

# CITY OF ABERNATHY

The City Council for the City of Abernathy met in regular session on Monday, May 14, 2018 at 7:00 P.M. in the City Hall building at 811 Ave D. Members present were Mayor Kester-Fair, Ron Johnson, Bill Atchley, Victor Cavazos, Jay Stephenson, Bilinda Prater, Matt Riley, and Jared Shannon. Also present were City Staff including Mike Cypert, Krista Adames, Raymond Kern, Alfredo Marez III, Luis Villarreal, Nadia Micheletti, & City Attorney Todd Hurd, Members of the public include Kyle Krueger, Billie Johnson, Kristina Janet, Tamara Riley, Jay Andrews, Sabrina Andrews, Desiree Stephenson, Brett Clark, Kristin Shannon, Cindy Harrison, Stan Harrison, Taylor Oswalt, Bill DuBose, and Robert Prater

## 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 Atchley gave the invocation.
- IV. **Review/Approval Minutes of the Previous Meeting**  
Councilman Cavazos made a motion to approve the minutes. Councilman Atchley seconded the motion. The motion passed with a vote of 4/0.
- V. **Election**
  - A. **Official Canvass of Returns, May 5<sup>th</sup> Election**  
Councilman Atchley made a motion to approve the Official Canvass. Councilman Cavazos seconded the motion. The motion passed with a vote of 4/0.
  - B. **Installation of Elected Officials**  
City Secretary Krista Adames administered the Oath of Office to Councilman Ron Johnson, Councilman Matt Riley, Councilman Jared Shannon, and Councilwoman Bilinda Prater.
- VI. **Presentation/Approval of Monthly Financial Reports**  
Councilman Johnson made a motion to approve the Financial Reports. Councilman Riley seconded the motion. The motion passed with a vote of 4/0.
- VII. **Public Comment (non-action)**  
Bill Atchley gave an update to the New City Council on things that have been going on while he was a councilman. He talked about the stricter sex offender ordinance, the UMC Contract, how many upgrades have been done on substandard houses, The American Tower Lease that has \$595,000 Revenue coming to the City, The paving Grant for 6<sup>th</sup> Street that City Manager Mike Cypert has been working on, The Well Drilling Project – Dockum project and Santa Rosa Aquifer, The public restrooms in the park, The upgrades to the police radios, The Financial Transparency Awards that the City of Abernathy has received, The growth - ETJ, and about the excellent City Manager Abernathy has and Mayor Kester-Fair has been a pleasure to work with and Mayor Pro-Tem Michael Macias is a great guy.
- VIII. **Discussion Only Items**
  - A. **Engineer's Report to Council - HWY 597 Waterline.**  
Kyle Kruger from Parkhill, Smith & Cooper gave the Engineer's Report to City Council stating the waterline, as installed is adequate for residential use, and the existing fire hydrant meets TCEQ's requirements to place into service.
- IX. **Discussion/Action Items**

- A. Consider Ordinance 597 - Disannexation of a 20 acre tract of land, by petition of owner, Brett Clark (Tabled 3-12-18)**  
Councilman Johnson made a motion to table. Councilman Riley seconded the motion. The motion passed with a vote of 4/0.
- B. Consider Collins Lease Extension – Riley Water Farm Grazing Lease – First 5-year extension**  
Councilwoman Prater made a motion approving the First 5- year extension of the original lease agreement for Rodney Collins Lease of 77.56 acres from the city at an annual rate of \$1001/year to be effective from August 1, 2018 to July 31, 2023. Councilman Shannon seconded the motion. The motion passed with a vote of 4/0.
- C. Consider Renewal Solid Waste Contract – South Plains Waste Services LLC**  
Councilman Johnson made a motion to extend the contract with South Plains Waste Service, LLC for a 5-year period with the requested 3% increase on rates paid to SPWS. Councilman Shannon seconded the motion. The motion passed with a vote of 4/0.
- D. Cleanup of Private Property by City Employees. – Placed by Councilman Johnson**  
Councilman Johnson expressed concern whether or not the city is charging citizens for code abatement. He would like to have rates set in place. Code Officer Nadia Micheletti informed City Council that the City does have a fee schedule in place by ordinance and the parcel Councilman Johnson referenced was in the process of billing. No action was taken
- E. Disposal of Property Received by City for Any Reason or Means Including Real Estate. - Placed by Councilman Johnson**  
Councilman Johnson expressed a desire to advertise and take bids on any property the City sells, including tax lots. City Attorney Todd Hurd explained that all previously conveyed property was conducted in accordance with the Texas Constitution and State Laws. No action was taken.
- F. All City Job Openings to be Publicly Posted. - Placed by Councilman Johnson**  
Councilman Johnson said that he wants all job openings publicly posted. City Manager Mike Cypert disbursed a copy of the City's Personnel Policies highlighting the hiring practices as previously established by City Council. He added that he would be willing to meet any changes to policy the Council establishes. City Attorney Hurd noted that changes to policy would need a legal review for compliance with Equal Employment laws. No action was taken.
- G. Consider Resolution 051418A, Accepting SPS Easement Offer – TUCO/Yoakum Transmission Line.**  
Councilman Riley made a motion to adopt Resolution 051418A, accepting SPS Easement offer of \$36,575.00, authorizing the City Manager to execute all related documents. Councilman Shannon seconded the motion. The motion passed with a vote of 4/0.
- H. Consider Request to Temporarily Close Main Street – July 4<sup>th</sup>**  
Councilman Johnson made a motion to approve the Chamber of Commerce request to temporarily close Main Street on July 4<sup>th</sup>. Councilwoman Prater seconded the motion. The motion passed with a vote of 4/0.
- I. Consider Request Fireworks Display – July 4<sup>th</sup>**  
Councilman Shannon made a motion to approve the Chamber of Commerce request to use the City Park for a Fireworks Display on July 4<sup>th</sup>, Fire Conditions permitting. Councilwoman Prater seconded the motion. The motion passed with a vote of 4/0.
- J. Schedule Budget Workshop – FY 18-19 Budget**  
Councilwoman Prater made a motion to schedule the Budget Workshop in conjunction with the regular June Meeting. Councilman Riley seconded the motion. The motion passed with a vote of 4/0.

**K. Executive Session - In accordance with Texas Government Code, Section 551.071, Consultation with Attorney on threatened litigation.**

City Council went into executive session at 9:15 P.M.

The City Council reconvened open session at 9:49 P.M.

**X. Informational Items**

**A. Police Chief's Report to Council**

Police Chief Luis Villarreal gave his report to Council.

**B. City Manager's Report to Council**

City Manager Mike Cypert gave his report to Council.

**XI. Adjournment**

Councilman Johnson made a motion to Adjourn. Councilman Shannon seconded the motion.

The motion passed with a vote of 4/0.