

CITY COUNCIL MEETING
November 1, 2018 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 1, 2018, at 8:30 a.m. in the Council Chambers, 555 Walnut St. Mayor Anthony Williams was present and presiding with Mayor Pro-tem Kyle McAlister and Councilmembers Shane Price, Donna Albus, and Weldon Hurt. Deputy Mayor Pro-tem Steve Savage and Councilmember Jack Rentz were absent. Also present were City Manager Robert Hanna, City Attorney Stanley Smith, City Secretary Rosa Rios, and various members of the City staff.

Councilmember Price delivered the invocation.

Jaden Price, 4th grader at Texas Leadership Charter Academy, led the Pledge of Allegiance to the Flag of the United States of America and the State of Texas Flag.

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS, ANNOUNCEMENTS

- Employee Service Awards
 - Jeanne “Fay” Parks, Police Department – 30 Years
- Announcements
 - Deputy City Secretary Shawna Atkinson, newly hired, was introduced.
 - Planning & Development Services Director Mike Warrix, newly hired, was introduced later in the meeting

CONSENT AGENDA

The Consent Agenda consisted of items 3 and 4.

Item pulled for individual consideration was as follows:

- Councilmember Price: Item 4

Councilmember Hurt moved to approve the consent agenda, now consisting of item 3. Councilmember Albus seconded the motion; motion carried.

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

NAYS (0): None

ABSENT (2): Deputy Mayor Pro-tem Savage and Councilmember Rentz

3. Resolution: Awarding Fuel Purchases to Various Vendors
[ASSIGNED RESOLUTION NO. 176-2018]

ITEM PULLED FROM CONSENT FOR INDIVIDUAL CONSIDERATION

4. Resolution: Approving Task Order 1 with Corgan under the Architectural Services Contract for Airport Fire Station Renovation Design
[ASSIGNED RESOLUTION NO. 177-2018]
The item was pulled by Councilmember Price

At Councilmember Price's inquiry, staff clarified (1) the Alternate Scope of Work identified in the proposed contract would be reviewed at the time the project is at 80% of design and could be bid out as alternate scope of service(s) depending on funding availability, with any bid award returning for City Council approval; and (2) no asbestos report was needed for the fire station as asbestos materials were not used at that point in time.

Councilmember Price moved to approve the item as presented. Councilmember Hurt seconded the motion; motion carried.

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

NAYS (0): None

ABSENT (2): Deputy Mayor Pro-tem Savage and Councilmember Rentz

REGULAR AGENDA

5. Resolution: Awarding Bid for the Kirby Lake Dam, Fort Phantom Hill Dam, and Lake Abilene Miscellaneous Repairs Project
[ASSIGNED RESOLUTION NO. 178-2018]

Rodney Taylor, Director of Water Utilities, presented the item. Adoption of the item would award the bid to Bontke Brothers Construction Company in the amount of \$3,464,900. The dams, spillways, and levees of each of Lake Abilene, Lake Fort Phantom Hill, and Lake Kirby must be operated and maintained in accordance with 30 TAC Chapter 299 Dams and Reservoirs. The scope of work would repair identified deficiencies that must be corrected in order to maintain the integrity of the facilities and avoid receiving notice of violations. Staff reported (1) every effort would be made to preserve as much habitation as possible; and (2) discussions held with the Texas Department of Transportation to implement access to Antilley but they found it was not cost effective based on anticipated use.

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

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

NAYS (0): None

ABSENT (2): Deputy Mayor Pro-tem Savage and Councilmember Rentz

6. Resolution: Authorizing a Professional Services Contract for the Administration of the AMR/AMI Water Meter Replacement Project
[ASSIGNED RESOLUTION NO. 179-2018]

Rodney Taylor, Director of Water Utilities, presented the item. Adoption of the item would award the contract to Enprotec/Hibbs & Todd, Inc. in the amount not to exceed \$150,000 who would work on behalf of the City to manage the Public Improvement Project and administrate the contracts related to the project including responding to requests for information, providing project oversight, making field inspections (not RPR), evaluating payment requests, and coordinating with the Texas Development Board for invoice review and approval for payments.

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

- David Swart – not opposed to the project but concerned about the life expectancy of the meters being used

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

AYES (5): Mayor Williams, Mayor Pro-tem McAlister, and Councilmembers Price, Albus, and Hurt
NAYS (0): None
ABSENT (2): Deputy Mayor Pro-tem Savage and Councilmember Rentz

7. Resolution: Authorizing Second Amendment to Water Supply Agreement and Infrastructure and Improvements Contract with the City of Ballinger.
[ASSIGNED RESOLUTION NO. 180-2018]

Rodney Taylor, Director of Water Utilities, presented the item. Adoption of the item would authorize the City Manager to execute the above-noted agreement and contract, which are interdependent and have no financial impact to the city. The second amendment to each removes language requiring that the Colorado River Municipal Water District (CRMWD) approve of the amended contract between the City of Ballinger and the Millersview-Doole water supply contract as it was determined CRMWD approval was not necessary.

Councilmember Hurt moved to approve the item as presented. Councilmember Price seconded the motion; motion carried.

AYES (5): Mayor Williams, Mayor Pro-tem McAlister, and Councilmembers Price, Albus, and Hurt
NAYS (0): None
ABSENT (2): Deputy Mayor Pro-tem Savage and Councilmember Rentz

8. Ordinance: (First Reading) OAM-2017-03 Repealing Chapter 23, Subpart C, "Signs and Billboards," of the Code of Ordinances, and Amending Chapter 4, Article 2, Division 8, "Sign Regulations," of the Local Development Code, providing a severability clause, declaring a penalty, and setting a public hearing for November 15, 2018

Zack Rainbow, Assistant Director of Planning and Development Services, presented the item. Adoption of the item would modify the City's sign ordinance to comply with the U.S. Supreme Court's decision in *Reed v. Town of Gilbert* as well as bring it into compliance with Texas Local Government Code provisions. Specifically, the amendments provide for the relocation, reconstruction or removal of any sign under circumstances that do not require compensation or the creation of a Municipal Board on Sign Control. Exceptions were detailed. The proposed changes were approved by the Planning and Zoning Commission.

Staff responded to several questions and observations voiced by Councilmember Price, which had been provided to staff well in advance of the meeting; some of which would need to be addressed at the final reading of the proposed ordinance. Mayor Williams announced the public hearing and final reading were scheduled for the November 15, 2018 City Council Meeting. Staff confirmed future changes were needed to the sign ordinance as a whole and that those changes would be addressed in the future. The changes currently being presented would ensure compliance with State regulations.

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

AYES (5): Mayor Williams, Mayor Pro-tem McAlister, and Councilmembers Price, Albus, and Hurt
NAYS (0): None
ABSENT (2): Deputy Mayor Pro-tem Savage and Councilmember Rentz

9. Resolution: Authorizing City Manager to Enter Into Agreement with HillCo Partners, LLC for State Legislative Services
[ASSIGNED RESOLUTION NO. 181-2018]

Robert Hanna, City Manager, presented the item. Adoption of the item would authorize a contract with HillCo Partners, LLC in the amount of \$84,000 annually plus expenses with extensions executable by the city manager. HillCo Partners, LLC would provide legislative and regulatory consultation to assist with state legislative issues.

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

AYES (5): Mayor Williams, Mayor Pro-tem McAlister, and Councilmembers Price, Albus, and Hurt
NAYS (0): None
ABSENT (2): Deputy Mayor Pro-tem Savage and Councilmember Rentz

PUBLIC COMMENTS

Mayor Williams opened the public comment period. The following individuals addressed the city council:

- David Swart – explained the type of applicable wattage on different lighting, complained about street conditions and mentioned the centennial celebration of Armistice Day
- Gary Goodloe – expressed eight year concern on the road condition of Rain Dance Circle in the Ft. Phantom area, lack of contact by street department, and access to the dam

With no other speakers coming forward, the public comment period was closed.

EXECUTIVE SESSION

Mayor Williams recessed into Executive Session at 9:47 a.m. pursuant to the following of the Open Meetings Act, with the following issues discussed during this session, as listed on the agenda and authorized by the noted Texas Government Code Section:

- 10.B 551.072 (Deliberations about Real Property)
1. The Cotton Warehouse
 2. Proposed utility easement off of North Danville Drive

The Executive Session ended at 10:18 a.m. and reconvened to Open Session. Mayor Williams reported no votes or action were taken in Executive Session.

REGULAR AGENDA

11. Resolution: Appointing Members to various Boards and Commissions per the City Charter
[ASSIGNED RESOLUTION NO. 182-2018]

Mayor Pro-tem McAlister moved to (re)appoint the following.

Board	Term End Date
<i>Development Corporation of Abilene</i>	
Vic Corley [Reappointment]	November 2021
Sam Vinson [New]	November 2021

Councilmember Price seconded the motion; motion carried.

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

NAYS (0): None


ABSENT (2): Deputy Mayor Pro-tem Savage and Councilmember Rentz

ADJOURNMENT

There being no further business, the meeting adjourned at 10:19 a.m.



Rosa Rios, TRMC
City Secretary



Anthony Williams
Mayor

Minutes approved on: November 15, 2018