

## AGENDA REPORT

Monday, June 11, 2018

TO: Abilene City Commission  
FROM: Austin Gilley, City Manager  
RE: **City Manager's notes to accompany agenda**

### PURPOSE

This report is intended to provide brief summaries of each agenda item with staff input to assist in the deliberation, discussion, and decisions to be made.

### CONSENT AGENDA

The consent agenda is a meeting tool to allow for the approval with one vote items that are routine business, non-controversial, or do not require debate. Any item may be removed from this list to be discussed further by a separate motion and vote. The agenda approval and minutes from the previous meeting are standing agenda items here.

- **Approve permanent utility easements:** During the review process for the Superior Sanitation development on NW 14<sup>th</sup> Street, we became aware that the City had no easements for the sewer main that runs through these two properties as illustrated here. Approval of these documents will allow staff to correct these record keeping issues. The draft easements can be found on page 5.
- **CMB license for Love's Travel Stops & Country Stores, Inc.:** The Love's Travel Stops & Country Stores, Inc., has applied for a Cereal Malt Beverage License as proved for in [City Code in section 3-101 et al.](#) All provisions in the code have been followed and reviewed, and the license will be contingent upon the final certificate of occupancy in the building permit process. Approving now ensures no lag in the opening or operation of the business.



### AGENDA

9. *Public hearing for Ordinance to approve Community Improvement District*
10. *Approve Ordinance for creation of Community Improvement District for Love's Travel Stops & Country Stores, Inc.*
11. *Development Agreement for Love's Travel Stops & Country Stores, Inc.*
12. *Funding Agreement for Love's Travel Stops & Country Stores, Inc.*

These items are requirements of both statutory provisions of the Community Improvement District laws and regulatory provisions of the City's Community Improvement District incentive policy.

#### 13. 2019 Budget: Street Department

In accordance with our budget work plan, we will be reviewing the recommended 2019 budget for the street department operations. Public Works Director Lon Schrader and I will review the street maintenance plan concept and how it helps connect the layers of street funding sources, expenses, and long-term planning.



*14. Utility appeal by Tina Hathaway (p. 71)*

Utility customer Tina Hathaway is appealing her utility bill in accordance with City Code [section 7-107](#). The appeal can be found on page 71. The customer's average usage is less than 3,000 gallons per month. In the month of April the usage was 86,200 gallons. Upon discovering this unusually high usage, staff confirmed no evidence of errors in billing and no evidence of problems with the meter – see page 72 for investigation and billing notes. The 30-day data-log from the meter is not included in the packet due to size – it can be made available but only shows normal function and provides no insight on the time period in question. While this seems like a lot of water, according to the [American Water Works Association](#) a small flow of water less than 1/4 inch can produce about 90,000 gallons in seven days. The City has provided detailed meter information to the customer, and the customer declined the option to have the meter tested – which is provided for in [section 7-805](#). It is not unusual to have situations where no one can explain where the water went when an irregularity like this occurs, and I have explained to the customer that without evidence of error the City has to abide by the meter and is not obligated to explain where the water went or how it was used. The customer is entitled by policy to appear before you and present their grievance, in which the customer is asking for the April bill to be reduced to the average of previous bills. At the meeting, the Mayor will call upon the grievant to speak, then ask me to provide the City's information and recommendation, and then ask for the grievant's follow-up. While this is not a trial or an evidentiary hearing, the Commission may seek whatever information it needs to render a decision. If you choose to grant this request, please do so without casting widespread doubt on the City's meters or setting any regrettable precedent. While this is obviously a contentious situation, it has shed some light on City operations that we can use to make positive improvements to our operation – I will look forward to reviewing those with you at the meeting.

*15. Land Bank Board selection process*

The Commission asked at its last regular meeting for more time to consider the list of volunteers willing to serve on the potential Land Bank board. The names include: Maureen Dawson, Georgia Murray, Sharon Petersen, Joleen Rankin, Daryl Roney, Duane Schrag, Chuck Scott, Rick Williamson, and Kent Wyatt. The City Attorney is working on the ordinance amendment, and we hope to have that draft for the next meeting.

*16. Required annual review of Governance and Ends Policies*

This item is pending further direction.

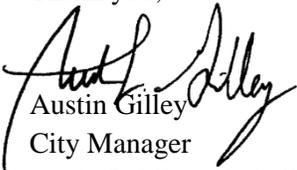
**OTHER INFORMATION**

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*Payroll and Accounts Payable*

These reports are provided as information with each meeting agenda.

Thank you,



Austin Gilley  
City Manager

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