

CITY COUNCIL MEETING

July 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 July 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 Weldon Hurt, Deputy Mayor Pro-tem Donna Albus and Councilmembers Shane Price, Jack Rentz and Kyle McAlister. Councilmember Travis Craver was absent. Also present were City Manager Robert Hanna, City Attorney Stanley Smith, City Secretary Shawna Atkinson, and various members of the City staff.

Councilmember Kyle McAlister delivered the invocation.

Amy Thomas, 4th grader at Abilene Christian 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
 - Parks and Recreation Month and National Therapeutic Recreation Week, accepted by Lesli Andrews, Director of Community Services, and the staff of the Parks & Recreation and Therapeutic Recreation departments
 - The 100 Year Anniversary of Perry Hunter Hall Insurance Company, accepted by Ronny Bryant, President, Philip Bruce, Vice-President and the employees of Perry Hunter Hall
- Employee Service Award
 - Priscilla Rayford, Water Utilities – 20 Years

CONSENT AGENDA

The Consent Agenda consisted of items 4-13.

Items pulled for individual consideration were as follows:

- Councilmember Price: Item 5
- David Swartz, citizen: Item 7 & 8
- Mayor Pro-tem Hurt: Item 13

Councilmember McAlister moved to approve the consent agenda, now consisting of items 4, 6, and 9-12. Councilmember Rentz seconded the motion; motion carried.

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

NAYS (0): None

ABSENT (1): Councilmember Craver

4. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Special Meeting Held on June 24, 2019, and the Regular Meeting Held on June 27, 2019
6. Resolution: Receive a Report, Hold a Discussion and Take Action to Purchase a Mobile Restroom from AMS Global
[ASSIGNED RESOLUTION NO. 138-2019]

9. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to Execute a Contract with United States Geological Survey for Streamflow Monitoring Stations
[ASSIGNED RESOLUTION NO. 141-2019]
10. Resolution: Receive a Report, Hold a Discussion and Take Action to Award Bid #CB-1954 for the Police Academy Training Center Road & Parking Lot to Bontke Brothers Construction Co. of Abilene, Texas
[ASSIGNED RESOLUTION NO. 142-2019]
11. Ordinance (First Reading): Receive a Report, Hold a Discussion, and Take Action on Amending Chapter 18, Article X, by Adding Division 7, "Resident Only Parking Program," Sections 18-258–18-263, which establishes a Resident Only Parking program; Setting a Public Hearing on July 25th, 2019
12. Ordinance (First Reading): Receive a Report, Hold a Discussion and Take Action on Amending the Code of Ordinances, Chapter 29, "Streets and Sidewalks," Article V, "Street Use Licenses," by adding a new Section 29-96 providing for a Pipeline Payment Provision for oil and gas pipelines; and Setting a Public Hearing for July 25, 2019

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

5. Resolution: Receive a Report, Hold a Discussion and Take Action on Executing a Contract with CivicPlus for the Agenda Management Software Program CivicClerk
[ASSIGNED RESOLUTION NO. 137-2019]

The item was pulled by Councilmember Price

Having pulled the item, Councilmember Price wanted clarification on if electronic voting was indeed something Council wants. City Manager Robert Hanna let Council know that this was something they requested over a year and a half ago.

Councilmember Price 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 Price, Rentz, McAlister

NAYS (0): None

ABSENT (1): Councilmember Craver

7. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding a Contract to King Consultants for Asbestos Abatement, Building Demolition, and Project Oversight of the former Water Office building located at 534 Cypress Street
[ASSIGNED RESOLUTION NO. 139-2019]
8. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding a Contract to King Consultants for Asbestos Abatement and Demolition of the former Boy Scout building located at 1208 N. 5th Street
[ASSIGNED RESOLUTION NO. 140-2019]

Both item 7 and 8 were pulled by David Swart, but were considered together

Having pulled the item, David Swart questioned where the money for the abatement and demolition will be coming from – the hotel development corporation or from the City? He also spoke about his thoughts on adding covered parking that is directly connected to the new hotel, not across a street.

City Manager Robert Hanna clarified that it would be a significant additional expense to add covered parking, but there is discussion on closing Cedar Street and making 6th Street more pedestrian friendly.

Councilmember McAlister moved to approve both items 7 and 8 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 Price, Rentz, McAlister

NAYS (0): None

ABSENT (1): Councilmember Craver

13. Ordinance (First Reading): Receive a Report, Hold a Discussion and Take Action to Provide Specialized Assignment Pay for Firefighter Personnel Primarily Assigned to the Community Response Team (CRT); Setting a Public Hearing for July 25, 2019

The item was pulled by Mayor Pro-tem Hurt

Having pulled the item, Mayor Pro-tem Hurt questioned if this position will require additional training and what their schedule will be. Deputy Fire Chief Michael Burden clarified that it would indeed involve additional training, but they would still be working 40 hours a week, just 4, 10-hour shifts.

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

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

NAYS (1): Mayor Pro-tem Hurt

ABSENT (1): Councilmember Craver

REGULAR AGENDA

14. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving a Professional Services Contract with Enprotec/Hibbs & Todd, Inc. for Hargesheimer WTP IDE Coordination and Design [ASSIGNED RESOLUTION NO. 143-2019]

Rodney Taylor, Director of Water Utilities, presented the item. Adoption of the item would execute a professional services contract with Enprotec/Hibbs & Todd, Inc. for the Hargesheimer WTP IDE coordination and design, to provide assistance with piloting efforts for the Hargesheimer WTP Pulse-Flow RO system installation for the purposes of obtaining TCEQ approval, and for procuring a qualified contractor to perform the installation work.

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

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

NAYS (0): None

ABSENT (1): Councilmember Craver

15. Ordinance and Public Hearing (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, 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
[ASSIGNED ORDINANCE NO. 37-2019]

Greg McCaffery, Director of Public Works, presented the item. Adoption of the item would adopt a fee of \$30 per load of brush at the Solid Waste Services Brush Center Disposal Site, to offset the cost of the new wood chipper being purchased separately.

Council questioned if non-profits will be exempt from the fee and if there will be a way to bill customers, instead of making them pay up front every time. It was clarified that the fee would only apply to commercial tree trimming services, not residents or businesses that are dropping off limbs for themselves. Also, the Public Works department will be working with IT and Finance to come up with a way to take credit cards and add a till to take cash at the facility. They will also discuss a way to bill repeat customers.

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

- David Swart – thinks that commercial tree trimmers have found a loophole to take advantage of the system, but thinks that in charging this fee they will just stop using the facility and go to the landfill instead. He thinks that commercial users shouldn't be allowed to use the facility at all, just residents.

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

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

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

NAYS (1): Councilmember Price

ABSENT (1): Councilmember Craver

16. Resolution: Receive a Report, Hold a Discussion and Take Action to Award Purchase of One Brush & Tree Limb Grinder from Morbark, LLC
[ASSIGNED RESOLUTION NO. 144-2019]

Chris Taylor, Assistant Director of Transportation Services, presented the item. Adoption of the item would purchase one brush and tree limb grinder for Solid Waste's recycling program.

Councilmember Price 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 Price, Rentz, McAlister

NAYS (0): None

ABSENT (1): Councilmember Craver

17. Ordinance and Public Hearing (Final Reading): Z-2019-17 Receive a Report, Hold a Discussion and Public Hearing, 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
[ASSIGNED ORDINANCE NO. 38-2019]

Mike Warrix, Director of Planning and Development Services, presented the item. Adoption of the item would rezone the above referenced property from Heavy Commercial (HC) zoning to General Commercial (GC) zoning.

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

- Paul Johnson, agent – let Council know that the site used to be a lumber yard, so that is why it was zoned that way, but a barber shop wants to go in, which is not in compliance with the current zoning for the area.

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 Price, Rentz, McAlister

NAYS (0): None

ABSENT (1): Councilmember Craver

18. Ordinance and Public Hearing (Final Reading): **Z-2019-18** Receive a Report, Hold a Discussion and Public Hearing, 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
[ASSIGNED ORDINANCE NO. 39-2019]

Mike Warrix, Director of Planning and Development Services, presented the item. Adoption of the item would rezone the above referenced three (3) properties from a combination of General Commercial (GC), General Retail (GR), and Office (O) zoning to Patio Home (PH) zoning, in order to subdivide this property into single-family patio home sites.

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

- Clayton Farrow, agent – let Council know that this will be the next phase of the Butterfield Meadows development. They originally thought there would be interest from retail for the area, but there wasn't so they plan to subdivide it out.

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

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

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

NAYS (0): None

ABSENT (1): Councilmember Craver

19. Ordinance and Public Hearing (Final Reading): **Z-2019-19** Receive a Report, Hold a Discussion and Public Hearing, 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
[ASSIGNED ORDINANCE NO. 40-2019]

Mike Warrix, Director of Planning and Development Services, presented the item. Adoption of the item would rezone the above referenced property from Office (O) to Neighborhood Retail (NR) zoning.

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

- Craig Young, represents the Church – let Council know how the church acquired the land. After they received it, decided that it wasn't what they wanted. They would like to sell the land to Casa Authentique to use for a small retail store and use the proceeds for another church, but the property has to be rezoned for them to do that.

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

Deputy Mayor Pro-tem Albus moved to approve the amended request as presented. Councilmember Price seconded the motion; motion carried.

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

NAYS (0): None

ABSENT (1): Councilmember Craver

20. Ordinance and Public Hearing (Final Reading): **CUP-2019-04** Receive a Report, Hold a Discussion and Public Hearing, 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
[ASSIGNED ORDINANCE NO. 41-2019]

Mike Warrix, Director of Planning and Development Services, presented the item. Adoption of the item would approve a conditional use permit for the above referenced property to allow a contracting service at a specific location in a General Commercial (GC) zoning district.

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

Councilmember Price moved to approve the amended request 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 Price, Rentz, McAlister

NAYS (0): None

ABSENT (1): Councilmember Craver

21. Ordinance and Public Hearing (Final Reading): **CUP-2019-05** Receive a Report, Hold a Discussion and Public Hearing, 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
[ASSIGNED ORDINANCE NO. 34-2019; NOT CONSIDERED]

This item was pulled from consideration prior to the meeting at the applicant's request.

PUBLIC COMMENTS

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

- David Swart – spoke about the 2015 bond project and how the traffic signal lights were supposed to be improved. Gave examples of certain intersections where the signals are not functioning properly.
- Gary Collins – spoke about CityLink bus service. He used to ride the bus to work several times a week and it was a good alternative for him. Now it takes over an hour and 20 minutes for him to go 5 miles on the bus and this is not functional. He thinks CityLink is only functional now for those who are unemployed or disabled. He would like to ride the bus again but it needs a lot of improvements to the service.

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

Mayor Williams took this opportunity to remind everyone that the Municipal Court is moving to their new location this upcoming weekend, and that the new Law Enforcement Center will have an open house on the annual Night Out event.

EXECUTIVE SESSION

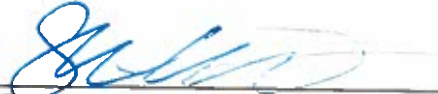
Mayor Williams recessed into Executive Session at 9:52 a.m. pursuant to the following of the Open Meetings Act, with the following issues discussed during this session, as listed on the agenda and authorized by the noted Texas Government Code Section:

- 22.A 551.071 (Consultation with Attorney)
 - 2. Chad Carter v. City of Abilene
- 22.B 551.072 (Deliberations about Real Property)
 - 1. 302 Medical Drive
 - 2. 3.59 Acres Adjacent to County Jail
 - 3. Clyde Water
 - 4. Lincoln Middle School
- 22.F 551.087 (Business Prospect/Economic Development)
 - 1. Abilene Convention Center Hotel Project
 - 2. Windsor Hotel
 - 3. Civic Plaza Hotel
 - 4. Wooten Hotel
 - 5. New Horizons

The Executive Session ended at 11:31 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 11:33 a.m.



Shawna Atkinson
City Secretary



Anthony Williams
Mayor

Minutes approved on: July 25, 2019

