

CITY COUNCIL MEETING
February 14, 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 February 14, 2019, 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 and Councilmembers Shane Price, Donna Albus, Weldon Hurt and Jack Rentz. 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.

Deputy Mayor Pro-tem Kyle McAlister delivered the invocation.

Messiah Lee, Kindergartener at Martinez Elementary School, and Eric Torres, 4th grader at Ortiz 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 Award
 - Brian C. Trail, Police Department – 25 Years
 - Twylia D. Waldon, Water Utilities – 30 Years
- Proclamation
 - James Rogge presented the Intelligent Transportation Society of Texas Board of Directors and Membership award to the City of Abilene the ITS Texas Award for the 2015 Bond Project for Traffic Signal Improvements at Select Locations

CONSENT AGENDA

The Consent Agenda consisted of items 3-21.

Item pulled from consideration was as follows:

- City Manager Robert Hanna: Item 15

Items pulled for individual consideration were as follows:

- Councilmember Price and David Swart, Citizen: Item 11
- Councilmember Price and David Swart, Citizen: Item 12
- Councilmember Price: Item 13

Councilmember Hurt moved to approve the consent agenda, now consisting of items 3-10, 14, and 16-21. Councilmember Albus seconded the motion; motion carried.

AYES (6): Mayor Williams, Mayor Pro-tem McAlister and Councilmembers Price, Rentz, Albus, 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 24, 2019

4. Resolution: Receive a Report, Hold a Discussion and Take Action on ordering a City of Abilene General Election to be held Saturday, May 4, 2019, for the purpose of electing members to City Council Places 5 and 6
[ASSIGNED RESOLUTION NO. 22-2019]
5. Resolution: Receive a Report, Hold a Discussion and Take Action on authorizing a joint election agreement and contract for election services with Taylor County for a general election to be held Saturday, May 4, 2019, and authorizing the extension of this contract to cover a runoff election, if needed
[ASSIGNED RESOLUTION NO. 23-2019]
6. Resolution: Receive a Report, Hold a Discussion and Take Action on authorizing the City Manager to continue the agreement between the City of Abilene and Abilene Library Consortium
[ASSIGNED RESOLUTION NO. 24-2019]
7. Resolution: Receive a Report, Hold a Discussion and Take Action on authorizing the City Manager to continue the Abilene Public Library purchases from Midwest Tape for Hoopla
[ASSIGNED RESOLUTION NO. 25-2019]
8. Resolution: Receive a Report, Hold a Discussion and Take Action on authorizing the City Manager to continue the Agreement between the Abilene Public Library and Overdrive, Inc.
[ASSIGNED RESOLUTION NO. 26-2019]
9. Resolution: Receive a Report, Hold a Discussion and Take Action on authorizing the City Manager to approve the Abilene Public Library purchases from Baker & Taylor
[ASSIGNED RESOLUTION NO. 27-2019]
10. Resolution: Receive a Report, Hold a Discussion, and Take Action on authorizing the City Manager to execute an agreement with Sunbelt Pools through BuyBoard contract #512-16 for the purchase of a third slide to be installed at Adventure Cove located in Rose Park
[ASSIGNED RESOLUTION NO. 28-2019]
14. Resolution: Receive a Report, Hold a Discussion and Take Action on approving a contract with H.E.A.T. Safety Equipment, LLC for the purchase of 110 Scott Safety X3 Pro Self-Contained Breathing Apparatus (SCBAs)
[ASSIGNED RESOLUTION NO. 32-2019]
16. Resolution: Award of Bid #BC-1924 to Nobles Road Construction Inc. - Corsicana Ave Overlay Project
[ASSIGNED RESOLUTION NO. 34-2019]
17. Award of Bid #BC-1927 to J.H Strain & Sons Inc. - Vogel St. Overlay Project
[ASSIGNED RESOLUTION NO. 35-2019]
18. Resolution: Award of Bid #BC-1928 to Bontke Brothers Construction - Leggett Dr. Overlay Project
[ASSIGNED RESOLUTION NO. 36-2019]

19. Resolution: Receive a Report, Hold a Discussion and Take Action on supporting the House Committee Substitute to House Bill 23 designating State Loop 33 as the Officer Rodney T. Holder Memorial Highway
[ASSIGNED RESOLUTION NO. 37-2019]

Mary Ann Holder, wife of former Police Officer Holder, was recognized by Mayor Williams.

20. Ordinance (First Reading): Receive a Report, Hold a Discussion, and Take Action on Amending Chapter 28 "Solicitations," Article I, "In General," and Article II, "Permit," Repealing Chapter 28 "Solicitations," Article III, "Roadways," and Article IV, "Aggressive Panhandling," and Amending Chapter 18 "Motor Vehicles and Traffic," Article IX, "Pedestrians", of the Code of the City of Abilene, Providing a Severability Clause; Declaring a Penalty; and scheduling a Public Hearing on February 28, 2019
21. Ordinance (First Reading): Receive a Report, Hold a Discussion, and Take Action on an Ordinance Deleting and Replacing Chapter 23, "Reserved," of the Code of Ordinances with a "Scooter and Bicycle Sharing" Ordinance, Providing for a Severability Clause, Declaring a Penalty, and schedule a Public Hearing for February 28, 2019

ITEM PULLED FROM CONSIDERATION

15. Resolution: Receive a Report, Hold a Discussion and Take Action on an Economic Development Agreement between the City of Abilene and ARL Retail, LLC.
[ASSIGNED RESOLUTION NO. 33-2019; NOT CONSIDERED]
This item was pulled from consideration by City Manager Robert Hanna.

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

Agenda items 11 and 12 were collectively discussed and considered:

11. Resolution: Receive a Report, Hold a Discussion and Take Action on approving the purchase and installation of a new Communications Tower from Wilbur L. Anderson, Inc./Western Towers
[ASSIGNED RESOLUTION NO. 29-2019]
The item was pulled by Councilmember Price and David Swart, Citizen

Agenda Items 11 and 12 were collectively discussed and considered.

Having pulled both items, Councilmember Price asked for clarification on the height of the tower and whether or not that would require a conditional use permit. Don Green, Director of Transportation, clarified the CUP would need to go through the Planning & Zoning Board and is a current request.

David Swart spoke on his concerns of the tower lack of electrical specifics (Item 11), and needed lights and antennas (Item 12). Staff clarified FAA requirements will be met.

Councilmember Price moved to collectively approve items 11 and 12, as presented. Mayor Pro-tem McAlister seconded the motion; motion carried.

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

12. Resolution: Receive a Report, Hold a Discussion and Take Action on approving the purchase and installation of new Microwave Communications Equipment from Dailey and Wells Communications, Inc.
[ASSIGNED RESOLUTION NO. 30-2019]

The item was pulled by Councilmember Price and David Swart, Citizen

Agenda Items 11 and 12 were collectively discussed and considered.

Having pulled both items, Councilmember Price asked for clarification on the height of the tower and whether or not that would require a conditional use permit. Don Green, Director of Transportation, clarified the CUP would need to go through the Planning & Zoning Board and is a current request.

David Swart spoke on his concerns of the tower lack of electrical specifics (Item 11), and needed lights and antennas (Item 12. Staff clarified FAA requirements will be met.

Councilmember Price moved to collectively approve items 11 and 12, as presented. Mayor Pro-tem McAlister seconded the motion; motion carried.

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

13. Resolution: Receive a Report, Hold a Discussion and Take Possible Action on Edward Byrne Memorial Justice Assistance Grant

[ASSIGNED RESOLUTION NO. 31-2019]

The item was pulled by Councilmember Price

At Councilmember Price's request, Fire Chief Flores explained the purpose of the grant is to provide funding for multiple Crisis Response Teams (CRT). Each CRT would consist of a police officer, a fire paramedic, and a licensed mental health clinician. The teams will respond to mental health crisis calls, providing more holistic services.

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

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

REGULAR AGENDA

22. Ordinance and Public Hearing (Final Reading): Z-2018-35: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Andy Zimmerman, to remove Historic Overlay Zone located at 3434 S. 9th Street

[ASSIGNED ORDINANCE NO. 06-2019]

Mike Warrix, Director of Planning and Development Services, presented the item. Adoption of the item would remove the Historic Overlay Zoning on the above-noted property. Changes in ownership have resulted in the property no longer meeting Historic Overlay requirements/criteria thus zoning change being required.

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

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

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

23. Ordinance and Public Hearing (Final Reading): Z-2019-01 Receive a Report, Hold a Discussion and Public Hearing, 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
[ASSIGNED ORDINANCE NO. 07-2019]

Mike Warrix, Director of Planning and Development Services, presented the item. Adoption of the item would rezone a single tract of 1.09 acres from Agricultural Open Space/Corridor Overlay (AO/COR) to General Retail/Corridor Overlay (GR/COR) 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. Councilmember Hurt seconded the motion; motion carried.

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

24. Ordinance and Public Hearing (Final Reading): Z-2019-02: Receive a Report, Hold a Discussion and Public Hearing, 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
[ASSIGNED ORDINANCE NO. 08-2019]

Mike Warrix, Director of Planning and Development Services, presented the item. Adoption of the item would rezone a single tract of 1.09 acres from Agricultural Open Space/Corridor Overlay (AO/COR) to Neighborhood Office/Corridor Overlay (NO/COR) on the above-noted property.

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

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

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

25. Ordinance and Public Hearing (Final Reading): TC-2019-01: Receive a Report, Hold a Discussion and Public Hearing, 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
[ASSIGNED ORDINANCE NO. 09-2019]

Mike Warrix, Director of Planning and Development Services, presented the item. Adoption of the item would abandon the above-noted properties.

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

- Norm Archibald – in support of the item
- Bruce Johnson (applicant) – detailed the specifics of the proposed project should the item be approved
- Pearl Merritt – in support of the item
- Abel Hawthorn – in support of the item
- David Todd – in support of the item with the noted conditions approved/set by the Planning and Zoning Commission

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

Councilmember Albus 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, Rentz, Albus, and Hurt

NAYS (0): None

ABSENT (1): Deputy Mayor Pro-tem Savage

26. Ordinance and Public Hearing (Final Reading): Z-2019-03: Receive a Report, Hold a Discussion and Public Hearing, 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
[ASSIGNED ORDINANCE NO. 10-2019]

Mike Warrix, Director of Planning and Development Services, presented the item. Adoption of the item would rezone 24 lots from Medium-Density Residential (MD) to Multi-Family Residential (MF).

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

- Samuel Garcia – in support of the item

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

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

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

27. Ordinance and Public Hearing (Final Reading): TC-2018-05: Receive a Report, Hold a Discussion and Public Hearing, 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
[ASSIGNED ORDINANCE NO. 11-2019]

Mike Warrix, Director of Planning and Development Services, presented the item. Adoption of the item would abandon the above-noted property.

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

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, Rentz, Albus, and Hurt
NAYS (0): None
ABSENT (1): Deputy Mayor Pro-tem Savage

PUBLIC COMMENTS

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

- David Swart – spoke about the new water meter reading system, his meter not being read correctly, and suggested the new Law Enforcement Center be named the Chief Clinton Center, in honor of former first Fire/Police Chief
- Bill Enriquez – wanted to clarify he had the school board move its January 24th meeting in order for him to attend the City Council meeting held that day
- Samuel Garcia – felt attacked by one of the speakers at the January 24th City Council meeting

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

EXECUTIVE SESSION

Mayor Williams recessed into Executive Session at 9:48 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:

- 28.B 551.072 (Deliberations about Real Property)
 - 1. The Cotton Warehouse
 - 2. 302 Medical Drive
 - 3. 802 Pine Street
 - 4. Proposed utility easement off of North Danville Drive
 - 5. Proposed utility easement near 1510 E. Industrial Blvd
- 28.D 551.074 (Personnel Matters)
 - 1. City Manager
 - 2. City Council Appointees
- 28.F 551.087 (Business Prospect/Economic Development)
 - 1. Hotel Proposals
 - 2. Allen Ridge
 - 3. 101 Oak Street – Materra Paper Building
 - 4. 202 Pine Street

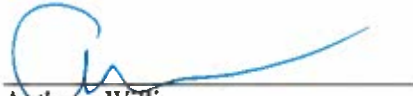
The Executive Session ended at 10:59 a.m. and reconvened to Open Session. Mayor Williams reported no votes or action were taken in Executive Session.

ADJOURNMENT

There being no further business, the meeting adjourned at 10:59 a.m.



Rosa Rios
City Secretary



Anthony Williams
Mayor

Minutes approved on: *February 28, 2019*