

**CITY COUNCIL MEETING**  
**April 11, 2019 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 April 11, 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, Interim City Secretary Shawna Atkinson, and various members of the City staff.

Councilmember Donna Albus delivered the invocation.

Noah Lubanga, fifth grader at Taylor Elementary, and Tristan Vidaurri, fifth grader at Reagan Elementary, led the Pledge of Allegiance to the Flag of the United States of America and State of Texas Flag.

**PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS, ANNOUNCEMENTS**

- Proclamation
  - Week of the Young Child
  - National Work Zone Awareness Week
  - National Community Development Week
- Employee Service Award
  - Danny Moore, Fire Department – 25 Years
  - Christalyn (Chris) Hobbs, Police Department – 25 Years

**CONSENT AGENDA**

The Consent Agenda consisted of items 3-15.

Items pulled for individual consideration were as follows:

- David Swart, citizen: Item 6
- David Swart, citizen: Item 7
- Councilmember Hurt and David Swart, citizen: Item 8
- Councilmember Price: Item 15

Mayor Pro-tem McAlister moved to approve the consent agenda, now consisting of items 3-5 and 9-14. 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 25, 2019 and the Regular meeting held on March 28, 2019
5. Resolution: Receive a Report, Hold a Discussion, and Take Action on Approving Abilene-Taylor County Public Health District Budget purchased items over \$50,000  
[ASSIGNED RESOLUTION NO. 74-2019]

9. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving Purchases of Police Budget Items over \$50,000  
[ASSIGNED RESOLUTION NO. 78-2019]
10. Resolution: Receive a Report, Hold a Discussion and Take Possible Action on Using Federal Seized Funds to Purchase a small unmanned aerial system (SUAS) with Nighttime Capabilities  
[ASSIGNED RESOLUTION NO. 79-2019]
11. Resolution: Receive a Report, Hold a Discussion and Take Possible Action on Applying for FY20 and FY21 Other Victim Assistance Grant (OVAG) Grant  
[ASSIGNED RESOLUTION NO. 80-2019]
12. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding Ammunition Purchases to Precision Delta Corporation  
[ASSIGNED RESOLUTION NO. 81-2019]
13. Resolution: Receive a Report, Hold a Discussion and Take Action Approving Purchases of Law Enforcement and Fire Equipment from GT Distributors, Inc. in excess of \$50,000  
[ASSIGNED RESOLUTION NO. 82-2019]
14. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding the Bid for the Catclaw & Rebecca Concrete Intersection Project to Bontke Brothers Construction Co. of Abilene, Texas.  
[ASSIGNED RESOLUTION NO. 83-2019]

#### ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

6. Receive a Report, Hold a Discussion and Take Action on Awarding Bid No. CB-1935 to Caldwell Country Chevrolet of Caldwell, Texas for two full size sedans  
[ASSIGNED RESOLUTION NO. 75-2019]

*This item was pulled by David Swart, Citizen.*

Having pulled the item, David Swart spoke on his concerns about transparency. The agenda just listed the purchase as a Sedan and didn't describe what type of vehicle it would actually be. A stock photo of a generic vehicle was the only photo provided. Since this is tax-payer money being spent, he feels like more detail should have been given to the public.

Chris Taylor, Assistant Director of Transportation Services, clarified that the car was being ordered and that's why there wasn't a photo of it. The actual sedans being purchased will be 2019 Chevrolet Impalas. He confirmed that the two bids received were for the same amount, so Caldwell was chosen.

Councilmember Price 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

7. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding Bid No. CB-1933 to Arrow Ford of Abilene for one (1) One Ton Pickup Truck  
[ASSIGNED RESOLUTION NO. 76-2019]

*This item was pulled by David Swart, Citizen.*

Having pulled the item, David Swart spoke on his concerns about transparency. The agenda just listed the purchase as a pickup and didn't describe what type of pickup. A stock photo of a generic vehicle was the only photo provided. Since this is tax-payer money being spent, he feels like more detail should have been given to the public.

Chris Taylor, Assistant Director of Transportation Services, clarified that the truck was being ordered and that's why there wasn't a photo of it. The actual truck being ordered is a 2019 Ford F-350, one ton pickup truck. He described the purchasing process and confirmed that all state laws were followed for the bidding process.

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

8. Resolution: Receive a Report, Hold a Discussion and Take Possible Action on Purchasing (10) Police Tahoes  
[ASSIGNED RESOLUTION NO. 77-2019]

*This item was pulled by Councilmember Hurt and David Swart, Citizen.*

Having pulled the item, Councilmember Hurt questioned where the money for this purchase is coming from, since they were not budgeted items.

Also having pulled the item, David Swart questioned why these vehicles weren't purchased at the same time as the last group of Police Tahoes. He also suggests setting up a Police Vehicle Fund, like the Fire Apparatus Fund. He also questioned where these vehicles will be parked, as the budget for covered parking at the new Law Enforcement Center was cut.

City Manager Robert Hanna explained that there was a lack of vehicles for the amount of officers that currently need them, and this will fill the need for the time being. He clarified that there is currently a Vehicle Replacement Fund for this very purpose. He also clarified the amount is actually \$453,527.50 for the purchase, which will be corrected for the final Resolution.

Councilmember Hurt moved to approve the item with the above noted correction. 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

15. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving the Bylaws for the Abilene Convention Center Hotel Development Corporation  
[ASSIGNED RESOLUTION NO. 84-2019]

*This item was pulled by Councilmember Price.*

Having pulled the item, Councilmember Price asked for clarification on the section in Exhibit A, Section 6.2 referencing the "amendment of bylaws". He suggested amending this to say "The bylaws may be amended only by the Board with approval by the City Council."

Councilmember Price moved to approve the item with the above noted correction to the Exhibit A, Section 6.2. 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

#### REGULAR AGENDA

16. Ordinance and 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 I, "In General," Section 18-3, "Use of Roadway by Persons on Roller Skates, Etc.," and Section 18-10, "Rollerskates, Bicycles and Similar Devices Prohibited Within Certain District; Exception," of the Code of Ordinances, Providing a Severability Clause, Declaring a Penalty  
[ASSIGNED ORDINANCE NO. 20-2019]

Stanley Smith, City Attorney, presented the item. Adoption of the item would amend the current ordinances to allow scooters, bicycles and similar devices in the Downtown "through streets", specifically the TIF #1 boundary.

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 Rentz seconded the motion; motion carried.

AYES (4): Mayor Williams, and Councilmembers Rentz, Albus, and Hurt  
NAYS (2): Mayor Pro-tem McAlister and Councilmember Price  
ABSENT (1): Deputy Mayor Pro-tem Savage

17. Ordinance and Public Hearing (Final Reading): CUP-2019-03 : Receive a Report, Hold a Discussion and Public Hearing and Take Action on a request from the City of Abilene for Conditional Use Permit to allow a 150' Antenna Tower on property zoned General Commercial (GC) located adjacent to the existing building at 4565 South First Street  
[ASSIGNED ORDINANCE NO. 21-2019]

Mike Warrix, Director of Planning and Development Services, presented the item. Adoption of the item would allow a 150' antenna/telecommunications tower to be located on City owned property at the new Law Enforcement Center.

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

- David Swart – spoke about the amount of antennas on the tower itself. Stated that he asked how many antennas would be on the tower previously and was told it would just be one microwave dish. But now he sees there are a lot more than just the one microwave dish and questions why.

With no other 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, Rentz, Albus, and Hurt

NAYS (0): None

ABSENT (1): Deputy Mayor Pro-tem Savage

18. Ordinance and Public Hearing (Final Reading): OAM-2019-02 Receive a Report, Hold a Discussion and Public Hearing, and Take Action on proposed amendments to Section 2.4.2.1 (Land Use Matrix) of Abilene's Land Development Code, specifically to allow 'Tattoo Parlor' use within Central Business (CB) District with a Conditional Use Permit (CUP)  
[ASSIGNED ORDINANCE NO. 22-2019]

Mike Warrix, Director of Planning and Development Services, presented the item. Adoption of the item would allow tattoo parlors in the Central Business Zoning District with the acquisition of a Conditional Use Permit.

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

- Chris Winn – owner of the tattoo shop applying for the CUP – let Council know he would like to open a barber shop and tattoo parlor combined and asked if Council had any questions for him
- Paul Johnson – gave his opinion that tattoos are not artistic and he doesn't see the value of tattooing people

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

Several members of Council spoke about how they reached out to businesses Downtown about the item and the majority said they didn't have an issue with allowing tattoo parlors in the Downtown area.

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

19. Ordinance and Public Hearing (Final Reading): Z-2019-05 Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from the City of Abilene, Charlie Wolfe, and Zachary Sheets to rezone properties from Light Industrial (LI) to Central Business (CB) located at 741 North 3rd Street, 602 North 1st Street, and 702 North 2nd Street  
**[ASSIGNED ORDINANCE NO. 23-2019]**

Mike Warrix, Director of Planning and Development Services, presented the item. Adoption of the item would change the zoning for the above referenced locations from Light Industrial to Central Business.

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 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

20. Ordinance and Public Hearing (Final Reading): Z-2019-06 Receive a Report, Hold a Discussion and Public Hearing and Take Action on a request from the City of Abilene, agent Don Green, to adopt a new Planned Development District Number 161 (PD 161) to include all 1460.82+/- acres in Lot 101 of Block A of the Abilene Airport Addition to Abilene, Taylor County, Texas, allowing General Retail (GR) and Light Industrial (LI) uses as well as all Airport-related uses in Lot 101. Lot 101 includes the entire site of Abilene Regional Airport at 2850 Airport Boulevard  
**[ASSIGNED ORDINANCE NO. 24-2019]**

Mike Warrix, Director of Planning and Development Services, presented the item. Adoption of the item would adopt a new Planned Development Zoning Classification for land presently occupied by the Abilene Regional Airport.

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

Council expressed their excitement for this change, and the fact that the “airplane graveyard” at the front of this location has been removed so other businesses can come in.

Mayor Pro-tem McAlister 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

21. Ordinance and Public Hearing (Final Reading): Z-2019-07 Receive a Report, Hold a Discussion and Public Hearing and Take Action on a request from Rondo Properties PTSH and First Bank of West Texas, agent Paul Johnson, to rezone 2.673 acres of now-vacant land bordering south side of South 25th Street between Buffalo Gap Road and Ross Avenue from a combination of General Commercial (GC) and Neighborhood Retail (NR) Districts, to a General Retail (GR) District with a Conditional Use Permit allowing multi-family residences on all 2.673 acres  
[ASSIGNED ORDINANCE NO. 25-2019]

Mike Warrix, Director of Planning and Development Services, presented the item. Adoption of the item would allow for the rezoning of the above referenced property from General Commercial to General Retail with a Conditional Use Permit allowing multi-family residences there.

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

- Chris Applequist – represents the developer – spoke about the developers process of choosing a location. They think this is a good retail area and there is a need for housing for elderly residents. He thinks Abilene is a great, growing city and this will be good for the community.
- Paul Johnson – realtor – spoke on his support of the Senior Citizen community and thinks there is a great need for this type of development. It provides a place they can afford that is good looking, convenient and a good place to retire.

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

Councilmember Hurt 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

#### PUBLIC COMMENTS

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

- David Swart – spoke about the lack of lighting at the Soda Tunnel, at 1<sup>st</sup> and Pine Street. The lights there have been off for a while and he has called numerous times and spoke to various City staff about the issue, but as of last night, the lights were still off. Thinks this could be a safety hazard to pedestrians in the area.
- Ernest Kite – Pastor at Windrock Missionary Baptist Church – spoke about the Street Maintenance Fee and thinks Council should consider changing the fee for churches with small congregations, like his.

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

**EXECUTIVE SESSION**

Mayor Williams recessed into Executive Session at 9:52 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.A 551.071 (Consultation with Attorney)
  - 1. Alton Smith
- 28.B 551.072 (Deliberations about Real Property)
  - 1. The Cotton Warehouse
- 28.F 551.087 (Business Prospect/Economic Development)
  - 1. Hotel Proposals
  - 2. Windsor Hotel
  - 3. Civic Plaza Hotel

The Executive Session ended at 11:07 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 11:07 a.m.



Shawna Atkinson  
Interim City Secretary



Anthony Williams  
Mayor

Minutes approved on: 4/25/19