

**CITY COUNCIL MEETING
June 27, 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 June 27, 2019, at 4:32 p.m. in the Council Chambers, 555 Walnut St. Mayor Pro-tem Weldon Hurt was present and presiding, with Deputy Mayor Pro-tem Donna Albus and Councilmembers Jack Rentz, Kyle McAlister, and Travis Craver. Councilmember Shane Price was absent. Mayor Anthony Williams arrived at the meeting during Executive Session and presided over the remainder of the meeting. Also present were Deputy City Manager Mindy Patterson, City Attorney Stanley Smith, Interim City Secretary Shawna Atkinson, and various members of the City staff.

EXECUTIVE SESSION

Mayor Pro-tem Weldon Hurt recessed into Executive Session at 4:32 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:

- 15.A 551.071 (Consultation with Attorney)
 - 2. Chad Carter v. City of Abilene
 - 12. Clyde Water
 - 13. Discharge of Firearms
- 15.B 551.072 (Deliberations about Real Property)
 - 1. 302 Medical Drive
- 15.D 551.074 (Personnel Matters)
 - 2. Boards & Commissions – Mayor’s Downtown Task Force Appointments
- 15.F 551.087 (Business Prospect/Economic Development)
 - 1. Abilene Convention Center Hotel Development Coporation
 - 2. Civic Plaza Hotel
 - 3. Wooten Hotel

The Executive Session ended at 5:33 p.m. and the meeting was reconvened to Open Session as noted on the posted agenda. Mayor Williams reported no votes or action were taken in Executive Session.

Councilmember Jack Rentz delivered the invocation.

From Wylie East School, Hannah Cavazos, 8th grader, Jaleecia Ewing, 8th Grader, and Jordyn Ewing, 7th grader, led the Pledge of Allegiance to the Flag of the United States of America and State of Texas Flag.

CONSENT AGENDA

The Consent Agenda consisted of items 3-11.

Item pulled from consideration was as follows:

- Deputy City Manager Mindy Patterson: Item 4

Item pulled for individual consideration was as follows:

- Mayor Pro-tem Hurt: Item 6

Mayor Pro-tem Hurt moved to approve the consent agenda, now consisting of items 3, 5 and 7-10. Deputy Mayor Pro-tem Albus seconded the motion; motion carried.

AYES (6): Mayor Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus, and Councilmembers Rentz, McAlister and Craver

NAYS (0): None

ABSENT (1): Councilmember Price

Mayor Williams had a conflict on Item 11 and abstained from voting on the item. A Conflict of Interest Affidavit was filled out before the meeting and filed with the City Secretary's office. The vote for item 11 was as follows:

AYES (5): Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus, and Councilmembers Rentz, McAlister and Craver

NAYS (0): None

ABSENT (1): Councilmember Price

ABSTAIN (1): Mayor Williams

3. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting June 13, 2019
5. Resolution: Receive a Report, Hold a Discussion and Take Action on an Agreement to Contribute Right of Way Funds for highway improvements for Highway 83 from north of FM 707 to near Antilley Road [ASSIGNED RESOLUTION NO. 131-2019]
7. Ordinance (First Reading): Z-2019-17 Receive a Report, Hold a Discussion, and Take Action on a request from Crossroads Office Plaza Ltd., agents Paul Johnson/Tami Shifflett, to rezone property from Heavy Commercial (HC) zoning to General Commercial (GC) zoning located at 4150 S. Danville Drive; setting a Public Hearing for July 11, 2019
8. Ordinance (First Reading): Z-2019-18 Receive a Report, Hold a Discussion and Take Action on a request from the Butterfield Meadows, LLC, agent Jacob & Martin, to rezone three (3) properties from a combination of General Commercial (GC) zoning, General Retail (GR) zoning, and Office (O) zoning to Patio Home (PH) zoning encompassing 7.4 acres at 5841, 5857, and 5925 HWY 277 S; setting a Public Hearing for July 11, 2019
9. Ordinance (First Reading): Z-2019-19 Receive a Report, Hold a Discussion, and Take Action on a request from St. Paul United Methodist Church, agent Yanell Rieder, to rezone property from Office (O) zoning to Neighborhood Retail (NR) zoning located at 3025 and 3033 Southwest Drive; setting a Public Hearing for July 11, 2019
10. Ordinance (First Reading): CUP-2019-04 Receive a Report, Hold a Discussion, and Take Action on a request from Inca-Trio Fire Services, agent Adair Hanley Construction, for a Conditional Use Permit to allow 'Contractor Services' business on property zoned General Commercial (GC) located at 402 ES 11th Street; setting a Public Hearing for July 11, 2019
11. Ordinance (First Reading): CUP-2019-05 Receive a Report, Hold a Discussion and Take Action on a request from the Windsor Hotel, agent Chris Winn, for a Conditional Use Permit to allow a 'Tattoo Parlor' business on property zoned Central Business/Historic Overlay (CB/H) located at 401 Pine Street; setting a Public Hearing for July 11, 2019

ITEM PULLED FROM CONSIDERATION

4. Resolution: Receive a Report, Hold a Discussion and Take Action to Award Purchase of one Solid Waste Grinder from Morbark, LLC
[ASSIGNED RESOLUTION NO. 136-2019; NOT CONSIDERED]
This item was pulled from consideration by Deputy City Manager Mindy Patterson.

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

6. Ordinance (First Reading): Receive a Report, Hold a Discussion and Take Action on Amending the Solid Waste Fee Schedule to Include a New Fee for Commercial Users Brush Disposal at the City's Brush Center; Setting a Public Hearing for July 11, 2019
The item was pulled by Mayor Pro-tem Hurt

Having pulled the item, Mayor Pro-tem Hurt questioned how this policy will be policed and if it will require more staff. Greg McCaffery, Director of Public Works, let Council know that there is currently a manned shed on the property that they will add a till to for accepting money. There won't be a need for more staff and it will create more revenue from commercial users.

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

AYES (6): Mayor Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus, and Councilmembers Rentz, McAlister and Craver

NAYS (0): None

ABSENT (1): Councilmember Price

REGULAR AGENDA

12. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding a Bid to Bontke Brothers Construction Company for the Butternut Street Water Line Improvements Project
[ASSIGNED RESOLUTION NO. 132-2019]

Rodney Taylor, Director of Water Utilities presented the item. Adoption of the item would award a bid to Bontke Brothers Construction Company for the Butternut Street Water Line Improvement Project.

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

- David Swart – Spoke about the state of Butternut street and the surrounding roads and was concerned that this is only for a portion of Butternut, and not the part that needs it the most.

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

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

AYES (6): Mayor Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus, and Councilmembers Rentz, McAlister and Craver

NAYS (0): None

ABSENT (1): Councilmember Price

13. **Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing a Contract with Insituform Technologies, LLC. for the 2019 Sewer Main and Manhole Rehabilitation Project**
[ASSIGNED RESOLUTION NO. 133-2019]

Rodney Taylor, Director of Water Utilities presented the item. Adoption of the item would authorize a contract with Insituform Technologies for the 2019 sewer and manhole rehabilitation project.

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

AYES (6): Mayor Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus, and Councilmembers Rentz, McAlister and Craver

NAYS (0): None

ABSENT (1): Councilmember Price

14. **Ordinance and Public Hearing (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending the Building and Construction Fee Schedule to Comply with the Requirements of HB 852**
[ASSIGNED ORDINANCE NO. 36-2019]

Timothy Littlejohn, Chief Building Official, presented the item. Adoption of the item would bring the City into compliance with State law regarding HB 852 by amending the Building and Construction Fee Schedule.

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

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

AYES (6): Mayor Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus, and Councilmembers Rentz, McAlister and Craver

NAYS (0): None

ABSENT (1): Councilmember Price

16. **Resolution: Appointing Members to various Boards and Commissions per the City Charter**
[ASSIGNED RESOLUTION NO. 134-2019]

Councilmember Rentz moved to (re)appoint the following.

Board	Term End Date
<i>Abilene-Taylor County Child Advocacy Center Advisory Board</i>	
Bennie Mouser [New]	December 2020 (Unexpired Term)
<i>Abilene-Taylor County Public Health Advisory Board</i>	
Travis Craver [New]	November 2020 (Unexpired Term)
<i>Airport Development Board</i>	
Jordan Hibbs [New]	November 2019 (Unexpired Term)
Courtney Queen [New]	November 2021 (Unexpired Term)
Woody Gilliland [Reappointment]	November 2021
<i>Board of Building Standards</i>	
Jeremy McBrayer [Alternate - Homebuilder] [New]	November 2021
Derek Peterson [Alternate - Realtor] [New]	November 2020 (Unexpired Term)
Jonathan Schmutz [Alternate - Architect] [New]	November 2020 (Unexpired Term)
<i>Library Advisory Board</i>	
Tim de la Vega [New]	November 2020 (unexpired term)
<i>Mayor's Downtown Task Force</i>	
Trish Dressen [New]	
<i>West Central Texas Council of Governments</i>	
Donna Albus [New]	

Mayor Pro-tem Hurt seconded the motion; motion carried.

AYES (6): Mayor Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus, and Councilmembers Rentz, McAlister and Craver

NAYS (0): None

ABSENT (1): Councilmember Price

17. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving a Development Agreement with Sitzes Real Estate Holding, LLC
[ASSIGNED RESOLUTION NO. 135-2019; NOT CONSIDERED]

This item was pulled from consideration.

18. Oral Resolution: Receive a Report, Hold a Discussion and Take Action on Appointing a City Secretary

Councilmember McAlister moved to appoint Ms. Shawna Atkinson to the position of City Secretary. Deputy Mayor Pro-tem Albus seconded the motion; motion carried.

AYES (6): Mayor Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus, and Councilmembers Rentz, McAlister and Craver

NAYS (0): None

ABSENT (1): Councilmember Price

PUBLIC COMMENTS

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

- David Swart – spoke about the new police station and his concerns of it opening in time. He was also concerned about the flag poles out front and that the radio tower hadn't been installed yet. Suggested to name the police department after the first Police Chief, Clinton, or to let the current Police Chief, Stan Standridge, use Clinton's historic Colt Peacemaker to fire blank rounds off at the opening.
- Jeremy Wood – a representative of the atheist community in Abilene. Spoke about the invocation before every Council meeting and how these should include a secular prayer from an atheist. He stated he had approached Council and asked to do this but was turned down. He also stated that he felt he was not being treated fairly by this and that America is not a Christian country. He presented Council with a book the atheist community donated for them to read to educate them on this issue.

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

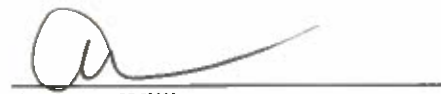
Deputy Mayor Pro-tem Albus took a moment to thank all the City employees who work hard everyday, in particular, those she saw working on the Pine Street beautification.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:09 p.m.



Shawna Atkinson
Interim City Secretary



Anthony Williams
Mayor

Minutes approved on: 7/11/2019

