

**CITY COUNCIL MEETING**  
**September 12, 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 September 12, 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, Kyle McAlister and Travis Craver. Also present were City Manager Robert Hanna, Assistant City Attorney Chace Craig, City Secretary Shawna Atkinson, and various members of the City staff.

Deputy Mayor Pro-tem Travis Craver delivered the invocation.

Montana and Takoda Redman - 5<sup>th</sup> Graders at Austin Elementary, and Laine Roberts - 2<sup>nd</sup> Grader at Ward Elementary, led the Pledge of Allegiance to the Flag of the United States of America and State of Texas Flag.

**PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS, ANNOUNCEMENTS**

- Employee Service Awards
  - Courtney Ruiz - 20 Years
  - Baker Bryant - 30 Years
  - Derek Ernst - 30 Years
  - Shof Moore - 30 Years
- Presentation
  - Mayor Williams introduced John Beckham of the Development Corporation of Abilene, who introduced their new CEO, Misty Mayo.

**CONSENT AGENDA**

The Consent Agenda consisted of items 3-10.

Items pulled for individual consideration were as follows:

- Item 9 was pulled from consideration prior to the meeting
- David Swartz, citizen: Item 6 and 8

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

AYES (7): Mayor Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus and Councilmembers Price, Rentz, McAlister and Craver

NAYS (0): None

3. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular meeting held on August 22, 2019 and the Special Meeting held on September 5, 2019
4. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving a Negotiated Settlement between Atmos Cities Steering Committee and Atmos Energy Corp, Regarding the Company's 2019 Rate Review Mechanism Filing  
**[ASSIGNED RESOLUTION NO. 180-2019]**

5. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Extended Term Street Use License Agreement with Magellan Pipeline Company  
[ASSIGNED RESOLUTION NO. 181-2019]
7. Resolution: Receive a Report, Hold a Discussion and Public Hearing and Take Action on Purchasing from Galls, LLC Workrite Nomex IIIA Uniform Shirts with Patches and Markings  
[ASSIGNED RESOLUTION NO. 183-2019]
10. Ordinance (First Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on amending Chapter 11, Section 11-5 "Dogs in Food Establishments" of the Code of Ordinances

#### ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

6. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Awarding Bid CB-1961 for six SUV's for Water Utilities  
[ASSIGNED RESOLUTION NO. 182-2019]

*The item was pulled by David Swart*

Having pulled the item, David Swart questioned why this item wasn't mentioned when the water meter replacement project was originally brought about last year. He stated that these vehicles, the new staff and the new software required were all left out of the original discussion. He questioned where these vehicles will be used after the project is over and thinks they will end up being paid for by water customers.

Rodney Taylor, Director of Water Utilities, presented the item and answered Mr. Swartz's questions. Adoption of the item would approve the purchase of 6 SUVs to be used by Water Utilities in the water meter conversion program. Mr. Taylor clarified that this was discussed early on in the project and these vehicles will be utilized by other departments after the project is complete.

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. Councilmember Price seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus and Councilmembers Price, Rentz, McAlister and Craver  
NAYS (0): None

8. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Development Corporation of Abilene, Inc.'s Revised FY19 and Proposed RY20 Budgets  
[ASSIGNED RESOLUTION NO. 184-2019]

*The item was pulled by David Swart*

Having pulled the item, David Swart spoke about the DCOA's budget and why there was a deficit. He stated that the DCOA was supposed to be a business incubator but they haven't been very popular with citizens. He thinks the DCOA should be separate from the City and should put their money towards projects like the airport and attracting Southwest Airlines.

Misty Mayo, CEO of the Development Corporation of Abilene, presented the item and answered Mr. Swartz's questions. She clarified that the DCOA is trying to attract new businesses to Abilene and went over the various projects they are currently involved in. She explained the budget deficit as well.

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

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

AYES (7): Mayor Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus and Councilmembers Price, Rentz, McAlister and Craver  
NAYS (0): None

### ITEMS PULLED FROM CONSIDERATION

9. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Bid from Ford AV for the Upgrade of the Projector System in the Public Health Conference Center.  
[ASSIGNED RESOLUTION NO. 185-2019 – NOT CONSIDERED]

*This item was pulled prior to the meeting.*

### REGULAR AGENDA

11. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Meet and Confer Agreement with the Abilene Professional Firefighters Association, IAFF Local 1044  
[ASSIGNED RESOLUTION NO. 179-2019]

This item was tabled from the last meeting. Councilmember McAlister moved to remove the item from the table. Councilmember Price seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus and Councilmembers Price, Rentz, McAlister and Craver  
NAYS (0): None

Robert Hanna, City Manager, presented the item. Adoption of the item would approve a new four year Meet and Confer agreement with the Abilene Professional Firefighters Association. The goal of the agreement is to achieve pay that is equal to the average base pay for firefighters among our peer cities, plus 4%.

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 Rentz seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus and Councilmembers Price, Rentz, McAlister and Craver  
NAYS (0): None

12. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Considering Adoption of a Resolution Directing Publication of Notice of Intention to Issue Combination Tax and Revenue Certificates of Obligation to Provide Funds for Waterworks and Sewer Projects, Communications Infrastructure and Energy Efficiency Projects; and Resolving Other Matters Relating to the Subject.

**[ASSIGNED RESOLUTION NO. 186-2019]**

Mike Rains, Director of Finance, presented the item. Adoption of the item would allow the City to publish notice of intent to issue bonds at least 45 days prior to approving the bond issue. Final approval of the bonds will be scheduled for the November 7<sup>th</sup> City Council meeting.

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

- Bob Thomas – concerned about the radio infrastructure in the proposal and thinks they will be out of date soon. States there are new systems that are better and these will end up costing us in the long run.

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

NAYS (0): None

13. Ordinance (Final Reading) SNC-2019-02: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Development Corporation of Abilene, Inc., agent Kim Tarrant, to change the name of Tower View Drive to Kinsolving Drive as it extends from south to north from FM 18 to Corridor Drive.  
**[ASSIGNED ORDINANCE NO. 49-2019]**

Mike Warrix, Director of Planning and Development Services, presented the item. Adoption of the item would change the name of Tower View Drive to Kinsolving Drive as it extends approximately 1241 feet, south to north from F.M. 18 to Corridor Drive.

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

AYES (7): Mayor Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus and Councilmembers Price, Rentz, McAlister and Craver

NAYS (0): None

## BUDGET ORDINANCES

14. Ordinance: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the Final Reading of the Proposed FY 2020 Budget.  
[ASSIGNED ORDINANCE NO. 50-2019]

Mike Rains, Director of Finance, presented the item. Adoption of the item would approve the fiscal year 2020 budget.

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

- Bob Thomas – stated that this budget is a lot of money. He is confused on some of the items, particularly where there appears to be a \$4 million rounding difference.

City Manager Robert Hanna answered Mr. Thomas' questions at this time and clarified that there is no rounding difference and the numbers are correct.

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

Councilmember Price moved to approve and adopt the Proposed Budget for Fiscal Year 2019-2020 with a specific amount of money (\$106,523,080 General Fund Budget). Mayor Pro-tem Hurt seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus and Councilmembers Price, Rentz, McAlister and Craver  
NAYS (0): None

Mayor Williams moved to acknowledge (ratify) the following:

“This budget will raise more total property taxes than last year’s budget by an amount of \$4,144,390 which is a 12.1% increase from last year’s budget. Of that amount, \$724,097 is tax revenue to be raised from new property added to the tax roll this year.”

Councilmember Price seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus and Councilmembers Price, Rentz, McAlister and Craver  
NAYS (0): None

15. Ordinance: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the Final Reading of the Proposed Fiscal Year 2020 Tax Rate  
[ASSIGNED ORDINANCE NO. 51-2019]

Mike Rains, Director of Finance, presented the item. Adoption of the item would set the tax rate for fiscal year 2019-2020.

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

- David Swart – stated that Council is serious when they are talking about going out to a ten-thousandth of a penny in the tax rate. He compared this to the post office increasing the rates on postage stamps and gave the advice to “don’t own anything”. He also talked about how taxes used to be handled – if someone didn’t pay property taxes, the sheriff took the property and auctioned it off.

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

Councilmember Price moved that the property tax rate be increased by the adoption of the tax rate of \$.7877 per \$100, which is effectively a 5.7% increase in the tax rate. Councilmember McAlister seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus and Councilmembers Price, Rentz, McAlister and Craver

NAYS (0): None

16. Ordinance: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Adopting the Fees and Charges for Fiscal Year 2020  
[ASSIGNED ORDINANCE NO. 52-2019]

Mike Rains, Director of Finance, presented the item. Adoption of the item would approve the Fees and Charges for fiscal year 2020.

City Manager Robert Hanna clarified that the only change from the original hearing was a correction on the alcohol fees, as stated in the exhibit.

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. Councilmember Rentz seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus and Councilmembers Price, Rentz, McAlister and Craver

NAYS (0): None

#### PUBLIC COMMENTS

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

- David Swart – spoke about his observations in the Downtown area regarding lighting. Stated there are several intersections, particularly one on Orange and Cypress, that have no lights. Some of them have the extensions to hook up lights but lack the lights themselves. Thinks the City needs to get lights out there soon because it is a safety hazard.

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

### EXECUTIVE SESSION

Mayor Williams recessed into Executive Session at 9:58 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:

- 17.A 551.071 (Consultation with Attorney)
  - 7. T.M. Gates v. City of Abilene, Case No. 01-18-000-8653
- 17.B 551.072 (Deliberations about Real Property)
  - 3. Clyde Water
- 17. D 551.074 (Personnel Matters)
  - 1. City Council Appointees – City Manager
- 17.F 551.087 (Business Prospect/Economic Development)
  - 1. Abilene Convention Center Hotel Project
  - 2. Windsor Hotel

The Executive Session ended at 11:15 a.m. and reconvened to Open Session. Mayor Williams reported no votes or action were taken in Executive Session.

### REGULAR AGENDA

18. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving an Agreement for Release of Lien and Grant of Parking Easement regarding the Windsor Hotel  
**[ASSIGNED RESOLUTION NO. 187-2019]**

Robert Hanna, City Manager, presented the item. Adoption of the item would authorize the City Manager to execute the release of lien and grant the parking easement for the Windsor Hotel property.

Mayor Williams opened the public hearing; and with no 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 (7): Mayor Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus and Councilmembers Price, Rentz, McAlister and Craver  
NAYS (0): None

19. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action to Approve the Settlement Regarding Case No. 1:18-cv-00095-C; Gates v. City of Abilene  
**[ASSIGNED RESOLUTION NO. 188-2019]**

Chace Craig, Assistant City Attorney, presented the item. Adoption of the item would authorize the City Manager to execute a settlement agreement for the above referenced court case.

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

AYES (7): Mayor Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus and Councilmembers Price, Rentz, McAlister and Craver  
NAYS (0): None

**ADJOURNMENT**

There being no further business, the meeting adjourned at 11:24 a.m.

  
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Shawn Atkinson  
City Secretary  
\_\_\_\_\_  
Anthony Williams  
Mayor

Minutes approved on: September 26, 2019

