

**CITY COUNCIL MEETING**  
**January 24, 2019 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 January 24, 2019, at 4:30 p.m. in the Council Chambers, 555 Walnut St. Mayor Anthony Williams was present and presiding with Mayor Pro-tem Kyle McAlister and Councilmembers Shane Price, Jack Rentz, Donna Albus, and Weldon Hurt. Deputy Mayor Pro-tem Steve Savage was absent. 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 recessed into Executive Session at 4:30 p.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:

- 18.B 551.072 (Deliberations about Real Property)
  - 1. The Cotton Warehouse
  - 2. Proposed utility easement off of North Danville Drive
  - 3. 302 Medical Drive
  - 4. 802 Pine Street
- 18.D 551.074 (Personnel Matters)
  - City Council Retreat Topics
- 18.F 551.087 (Business Prospect/Economic Development)
  - 1. Hotel Proposals
  - 2. Allen Ridge

The Executive Session ended at 5:05 p.m. The meeting was 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 Donna Albus delivered the invocation.

Araiya Jeffers, 5th grader at Allie Ward 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**

Mayor Williams announced the Public Comments portion of the meeting would be moved up on the agenda and held prior to consideration of the Consent Agenda.

Councilmember Rentz moved the meeting agenda be kept in the order it was posted. Councilmember Albus seconded the motion; motion carried.

AYES (5): Mayor Pro-tem McAlister and Councilmembers Price, Albus, Rentz, and Hurt  
NAYS (1): Mayor Williams  
ABSENT (1): Deputy Mayor Pro-tem Savage

## CONSENT AGENDA

The Consent Agenda consisted of items 3-12. No items were pulled for individual consideration.

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

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

3. Minutes: Receive a Report, Hold a Discussion and Take Action on approving the minutes from the Regular meeting held on January 10, 2019
4. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving Updated Suddenlink Contract  
[ASSIGNED RESOLUTION NO. 14-2019]
5. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding Bid #CB-1921 LEC Fiber Project to Taylor Telephone Cooperative, Inc.  
[ASSIGNED RESOLUTION NO. 15-2019]
6. Resolution: Receive a Report, Hold a Discussion, and Take Action on a Resolution Supporting the State of Texas Solid Waste Association of North America (TxSWANA) in a Proposed Bill to Amend Chapter 545.157 of the Texas Transportation Code supporting the "Slow Down To Get Around" Legislation Towards Waste and Recycling Vehicles and Trucks Under Texas Law  
[ASSIGNED RESOLUTION NO. 16-2019]
7. Ordinance (First Reading): Z-2018-35: Receive a Report, Hold a Discussion, and Take Action on a request from Andy Zimmerman, to remove Historic Overlay Zone located at 3434 S. 9th Street; and schedule a public hearing for February 14, 2019
8. Ordinance (First Reading): Z-2019-01 Receive a Report, Hold a Discussion, and Take Action on a request from Chapapote Investments LLC, to rezone property from AO/COR (Agricultural Open Space/Corridor Overlay) to GR/COR (General Retail/Corridor Overlay) located at 7610 Buffalo Gap Road; and schedule a public hearing for February 14, 2019
9. Ordinance (First Reading): Z-2019-02: Receive a Report, Hold a Discussion, and Take Action on a request from Steve Low and Tara Gilmore-Low, to rezone property from AO/COR (Agricultural Open Space/Corridor Overlay) to NO/COR (Neighborhood Office/Corridor Overlay) located at 7242 Buffalo Gap Road; and schedule a public hearing for February 14, 2019
10. Ordinance (First Reading): TC-2019-01: Receive a Report, Hold a Discussion, and Take Action on a request from Hendrick Medical Center, to abandon 278' of Cedar Street between North 16th and North 15th Streets, between Pine Street and Hickory Street; a 20-foot wide right-of-way for public alley extending 350 feet east from this segment of Cedar Street, midway and parallel between North 16th and 15th Streets; a 15-foot-wide right-of-way for public alley extending 340 feet west from that same segment of Cedar Street, approximately midway and parallel between North 16th and 15th Streets; and a 20-foot wide right-of-way for public alley extending 128 feet north from North 15th Street and situated 140 feet west from and parallel to Cedar Street; and schedule a public hearing for February 14, 2019

11. Ordinance (First Reading): Z-2019-03: Receive a Report, Hold a Discussion, and Take Action on a request from Hendrick Medical Center, to rezone property from MD (Medium-Density Residential) to MF (Multi-Family Residential), location being 24 parcels located generally north of North 15th and south of North 16th Streets, between Hickory Street and Pine Street; and schedule a public hearing for February 14, 2019
12. Ordinance (First Reading): TC-2018-05: Receive a Report, Hold a Discussion, and Take Action on a request from Hardin-Simmons University, to abandon approximately 1,140' of public right-of-way for Vogel Avenue extending west from Pine Street through and including Vogel Avenue's intersection with Hickory Street; and schedule a public hearing for February 14, 2019

### REGULAR AGENDA

13. Resolution: Receive a Report, Hold a Discussion, and Take Action on adopting a Resolution of public censure of any Councilmember and/or Mayor  
**[ASSIGNED RESOLUTION NO. 17-2019 - FAILED]**

Discussion on the item was held and except for Mayor Pro-tem McAlister, members of the City Council voiced their position on the public censure of Mayor Pro-tem McAlister.

At Mayor Williams' request, City Attorney Smith outlined the censure process as detailed in Section 2.19.2 of the City Council Rules of Procedure. A super majority vote would be required in order to pass the censure, which would be 6 of the 7 members voting in favor of the item.

Mayor Williams moved to approve the item providing for public censure of Mayor Pro-tem McAlister. Councilmember Hurt seconded the motion; motion failed.

AYES (3): Mayor Williams, Mayor Pro-tem McAlister and Councilmember Hurt  
NAYS (3): Councilmembers Price, Rentz, and Albus  
ABSENT (1): Deputy Mayor Pro-tem Savage

14. Resolution: Receive a Report, Hold a Discussion and Take Action on Supporting a Housing Tax Credit Application for The Reserve at Abilene and Commitment of Development Funding  
**[ASSIGNED RESOLUTION NO. 18-2019]**

Mike Warrix, Director of Planning and Development Services, introduced the item. Adoption of the item would commit fee waivers in the amount of \$500 for the benefit of The Reserve at Abilene, conditioned upon their receipt of Housing Tax Credits for the project. Chris Applequist and Adrian Iglesias with Generation Housing Development presented the item.

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

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

15. Resolution: Receive a Report, Hold a Discussion and Take Action on Supporting a Housing Tax Credit Application for The Estates at Abilene and Commitment of Development Funding  
[ASSIGNED RESOLUTION NO. 19-2019]

Mike Warrix, Director of Planning and Development Services, introduced the item. Adoption of the item would commit fee waivers in the amount of \$500 for the benefit of The Estates at Abilene, conditioned upon their receipt of Housing Tax Credits for the project. Chris Applequist and Adrian Iglesias with Generation Housing Development presented the item.

Councilmember Hurt recommended the project name be changed to eliminate any confusion.

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

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

16. Resolution: Award of Bid #CB-1923 - Hartford Street Rehabilitation Project to J.H. Strain & Sons, Inc.  
[ASSIGNED RESOLUTION NO. 20-2019]

Greg McCaffery, Director of Public Works, presented the item. Adoption of the item would approve the rehabilitation of Hartford Street from Veterans Drive to South Clack Street, for a 2" mill and overlay with an underseal throughout the project.

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

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

17. Ordinance & Public Hearing (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending Chapter 18, "Motor Vehicles and Traffic," Article XIII, "Schedules," Section 18-287, "Same Other Zones," Section 18-289, "One-Way Streets-At All Times," Section 18-293, "Parking Prohibited-At All Times," Section 18-299, "Parking Time Limited," of the Abilene Municipal Code, by amending certain sections, providing a severability clause, and declaring a penalty  
[ASSIGNED ORDINANCE NO. 05-2019]

Greg McCaffery, Director of Public Works, presented the item. Adoption of the item would approve an update to the Code of Ordinances to the current layout of the airport, also addressing the streets which are public and private.

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

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

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

### PUBLIC COMMENTS

Mayor Williams announced registered speakers would be called in the order speaker cards were provided to the city secretary and then opened the public comment period. The following addressed the city council:

- Joe Spano – spoke to Item 13 and moving forward
- Carolyn Rhoads – spoke to Item 13 and in support of Mayor Pro-tem McAlister
- Tim Yandell – spoke to Item 13 and in support of Mayor Pro-tem McAlister
- Cheryl Sawyers – spoke about the Don't Mess With Texas Scholarship and how to apply for it
- Randy Pool – spoke to Item 13 and comments being uncalled for
- Trish Dressen – provided an update on the Art Adventure Trail going downtown after their presentation at a previous Council meeting and having sold 24 benches in 5 days
- Bill Enriquez – spoke to Item 13 and disfavor with Mayor Pro-tem McAlister
- Samuel Garcia – spoke to Item 13 and disfavor with Mayor Pro-tem McAlister
- Hortencia Armour – spoke to Item 13 and in support of Mayor Pro-tem McAlister
- Sam Hatton – spoke to Item 13 and disfavor with Mayor Pro-tem McAlister
- Drew Martinez – spoke to Item 13 and in support of Mayor Pro-tem McAlister
- Shan Martinez – spoke to Item 13 and in support of Mayor Pro-tem McAlister
- Joey Devora – spoke on effect of social media and power of leaders to affect others
- Elizabeth Smyser – spoke in favor of Item 13
- Girl Scouts of Abilene – spoke about Girl Scout cookies and the impact that their sales have on the girls themselves and the community as a whole
- Cynthia Alvidrez – spoke to Item 13 and disfavor with Mayor Pro-tem McAlister
- Charlotte Sines – spoke in favor of Item 13
- Jeremy Wood – spoke in favor of Item 13
- Rusty Beard – spoke to Item 13 and the resulting discord and school board members attending this meeting during a scheduled school board meeting
- Jovann Guzman – spoke to Item 13 and disfavor with Mayor Pro-tem McAlister

Mayor Williams called for a five minute recess at 7:08 p.m. The meeting was reconvened at 7:24 p.m.

- Mary Madrid – spoke to Item 13 and effects of comments made
- Cecline Muniz – spoke to Item 13 and in support of Mayor Pro-tem McAlister
- David Swart – spoke on the proposed downtown hotel/County’s involvement; pothole being fixed
- Bill Libby – spoke about his time as a Chaplain in the Army
- Chad Mitchell – spoke to Item 13 and city coming together
- Todd Randall – spoke to message of Brother’s Keeper, which is being filmed in Abilene
- Scott Beard – spoke in favor of Item 13 and “walls” being up in Abilene but are beginning to come down
- Robert Morris – spoke in favor of Item 13 and County Commissioners needing to have a public comment period
- Kevin Haliburton – spoke to Item 13, taking/not taking sides and encouraged everyone to see the other’s perspective
- Amanda Martinez – spoke in favor of Item 13 and her own experience with public criticism
- Lynn Beard –spoke to Item 13 and experience with racism as a police officer

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

### REGULAR AGENDA

19. Resolution: Appointing Members to various Boards and Commissions per the City Charter  
[ASSIGNED RESOLUTION NO. 21-2019]

Councilmember Price moved to (re)appoint the following.

Board	Term End Date
Civil Service Commission Randy Burchell (Reappointment)	November 2021


Councilmember Hurt seconded the motion; motion carried.

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

### ADJOURNMENT

Prior to adjournment, Mayor Williams spoke on both the community’s and Council’s responsibility to work together and do the right thing to move forward and make Abilene a better place.

There being no further business, the meeting adjourned at 7:55 p.m.

  
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Rosa Rios  
City Secretary

  
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Anthony Williams  
Mayor

Minutes approved on: February 14, 2019