
PLANNING & ZONING COMMISSION

February 25, 2008

Minutes

Members Present: Bruce Bixby
Ovelia Campos
Lydia M. Long
Tim McClarty
Clint Rosenbaum
David Todd

Members Absent: Fred Famble

Staff Present: Evalin McClain
Jon James, Director of Planning and Development Services
T. Daniel Santee, City Attorney
Melvin Martin, Chief of Police
David Wright, Director of Finance
Paul Knippel, Director of Public Works
Ken Dozier, Fire Chief
Edward S. McRoy, Assistant Director of Planning and Development Services
Don Green, Airport Manager
Tony Neitzler, Assistant Director of Community Service
Jim Berry, Assistant Chief of Police
Odis Dalton, Assistant Director, Finance
A.C. Alrey, Economic Development
Zack Rainbow, Planner I
Reginald Sampson, Transportation Planner
JoAnn Sczech, Executive Secretary (Recording)

Media Present: Darcy Dupree, KRBC

Item One: Call to Order

Ms. Ovelia Campos called the meeting to order at 5:35 p.m. and declared a quorum present.

Item Two: Invocation

Mr. Clint Rosenbaum gave the invocation.

Ms. Campos read the opening statement for the Planning and Zoning Commission.

Item Three: Plats

Zack Rainbow presented information regarding the plat listed on the agenda. One (1) plat is being submitted for consideration by the Commission (FP-3507). Mr. Rainbow stated that staff is recommending approval of this plats as it meets Subdivision Regulation requirements.

Mr. Bixby asked if this is a situation were there were no sidewalks before but sidewalks will now be required.

Mr. Rainbow stated that sidewalks will be required as a result of approval of this plat.

Ms. Campos opened the public hearing and asked if anyone wished to speak regarding any of the plats being presented for approval. No one come forward and the public hearing was closed.

Dr. Long moved to approve FP-3507. Mr. Rosenbaum seconded the motion and the motion carried by a vote of four (4) in favor (Bixby, Campos, Long and Rosenbaum); one (1) abstention (Todd); and, none (0) opposed.

Item Five: Action Items

a. Presentation and report on the 2008-2012 Capital Improvements Program.

Mr. Ed McRoy presented information regarding the 2008-2012 Capital Improvements Program. The Commissioners were provided with a three-ring binder containing detailed information (in the draft stage) regarding the CIP Program.

Mr. McRoy reviewed the five year CIP Program that identifies capital needs throughout the city and addresses the timing and financing of these projects. CIP projects are long-term projects that involve significant costs. Year one (2008) is the “capital year” and projects listed for this year will have actual dollar amounts assigned. Years 2009-2012 are placed in the plan for planning purposes to integrate projects. CIP recommendations from the Planning and Zoning Commission will be forwarded to the City Manager for his consideration. The City Manager’s recommendations will be forwarded to the City Council. The Council will hold a public hearing and the Council is scheduled to consider the CIP program on March 27, 2008 and take action on the CIP program on April 10, 2008.

Mr. McRoy stated that approximately \$2 million dollars are available for CIP projects this year. The breakdown of CIP projects is as follows: (1) municipal facilities; (2) transportation and drainage; (3) parks; (4) public safety; and (5) other (staff has no project recommendations at this time). Mr. McRoy highlighted some of the upcoming projects in the CIP.

Mr. McRoy provided the Commissioners with a map indicating the areas for funded and unfunded projects. Mr. McRoy stated that one major change from the Commission’s last review is the inclusion in 2008 of a “contingency fee” of \$57,500 has been included in the CIP. These dollars had originally been included in the 2009 CIP year. The Finance Department suggested that these funds be utilized as contingency dollars in the 2008 CIP to reduce any potential impacts caused by cost variations on current projects.

The 2008 CIP program includes 14 projects amounting to approximately \$2.4 million dollars. Of these 14 projects, six (6) projects are “new” projects representing 23.2% of available funds in this year.

Mr. Todd asked the disposition of sidewalks along the reconstructed streets (where sidewalks do not currently exist).

Mr. McRoy responded that staff has endeavored to incorporate sidewalk construction into the CIP street projects (corresponding to the Sidewalk Master Plan). Sidewalk costs have been incorporated into all projects on the unfunded list.

Dr. Long asked where funds would be obtained to install sidewalks.

Mr. McRoy stated that staff does have a proposal: On project 4020-0407, Industrial Boulevard reconstruction, rather than reconstructing Industrial Boulevard that project be redefined as a sidewalk construction project. This would become a recurring program – as are ADA ramps, intersection pavements, etc.

Mr. Bixby asked if Item 4020-07, Industrial Boulevard reconstruction, was intended for sidewalks.

Mr. McRoy stated that none of the funded projects include sidewalks costs incorporated within the project cost. When this was last presented to the Planning and Zoning Commission, this had not been done. Obviously to pay for the sidewalks after the fact now would require reevaluating the projects and possibly changing some of the phasing of projects of streets and pushing them back in time.

Mr. Bixby stated that the issue on which he is unclear is the recommendation to complete the Industrial Boulevard reconstruction and then reclassify the \$600,000 in the future or to forego the Industrial Boulevard reconstruction.

Mr. McRoy stated that the recommendation is to forego the Industrial Boulevard reconstruction and move this project to the unfunded list. This project would be reevaluated next year during the CIP process.

Mr. Bixby asked if it is correct that in this case staff is recommending that sidewalks would be more important than the reconstruction of Industrial Boulevard.

Mr. McRoy stated that this would be in keeping with the City's current policy on street reconstruction.

Mr. Paul Knippel, Director of Public Works, stated that staff has attempted to identify a way to make room for sidewalks with the fiscal constraints of this year's CIP. The end result was selecting a project to eliminate to provide funds for sidewalks. Of the reconstruction projects listed, Industrial Boulevard was selected. This street reconstruction still needs to be completed.

Mr. Knippel stated that the philosophical point is: Does a street reconstruction project under the CIP program automatically trigger the installation of sidewalks on either side of every road. Mr. Knippel stated that staff has been given direction in the past that indicates that this is the case.

Mr. Bixby asked if in this case the \$600,000 would be placed in a general sidewalk fund or only for Industrial Boulevard.

Mr. Knippel stated that these funds would be placed in a general sidewalk fund to pay for sidewalks throughout the City (those areas in need of sidewalks).

Mr. James stated that in this evaluation process, these particular reconstruction projects would be prioritized close to the top of the list.

Mr. Bixby asked if sidewalks on Industrial Boulevard would be a priority.

Mr. James stated that in order to accommodate sidewalks on the road reconstruction projects listed, one of the projects would have to be eliminated in order to come up with the funding – in this case the Industrial Boulevard reconstruction project. This project would be moved to the unfunded list and the funds that would have been utilized for the Industrial Boulevard reconstruction project will not be placed in a “general” sidewalk fund. In terms of the general sidewalk fund, a priority would be to first look at the streets on the funded list.

Dr. Long asked about the \$50,000 assigned for ADA curb ramps. Dr. Long stated that if there is an area where there is so much wheel traffic that an ADA ramp is required, perhaps a sidewalk is also needed rather than utilizing the roadway.

Mr. Knippel agreed with Dr. Long and stated that this situation would be at the top of the priority list.

Mr. James stated that when TxDOT reconstructs a curb, curb ramps will be installed at the corners of the street, whether or not there is a sidewalk in place.

Mr. Bixby asked about project #60200697 – traffic signals – and what triggered this project.

Mr. Knippel stated that there are a few locations in town still utilizing the electro-mechanical controlling cabinets to operate the signal system. This system is in the process of being updated.

Dr. Long asked about the paved alley construction project.

Mr. Knippel stated at one time the City had a program to repave alleys; however, a reduction in resources has necessitated this project (paving of alleys) be eliminated. Mr. Knippel stated that the internal policy has been that paved alleys are patched until they reach a point where they can no longer be “patched” and the alley is converted to a gravel alley.

Dr. Long asked about the Northway Street detention project.

Mr. Knippel stated that the year after the bond election a small sum of money was placed in the CIP to acquire right-of-way to construct a detention pond. Because this area is in the floodplain, all that can be done is to mitigate the water. The City has acquired the land and plans are being developed for a detention structure. The second phase of the project will be to construct a detention pond on the other side of the street. Mr. Knippel stated that no homes in the area have actually flooded, the street is an inverted crown and causes water to collect in yards and driveways in the area.

Mr. Todd asked by what percent the cost will increase for Grape Street reconstruction project if sidewalks are placed on both sides of this street.

Mr. Knippel stated that the project will increase from \$762,000 to \$1.23 million (increase of \$470,000 for sidewalks) – about a 60% increase in cost.

Dr. Long asked about the “Citizen proposal” regarding sidewalks on South 7th Street at Rose Park.

Mr. Knippel stated that when this issue was discussed at the Bond Projects meeting, costs were not included for sidewalks with street reconstructions (the Sidewalk Master Plan was not in place at that

time). Mr. Knippel stated that funds remaining from street projects will be placed in a sidewalk fund.

Mr. James stated that staff worked with the Arbors at Rose Park during construction of this project. They built sidewalks with the property and connected a sidewalk to the street which lines up with an access on the other side of the street. The idea was to allow residents to travel (pedestrian traffic) from the Arbors to the Senior Center just by crossing the street.

Dr. Long asked if covered shelters at bus stops were being addressed.

Mr. Knippel stated that this has not yet been addressed until routes have been finalized. Mr. Knippel stated that this would be a good project due to an 80/20 match (funds) from the federal government.

Mr. Bixby stated that two (2) items included in the CIP were reviewed by the Bond Committee and not included due to the proposed dollar amount. One project involved the Police Academy building and Mr. Bixby asked specific details regarding this project.

Mr. Jim Berry, Assistant Police Chief, stated that actually this project was presented in 2005 as a part of the bond package. Since that time, the Academy has undergone extensive flood damage. During the process of renovation, mold and asbestos abatement was required. In the process of the abatement and renovation, construction of the building was reviewed and it was determined that this is not viable project for renovation. Staff had applied for Federal funding for this project, but determined it would be more practical to proceed with a new building.

Dr. Long stated that her concern regarding the CIP is why the Police Department has not anticipated any needs for the next five years.

Mr. Berry stated that they do; however, most capital improvement projects are not projects that would be reviewed by this Board.

Mr. Bixby asked about the dollar figure for the doors for the Law Enforcement Center (LEC).

Mr. Odis Dolton, Assistant Director of Finance, stated that that doors listed in the CIP are security doors and, therefore, are more expensive (internal security mechanisms) .

Dr. Long asked why this project and the Fleet Maintenance Facility renovation project appeared on the CIP for this year and were not a part of the CIP program last year.

Mr. Ed McRoy stated that the Finance Department had submitted a budget sheet last year for the door replacement project; however, at that time the cost estimate was not at the \$25,000 level and it was determined at the staff level that this project did not qualify as a CIP project.

Mr. David Wright, Director of Finance, stated that that the project submitted last year was for doors utilized by the public. The doors included in this year's CIP are doors utilized by Police officers. The cost increase is due to the security system involved – not just the doors.

Regarding the Maintenance Facility, Mr. Wright stated that for the past two years other projects have been completed within this facility. This request is for one additional component that was omitted

from the original project request (the floor in the tire repair area needs to be removed and reconstructed).

Dr. Long asked why the Police safety projects were listed under “Municipal Facilities” rather than “Public Safety” projects.

Mr. Wright responded that all Facility Maintenance is under the auspices of the Finance Department. New construction, such as the Police Academy and the Fire and Burn Facility, are listed under Public Safety projects.

Ms. Campos asked about the request for the construction of the new Fire Training Facility.

Mr. Ken Dozier, Fire Chief, stated that \$303,000 was set aside for a new “burn house.” When this project was submitted for bids this year, the price came in at \$451,000. Chief Dozier stated that possibly the \$303,000 figure is for the structure only. The additions of fire hydrants, a pad for parking fire trucks, and inflation have increased the cost for this structure.

Dr. Long asked why there are no projects listed for the Fire Department for the next four years.

Chief Dozier stated that there are projects for the next four years; however, due to the costs of these projects a bond election will be required.

Mr. Bixby made the following personal recommendation regarding the requirements of the Fire Department: One way to address this is to create a committee of professionals and citizens to address the needs of the fire Department. If this can be done prior to coming to the bond committee, it would be helpful and the Fire Department would be more successful in getting the bond through. If the Committee is formed and leading citizens work with the professionals, needs could be addressed faster.

Dr. Long stated that a concern to her is that Fire Department needs (particularly fire truck replacements) are not on a rotation or replacement cycle.

Chief Dozier stated that they are working toward this system.

Mr. Wright stated that staff is assessing different mechanisms to fund high dollar projects such as the replacement of a fire truck. Mr. Wright stated that staff is looking at a 10 year or 12 year lease/purchasing program utilizing operating funds on an annual payment program. Mr. Wright stated that the City needs to return to a systematic approach for equipment replacement.

Mr. Bixby requested additional information regarding CIP projects for the Airport, e.g. runway project.

Mr. Don Green, Director of Aviation, stated that the runway project was part of the bond election package. The \$10 million dollar figure is an estimate received from the engineers undertaking this project. Mr. Green stated that this project is 10+ years. Mr. Green stated that the current plan is for the City to pay 10% of the costs and the FAA paying 90% of the costs. This cost estimate includes the relocation of the instrument landing system, lighting, etc.

Dr. Long asked why the Maxwell Golf irrigation project came as a new project this year

Mr. Neitzler, Assistant Director of Community Services, stated that this project was included because the current irrigation system is failing. The current system is 30 years old and if steps are not taken immediately, the entire system will fail. This will be a three (3) phase project.

Dr. Long asked about increased funding for Sears Park.

Mr. Neitzler stated that if two (2) acres of property adjacent to the Park, T-ball fields and parking lots will be included in the project.

Dr. Long asked about the Rose Park Adaptive Center, i.e., this project was dropped from the CIP to be included in the Parks Master Plan. Dr. Long stated that she does not recall this project in the Parks Master Plan.

Mr. Neitzler stated the project was a heating and air conditioning (HVAC) project. Some of these improvements were completed in last year's program. Another issue is that the City has entered into a contract with an energy conservation consultant to develop an energy savings program for the City. This project was moved back in the program until the work of these consultants has been completed.

Mr. Wright stated that due to the program mentioned by Mr. Neitzler, many facility improvements have not been included in this program. All facilities are being reviewed within the scope of this project and this program would be through the issuance of debt. However, the savings that would be derived from reduced electric costs would pay this debt (this is guaranteed by the company). This program has not yet been presented to the City Council.

Mr. Neitzler stated that one of the highest priority projects and the most important currently, involves the work being undertaken at Lake Fort Phantom. With the approved funding and funding from grants, this work can begin immediately.

Ms. Campos opened the public hearing. No one came forward and the public hearing was closed.

Mr. Bixby stated that it is his opinion that issues of the streets, the Fire Department and Police Department trump all other types of activities in the responsibility of City government. Mr. Bixby stated that if there is to be a continually funded sidewalk project, he would to see this affect something besides streets. Mr. Bixby stated that in his opinion this is a high priority.

Dr. Long moved to move the Industrial Boulevard reconstruction project to the "unfunded" list and replace this with a sidewalk construction program. Mr. McClarty seconded the motion and the motion failed by a vote of three (3) in favor to three (3) opposed.

Mr. McClarty asked for clarification from the three Board members who voted in opposition of the motion as to why they dissented.

Mr. Bixby, Mr. Rosenbaum and Mr. Todd all agreed that pulling the street repair off the CIP program and placing these funds into sidewalk construction, especially on Industrial Boulevard, is a concern.

Mr. McClarty asked if it was possible to redesign the Rebecca Lane project to include sidewalks for only a portion of this street in order to stay within the budget. By doing this, the Industrial Boulevard

project remains in the CIP program and a portion of Rebecca Lane will become a new project in the CIP.

Dr. Long agreed with Mr. McClarty – the ordinance has changed (regarding sidewalks) and why is the City not following the ordinance.

Mr. Knippel stated that one factor is that the final version of the Sidewalks Master Plan was not completed until the end of January. By that time, staff was well into completing this document (CIP). Mr. Knippel stated that dollar amounts for sidewalks on all projects on the unfunded list were added. Mr. Knippel urged the Commission members to review the Sidewalk Master Plan to determine if street reconstruction projects are addressed. Mr. Knippel stated that it is his opinion that the Sidewalks Master Plan is aligned more toward development along an existing street or a new street in a development.

Mr. McClarty agreed with Mr. Knippel on this point.

Mr. Knippel stated that to meet the spirit of the Sidewalk Master Plan to indicate that the City is meeting the spirit of this document; a project was added to the CIP. Mr. Knippel stated that in terms of Rebecca Lane and EN 13th Street, funds would be utilized to construct the street and add sidewalks in critical areas where possible. At a later date, perhaps infill sidewalks could be installed utilizing bond funds from 2006 or perhaps another sidewalk project.

Mr. James stated that one option might be that rather than replacing all of Industrial Boulevard, replace one-half the project, basically shift this project back two years, leaving \$600,000 in the CIP for the first phase of Industrial Boulevard and the other \$600,000 could be shifted to a generic sidewalk program.

Mr. Bixby stated that this situation is very similar to the process undertaken during the consideration of bond issues, i.e., a priority list. Mr. Bixby stated if the Commission has to prioritize projects, could the Commission agree that sidewalks and streets are more important than concessions stands at baseball fields.

Mr. McClarty stated that the Planning and Zoning Commission is a “recommending body” and no matter what is approved today, the CIP program will be forwarded to the City Council. Mr. McClarty stated that there is one point of contention – and that is this area (sidewalks/street reconstruction). The Commission has voted on this issue and the vote resulted in a split decision. Mr. McClarty asked if the Commission forward this to Council with the exception of this one point of contention because the Council will go through the same discussion as this Commission on this issue.

Mr. Santee stated that the recommendation of this Commission regarding the CIP program will be forwarded to the City Manager. The City Manager will make his recommendation to the City Council.

Mr. James stated that he believed that the Commission is required to make a formal recommendation; however, the Commission’s recommendation could be approving everything as shown with the exception of that one item which resulted in a split decision from this Commission.

In an effort to draw out other Commissions on his discussion point, Mr. Bixby made the following motion:

Mr. Bixby moved to eliminate the ball field concessions replacement funds (move to unfunded list) and substitute with the sidewalk construction project in the same amount for a total of \$700,000. Mr. McClarty seconded the motion.

Prior to voting on this issue, Mr. Neitzler was asked to provide information as to why these concession replacements are needed. Mr. Neitzler stated that the current structures are old and do not meet ADA requirements. With this request, Community Services staff is attempting to address a need that has been identified by the citizens of Abilene.

The motion failed by a vote of one (1) in favor (Bixby) to five (5) opposed (Campos, Long, McClarty, Rosenbaum and Todd).

Mr. McClarty moved that the CIP program be forwarded to the City Manager as written with staff expressing the Planning and Zoning Commission's concern regarding sidewalks and Industrial Boulevard, with no recommendation from this Board.

Mr. Bixby asked for clarification from Mr. McClarty: Is this motion stating that the Commission agrees with everything except the Industrial Boulevard vs. sidewalk issue.

Mr. McClarty stated that he does not agree with staff's recommendation of taking Industrial Boulevard out and placing that (funds) into sidewalks. Mr. McClarty stated that he believes the projects should be revamped.

Mr. Todd stated that there is a great deal of vacant land on Rebecca Lane. The discussion has been the placement of sidewalks on both sides of this street even on the vacant land – where is the developer's responsibility?

Mr. James stated that on Rebecca Lane the City would not have sufficient funding to place sidewalks on the entire length of the street and the developed portions along this thoroughfare would be prioritized.

Mr. Bixby stated that with the current motion and second, there is not money for sidewalks now. It is up to the City Council.

Mr. Todd stated that if this task of sidewalks is being placed on developers, then the City must also do their part. Mr. Todd stated that he is having difficulty taking funds budgeted for street projects in order to construct sidewalks.

Mr. McClarty reiterated his motion and that is to send the CIP to the City Manager with this area flagged for staff and the City Manager to rethink and forward to City Council.

Mr. Bixby asked Mr. McClarty to explain the "flag" mentioned in his motion.

Mr. McClarty stated that the "flag" indicates that the Planning and Zoning Commission feels that Industrial Boulevard is high priority and should not be taken off the list. The Commission also feels sidewalks are a high priority and should be placed in all projects, including the reconstruction of Rebecca Lane.

Mr. McClarty' motion is as follows:

The Planning and Zoning Commission accepts the CIP Program as presented with the exception that the Commission flag Industrial Boulevard and leave it as is – it stays in the program and not take the recommendation that the City staff has provided of pulling Industrial Boulevard out and making that a sidewalk contingency pot. However, with this same flag, the Commission needs to stress to the City that in all the future design for street construction projects the installation of sidewalks must be considered just as developers are required to do. Mr. Bixby seconded the motion and the motion carried by a vote of five (5) in favor (Bixby, Campos, McClarty, Rosenbaum and Todd) to one (1) opposed (Long).

Item Five: Director's Report

a. Discussion regarding the holding of a Special Meeting in March.

Mr. James stated that this item was placed on the agenda in case specific items required additional discussion. It appears at this time that these items can be placed on the April agenda.

Item Six: Adjourn

There being no further business, the Planning and Zoning Commission meeting was adjourned at 7:53 p.m.

Approved: _____, Chairman