

CITY OF ABERNATHY

The City Council for the City of Abernathy met in regular session on Monday, August 13, 2018 at 7:00 P.M. in the City Hall building at 811 Ave D. Members present were Mayor Kester-Fair, Ron Johnson, Michael Macias, Bilinda Prater, and Matt Riley. Jared Shannon was absent. Also present were City Staff including Mike Cypert, Krista Adames, Raymond Kern, Ricky Patterson, Alfredo Marez III, Luis Villarreal, Nadia Micheletti, Carl Johnson, & Oscar Martinez. Members of the public include Robert Prater, Sherry Proctor, Rex Proctor, Leverne Spruiell, Linda Gonzales, Bill Atchley, Kim Ford, Randy Bradshaw, Ken D. Grant, and Chris Banda.

MINUTES

- I. **Call to Order**
Mayor Kester-Fair called the meeting to order.
- II. **Welcome Guests**
Mayor Kester-Fair welcomed the guests.
- III. **Invocation**
Councilman Macias gave the invocation.
- IV. **Review/Approval minutes of the previous meeting**
Councilman Macias made a motion to approve the minutes. Councilwoman Prater seconded the motion. The motion passed with a vote of 3/0.
- V. **Presentation/Approval of Monthly Financial Reports**
Councilman Macias made a motion to approve the financial reports. Councilman Johnson seconded the motion. The motion passed with a vote of 3/0.
- VI. **Public Comment (non-action)**
City Council received public comment from Bill Atchley in support of the proposed Proctor housing development.
- VII. **Discussion Only Items**
 - A. **Council Monthly Review of Transactions, City Credit Cards – Placed by Councilman Johnson**
Councilman Johnson asked that monthly credit card statements be included with the monthly finance reports.
- VIII. **Public Hearings**
 - A. **Conduct Public Hearing – FY18-19 Budget**
No public comments were received for or against the proposed FY 18-19 Budget.
 - B. **Conduct Public Hearing(s) on junked or abandoned vehicles**
 1. **Order to Remove Junked Vehicle (10 Day) – Case JV# 18-602**
 2. **Order to Remove Junked Vehicle (10 Day) – Case JV# 18-603**
 3. **Order to Remove Junked Vehicle (10 Day) – Case JV# 18-604**
 4. **Order to Remove Junked Vehicle (10 Day) – Case JV# 18-605**
 5. **Order to Remove Junked Vehicle (10 Day) – Case JV# 18-606**
 6. **Order to Remove Junked Vehicle (10 Day) – Case JV# 18-607**
 7. **Order to Remove Junked Vehicle (10 Day) – Case JV# 18-608**
 8. **Order to Remove Junked Vehicle (10 Day) – Case JV# 18-609**
 9. **Order to Remove Junked Vehicle (10 Day) – Case JV# 18-610**
 10. **Order to Remove Junked Vehicle (10 Day) – Case JV# 18-611**
Public Hearings were conducted on Cases 18-602 through 18-608. Evidence was presented by the City's Code Enforcement Officer Nadia Micheletti. Owners of vehicles involving cases 18-602 through 18-606 gave comments. Cases 18-609 through 18-611 were withdrawn due to compliance.

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IX. Action Items For Consideration

A. Citizens Request to reduce water billing for March and April Billing – First Church of the Nazarene.

Members of the First Church of the Nazarene requested an adjustment to their account regarding the March and April billing. Councilman Macias made a motion to table this item until the September meeting. Councilman Riley seconded the motion. The motion passed with a vote of 4/0.

B. Review study, consider approval of future waterline extensions, conditional to compliance with Section 13.04.094, Code of Ordinances – South on IH-27 – Hi Plains Drilling

City Manager Mike Cypert presented the water model study showing the city's water system could support an extension of water lines to High Plains Drilling with fire-flow rates. Ken Grant stated High Plains wants to annex and is willing to bear all cost involved in bringing city water to the business. Councilman Johnson made a motion to table. The motion died for a lack of second. Councilman Riley made a motion to approve the extension conditional to compliance with Section 13.04.094, Code of Ordinances Councilwoman Prater seconded the motion. The motion passed with a vote of 4/0.

C. Owner's Request to reconsider approval of future waterline extensions, conditional to compliance with Section 13.04.094, Code of Ordinances – East on Hwy 2060 and Hwy 597. – Sherry Proctor

Sherry Proctor appealed to the City Council to reconsider water line extensions East on Hwy 2060 and Hwy 597 stating the water model study showing the city's water system could support an extension of water lines with fire-flow rates, and acknowledged annexation would be required prior to service at any home site on the project. Councilman Macias made a motion to approve the extension of water lines East on Hwy 2060 and Hwy 597 conditional to compliance with annexation requirements prior to servicing any property with water. Councilwoman Prater seconded the motion. The motion passed 3/1 with Councilman Johnson voting against.

D. Consider findings/orders on junked or abandoned vehicles

- 1. Order to Remove Junked Vehicle (10 Day) – Case JV# 18-602**
- 2. Order to Remove Junked Vehicle (10 Day) – Case JV# 18-603**
- 3. Order to Remove Junked Vehicle (10 Day) – Case JV# 18-604**
- 4. Order to Remove Junked Vehicle (10 Day) – Case JV# 18-605**
- 5. Order to Remove Junked Vehicle (10 Day) – Case JV# 18-606**
- 6. Order to Remove Junked Vehicle (10 Day) – Case JV# 18-607**
- 7. Order to Remove Junked Vehicle (10 Day) – Case JV# 18-608**

Councilman Macias made a motion finding vehicles in cases 18-602 through 18-608 to be in violation of city ordinances, a nuisance to the citizens of Abernathy, and authorized issuance of orders for the vehicles to be removed within 10 days of notice, after which, the city was authorized to have the vehicles towed. Councilman Riley seconded the motion. The motion passed with a vote of 4/0.

E. Consider Roofing Repairs - Pinson Building

Councilman Johnson made a motion to table until the September meeting. Councilman Macias seconded the motion. The motion passed with a vote of 4/0.

F. Consider removal of street and security lights – 400 block of 9th street.

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Councilman Macias made a motion authorizing the removal of the street and security lights in from the front of the fire station. Councilwoman Prater seconded the motion. The motion passed with a vote of 4/0.

G. Consider Ordinance 597 – Amending Solid Waste Collection Charges, second reading

Councilwoman Prater made a motion to approve Ordinance 597 upon second reading. Councilman Riley seconded the motion. The motion passed with a vote of 4/0.

H. Consider Ordinance 598 – Adopting Budget for FY 18-19

Councilman Macias made a motion to pass Ordinance 598 adopting the FY 18-19 Budget. Councilwoman Prater seconded the motion. The motion passed with a vote of 4/0.

I. Schedule Vote on Proposed Ad Valorem Tax Rate of \$.5900/\$100

Councilman Macias made a motion to schedule a vote on proposed ad valorem tax rate of \$.5900/\$100 for September 10, 2018 at 7:00 P.M.

J. Schedule Time and Date of Public Hearings for Ad Valorem Tax Rate of \$.5900/\$100

Councilman Riley made a motion to schedule public hearings on proposed ad valorem tax rate of \$.5900/\$100 for August 28, 2018 at 5:15 PM. and September 4, 2018 at 5:15 PM. Councilman Macias seconded the motion. The motion passed with a vote of 4/0.

K. Consider Municipal Funds Investment Policy – FY18-19

Councilman Macias made a motion to adopt the municipal funds investment policy- FY 18-19. Councilwoman Prater seconded the motion. The motion passed with a vote of 4/0.

L. Consider Resolution 081318A - Authorizing Assignment of Official Newspaper

Councilman Riley made a motion authorizing the assignment of the official newspaper to The Abernathy Advocate. Councilman Macias seconded the motion. The motion passed with a vote of 4/0.

M. Configuration of Council Room – Tabled at July meeting.

Councilman Johnson made a motion to conduct the next meeting in the Community Room. Councilman Riley seconded the motion. The motion passed with a vote of 4/0.

N. Executive Session – Placed by Councilman Macias

City Council went into executive session at 9:35 P.M.

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

The City Council reconvened open session at 9:45 P.M.

P. Consider Notice to Cure Block 140 Encroachments – alley encroachments by adjacent property owners.

Councilman Riley made a motion to table to the September meeting so that Councilman Johnson could talk to two of the property owners. Councilwoman Prater seconded the motion. The motion passed with a vote of 4/0.

Q. Consider Establishing Policy for Daily Mileage Logs of All City Vehicle – Placed by Councilman Johnson

Councilman Riley made a motion to establish a policy of weekly maintenance logs for all vehicles and equipment having odometers or hour registers to be included in future

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agendas. Councilman Johnson seconded the motion. The motion passed with a vote of 4/0.

R. Consider FY 18-19 Calendar

Councilwoman Prater made a motion to approve the FY 18-19 Calendar as presented. Councilman Riley seconded the motion. The motion passed with a vote of 4/0.

S. Consider Policy Requirement to Include Monthly Check Reports within the Monthly Financial Reports to Council - Placed by Councilman Johnson

Councilman Johnson asked to have this item removed from discussion and action. No action was taken.

T. Consider The Publication of Unofficial City Council Minutes the Week Following Official Meetings – Placed by Councilman Johnson

Councilman Johnson stated he wanted the unofficial minutes to be placed in the paper on the Friday following meetings of the City Council. After discussion, No action was taken on this item.

X. Items Presented for Information Only

A. Police Chief – Report to Council

Police Chief Luis Villarreal gave his monthly report to Council.

B. City Manager – Report to Council

City Manager Mike Cypert gave his monthly report to Council.

1. Update on ING Hospitality project and Texas Capital Fund Grant Process
2. Update on CDBG grant progress.
3. Report on substandard housing case UB18-101
4. Update on warehouse construction on Texas Avenue
5. Update on post office roof repairs
6. Update on street sweeper repairs
7. Update on lease addendums

XI. Adjournment

Councilman Macias made a motion to Adjourn at 10:25 P.M. Councilman Riley seconded the motion. The motion passed with a vote of 4/0.