

**CITY COUNCIL MEETING**  
**April 12, 2018 at 4:30 p.m.**

**CITY COUNCIL OF THE CITY OF ABILENE, TEXAS**  
**COUNCIL CHAMBERS, CITY HALL**

The City Council of the City of Abilene, Texas met in Regular Session on April 12, 2018, at 4:30 p.m. in the Council Chambers, 555 Walnut St. Mayor Anthony Williams was present and presiding with Mayor Pro-tem Shane Price, Deputy Mayor Pro-tem Steve Savage, and Councilmembers Bruce Kreitler, Weldon Hurt, Kyle McAlister, and Donna Albus. Also present were City Manager Robert Hanna, City Attorney Stanley Smith, City Secretary Rosa Rios, and various members of the City staff.

**EXECUTIVE SESSION**

Mayor Williams called the meeting to order and recessed into Executive Session at 4:30 p.m. pursuant to the following of the Open Meetings Act, with the following issues discussed during the closed session, as listed under the noted agenda item:

- A. 551.071 (Consultation with Attorney)
  - (3) Susan Lewis King & Austin King MD vs Ken Paxton, Attorney General of Texas and the City of Abilene. Cause No. D-1-GN-16-001160, filed March 16, 2016
  - (4) Ruby Flores and Cory Almanza v. Jesus Verastegui, Alfredo Verastegui, Rosalva Verastegui, and City of Abilene, Cause No. 49368-A, 42nd District Court, Abilene, Taylor County, Texas, filed April 13, 2016
  - (5) E.G., et al. v. Barry Bond, City of Abilene, and Abilene Independent School District, Case 1:16-cv-00068-BL, U.S. District Court, Northern District, Abilene Division, filed April 28, 2016
  - (7) City of Abilene and Development Corporation of Abilene v. Texas Municipal League Governmental Risk Pool, Cause No. 11018-D In the 350th Judicial District Court, Taylor County, Texas, filed January 9, 2017
  - (8) Iris Guerrero, et al. v. Taylor County, Texas, et al., Civil Action No. 1:17-cv-00050-BL, In the U.S. District Court, Northern District of Texas, Abilene Division, filed April 6, 2017
  - (10) Brady. impeachment concerns, and related civil service issues
  
- B. 551.072 (Deliberations about Real Property)
  - (2) Potential purchase of downtown properties
  - (3) Lease of real property to AEP
  - (4) Old Central Fire Station
  
- D. 551.074 (Personnel Matters)
  - (1) Boards and Commissions – West Central Texas Municipal Water District (Agenda Item 16)
  - (2) Any action, if needed, on annual evaluation of the city secretary and municipal judge (Agenda Item 17 – city secretary)
  
- E. 551.087 (Deliberations about business prospects and economic development)
  - (2) 202 Pine Street

The closed session ended at 5:17 p.m. after which the City Council recessed and reconvened to Open Session at 5:30 p.m., as noted on the posted agenda. Mayor Williams reported no votes or action were taken in Executive Session.

Councilmember Kyle McAlister delivered the invocation.

Kylie Kellogg, 1<sup>st</sup> Grader at Bassetti elementary School; Alyssa Neighbours, 6<sup>th</sup> grader at Clack Middle School; and Hayden Neighbours, 8<sup>th</sup> grader at Clack Middle School led the Pledge of Allegiance to the Flags of the United States of America and the State of Texas.

### PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS, ANNOUNCEMENTS

- Proclamations
  - National Work Zone Awareness Week was accepted by Mr. Dan Richardson, Texas Department of Transportation Director of Operations and Interim Director of Construction
  - Lions White Cane Day was accepted by Mr. Alan Lamb, Elmwood West Lions Club
  - National Service Recognition Day was accepted by Ms. Terra New, West Central Texas Council of Governments

### MINUTES

4. Approval of the minutes from the Special Called Meeting held March 20, 2018 and Regular Meeting held March 22, 2018

Deputy Mayor Pro-tem Savage moved to approve the minutes as presented. Councilmember Kreitler seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Price, Deputy Mayor Pro-tem Savage, and Councilmembers Kreitler, Albus, Hurt, and McAlister  
NAYS (0): None

### CONSENT AGENDA

No items were pulled for individual consideration.

5. Resolution: Authorizing the City Manager to enter into an interlocal agreement with Texas Association of School Boards Energy Cooperative, Inc.  
**[ASSIGNED RESOLUTION NO. 37-2018]**
6. Ordinance: (First Reading) An Ordinance Granting to Taylor Electric Cooperative, Inc. the Right, Privilege and Franchise to Conduct Within the City of Abilene, Taylor County, Texas, an Internet Service Provider Business and to Utilize the Public Right-of Way for Broadband Internet Services Facilities, Providing for the Payment of a Fee or Charge for the Use of the Public Right-of Way; and setting a public hearing for April 26, 2018
7. Resolution: Repealing and Replacing Resolution 94-2017 Adopting Rules of Procedure for the City Council of Abilene, Texas  
**[ASSIGNED RESOLUTION NO. 38-2018]**

Deputy Mayor Pro-tem Savage moved to approve the consent agenda, consisting of items 5 through 7. Councilmember Hurt seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Price, Deputy Mayor Pro-tem Savage and Councilmembers Kreitler, Albus, Hurt, and McAlister  
NAYS (0): None

**REGULAR AGENDA**

8. Discussion and Possible Action to Approve: Texas Hotel Lodging Association and Texans for the Arts Agreement

Mayor Williams announced the item would not be considered.

9. Ordinance & Public Hearing: (Final Reading) Z-2017-30: A request from MB Rentals-Mike Byrd, agent Justin McWilliams, to rezone properties from Agricultural Open Space (AO) to a combination of Heavy Industrial (HI) and General Commercial (GC), located at 4750 and 4902 Boys Ranch Road  
**[ASSIGNED ORDINANCE NO. 16-2018]**

Zack Rainbow, Planning Services Manager/Planning & Development Services, presented the item. The proposed change would allow for proposed General Commercial zoning, specifically to include development of a hotel with the remaining approximately 46 acres (North of and including the Mobil Oil Pipeline Company easement) proposed for Heavy Industrial zoning and industrial/warehousing use. Staff clarified the developer would only be responsible for infrastructure improvements in the development area and the city responsible for city-owned property.

Mayor Williams opened the public hearing. With no speakers coming forward, Mayor Williams closed the public hearing.

Deputy Mayor Pro-tem Savage moved to approve the item as presented. Councilmember Kreitler seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Price, Deputy Mayor Pro-tem Savage and Councilmembers Kreitler, Albus, Hurt, and McAlister  
NAYS (0): None

10. Ordinance & Public Hearing: (Final Reading) Z-2018-06 A request from TEARTEX, LLC, agent Ted Evans, to rezone property from Light Industrial (LI) to Central Business (CB), located at 173 Walnut Street  
**[ASSIGNED ORDINANCE NO. 17-2018]**

Zack Rainbow, Planning Services Manager/Planning & Development Services, presented the item. The change would rezone three contiguous lots (Each 25' x 140') from Light Industrial (LI) District to Central Business (CB) District.

Mayor Williams opened the public hearing. With no speakers coming forward, Mayor Williams closed the public hearing.

Deputy Mayor Pro-tem Savage moved to approve the item as presented. Councilmember Albus seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Price, Deputy Mayor Pro-tem Savage and Councilmembers Kreitler, Albus, Hurt, and McAlister  
NAYS (0): None

11. Ordinance & Public Hearing: (Final Reading) Z-2018-07 A request from Parramore Square, LLC, agent John Scott, to rezone property from Central Business (CB) to Planned Development (PD), located at 702 and 710 Orange Street  
**[ASSIGNED ORDINANCE NO. 18-2018]**

Zack Rainbow, Planning Services Manager/Planning & Development Services, presented the item. The change would rezone property from Central Business (CB) to Planned Development (PD). Brad Stone, Planner III, in the Planning and Development Services Department, provided additional details about the development/area.

Mayor Williams opened the public hearing. The following addressed the city council:

- John Scott – addressed parking spaces on the proposed development

With no other speakers coming forward, Mayor Williams closed the public hearing.

Deputy Mayor Pro-tem Savage moved to approve the item as presented. Councilmember Hurt seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Price, Deputy Mayor Pro-tem Savage and Councilmembers Kreitler, Albus, Hurt, and McAlister  
NAYS (0): None

12. Ordinance & Public Hearing: (Final Reading) TC-2018-02 A request from Brandon C. Beck, Agent eHT to abandon the southern 103.10' of an existing 15' wide alley running north and south between South 14th Street and College Street (to the north)  
**[ASSIGNED ORDINANCE NO. 19-2018]**

Zack Rainbow, Planning Services Manager/ Planning & Development Services, presented the item. The proposed change would abandon the southern 103.10' of an existing 15' wide alley running north and south between South 14th Street and College Street (to the north) which begins at South 14th Street's right-of-way on the south and ends 103.10' north, at a location near the northwest corner of South 14th Street and Barrow Street. The property is located within the floodway (not floodplain) and so the development cannot cause an increase to the elevation of the floodplain.

Mayor Williams opened the public hearing. The following addressed the city council:

- David Swart – drive thru would create a problem with the intersection
- BJ Prichard – agent for the property owner
- Ron Kinder – spoke in opposition to the item

With no other speakers coming forward, Mayor Williams closed the public hearing.

Councilmember McAlister moved to approve the item as presented. Mayor Pro-tem Price seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Price, Deputy Mayor Pro-tem Savage and Councilmembers Kreitler, Albus, Hurt, and McAlister  
NAYS (0): None

13. Ordinance & Public Hearing: (Final Reading) Amending Ordinance adopting fees and charges for the City of Abilene Building Inspections Division  
**[ASSIGNED ORDINANCE NO. 20-2018]**

Tim Littlejohn, Chief Building Official, presented the item. Adoption of the item would restructure the current Building Inspections Division's fee schedule into a more efficient and builder-friendly schedule.

Mayor Williams opened the public hearing. The following addressed the city council:

- Jon Loudermilk – spoke in support of the item

With no other speakers coming forward, Mayor Williams closed the public hearing.

Councilmember Hurt moved to approve the item as presented. Deputy Mayor Pro-tem Savage seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Price, Deputy Mayor Pro-tem Savage and Councilmembers Kreitler, Albus, Hurt, and McAlister

NAYS (0): None

14. Resolution & Public Hearing: Authorize CityLink to execute revised Fixed Route Bus Service routes  
**[ASSIGNED RESOLUTION NO. 39-2018]**

Don Green, Director of Transportation Services, presented the item. Adoption of the item would allow bus route changes to better accommodate the growth and increased use in the city. Proposed-to-existing route comparisons were covered as well as the Service Change Timeline, with the proposed route changes becoming effective June 4, 2018.

Mayor Williams opened the public hearing. The following addressed the city council:

- Mike Vandervoort – spoke in favor of the item

With no other speakers coming forward, Mayor Williams closed the public hearing.

Deputy Mayor Pro-tem Savage moved to approve the item as presented. Councilmember Kreitler seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Price, Deputy Mayor Pro-tem Savage and Councilmembers Kreitler, Albus, Hurt, and McAlister

NAYS (0): None

15. Resolution: Authorizing the City Manager to execute a contract with Starks  
**[ASSIGNED RESOLUTION NO. 40-2018]**

Lesli Andrews, Director of Community Services, presented the item. Adoption of the item would authorize a contract with Starks Construction Company Inc. for the pad preparation of two splash pads: Sears Park and Redbud Park.

Mayor Pro-tem Price moved to approve the item as presented. Councilmember Albus seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Price, Deputy Mayor Pro-tem Savage and Councilmembers Kreitler, Albus, Hurt, and McAlister  
 NAYS (0): None

16. Resolution: Appointing members to various Boards & Commissions per the City Charter [ASSIGNED RESOLUTION NO. 41-2018]

Earlier in the meeting, under Section 551.074 (Personnel Matters) of the Open Meetings Act, the item was discussed during the Executive Session, which started at 4:30 p.m. and ended at 5:17 p.m. No action was taken at that time.

Deputy Mayor Pro-tem Savage moved to approve (re)appointment of the following:

Board	Term End Date
<i>West Central Texas Municipal Water District</i>	
Joe Canon [Reappointment]	May 2020
Kelly Kinard [Reappointment]	May 2020
Sam Chase [New]	May 2020

Councilmember McAlister seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Price, Deputy Mayor Pro-tem Savage and Councilmembers Kreitler, Albus, Hurt, and McAlister  
 NAYS (0): None

17. Resolution: Any action, if needed, on the annual evaluation for the city secretary

Earlier in the meeting, under Section 551.074 (Personnel Matters) of the Open Meetings Act, the item was discussed during the Executive Session, which started at 4:30 p.m. and ended at 5:17 p.m. No action was taken at that time.

The item was not considered.

18. Public Comment

Mayor Williams opened the public comment period. The following addressed the city council:


- Mike Vandervoort – spoke on the survey recently sent out by the city

With no other speakers coming forward, Mayor Williams closed the public comment period.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 7:26 p.m.

  
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Rosa Rios, TRMC  
City Secretary

  
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Anthony Williams  
Mayor

Minutes approved on: April 26, 2018