

CITY COUNCIL MEETING
February 8, 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 February 8, 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 Kreidler, 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. 1. 551.071 (Consultation with Attorney)
 - D) Ruby Flores and Cory Almanza v. Jesus Verastegui, Alfredo Verastegui, Rosalva Verastegui, and City of Abilene, Cause No. 49368-A, 42nd District Court, Abilene, Taylor County, Texas, filed April 13, 2016
 - E) 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
 - G) City of Abilene and Development Corporation of Abilene v. Texas Municipal League Governmental Risk Pool, Cause No. 11018-D In the 350th Judicial District Court, Taylor County, Texas, filed January 9, 2017
 - (I) Case No. 1:17-cv-00121-BL, Ken David Scott, Individually and as Representative of the Estate of Amanda Nicole Scott v. Taylor County, Texas, Sheriff Ricky Bishop, Taylor County Sheriff's Dept., City of Abilene, Texas, John Doe 1-10; In the United States District Court, Northern District of Texas, Abilene Division, filed August 15, 2017

2. 2. 551.072 (Deliberations about Real Property)
 - A) Winn-Dixie/Kmart Building

3. 551.087 (Deliberations about business prospects and economic development)
 - A) Hotel Proposals

With the Executive Session ending early, Mayor Williams reconvened to Open Session at 4:54 p.m. and again recessed the meeting until the scheduled session time of 5:30 p.m. Mayor Williams reported no votes or action were taken in Executive Session.

The meeting reconvened to Open Session at 5:33 p.m.

Councilmember Weldon Hurt delivered the invocation.

Charlie Meeks, 3rd grader at Abilene Christian Church, led the Pledge of Allegiance to the Flags of the United States of America and the State of Texas.

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS, ANNOUNCEMENTS

There were no items under this category.

MINUTES

- 5.1 Approval of the minutes from the Special Called Meeting held January 23, 2018 and Regular Meeting held January 25, 2018

Deputy Mayor Pro-tem Savage moved to approve the minutes 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

CONSENT AGENDA

Item pulled for individual consideration was as follows:

- Councilmember Kreitler: Item 6.1

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. Ordinance: (First Reading) Amending Fee Ordinance for Animal Services Fees and Charges for Fiscal Year 2017-18; and setting a public hearing for February 22, 2018
- 6.3. Resolution: Authorizing the City Manager to hire a civilian Forensic Specialist for the Police Department [ASSIGNED RESOLUTION NO. 13-2018]

ITEM(S) PULLED FROM CONSENT FOR INDIVIDUAL CONSIDERATION

- 6.1 Resolution: Award of Bid #CB-1820 - Industrial Blvd. Rehabilitation Project [ASSIGNED RESOLUTION NO. 12-2018]
Councilmember Kreitler pulled the item.

Staff clarified the warranty on the project is one year, the same as on other projects.

Mayor Pro-tem Price 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

REGULAR AGENDA

- 7.1 Resolution: Ordering a City of Abilene General Election to be held Saturday, May 5, 2018 to elect members to City Council Places 1 and 2
[ASSIGNED RESOLUTION NO. 14-2018]

Rosa Rios, City Secretary, presented the item. There was no discussion on the item.

Deputy Mayor Pro-tem Savage moved to approve the item as presented. 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

- 7.2 Resolution: Ordering a City of Abilene Special Election to be held Saturday, May 5, 2018, for Street Maintenance Fees
[ASSIGNED RESOLUTION NO. 15-2018]

Rosa Rios, City Secretary, presented the item. City Manager Hanna outlined the particulars of the proposition, to read: "*Do you support the creation of a street maintenance fee for the purpose of repairing and maintaining City streets?*" City Attorney Smith clarified the proposition being presented by the city was worded to provide voters to support or not support an initiative as the city cannot present an initiative that authorizes the appropriation of monies. The information to be presented by the city is to include a draft of the ordinance that would be accomplished should it be presented for consideration by the city council.

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

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

- 7.3 Resolution: Authorizing a joint election agreement and contract for election services with Taylor County for a general election and special election to be held Saturday, May 5, 2018, and authorizing the extension of this contract to cover a runoff election, if needed
[ASSIGNED RESOLUTION NO. 16-2018]

Rosa Rios, City Secretary, presented the item. There was no discussion on the item.

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

- 7.4 Ordinance & Public Hearing: (Final Reading) Z-2018-01 A request from Chisholm Exploration, agent eHT, to rezone property from Residential Single Family/Corridor Overlay (RS-8/COR) to Neighborhood Office/Corridor Overlay (NO/COR) located at 5649 Buffalo Gap Road
[ASSIGNED RESOLUTION NO. 07-2018]

Taurus Freeman, Director of Planning & Development Services, presented the item. The change would allow the building of a new neighborhood office development. Staff confirmed the hours of operation were 6 a.m. through 11 p.m.

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

Councilmember Kreitler 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

- 7.5 Ordinance & Public Hearing: (Final Reading) Z-2018-02 A request from Compass Bank, agent Jason Link/Stantec, to rezone property from a combination of General Retail/Corridor Overlay and Office/Corridor Overlay (GR/COR and O/COR) to General Retail/Corridor Overlay (GR/COR) located at 6301 Buffalo Gap Road
[ASSIGNED ORDINANCE NO. 08-2018]

Taurus Freeman, Director of Planning & Development Services, presented the item. The change would allow the building of a new retail development to include fuel sales.

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

- John Rose – representing the applicant

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

Deputy Mayor Pro-tem Savage 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

- 7.6 Ordinance & Public Hearing: (Final Reading) TC-2018-01 A request from Christopher Eddleman, to abandon a portion of the west end of Ward Drive between Rivercrest Drive and Elm Creek. Ward Drive being a 50' right-of-way extending approximately 230'+/- west from Rivercrest Drive
[ASSIGNED ORDINANCE NO. 09-2018]

Taurus Freeman, Director of Planning & Development Services, presented the item. The proposed change would authorize the abandonment of 50-foot wide dead-end segment of public right-of-way for Ward Drive extending approximately 230 feet west from Riverside Drive and terminating at high bank of elm Creek ravine.

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

- Phil Guitar – 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 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

7.7 Presentation: Discussion on Reconfiguration of N. 3rd St. and N. 4th St.

Andy Anderson, Interim Director of Public Works presented the item. The reconfiguration affects the flow of traffic on N. 3rd St. and N. 4th St. by removing the existing islands and one-way loop connector streets West of Mulberry St. as well as changing portions of N. 3rd St. and N. 4th St. to one-way traffic roads. City Manager Hanna reported public discussions were not held to date as city council consensus was sought prior to doing that. Following discussion, the consensus of the city council was for staff to reach out to affected stakeholders, and bring back an item for consideration.

7.8 Discussion: Potential amendment to the City of Abilene Land Development Code: Section 4.2.1.2, General Parking and Loading Requirements

Taurus Freeman, Interim Director of Planning & Development Services, presented the item. Discussion centered on ways to address the parking of utility commercial vehicles in residential districts. While the Land Development Code prohibits the parking of commercial vehicles that are over one and one-half (1-1/2) ton manufactured capacity in residential subdivisions, the Texas Transportation Code does not prohibit such parking for the purpose of utility services by an employee that is on call 24-hours a day. The consensus of the city council was for staff to explore what the 10 peer cities do and return with proposed changes (language) that can be modified. Staff will further provide a recommendation.

REGULAR AGENDA

10.1 Resolution: Appointing Members to various Boards and Commissions per the City Charter [ASSIGNED RESOLUTION NO. 17-2018]

Councilmember Hurt moved to approve (re)appointment of the following:

Board (Month of Term End)	Term End Date
<i>911 Emergency Communications</i> DeWayne Bush [Reappointment]	September 2019
<i>Board of Adjustment</i> Mitch Barnett (Alternate) [New]	November 2019

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

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

The item was not considered.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:42 p.m.



Rosa Rios, TRMC
City Secretary



Anthony Williams
Mayor

Minutes approved on:

February 22, 2018