

# CITY OF ABERNATHY

The City Council for the City of Abernathy met in regular session on Monday, April 10, 2017 at 7:00 P.M. in the City Hall building at 811 Ave D. Members present were Mayor Kester-Fair, Ron Johnson, Victor Cavazos, Shawn Vandygriff, Michael Macias, and Bill Atchley. Also present were City Staff including Mike Cypert, Krista Adames, Alfredo Marez III, Nadia Micheletti, David Hamm, Luis Villarreal, Mike Grimsley, and City Attorney Todd Hurd. Members of the public included Steven Fair, Eugene Crumpler, Brittany Jimenez, Steven Espinosa, Dr. Boyd, Jeff Rogers, Lois Rogers, Melissa Ramirez, Gary Younger, Rhetta Riley, Clark Riley, and Laquita Dillinger.

## MINUTES

- I. **Call to Order**  
Mayor Kester-Fair called the meeting to order.
- II. **Welcome Guests**  
Mayor Kester-Fair welcomed the guest.
- III. **Invocation**  
Councilman Macias gave the invocation.
- IV. **Review/Approval minutes of the previous meeting**  
Councilman Cavazos made a motion to approve the minutes as corrected to include “*VI. Discussion Only Items C. adding the deadline for Agenda Items is 5 pm. Wednesday.*”  
Councilman Atchley seconded the motion. The motion passed with a vote of 5/0.
- V. **Presentation/Approval of Monthly Financial Reports**  
Councilwoman Vandygriff made a motion to approve the Financial Reports. Councilman Macias seconded the motion. The vote was 5/0.
- VI. **Public Comment (non-action)**  
City Council received public comment from Eugene Crumpler.
- VII. **Discussion Only Items**
  - A. **Public Hearings on Substandard Housing**
    1. **Case 17-002 – 202 4<sup>th</sup> Street – R. Burnett, M. Ramirez**  
Code Officer Nadia Micheletti presented Case 17-002, 202 4<sup>th</sup> Street to City Council. Melissa Ramirez spoke for Case 17-002 stating she is working on the house and asked City Council for 60 days.
    2. **Case 17-003 – 411 Avenue D – L. Green**  
Code Officer Nadia Micheletti presented Case 17-003, 411 Avenue D to City Council. Laquita Dillinger spoke for Case 17-003 stating she wanted to leave the house for storage.
  - B. **Discussion regulating the parking of large vehicles on city streets.**  
City Manager Mike Cypert discussed with City Council about the parking of large vehicles on city streets and asked City Council if they would like him to go forward with drafting an ordinance. Council decided not to pursue this item. No action was taken.
  - C. **Attorney’s Update on Cellular Tower Lease & Licenses Negotiations.**  
City Attorney Todd Hurd gave an update on Cellular Tower Lease and Licenses Negotiation.
- VIII. **Action Items For Consideration**
  - A. **Determination and Consider Orders to Repair – Substandard Housing.**
    1. **Case 17-002 – 202 4<sup>th</sup> Street – R. Burnett, M. Ramirez**  
Councilman Michael Macias made a motion finding Case 17-002- 202 4<sup>th</sup> Street Substandard and issued a 90 day order to demolish or repair. Councilman Bill Atchley seconded the motion. The vote was 5/0.
  - B. **Determination and Consider Orders to Repair – Substandard Housing.**
    1. **Case 17-003 – 411 Avenue D – L. Green**  
Councilman Michael Macias made a motion finding Case 17-003- 411 Ave D Substandard and issued a 90 day order to demolish or repair. Councilwoman Vandygriff seconded the motion. The vote was 5/0.
  - C. **Executive Session – In accordance with Texas Government Code, Section 551.071, Consultation with Attorney on pending or contemplated litigation.**

City Council went into executive session at 7:59 P.M.

**D. Reconvene Open Session - In accordance with Texas Government Code, consider any action necessary regarding matters discussed in Executive Sessions.**

The City Council reconvened on open session at 9:16 PM. Councilman Atchley made a motion requesting Councilman Ron Johnson to return all attorney invoices and bills for the City of Abernathy and all copies made of the invoices and disclose who those invoices were shown or given to within 72 hours to Mayor Kester - Fair. Councilman Macias seconded the motion. The motion passed with a vote of 4/0. Councilman Johnson abstained.

**E. Consider Ordinance 587 - Authorizing a TxDOT Highway Maintenance Agreement**

Councilman Cavazos made a motion to pass Ordinance 587. Councilwoman Vandygriff seconded the motion. The motion passed with a vote of 5/0.

**F. Consider Extending Ave. J Drainage Project - To include 2 intersections on Ave. H with no additional costs.**

Councilman Cavazos made a motion to expand the Ave. J Drainage project to include the intersections of 14<sup>th</sup> Street & Avenue H, and 12<sup>th</sup> Street & Avenue H. Councilman Macias seconded the motion. Councilman Johnson made a motion to amend the motion by adding "That we get the cost of finishing Ave. J so that we know we have the money to do it." The motion to amend died for lack of a second. The original motion passed with a vote of 4/1 with Councilman Johnson voting against.

**G. Consider Proposed Line Looping Project including a \$50,000 allocation of 2015 Certificate of Obligation Funds for the project.**

Councilman Johnson made a motion authorizing a line looping project using Series 2015 Certificate of Obligation funding to include the locations of:

1. 1000 blk of 4<sup>th</sup> Street going East 150' and North 100'
2. 1000 blk of 4<sup>th</sup> Street crossing 4<sup>th</sup> Street North to tie into dead end mains.
3. 1000 blk of 3<sup>rd</sup> Street crossing 3<sup>rd</sup> Street 200' tying dead end main.
4. 700 blk of 3<sup>rd</sup> Street going North 100' & going South 150'
5. 600 blk of 2<sup>nd</sup> Street 200' to tying dead end main to Ave. F main
6. 600 blk between 4<sup>th</sup> and 6<sup>th</sup> Streets replacing 1.5" main
7. 500 blk of 10<sup>th</sup> Street going North 300' tying dead end mains.
8. 600 blk crossing 15<sup>th</sup> Street tying in dead in main.
9. 900 blk of 4<sup>th</sup> Street crossing 4<sup>th</sup> Street tying in 2 dead end mains.
10. 900 blk of 5<sup>th</sup> Street 300' to 6<sup>th</sup> Street tying in 2 dead end mains.

The motion was seconded by Councilman Macias. The motion passed with a 5/0 vote.

**H. Update City Zoning Map – Placed by Councilman Johnson**

Mayor Kester-Fair informed Council that the maps were at the engineers for updating. No action was taken.

**I. Commercial Vehicle Parking on City Streets - Placed by Councilman Johnson**

No action or discussion was taken on this item.

**J. Deadline for Filing Agenda Items - Placed by Councilman Johnson**

Mayor Kester-Fair stated this was discussed at last meeting and nothing was changing. Agenda items are due Wed. before the meeting at 5 pm. No action was taken.

**K. Fuel Bids for City and Fire Department Use - Placed by Councilman Johnson**

Councilman Johnson stated that he is concerned about the Fire Dept. not being able to get diesel fuel. Councilwoman Vandygriff said that she will talk to H&H Farms about using the Comdata card for diesel. Councilman Macias made a motion that we table the discussion on Fuel for the Fire Dept. until the next meeting on May 8, 2017. Councilman Atchley seconded the motion. The motion passed with a vote of 5/0.

**L. New Drain Installed At North End of Avenue J and South of 12<sup>th</sup> Street - Placed by Councilman Johnson**

Councilman Johnson wanted to know the reason why Council was not made aware of the barrier that was put up south of 12<sup>th</sup> Street and the cost. City Manager Mike Cypert stated the concrete barrier was installed using budgeted funds and no special funds were needed to complete the project. The cost was \$2000.00. No action was taken.

**IX. Items Presented for Information Only**

**A. Police Chief – Report to Council**

Police Chief Bowman was not present for his report to Council.

**B. City Manager – Report to Council**

City Manager Mike Cypert made his report to Council.

**X.**

**Adjournment**

Councilman Macias made a motion to Adjourn at 10:12 pm. Councilman Cavazos seconded the motion. The motion passed with a vote of 5/0.