (Unexpired term)
Alex Terrell Russell [New]	February 2018 (Unexpired Term) and February 2020 (Full Term)
<i>Landmarks Commission</i>	
Jaime Dalzell (Realtor) [Reappointment]	November 2020
Pebbles Lee (Historical Property) [Reappointment]	November 2020
Don Garrett (At-Large, Alternate) [New]	November 2018 (Unexpired term)
<i>Library Board</i>	
Stan Chapman [Reappointment]	November 2019
Dennis Billig [Reappointment]	November 2019
Carrie Casada [Reappointment]	November 2019
Joe Specht [Reappointment]	November 2019
Jose Chavira [New]	November 2019
Silvia Leal [New]	November 2019
<i>Mechanical/Plumbing/Electrical & Swimming Pool Board of Appeals</i>	
Melissa Sparks (Regular; Building Contractor) [Reappointment]	May 2019
Rick Weatherl (Alternate; Architect) [Reappointment]	May 2019
Robert Seballos (Alternate; Electrician) [Reappointment]	May 2019
Bobby Gilbreth (Alternate) [Reappointment]	May 2019
Paula Beall (Alternate; Building Contractor) [Reappointment]	May 2019
Gene Isenburg (Regular; Electrical Contractor) [Reappointment]	May 2019
James Lemon [New]	May 2018 (Unexpired term)
<i>Parks & Recreation Board</i>	
Robyn Wertheim [Reappointment]	May 2020
Leigh Black [Reappointment]	May 2020
Jeff Goodin [Reappointment]	May 2020

Board	Term End Date
<i>Planning & Zoning Commission</i>	
Fred Famble [Reappointment]	November 2020
Izair Lankford [New]	November 2020
<i>Senior Citizens Board</i>	
Cynthia Cooke [Reappointment]	May 2019
Joe Lopez [Reappointment]	May 2019
Sydnye Moore [Reappointment]	May 2019
Sylvia Herrera [New]	May 2019
<i>Visual Arts Jury</i>	
Mike Warren (At-Large; City Representative) [Reappointment]	May 2020
Pam Tippen (At-Large; City Representative) [New]	May 2020
Melissa Noonan (At-Large; City Representative) [New]	May 2020
Joyce Sledge (At-Large, City Representative) [New]	May 2020

Councilmember Kreitler seconded the motion; motion carried.

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

Mayor Williams presented the (re)appointment of members to the Development Corporation of Abilene. At the request of Councilmember Kreitler, the votes for each (re)nominee were taken separately.

Mayor Williams moved to approve reappointment of the following:

Board	Term End Date
<i>Development Corporation of Abilene</i>	
Jack Rich [Reappointment]	November 2020

Councilmember McAlister seconded the motion; motion carried.

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

Mayor Williams moved to approve appointment of the following:

Board	Term End Date
<i>Development Corporation of Abilene</i>	
Vic Corley [New]	November 2018 (Unexpired term)

Councilmember Kreitler seconded the motion; motion carried.

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

Mayor Williams moved to approve appointment of the following:

Board	Term End Date
<i>Development Corporation of Abilene</i> Seaton Higginbotham [New]	November 2019 (Unexpired term)

Councilmember Albus seconded the motion; motion carried.

AYES (6): Mayor Williams, Mayor Pro-tem Price, Deputy Mayor Pro-tem Savage, and Councilmembers Albus, Hurt, and McAlister
NAYS (1): Councilmembers Kreitler

10.2 Oral Resolution: Any action, if needed, on annual evaluation of the city manager, city attorney, city secretary, and municipal judge

Under Section 551.074 (Personnel Matters) of the Open Meetings Act, this item was discussed during the Executive Session, which started at 4:30 p.m. and ended at 5:33 p.m., with no action having been taken at that time.

Mayor Williams moved the following:

- an amendment to City Manager Hanna's contract to provide for a 2.5% pay increase
- a 2.5% pay increase for City Attorney Stanley Smith; and
- a 2.5% pay increase for Municipal Judge Keith Barton;

with an effective date of January 1, 2018. Councilmember Albus seconded the motion; motion carried.


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

ADJOURNMENT

There being no further business, the meeting adjourned at 9:32 p.m.



Rosa Rios, TRMC
City Secretary



Anthony Williams
Mayor

Minutes approved on: January 25, 2018