

CITY COUNCIL MEETING
May 10, 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 May 10, 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, Donna Albus, Weldon Hurt, and Kyle McAlister. 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, as listed under the noted agenda item:

- 27. 551.071 (Consultation with Attorney)
 - (6) 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

- 27. 551.072 (Deliberations about Real Property)
 - (1) Weatherbee Development and Dyess Air Force Base

- 27. 551.074 (Personnel Matters)
 - (1) Any action, if needed, on annual evaluation of the city secretary and municipal judge (Agenda Item 29 – city secretary and municipal judge)

- 27. 551.087 (Deliberations about business prospects and economic development)
 - (1) Hotel Proposals

The closed session ended at 5:23 p.m. after which the City Council recessed and reconvened to Open Session at 5:30 p.m., as noted on the posted agenda. Mayor Williams reported no votes or action were taken in Executive Session.

Brendan Lambert, 8th grader at Craig Middle School, delivered the invocation and led the Pledge of Allegiance to the Flags of the United States of America and the State of Texas.

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS, ANNOUNCEMENTS

- Proclamations
 - Bicycle Awareness Month and Ride of Silence Day was accepted by Mark Spurlock with the Steamboat Cycling Club
 - National Salvation Army Week was accepted by Shelley Futrelle, Public Relations and Community Development Director of the Salvation Army of Abilene
 - Destination Imagination Teams Day was accepted by Kim Cheek, Wylie ISD Destination Imagination Director
 - National Hospital Week was accepted by Delores Cox, Abilene Regional Medical Center Director of Marketing

MINUTES

4. Approval of the minutes from the Regular Meeting held April 26, 2018

Deputy Mayor Pro-tem Savage moved to approve the minutes 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

CONSENT AGENDA

Items pulled for individual consideration were as follows:

- Deputy Mayor Pro-tem Savage: Item 5

Deputy Mayor Pro-tem Savage moved to approve the consent agenda, now consisting of items 6-9. 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. Resolution: Authorizing combined purchases of water meters, parts, and services from Aqua Metric [ASSIGNED RESOLUTION NO. 64-2018]
7. Resolution: Authorizing the City Manager to hire two shelter attendants for Abilene Animal Services [ASSIGNED RESOLUTION NO. 65-2018]
8. Resolution: DCOA's Phase I Development of the Access Business Park and Contract with Epic Construction [ASSIGNED RESOLUTION NO. 66-2018]
9. Resolution: Adopting names of Internal access ways for 911 and other addressing purposes on the Texas State Technical College campus. [ASSIGNED RESOLUTION NO. 67-2018]

ITEM PULLED FROM CONSENT FOR INDIVIDUAL CONSIDERATION

5. Resolution: Authorizing combined purchases of pumps, parts, and services from Pierce Pump Company [ASSIGNED RESOLUTION NO. 63-2018]

Deputy Mayor Pro-tem Savage pulled the item.

Deputy Mayor Pro-tem Savage inquired about the City's vendor selection process (local versus non-local). Staff clarified the competitive bid process is used for standardized parts; and the City does give preference to local vendors when possible.

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

Note: Agenda item 16 and 17 were considered at this time. The details of action taken are available within those items.

REGULAR AGENDA

10. Ordinance & Public Hearing: (Final Reading) OAM-2018-01 A request to amend Abilene's Land Development Code (LDC) regarding Section 3.1.1.3 in Chapter 3, Article 1 and pertaining to subdivision procedures and, specifically, concerning exemptions from platting requirements on certain properties adjoining Lake Ft. Phantom Hill
[ASSIGNED ORDINANCE NO. 22-2018]

Michael Rice, Assistant City Manager, presented the item. Adoption of the item would allow the six existing leaseholders at Lake Ft. Phantom Hill properties to purchase those homes and their continued use of on-site sewerage (septic) facilities for wastewater disposal.

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

Councilmember Krietler 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

11. Ordinance & Public Hearing: (Final Reading) SNC-2018-01 A request from LTG Real Estate Group, Agent eHT to change the name of Corley Drive to Cason Way as it extends east to west from Plum Street to West Lake Road (aka FM 600)
[ASSIGNED ORDINANCE NO. 23-2018]

Ken Flynn, Interim Director of Planning & Development Services, presented the item. Adoption of the item would allow the name change from Corley Drive to Cason Way. Signage would be installed once the name change is adopted and the property is developed.

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

- David Todd, applicant – clarified the street has been there three years; and signage was on hold until the name change was accomplished

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

12. Ordinance & Public Hearing: (Final Reading) TC-2018-03 A request from Hardin Simmons University, agent Jacob and Martin, to abandon the portion of Sandefer Street running west to east between Pine Street and Walnut Street
[ASSIGNED ORDINANCE NO. 24-2018]

Ken Flynn, Interim Director of Planning & Development Services, presented the item. Adoption of the item would abandon a 30-foot-wide street pavement presently lying within the segment of Sandefer Street's right-of-way.

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

- Tal Fillingham – outlined the purpose of the abandonment and 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. 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

13. Ordinance & Public Hearing: (Final Reading) Z-2018-08 A request from Edwin and Martin McDonald, to amend the terms and conditions of PD95 (Planned Development 95) to allow for the permanent placement and use of Recreational Vehicles (RV's) within the Planned Development located at 402 Arnold Boulevard
[ASSIGNED ORDINANCE NO. 25-2018]

Ken Flynn, Interim Director of Planning & Development Services, presented the item. Adoption of the item would allow permanent placement and occupancy of Recreation Vehicles (RV's) within the existing manufactured (mobile) home park. Non-mobile or dilapidated RV's are treated as junk vehicles. Enforcement is difficult as an RV could be moved from place to place within the permitted property.

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

14. Ordinance & Public Hearing: (Final Reading) Z-2018-09 A request from Jonathan and Jared Sharp to rezone property from Residential Single-Family/Corridor Overlay (RS-8/COR) to Neighborhood Office/Corridor Overlay (NO/COR) located at 5629 Buffalo Gap Road
[ASSIGNED ORDINANCE NO. 26-2018]

Ken Flynn, Interim Director of Planning & Development Services, presented the item. Adoption of the item would allow conversion of the property for occupancy by offices and/or personal services.

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. Councilmember McAlister 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 (0): None

ABSENT WHEN VOTE TAKEN (1): Councilmember Hurt

The City Council recessed the meeting for a short break at 6:39 p.m. and reconvened at 6:47 p.m.

15. Ordinance & Public Hearing: (Final Reading) Z-2018-10 A request from Barbara Tucker, to rezone property from Agricultural Open Space/Corridor Overlay (AO/COR) and Residential Single-Family/Corridor Overlay (RS-8/COR) to General Retail/Corridor Overlay (GR/COR), and a Conditional Use Permit (CUP) to allow for an Automobile Wash on the same properties located at 6110 and 6118 Buffalo Gap Road
[ASSIGNED ORDINANCE NO. 27-2018]

Zack Rainbow, Planning Services Manager Planning & Development Services, presented the item. Adoption of the item would (1) rezone the property and (2) allow automobile car wash on the properties. Permitting use of portable signs would require a decision at another meeting as well as a formal review/approval process.

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

- Ed Emerson, developer – overview of service to be provided

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

Mayor Pro-tem Price 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 (0): None

ABSENT WHEN VOTE TAKEN (1): Councilmember Hurt

16. Resolution: (Remove from Table) Authorizing the City Manager to Execute a Lease Agreement with the Abilene Youth Sports Authority (AYSA)
[ASSIGNED RESOLUTION NO. 68-2018]

Mayor Pro-tem Price moved to remove the item from the table. 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

Howdy Wayne Lisenbee, Director of Facilities & Capital Improvements, presented the item. Adoption of the item would provide for a lease agreement between the City and Abilene Youth Sports Authority (AYSA) for construction of a youth sports facility at Grover Nelson Park. Staff clarified the City would maintain all infrastructure (water, sewer, streets to/from, and some parking maintenance). Landscape items would be the responsibility of the lessee.

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

17. Resolution: (Remove from Table) Authorizing the City Manager to execute a Professional Services Agreement with Jacob & Martin for site work in support of the Abilene Youth Sports Authority project at Nelson Park
[ASSIGNED RESOLUTION NO. 69-2018]

Mayor Pro-tem Price moved to remove the item from the table. 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

Howdy Wayne Lisenbee, Director of Facilities & Capital Improvements, presented the item. Adoption of the item would meet the City's requirement, resulting from the adoption of the lease agreement with AYSA (Agenda Item 16 above), to participate in the site and civil improvements necessary to support the successful construction and operation of the youth sports facility at Grover Park.

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

18. Resolution: Authorizing the award of Bid No. CB-1837 (Sale of Land, 401 Plum St.) to YUMS, Inc.
[ASSIGNED RESOLUTION NO. 70-2018]

Howdy Wayne Lisenbee, Director of Facilities & Capital Improvements, presented the item. Adoption of the item would authorize the sale of 401 Plum to the highest bidder, YUMS, Inc.

Deputy Mayor Pro-tem Savage moved to approve the item as presented. Councilmember Albus 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 (0): None

ABSENT WHEN VOTE TAKEN (1): Councilmember Hurt

19. Resolution: (Remove from Table) Expressing official intent to reimburse costs of Park and Recreational Improvements
[ASSIGNED RESOLUTION NO. 71-2018]

Mayor Pro-tem Price moved to remove the item from the table. Deputy Mayor Pro-tem Savage 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 (0): None

ABSENT WHEN VOTE TAKEN (1): Councilmember Hurt

Mike Rains, Director of Finance, presented the item. Adoption of the item would allow the City to reimburse itself when bonds are issued for costs incurred for the construction of the sports complex at Nelson Park.

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

AYES (5): Mayor Williams, Mayor Pro-tem Price, Deputy Mayor Pro-tem Savage and Councilmembers Albus, and McAlister

NAYS (1): Councilmember Kreitler

ABSENT WHEN VOTE TAKEN (1): Councilmember Hurt

20. Resolution & Public Hearing: Authorizing the Mayor to execute the Oil & Gas Drilling Permit with Teal Exploration, LLC for "El Guapo #2" located at 3350 N. Clack St.
[ASSIGNED RESOLUTION NO. 72-2018]

Andy Anderson, Interim Director of Public Works, presented the item. Adoption of the item would authorize the issuance of a drilling permit within property located in the vicinity of Elm Creek and US 83/84 north of Interstate 20. Councilmember Kreitler requested he be informed when the BPO testing is being conducted so that he can attend.

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. Mayor Pro-tem Price 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 (0): None

ABSENT WHEN VOTE TAKEN (1): Councilmember Hurt

21. Resolution: Authorizing the award of Bid #CB-1836 SODA Roadway Improvements Phase II to Contract Paving Co.
[ASSIGNED RESOLUTION NO. 73-2018]

Andy Anderson, Interim Director of Public Works, presented the item. Adoption of the item would authorize the bid award to Contract Paving Co. for the mill and overlay of S. 3rd St. from Oak St. to S. Treadaway Blvd., S. 6th St. from Butternut St. to S. Treadaway Blvd., Chestnut St. from S. 7th St. to S. 1st St., and Oak St. from S. 7th St. to S. 1st St.

Mayor Pro-tem Price 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 (0): None

ABSENT WHEN VOTE TAKEN (1): Councilmember Hurt

22. Resolution: Authorizing the award of Bid #CB-1840 Central Business District West Side Rehabilitation Project to Bontke Brothers Construction Co., Inc.
[ASSIGNED RESOLUTION NO. 74-2018]

Andy Anderson, Interim Director of Public Works, presented the item. Adoption of the item would authorize the bid award to Bontke Brothers construction Co., Inc. to the rehabilitation of N. 2nd St., N. 3rd St., N. 4th St., & N. 5th St. from Grape St. to Hickory St. also for the rehabilitation is Mulberry St. from N. 1st St. to N. 6th St. The contract also includes a mill and overlay section on N. 6th St. from Grape St. to Hickory St., Beech St. and Orange St. from N. 1st St. to N. 6th St., and Hickory St. from N. 1st St. to N. 3rd St., including curb and gutter, valley gutters, and curb ramps. Staff confirmed that any changes in the number of lanes of travel for vehicles would be brought to the City Council for approval before instructing contractor to make such changes.

Deputy Mayor Pro-tem Savage moved to approve the item as presented. Mayor Pro-tem Price 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 (0): None

ABSENT WHEN VOTE TAKEN (1): Councilmember Hurt

23. Resolution: Authorizing the City Manager to execute an Advance Funding Agreement for a Transportation Alternatives Set-Aside (TASA) Program Project with the Texas Department of Transportation for construction of various sidewalks, pedestrian signal enhancements, ADA ramps and safe access to bus stops [ASSIGNED RESOLUTION NO. 75-2018]

Andy Anderson, Interim Director of Public Works, presented the item. Adoption of the item commits the City to providing a local funding match of at least 50% of the allowable costs of the project. City Manager Hanna stated he would meet with the Chair of the new Citizens Advisory Board for People with Disabilities about the planning stages for this project to ensure the City considered their needs before bidding of the project(s).

Deputy Mayor Pro-tem Savage moved to approve the item as presented. Mayor Pro-tem Price 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 (0): None

ABSENT WHEN VOTE TAKEN (1): Councilmember Hurt

24. Resolution: Authorizing expenditures of up to \$111,820 as budgeted for FY-2018 under the terms of an agreement entered into with TIBH Industries (Goodwill West Texas), executed on August 15, 2017 and in effect for 3 years [ASSIGNED RESOLUTION NO. 76-2018]

Andy Anderson, Interim Director of Public Works, presented the item. Adoption of the agreement provides for mowing, weed eating and litter removal in various designated rights-of-way.

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

AYES (5): Mayor Williams, Mayor Pro-tem Price and Councilmembers Kreitler, Albus, and McAlister

NAYS (1): Deputy Mayor Pro-tem Savage

ABSENT WHEN VOTE TAKEN (1): Councilmember Hurt

25. Resolution: Authorizing the City Manager to execute a contract with Schindler Elevator Corporation to repair Exterior Escalators and establish a preventive maintenance contract for up to three years [ASSIGNED RESOLUTION NO. 77-2018]

Don Green, Director of Transportation Services, presented the item. Adoption of the contract provides for repair of the Airport Terminal's two exterior escalators to like-new condition.

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

AYES (5): Mayor Williams, Mayor Pro-tem Price, Deputy Mayor Pro-tem Savage and Councilmembers Kreitler and McAlister

NAYS (1): Councilmember Albus

ABSENT WHEN VOTE TAKEN (1): Councilmember Hurt

26. Resolution: Repealing Resolution 1-2009 and authorizing the creation of an infill development program and corresponding economic development incentives
[ASSIGNED RESOLUTION NO. 78-2018]

Robert Hanna, City Manager, presented the item. Adoption of the item would authorize (1) repeal of the current infill development program; and (2) establish a new infill development program which includes certain incentives.

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

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

NAYS (0): None

ABSENT WHEN VOTE TAKEN (1): Councilmember Hurt

28. Resolution: Appointing members to various Boards & Commissions per the City Charter
[ASSIGNED RESOLUTION NO. 79-2018]

Deputy Mayor Pro-tem Savage moved to approve (re)appointment of the following:

Board	Term End Date
<i>Board of Adjustment</i>	
Bob Thomas (Alternate) [New]	November 2018 [Unexpired]
<i>Landmarks Commission</i>	
James Wagstaff (Rep. Abilene Preservation League) [New]	November 2020 [Unexpired]
<i>Library Board</i>	
Christine Curtis-Carr [New]	November 2019 [Unexpired]
<i>Office of Neighborhood Services Advisory Board</i>	
Kenneth Bowles (At-Large) [New]	November 2018 [Unexpired]

Mayor Pro-tem Price seconded the motion; motion carried.

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

NAYS (0): None

ABSENT WHEN VOTE TAKEN (1): Councilmember Hurt

29. Resolution: Any action, if needed, on the annual evaluation for the city secretary and municipal judge

Earlier in the meeting, under Section 551.074 (Personnel Matters) of the Open Meetings Act, the item was discussed during the Executive Session, which started at 4:30 p.m. and ended at 5:23 p.m. No action was taken at that time.

The item was not considered.

PUBLIC COMMENT

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

ADJOURNMENT

There being no further business, the meeting adjourned at 7:55 p.m.



Rosa Rios, TRMC
City Secretary



Anthony Williams
Mayor

Minutes approved on: MAY 24, 2018