

**CITY COUNCIL MEETING**  
**February 28, 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 February 28, 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, Deputy City Secretary Shawna Atkinson, 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.A 551.071 (Consultation with Attorney)
  - 1. Legislative Prayer
- 18.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
- 18.D 551.074 (Personnel Matters)
  - Evaluation of City Manager Robert Hanna
  - City Council Appointees
- 18.F 551.087 (Business Prospect/Economic Development)
  - 1. Hotel Proposals
  - 2. 101 Oak Street – Materra Paper Building

The Executive Session ended at 5:25 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 Weldon Hurt delivered the invocation.

Avah Reyes, 5th grader at Reagan 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**

- Proclamation:
  - Mayor Williams announced that March 2-3, 2019, would be the “Abilene Hurricane Days” to recognize the 72 players in the Abilene Hurricane Football teams, a select travel football program made up of players across Abilene who play within the West Texas Youth Football League during the Fall of each year
- Special Recognition(s):
  - Chief Stan Standridge of the Abilene Police Department, and Chief Cande Flores of the Abilene Fire Department, recognized four of Abilene citizens' heroic actions in a school bus accident on February 15, 2019
  - Mayor Williams recognized and presented a special plaque to City Secretary Rosa Rios, whose last day with the City of Abilene will be March 1, 2019

## CONSENT AGENDA

The Consent Agenda consisted of items 4-12.

Items pulled for individual consideration were as follows:

- Councilmember Price: Item 5
- Ashley Simpson and Jacob Weckworth, citizens: Item 6
- David Swart, citizen: Item 10
- Councilmembers Price and Albus: Item 12

Councilmember Hurt moved to approve the consent agenda, now consisting of items 4, 7, 8-9 and 11.  
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

4. Minutes: Receive a Report, Hold a Discussion and Take Action on approving the minutes from the Special Meeting held on February 8, 2019, and Regular meeting held on February 14, 2019
7. Resolution: Receive a Report, Hold a Discussion and Take Action on awarding a bid for the North 1st Street (from the railroad tracks west of Wall St. to Pioneer Dr. excluding TxDOT portions) Overlay Project [ASSIGNED RESOLUTION NO. 39-2019]
8. Resolution: Receive a Report, Hold a Discussion and Take Action adopting name of an Internal access way for 911 and other addressing purposes on the Ben Richey Boys Ranch Campus [ASSIGNED RESOLUTION NO. 40-2019]
9. Ordinance (First Reading): Receive a Report, Hold a Discussion and Take Action on amending Chapter 18, "Motor Vehicles and Traffic," Article XIII, Section 18-294 "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 March 14, 2019
11. Ordinance (First Reading): OAM-2019-01 Receive a Report, Hold a Discussion, and Take Action on amendments to Section 2.3.4.4 (c) (Historic Overlay (HO) District) of Abilene's Land Development Code, specifically to amend the section 'Criteria for Designation', amending the requirements to be considered for Historic Landmark in the City of Abilene

## ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

5. Resolution: Receive a Report, Hold a Discussion and Take Action on a Resolution requesting the members of the 86th Legislative session of the State of Texas to support legislation that provides stewardship, health and wellbeing, and connectivity for local and State Parks [ASSIGNED RESOLUTION NO. 38-2019 - FAILED]  
*The item was pulled by Councilmember Price*

Having pulled the item, Councilmember Price stated his concern about agreeing with a tax limit on municipalities and tax free weekends at sporting events, as there are already limitations in place for these and more are not needed. Councilmember Price stated he could not justify this to voters and was not supportive.

Jeff White, Recreation and Senior Services Director, clarified that the sales tax rebate goes to Texas Parks & Wildlife and it would only be one tax free weekend out of the year. He also clarified that there is no larger agenda from the state on the item, the Resolution is just saying the City supports these initiatives.

Mayor Pro-tem McAlister moved to approve the item as presented. There was no second. Motion died.

6. Ordinance (First Reading): Receive a Report, Hold a Discussion, and Take Action on Amending Chapter 22-2 Intoxicating Beverages Prohibited; Confiscation and setting a public hearing for March 14, 2019  
*The item was pulled by Ashley Simpson and Jacob Weckworth, citizens*

Having pulled the item, Ashley Simpson spoke on her concerns of community safety and how monetary gain for the City is not a good reason to allow alcohol in parks.

Also having pulled the item, Jacob Weckworth spoke on his concerns about allowing alcohol in parks. He advised Council that they should consider allowing alcohol in the Zoo and Festival Gardens only, not all parks. He stated there is not enough police presence in parks as it is, and this will only make the problem worse.

Leslie Andrews, Director of Community Services, answered questions from Council on the item. She clarified that the Parks Board unanimously approved the item previously, and that alcohol will only be allowed in certain parts of parks that are rented out for private events. There have been numerous requests from venues that are leased out by the City, like the Abilene Community Theater and the Bridge Club, both of whom are located on the Rose Park property, that have requested they be allowed to serve alcohol for special functions. Only licensed caterers with the TABC will be allowed to serve, with proof of license and insurance.

Council asked that the wording be changed before the final reading of the ordinance to clarify that alcohol is not permitted anywhere at City parks, just at certain locations upon special request.

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

10. Ordinance (First Reading): CUP-2019-01 Receive a Report, Hold a Discussion, and Take Action on a request from Kurt and Amanda Vidrine, for Conditional Use Permit to allow a 120' 'Antenna Tower - Commercial' on property zoned General Commercial (GC) located at 610 Ross Avenue; and schedule a public hearing for March 14, 2019  
*The item was pulled by David Swart, citizen*

Having pulled the item, David Swart spoke in support of the item and thinks it will provide great coverage for places like Rose Park, since coverage is currently limited in the area.

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

12. Ordinance (First Reading): SNC-2019-01 Receive a Report, Hold a Discussion, and Take Action on a request from Abilene Cultural Affairs Council; agent, Lynn Barnett, by adding the honorary street name of Storybook Lane to Cypress Street from N. 1st Street to N. 6th Street, and adding the honorary street name of Santa Calls Lane to Cedar Street from N. 1st Street to North 3rd Street, Abilene, Taylor County, Texas  
*The item was pulled by Councilmember Price and Councilmember Albus*

Having pulled the item, both Councilmembers Price and Albus spoke on their concerns about the item and that they believed it doesn't meet the criteria adopted in 1992 for street name changes. Storybook Lane is multi-faceted and covers a broader scope than one book or author, while Santa Calls Lane does not. In addition, Cedar Street does not have a "natural end" that was set out in the same criteria.

City Manager Robert Hanna clarified that the name change was honorary only and that the name Santa Calls comes from the first book in the "Storybook Capital of America" process.

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

AYES (5): Mayor Williams, Mayor Pro-tem McAlister and Councilmembers Rentz, and Hurt

NAYS (1): Councilmember Albus

ABSENT (1): Deputy Mayor Pro-tem Savage

#### REGULAR AGENDA

13. Presentation: Receive a report, hold a discussion and provide staff direction on possibility of providing for public transportation companies to set their own fares

Don Green, Director of Transportation Services, presented the item. Council had expressed a desire to discuss the maximum fares that Taxi companies are allowed to charge for services. He stated that after speaking with three out of the four companies in Abilene, the consensus was that there was not a desire to increase their rates.

Council agreed that if the companies see no need for a rate increase, there is no need for further discussion on the item.

The item was for presentation only.

14. Presentation: Receive a report, hold a discussion and provide direction on the ACVB's request to pursue Texas Music Friendly and Texas Film Friendly Community Designations

Robert Hanna, City Manager, introduced Nanci Lyles of the Abilene Convention and Visitors Bureau who presented the item. The Texas Music Friendly designation is currently held by only 10 cities in the state. The purpose is to bring the music industry and City government together. The ACVB would like to be the liaison for this project and has proposed to create an advisory board for the process, and will be hosting a music convention in the near future.

For the Texas Film Friendly designation, there are currently 130+ other cities that hold this designation. It was attempted before in the City of Abilene, but was not passed. This designation generates a lot of economic impact for the area and can provide grants to filmmakers from the Texas Governor's Office. The City is allowed to pass its own guidelines for the designation.

The consensus from Council is that this will create more tourism dollars for Abilene with no expense to the City. The ACVB will be a good partner to have in this project.

The item was for presentation only.

15. Resolution: Receive a Report, Hold a Discussion and Take Action on approving bus lane and sidewalk improvements to Safety City  
**[ASSIGNED RESOLUTION NO. 41-2019]**

Robert Hanna, City Manager, introduced MaryAnn Martin and Evan Harris, both with the Friends of Safety City, who presented the item. Adoption of the item would create a partnership with the Friends of Safety City and the City of Abilene in the construction of a drop-off lane on South 7<sup>th</sup> Street, and various sidewalk and other security related improvements to Safety City. The total cost of the project will not exceed \$156,000. The Friends of Safety City have raised \$115,000 for this project, and are requesting the City of Abilene fund the remainder of the amount.

City Manager Hanna stated that the City Engineer has looked at the project and decided that some changes need to be made to the drainage system and that the bus drop-off lane needs to be concrete to make it easier for the busses to turn around. These changes would raise the total price of the project, but he is unsure of by how much. He proposed the Friends of Safety City will continue with their original contribution of \$115,000 and the City of Abilene will pay for the remainder. No changes would need to be made to the Resolution.

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

16. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, 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  
**[ASSIGNED ORDINANCE NO. 12-2019]**

Stanley Smith, City Attorney, presented the item. Adoption of the item would amend Chapter 28 of the Code of Ordinances currently regulating door-to-door solicitation, namely the protection of citizens from criminal activity, uninvited solicitors, and protection of the public health, safety, and welfare, and amending Chapter 18, Article IX, with narrowly drawn, conduct-based regulations.

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 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 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  
**[ASSIGNED ORDINANCE NO. 13-2019]**

Stanley Smith, City Attorney, and Michael Rice, Assistant City Manager, presented the item. Adoption of the item would provide for the regulation of scooter and bicycle sharing services to be carried out in a manner that protects the public health and safety, promotes public convenience, regulates the use of the public right of way, and respects free enterprise.

Council requested that the definition of the Central Business District be defined in Section 23.7 in the ordinance, or a map of the area be provided, as it is currently undefined and up for interpretation.

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

Councilmember Price moved to approve the item with the addition of the definition of the Central Business District to Section 23.7. 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

19. Resolution: Appointing Members to various Boards and Commissions per the City Charter [ASSIGNED RESOLUTION NO. 42-2019]

Councilmember Price moved to (re)appoint the following.

Board	Term End Date
<i>Abilene-Taylor County Child Advocacy Center Advisory Board</i>	
Karon Bingaman Hall [Reappointment]	December 2021
<i>Board of Adjustment</i>	
Mark Odle (Regular) [Reappointment]	November 2020
Scott Hay (Regular) [Reappointment]	November 2020
Bob Thomas (Alternate) [Reappointment]	November 2020
<i>Board of Building Standards</i>	
Debert Allred (Regular) [Reappointment]	November 2020
David Brosig (Alternate) [Reappointment]	November 2020
Gary Webb (Alternate) [Reappointment]	November 2020
<i>Citizen's Advisory Board for People with Disabilities</i>	
Virginia Zak [Reappointment]	October 2020
Glen McGraw [Reappointment]	October 2020
Debra Sue Turner [New]	October 2020
<i>Keep Abilene Beautiful, Inc.</i>	
Ashon Anderson [Reappointment]	September 2021
Sylvia Hockomb [Reappointment]	September 2021
Erma Rodriguez [New]	September 2021
Ifeoluwa "Tobi" Popoola [New]	September 2020 (Unexpired Term)

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

20. Resolution: Receive a Report, Hold a Discussion and Take Action on the appointment of an Interim City Secretary  
**[ASSIGNED RESOLUTION NO. 43-2019]**

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 5:25 p.m. No votes or actions were taken at that time.

Councilmember Hurt moved to appoint Shawna Atkinson to Interim City Secretary. Councilmember Albus 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

21. Resolution: Receive a Report, Hold a Discussion and Take Action on the establishment of the Mayor's Downtown Task Force, and the appointment of members  
**[ASSIGNED RESOLUTION NO. 44-2019]**

Robert Hanna, City Manager, presented the item. Adoption of the item would create a downtown task force to recommend an implantation strategy for the Center City Growth and Development Plan, completed in September of 2017. In addition, the group will discuss and consider alternative on-street parking and structured parking improvements in the downtown area.

Councilmember Hurt 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

22. Resolution: Receive a Report, Hold a Discussion and Take Action on adopting an amendment to the Economic Development Agreement with Motis Investments, LLC for 202 Pine Street  
**[ASSIGNED RESOLUTION NO. 45-2019]**

Earlier in the meeting, under Section 551.072 (Deliberations about Real Property) of the Open Meetings Act, the item was discussed during the Executive Session, which started at 4:30 p.m. and ended at 5:25 p.m. No votes or actions were taken at that time.

Robert Hanna, City Manager, presented the item. Adoption of the item would amend the economic development agreement with Motis Investments, LLC, by extending the annual payment of year 4 and 5, to 50% sales tax and allow the developer to capture 1.5% tax on construction related purchases for development.

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

**PUBLIC COMMENTS**

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

- Donnie Young – spoke about Disability in Action and her request for help from the Mayor
- David Swart – spoke about the new police station and his suggestions for a name for the facility. He suggested the John Clinton Justice Center or John Clinton Law Enforcement Center, to honor the first fire and police chief of Abilene. He also urged Council to consider more covered parking at the new police station to protect vehicles, and expressed his concern on the new MyABI app, stating that the water bills do not show “encrypted”.

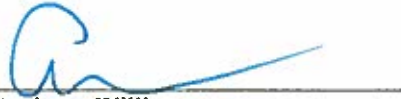
With no other speakers coming forward, the public comment period was closed.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 7:33 p.m.



Shawna Atkinson  
Interim City Secretary



Anthony Williams  
Mayor

Minutes approved on: 3/14/19

