

**CITY COUNCIL MEETING
December 6, 2018 at 8:30 a.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 December 6, 2018, at 8:30 a.m. in the Council Chambers, 555 Walnut St. Mayor Anthony Williams was present and presiding with Mayor Pro-tem Kyle McAlister, Deputy Mayor Pro-tem Steve Savage and Councilmembers Shane Price, Donna Albus, Weldon Hurt and Jack Rentz. Also present were City Manager Robert Hanna, City Attorney Stanley Smith, City Secretary Rosa Rios, and various members of the City staff.

Deputy Mayor Pro-tem Steve Savage delivered the invocation.

Laynee Meacham, 5th grader at Jackson Elementary School, and Isabella Rojas, 5th grader at Dyess Elementary School, led the Pledge of Allegiance to the Flag of the United States of America and State of Texas Flag.

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS, ANNOUNCEMENTS

- Employee Service Awards
 - Chris Pettijohn, Transportation Services – 20 Years
 - Deborah “Debbie” Dosser, Transportation Services – 20 Years
- Proclamation
 - 90th Anniversary of the Abilene Women’s Club was accepted by several members of the organization
- Special Recognition
 - Texas Recreation & Parks West Region Equipment Rodeo Champions was presented by Richard Rogers, Parks Division Manager
- Announcements
 - Kent Sharp, Chief Executive Officer of the Development Corporation of Abilene, was thanked for his years of service to the DCOA.

EXECUTIVE SESSION

Mayor Williams recessed into Executive Session at 8:50 a.m. pursuant to the following of the Open Meetings Act, with the following issues discussed during this session, as listed on the agenda and authorized by the noted Texas Government Code Sections:

- 19.D 551.074 (Personnel Matters)
 - 1. Performance Evaluation City Manager Robert Hanna (Also Agenda Item 22)
 - 2. CEO position for Development Corporation of Abilene
- 19.F 551.087 (Business Prospect/Economic Development)
 - 1. Hotel Proposals

The Executive Session ended at 9:50 a.m. and reconvened to Open Session. Mayor Williams reported no votes or action were taken in Executive Session.

CONSENT AGENDA

The Consent Agenda consisted of items 3-10. No items were pulled for individual consideration.

Deputy Mayor Pro-tem Savage moved to approve the consent agenda, consisting of items 3-10. Councilmember Hurt seconded the motion; motion carried.

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

3. Minutes: Receive a Report, Hold a Discussion and Take Action on approving of the minutes from the Regular Meeting held on November 15, 2018 and the Signing on the Studs Event on November 18, 2018
4. Resolution: Receive a Report, Hold a Discussion and Take Action on repealing and replacing Resolution 112-2018 adopting Rules of Procedure for the Procedure for the City Council of Abilene, Texas
[ASSIGNED RESOLUTION NO. 193-2018]
5. Resolution: Receive a Report, Hold a Discussion and Take Action on repealing and replacing Resolution No. 189-2018 and Authorizing the Purchase of 9 mm Handguns during Fiscal Year 2018-2019
[ASSIGNED RESOLUTION NO. 194-2018]
6. Resolution: Receive a Report, Hold a Discussion and Take Action on executing a contract with Toner Tiger for the purchase of thirty-eight (38) Panasonic Model CF-33 ToughBooks, with accessories
[ASSIGNED RESOLUTION NO. 194-2018]
7. Resolution: Receive a Report, Hold a Discussion and Take Action on awarding the bid to Purcell Contracting for the Buck Creek Screw Pump Station Project
[ASSIGNED RESOLUTION NO. 196-2018]
8. Resolution: Receive a Report, Hold a Discussion and Take Action to award supplemental transportation contracts to Disability In Action and LynkUp Taxi Services
[ASSIGNED RESOLUTION NO. 197-2018]
9. Ordinance (First Reading): Receive a Report, Hold a Discussion and Take Action on amending Chapter 18, "Motor Vehicles and Traffic," Article XIII, Section 18-2943 "Parking Prohibited-At All Times," of the Abilene Municipal Code, by amending certain sections, providing a severability clause and declaring a penalty; and setting a public hearing for December 20, 2018
10. Ordinance (First Reading): Receive a Report, Hold a Discussion and Take Action on amending the ATCPHD Schedule of Discounts for fees and charges for the Abilene Taylor County Public Health District; repealing all ordinances and parts of ordinances, resolutions and parts of resolution in conflict herewith; providing a severability clause; and calling a public hearing for December 20, 2018

REGULAR AGENDA

Note: Agenda Item 14 was considered at this time; the details of action taken are available within that item.

11. Ordinance and Public Hearing (Final Reading): Receive a Report, Hold a Discussion and Take Action on approving the Standards of Care for 2019
[ASSIGNED ORDINANCE NO. 66-2018]

Leslie Andrews, Director of Community Services, presented the item. Adoption of the item would establish the Standards of Care Program for 2019, which exempts youth programs operated by a municipality from state child-care licensing requirements, and governs after school programs and summer camps.

Mayor Williams opened the public hearing; and with no speakers coming forward, the public hearing was closed.

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 McAlister, Deputy Mayor Pro-tem Savage, and Councilmembers Price, Rentz, Albus, and Hurt
NAYS (0): None

12. Resolution: Receive a Report, Hold a Discussion and Take Action on supporting a Housing Tax Credit Application for Maple Street Lofts and Commitment of Development Funding
[ASSIGNED RESOLUTION NO. 198-2018]

Mike Warrix, Director of Planning and Development Services introduced Sallie Burchett with Structure Development, who presented the item. Support of the project (Maple Street Lofts) would allow for affordable rental housing to be located at the Southeast corner of Maple Street and Berry Lane, and City's waiver of fees in the amount of \$500.

At Councilmember Price's inquiry, staff clarified the fee waiver was customary and the State Legislature required the waiver in order to award the points associated with the credit. City Manager Hanna stated he would research to determine if past waivers had been approved although he expected that was the case.

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

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

13. Ordinance and Public Hearing (Final Reading): CUP 2018-31 Receive a Report, Hold a Discussion and Take Action on request from Little Manufacturing, agent ~~EHT~~eHT, to rezone property from Agricultural Open Space (AO) and Heavy Commercial (HC) to General Commercial (GC) with a Conditional Use Permit to allow a Vacation Travel Trailer/Recreational Vehicle Park specifically located at 2702 E. Highway 80
[ASSIGNED ORDINANCE NO. 67-2018]

Councilmember Rentz had a conflict on the item and left the Council Chambers prior to consideration.

Mike Warrix, Director of Planning and Development Services, presented the item. Adoption of the item would allow a rezoning of a portion of an unplatted lot from Heavy Commercial (HC) and Agricultural Open Space (AO) to General Commercial (GC) with a Condition Use Permit (CUP) for a "Vacation Travel Trailer Park" on the above-noted property.

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

- David Todd (representing the applicant) – reported the property owner believes the proposed development puts the property to good use

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

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

AYES (6): Mayor Williams, Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Savage, and Councilmembers Price, Albus, and Hurt

NAYS (0): None

ABSTENTION (1): Councilmember Rentz

Councilmember Rentz returned to the Council Chambers following the vote.

14. Ordinance and Public Hearing (Final Reading): Receive a Report, Hold a Discussion and Take Action on CUP 2018-05 A request from Guy and Tonya Mitchell, agent Robert Burkhart - Senter Realtors for a Conditional Use Permit to allow a 'Recreation-Outdoors (active)' use on property zoned General Retail (GR) located at 5457 S. 7th Street
[ASSIGNED ORDINANCE NO. 68-2018]

Mike Warrix, Director of Planning and Development Services, presented the item. Adoption of the item would allow a Conditional Use Permit to allow a use categorized as Recreation-Outdoors (active) on property zoned General Retail (GR) on the above-noted property. A super-majority vote (6 of the 7 councilmembers voting in favor) was required for adoption of the item as opposition was received from owners of more than 20% of the property in the notification area.

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

- Robert Burkhart (representing the applicant) – reported developers have built these types of establishments before and believe it is a good use for an inactive piece of property

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

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

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

NAYS (0): None

15. Ordinance and Public Hearing (Final Reading): CUP 2018-06 Receive a Report, Hold a Discussion and Take Action on a request from First Financial Trust & Asset Management Co., agent Tal Fillingim, for Conditional Use Permit to allow a Vacation Travel Trailer/Recreational Vehicle Park on property zoned Agricultural Open Space (AO) located on 2300 block of East Stamford Street, the eastbound frontage road for Interstate Highway 20
[ASSIGNED ORDINANCE NO. 69-2018]

Mike Warrix, Director of Planning and Development Services, presented the item. Adoption of the item would allow a Conditional Use Permit to allow a “Luxury RV Park” in Agricultural Open Space (AO) zoning on the above-noted property.

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

- Tal Fillingim (representing the applicant) - believes this to be an appropriate use of the space and clarified the term “luxury” refers to the amenities of the community and not the actual trailers

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

Councilmember Price moved to approve the item as presented. Councilmember Hurt seconded the motion; motion carried.

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

16. Ordinance and Public Hearing (Final Reading): CUP 2018-29 Receive a Report, Hold a Discussion and Take Action on a request from Edwin and Martin McDonald, to amend the terms and conditions of PD95 (Planned Development 95) to allow for the permanent placement and use of Recreational Vehicles (RV's) within the Planned Development located at 402 Arnold Boulevard
[ASSIGNED ORDINANCE NO. 70-2018]

Mike Warrix, Director of Planning and Development Services, presented the item. Adoption of the item would allow no more than 74 Recreational Vehicle lots within the existing mobile home and recreational vehicle park on the above-noted property.

Mayor Williams opened the public hearing; and with no speakers coming forward, the public hearing was closed.

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

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

17. Ordinance and Public Hearing (Final Reading): CUP 2018-30 Receive a Report, Hold a Discussion and Take Action on a request from Jerry J. Peterson, agent Derek Peterson, to rezone property from Heavy Industrial (HI) to Light Industrial (LI) located at 4400 S. Treadaway Boulevard
[ASSIGNED ORDINANCE NO. 71-2018]

Mike Warrix, Director of Planning and Development Services, presented the item. Adoption of the item would allow a rezoning of the property from Heavy Industrial (HI) to Light Industrial (LI) zoning on the above-noted property.

Mayor Williams opened the public hearing; and with no speakers coming forward, the public hearing was closed.

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

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

18. Ordinance and Public Hearing (Final Reading): CUP 2018-32 Receive a Report, Hold a Discussion and Take Action on a request from Menjivar Properties LLC, agent Jorge Calderon Lopez, to rezone one lot from Agricultural Open Space (AO) to General Commercial (GC) located at 5250 Highway 277 South
[ASSIGNED ORDINANCE NO. 72-2018]

Mike Warrix, Director of Planning and Development Services, presented the item. Adoption of the item would allow a rezoning of the lot from Agricultural Open Space (AO) to General Commercial (GC), on the above referenced property.

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

- Jonathan Lopez (applicant) – availed himself to answer any questions

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

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 McAlister, Deputy Mayor Pro-tem Savage, and Councilmembers Price, Rentz, Albus, and Hurt
NAYS (0): None

PUBLIC COMMENTS

Mayor Williams opened the public comment period; and with no speakers coming forward, the public comment period was closed.

EXECUTIVE SESSION

Mayor Williams recessed into the second Executive Session at 10:44 a.m. pursuant to the following of the Open Meetings Act, with the following issues discussed during this session, as listed on the agenda and authorized by the noted Texas Government Code Section:

- 19.B 551.072 (Deliberations about Real Property)
 - 1. Old Central Fire Station
 - 2. The Cotton Warehouse
 - 3. Proposed utility easement off of North Danville Drive
 - 4. 302 Medical Drive
- 19.D 551.074 (Personnel Matters)
 - Abilene Metropolitan Planning Organization Board
 - Street Maintenance Advisory and Appeals Board
- 19.F 551.087 (Business Prospect/Economic Development)
 - Agenda Item 21: Receive a Report Hold a Discussion and Take Action on authorizing the Development Corporation of Abilene's assistance for Project Column 2
 - 1. DCOA Project with Texas Tech University Health Sciences Center

Mayor Williams departed from the meeting following completion of the Executive Session.

The Executive Session ended at 11:32 a.m. and was reconvened to Open Session by Mayor Pro-tem McAlister who continued as Presiding Officer over the remainder of the meeting. Mayor Pro-tem McAlister reported no votes or action were taken in Executive Session.

REGULAR AGENDA

20. Oral Resolution: Receive a Report, Hold a Discussion and Take Action on approving the Development Corporation of Abilene Fiscal Year 2018 Annual Report
[ORAL RESOLUTION]

Kent Sharp, Chief Executive Officer, Development Corporation of Abilene, Inc. presented the item. The report covered the fiscal year beginning October 1, 2017 and ending September 30, 2018. Not included in the written report was the DCOA's commitment to contribute funding toward the Street Maintenance Fees.

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

AYES (6): Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Savage, and Councilmembers Price, Rentz, Albus, and Hurt

NAYS (0): None

ABSENT WHEN VOTE TAKEN (1): Mayor Williams

21. Resolution: Receive a Report, Hold a Discussion and Take Action on authorizing the Development Corporation of Abilene's assistance for Project Column 2
[ASSIGNED RESOLUTION NO. 199-2018]

Earlier in the meeting, under Section 551.087 (Business Prospect/Economic Development) of the Open Meetings Act, the item was discussed during the Executive Session, which started at 10:44 a.m. and ended at 11:32 a.m. No votes or actions were taken at that time.

Justin Jaworski, Executive Director of the Abilene Industrial Foundation, presented the item. Adoption of the item would authorize the Development Corporation of Abilene's assistance for Project Column 2. The company seeks to expand its corporate headquarters and construction of a 30,000 sq. ft. addition to house three (3) of its fastest growing divisions: 1) investment firm, 2) administrative software solutions, and 3) technology support and development. The expansion has an estimated cost of \$6,900,000 with a DCOA assistance of \$1,035,000.

Councilmember Price moved to approve the item as presented. Councilmember Rentz seconded the motion; motion carried.

AYES (6): Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Savage, and Councilmembers Price, Rentz, Albus, and Hurt
 NAYS (0): None
 ABSENT WHEN VOTE TAKEN (1): Mayor Williams

22. Oral Resolution: Receive a Report, Hold a Discussion and Take Action on the annual evaluation of the city manager
[ORAL RESOLUTION]

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 8:50 a.m. and ended at 9:50 a.m. No votes or actions were taken at that time.

Deputy Mayor Pro-tem Savage moved to approve an amendment to the employment contract with City Manager Robert Hanna. Councilmember Albus seconded the motion; motion carried.

AYES (6): Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Savage, and Councilmembers Price, Rentz, Albus, and Hurt
 NAYS (0): None
 ABSENT WHEN VOTE TAKEN (1): Mayor Williams

23. Resolution: Appointing Members to various Boards and Commissions per the City Charter
[ASSIGNED RESOLUTION NO. 200-2018]

Councilmember Hurt moved to (re)appoint the following.

| Board | Term End Date |
|---|----------------|
| <i>9-1-1 Emergency Communications Board</i> | |
| Philip Wicker [Reappointment] | September 2020 |
| <i>Library Advisory Board</i> | |
| Clint Buck [Reappointment] | May 2020 |

Deputy Mayor Pro-tem Savage seconded the motion; motion carried.

AYES (6): Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Savage, and Councilmembers Price, Rentz, Albus, and Hurt
 NAYS (0): None
 ABSENT WHEN VOTE TAKEN (1): Mayor Williams

ADJOURNMENT

There being no further business, the meeting adjourned at 11:57 a.m.



Rosa Rios, TRMC
City Secretary



Anthony Williams
Mayor

Minutes approved on: December 20, 2018