

CITY COUNCIL MEETING
April 25, 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 April 25, 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)
 - 2. Chad Carter v. City of Abilene
 - 7. Officer Patrick Sumrall and City of Abilene
- 18.D 551.074 (Personnel Matters)
 - 2. Abilene Convention Center Hotel Development Corporation
- 18.F 551.087 (Business Prospect/Economic Development)
 - 1. Hotel Proposals
 - 2. Windsor Hotel
 - 3. Civic Plaza Hotel
 - 4. Project Ladybug

The Executive Session ended at 5:09 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 Jack Rentz delivered the invocation.

Adah King, 1st grader at Bowie 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:
 - Parkinson's Awareness Month – presented to Lorraine Wilson and Sue Edwards with Big Country Parkinson's Awareness Group
 - Mental Health Awareness Month – presented to the National Alliance on Mental Health Abilene
 - Social Work Awareness Month – presented to Diana Hall, Chair of the West Central Texas Branch of the National Association of Social Work, who also presented Mayor Williams with a plaque for his nomination of Public Elected Official of the Year, for his contributions to Social Work

CONSENT AGENDA

The Consent Agenda consisted of items 4-14.

Items pulled for individual consideration were as follows:

- David Swart, citizen: Item 8
- Michael Thornton, citizen: Item 13

Councilmember Hurt moved to approve the consent agenda, now consisting of items 4-7, 9-12 and 14.
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

4. Minutes: Receive a Report, Hold a Discussion and Take Action on approving the minutes from the and Regular meeting held on April 11, 2019
5. Resolution: Receive a Report, Hold a Discussion and Take Action on approving Distribution of Funds with the Development Corporation of Abilene, Inc. regarding settlement funds received from the Texas Municipal League Intergovernmental Risk Pool
[ASSIGNED RESOLUTION NO. 85-2019]
6. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding a contract to King Consultants, Inc. d/b/a Construction Consultants-3 for the Asbestos Abatement and Demolition of the old health and old WIC buildings
[ASSIGNED RESOLUTION NO. 86-2019]
7. Resolution: Receive a Report, Hold a Discussion and Take Possible Action on Purchasing 11 DVR Camera Systems from Watch Guard for Police Tahoes
[ASSIGNED RESOLUTION NO. 87-2019]
9. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding Bid No. CB-1934 to Lonestar Truck Group of Abilene for one (1) platform dump truck
[ASSIGNED RESOLUTION NO. 89-2019]
10. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding purchase of three Roll Off Trucks to Lonestar Freightliner Group, LLC
[ASSIGNED RESOLUTION NO. 90-2019]
11. Resolution: Receive a Report, Hold a Discussion and Take Action to Approve a Resolution to Allow Use of Airport Property for Dyess Big Country AirFest 2019
[ASSIGNED RESOLUTION NO. 91-2019]
12. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving and Ratifying Water Utilities Expenditures with Bontke Brothers Construction Co. and Elm Creek Plumbing and Backhoe for emergency sewer system repairs
[ASSIGNED RESOLUTION NO. 92-2019]
14. Ordinance (First Reading): Z-2019-10 Receive a Report, Hold a Discussion and Take Action on a request from The Well Abilene, to rezone property from Light Industrial (LI) zoning to Central Business (CB) zoning district on property at 709 North 2nd Street; and Setting a Public Hearing for May 9, 2019

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

8. Resolution: Receive a Report, Hold a Discussion and Take Action on Purchasing 11 Mobile Data Computers from Toner Tiger for Police Vehicles

[ASSIGNED RESOLUTION NO. 88-2019]

The item was pulled by David Swart, Citizen

Having pulled the item, David Swart spoke on his concerns that the computers being purchased are military spec computers and very pricey, and questioned why they were needed. He also questioned which budget this purchase would be coming from. He stated that he appreciated the Police Department using a local company to purchase these, but the reviews of the product said the touch pad isn't responsive.

Police Chief Stan Standridge presented the item. Adoption of the item would approve the purchase of 11 mobile data computers to be placed in the new Tahoes authorized at the last City Council meeting, and a Crisis Response Team vehicle. Chief Standridge stated that they were purchasing military spec computers as they will be used both in and out of the vehicles 24/7. With the potential of them being dropped, the Police Department needed something sturdier than standard issue and the military spec computers were 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

13. Ordinance (First Reading): Z-2019-09 - Receive a Report, Hold a Discussion and Take Action on a request from Abilene Forrest Hill, LLC, agent Jacob & Martin Engineering, to rezone property from Residential Single-Family (RS-8) zoning to a mixture of Residential Single-Family (RS-6) and Multi-Family (MF) zoning districts on all or part of 42 acres out of T.C. Garner Survey in Abilene, Taylor County, Texas, and bordering east side of Old Forrest Hill Road, south from Forrest Hill Road; and setting a Public Hearing for May 9, 2019

The item was pulled by Michael Thornton, citizen.

Having pulled the item, Michael Thornton, a resident of a subdivision nearby the area being rezoned, spoke on his concerns about the roads in the area and how they are old and inadequate. He is concerned that with this new development, this will only get worse. This will also put a lot of vehicles on Forest Hill Road, the only way in and out of the area, and he encouraged the City to look into this issue before this subdivision is built.

Mike Warrix, director of Planning & Development Services, presented the item. Adoption of the item would change the zoning classification on 42 acres of now-vacant land from Single-Family Residential (RS-8) to a combination of Single-Family (RS-6) and Multi-Family (MF) Residential zoning districts, on the above noted property.

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

REGULAR AGENDA

15. **Resolution: Receive a Report, Hold a Discussion and Take Action on the Creation of a Façade Improvement Grant Program**
[ASSIGNED RESOLUTION NO. 93-2019]

Mike Warrix, Director of Planning & Development Services presented the item. Adoption of the item would create a Façade Improvement Grant Program, the intent of which is to assist commercial building owners within the Central Business District in financing eligible building façade renovations and storefront improvements that contribute to downtown renovation and revitalization efforts. Competitive 50/50 matching grants for eligible façade improvements would be made in accordance with established guidelines and policies.

Council asked if an appeals process could be added to the Policies, authorizing the Director of Planning & Development services to approve or deny requests with an appeal of denials to the City Manager allowed within 14 days.

Councilmember Price moved to approve the item with the above noted change to the Policies. 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

16. **Resolution: Receive a Report, Hold a Discussion and Take Action on approving a contract with CivicPlus for Website Services**
[ASSIGNED RESOLUTION NO. 94-2019]

Mari Cockerell, Communications and Media Relations Manager presented the item. Adoption of the item would approve a contract with CivicPlus for website administration services for the next two years.

Mayor Pro-tem McAlister 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

Mayor Williams took the opportunity here to thank Ms. Cockerell for her hard work and dedication to the City.

18. **Resolution: Appointing Members to various Boards and Commissions per the City Charter**
[ASSIGNED RESOLUTION NO. 95-2019]

Councilmember Hurt moved to (re)appoint the following.

Board	Term End Date
Frontier Texas! Board of Directors	
Bera Johnson [New]	February 2022
David Hernandez [New]	February 2022
Derek Hood [New]	February 2022
Sylvia Leal [New]	February 2022
Caitlin Richards [Reappointment]	February 2022
Mindy Patterson [Reappointment]	February 2022
Abilene Convention Center Hotel Development Corporation	
Paul Falade	
Delores Moore	
MPE/Swimming Pool Board of Appeals	
Melissa Sparks [Reappointment]	May 2021
Office of Neighborhood Services Advisory Council	
Erica Currie [Reappointment]	November 2020
Parks and Recreation Board	
Michael Homer [Reappointment]	May 2022
Marc Orner [Reappointment]	May 2022
West Central Texas Municipal Water District Board	
Russell Berry [Reappointment]	May 2021
Ron Butler [Reappointment]	May 2021
Norm Archibald [Reappointment]	May 2021

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

19. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving a Master Development Agreement with Garfield Public/Private for the Downtown Hotel
 [ASSIGNED RESOLUTION NO. 96-2019]

Earlier in the meeting, under Section 551.087 (Business Prospects/Economic Development) of the Open Meetings Act, the item was discussed during the Executive Session, which started at 4:30 p.m. and ended at 5:09 p.m. No votes or actions were taken at that time.

Robert Hanna, City Manager, presented the item. Adoption of the item would authorize the City Manager to enter into a Master Development Agreement with Garfield Public-Private for the development of a Downtown Convention Center Hotel.

Mayor Williams opened a public hearing on the item. The following addressed the City Council:

- Joe Joplin – spoke about the sidewalks downtown and their need of repair. He stated that he thought the hotel issue was settled at the last election and doesn't understand why money wasn't set aside earlier for it.
- David Swart – spoke in favor of the item. Thinks there are great advantages of having a hotel downtown but the \$66.6 million price tag is a bad number. He also thinks covered parking should be included in the project.

- Doug Peters – CEO of the Abilene Chamber of Commerce – spoke in support of the item. He stated how this hotel will be vital to the economic success and advancement for Abilene. He thinks some people are getting confused on the numbers, but this project will be good for all of Abilene.
- Samuel Garcia – is unsure of his stance on the item. Stated a lot of his questions had been answered but his concern is with the risk, not the money. He thinks the money that would be spent on the hotel could be used for something like the façade grant program instead. Also spoke about the bio-tech hub that was supposed to come to Abilene and failed, and is concerned that the hotel will have the same issues.
 - City Manager Robert Hanna addressed his concerns and explained that a Minor Improvement Fund was created last year for this purpose, which would get reimbursed over time.
- Tim Yandell – spoke on his appreciation of the City Council. He is currently purchasing another property downtown and thinks the hotel will only help his deal out. It is a good thing for the whole City.
- Charles Byrn – spoke about how he has perceived a lack of transparency with the hotel deal. Stated there was a developer that had already backed out of the deal and that concerns him. Thinks the City should not be in the Hotel business and local hotel owners are not happy about it.
 - City Manager Robert Hanna addressed his concerns and explained that there was never a developer that backed out and explained that these issues couldn't be made public until now, as they fall under Economic Development and can only be addressed in Executive Session, which is protected by the Open Meetings Law
- Sarah Carlson – spoke in favor of the item. She moved to Abilene for school, and stayed after that because she liked the City and had seen a great improvement in the downtown area. She thinks the hotel will build more of a “community” downtown with potential living spaces, and thinks people her age will appreciate that.
- Krystal Holliday – spoke in favor of the item. She lived in Abilene all her life and is just now seeing a revitalization Downtown and the hotel will be the “anchor” for all of this. She is involved in projects Downtown and this will help people want to go and stay Downtown.
- Terry Browder – owns the Sayles Guesthouse – spoke in favor of the item. He wanted to address the issue of competition with local hotel owners and thinks it is not an issue at all. There are different levels of hotels and therefore the new hotel won't compete with the current hotels. This will be different from anything currently offered in Abilene and a catalyst for a higher-end market.
- Jerry Smith – a resident of Abilene since the 1950s, he used to not like living here but it has grown on him. He is for progress for the City but thinks the Convention Center needs repairs first.
 - City Manager Robert Hanna addressed his concerns and explained that TIRZ money has been set aside for repairs to the Convention Center.
- Joe Spano – spoke in support of the item. Thinks Council is doing a great job and are on the right track. He thinks the hotel will spur infill development and has met with other business owners downtown who also support it.
- Amanda Hatchett – spoke against the item. She stated that she had been misquoted by the media and was only expressing her opinion, which she is entitled to. She thinks the hotel should not be City owned, and should be up for a vote by the citizens.
- Bob Thomas – spoke in favor of the item. He stated his disappointment with previous Councils and their lack of concern for the Downtown area. There are sidewalks buckling all over the area and thinks they are a hazard and need immediate repairs.
- Ron Konstantin – congratulated the Mayor on winning an election. Stated he didn't have much of an opinion on the matter at first but thinks this class of hotel is a good idea. He is concerned about who will be running the Local Government Corporation for the hotel and is opposed to having former Mayor Norm Archibald on that board.
- Jeff Salmon – spoke in favor of the item. He stated that Downtown used to be a sad place and he moved away because of it. Now that he is back he sees citizens becoming invested in Abilene and

working together to change things. He thinks the hotel is a great opportunity for the City and will keep the City moving forward.

- Myra Dean – spoke in favor of the item. She stated she has seen a lot of conventions want to come to Abilene but had to be turned away as there was no where for them all to stay. Also stated that she knows not all hotel owners in the City are against this and this will not compete with their business.

Each Council member spoke at this time about their support of the hotel.

Councilmember Albus 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

PUBLIC COMMENTS

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

- David Swart – spoke about the hotel. He stated that more money needs to go towards Convention Center improvements, including lighting. He thinks the hotel can be an expansion of the Storybook Capital of America idea and any Broadway shows coming to the Paramount will have a place to stay.
- Ernie Kite – spoke about the Street Maintenance Fee and how the City needs to come up with a solution for small churches who can't afford to pay the fee.
- Ron Konstantin – read a poem he wrote.
- Michael Thornton – thanked the City Council members for their transparency and supportiveness. He stated they actually took the time to listen and respond to his concerns and while he may not agree with them, he appreciates it.

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

ADJOURNMENT

There being no further business, the meeting adjourned at 7:44 p.m.



Shawna Atkinson
Interim City Secretary



Anthony Williams
Mayor

Minutes approved on: May 9, 2019