

**CITY COUNCIL MEETING
January 23, 2020 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 January 23, 2020, at 4:30 p.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 Travis Craver. Councilmember Kyle McAlister was absent. Also present were City Manager Robert Hanna, City Attorney Stanley Smith, 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 Section:

- 20. A. 551.071 (Consultation with Attorney)
 - 1. Chad Carter v. City of Abilene
 - 2. Susan Lewis King & Austin King vs Ken Paxton, AG & the City of Abilene
 - 3. Ruby Flores and Cory Almanza vs Jesus Verastegui & the City of Abilene
 - 4. Alfredo Valencia vs Corey Davis & the City of Abilene
 - 5. West Texas Water Partnership
- 20. B. 551.072 (Deliberations about Real Property)
 - 1. Clyde Water
- 20. C. 551.073 (Deliberations about Gifts and Donations)
 - 1. Westgate Property Donation
- 20.D. 551.074 (Personnel Matters)
 - 1. Evaluation/Salary of the Municipal Court Judge (and item #24)
- 20. F. 551.087 (Business Prospect/Economic Development)
 - 1. Windsor Hotel (Item #23)
 - 2. Abilene Heritage Square (Item #22)

The Executive Session ended at 5:00 p.m. and 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.

Mayor Pro-tem Donna Albus delivered the invocation.

Ryan Florer and Isaac Florer, 2nd graders at Taylor Elementary, led the Pledge of Allegiance to the Flag of the United States of America and State of Texas Flag.

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS, ANNOUNCEMENTS

- Proclamations
 - National Mentoring Month accepted by Mark Rogers from Big Brothers Big Sisters
 - Big Brothers Big Sisters also announced their Big Brother of the Year, Deputy Fire Chief Mike Burden, and their Big Sister of the Year, APD Detective Erin Bennett.
 - City Manager Robert Hanna recognized Mari Cockerell for her Abilene 20 Under 40 nomination.

CONSENT AGENDA

The Consent Agenda consisted of items 4-15. Items 12, 13 and 15 were pulled for individual consideration.

Items pulled for individual consideration were as follows:

- William Brown, citizen – Item #12
- William Brown, citizen – Item #13
- Edward Conley, citizen – Item #15

Mayor Pro-tem Hurt moved to approve the Consent Agenda, now consisting of items 4-10 and 14. 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

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

NAYS (0): None

ABSTAIN (1): Councilmember McAlister

4. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular meeting held on January 9, 2020.
5. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the expense of additional funds from the Women's Health and Family Planning Association of Texas
[ASSIGNED RESOLUTION NO. 09-2020]
6. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Awarding purchase of two three-quarter ton full four-door pickup trucks from Lawrence Hall Chevrolet and one three-quarter ton extended cab pickup from Caldwell Country Chevrolet
[ASSIGNED RESOLUTION NO. 10-2020]
7. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Awarding purchase of one regular cab half-ton 2WD pickup truck and one regular cab half-ton 4WD pickup truck from Lawrence Hall Chevrolet and three extended cab half-ton pickup trucks from Arrow Ford
[ASSIGNED RESOLUTION NO. 11-2020]
8. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Awarding purchase of seven Side Loader Refuse Trucks from Chastang Enterprises, Inc.
[ASSIGNED RESOLUTION NO. 12-2020]
9. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the West Central Texas Council of Governments' Regional Hazard Mitigation Plan Update
[ASSIGNED RESOLUTION NO. 13-2020]
10. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Awarding a Contract to Crescendo Consulting Group, LLC for preparation of the FY 2020-2025 Consolidated Plan and related documents
[ASSIGNED RESOLUTION NO. 14-2020]

11. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on supporting a Housing Tax Credit Application for Abilene Pioneer Crossing and Commitment of Development Incentives
[ASSIGNED RESOLUTION NO. 15-2020]
12. Z-2020-02: Ordinance (First Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Windmill Circle Partners and Oldham Partners, agents Tony Conder and Don Whitehead, to rezone property from Agricultural Open Space (AO) to General Commercial (GC) District; Legal description being a certain 17.252-acre tract of vacant land out of southeast quarter of Blind Asylum Lands Section 62 in City of Abilene, Taylor County, Texas and located near northeast corner of Loop 322 and Industrial Boulevard
13. CUP-2020-02: Ordinance (First Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Windmill Circle Partners and Oldham Partners, agents Tony Conder and Don Whitehead, for a Conditional Use Permit allowing retail sale and rental of trucks and other large vehicles and equipment in a General Commercial District; Legal Description being 12.70 acres of vacant land out of southeast quarter of Blind Asylum Lands Section 62 in City of Abilene, Taylor County, Texas and located near northeast corner of Loop 322 and Industrial Boulevard
14. Z-2020-03: Ordinance (First Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Parramore Square LLC, agent John Scott, to amend existing Planned Development (PD) District Number 159A, specifically by increasing the density of semi-detached dwellings allowed therein; Legal description being all of Block A in Parramore's Subdivision in City of Abilene, Taylor County, Texas and occupying all of block bounded by Beech, Orange, Parramore and North 7th Streets
15. TC-2020-01: Ordinance (First Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from the City of Abilene to abandon an 80-foot-wide segment of right-of-way dedicated for Cherry Street extending 80 to 100 feet south from the right-of-way for South 14th Street

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

12. Z-2020-02: Ordinance (First Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Windmill Circle Partners and Oldham Partners, agents Tony Conder and Don Whitehead, to rezone property from Agricultural Open Space (AO) to General Commercial (GC) District; Legal description being a certain 17.252-acre tract of vacant land out of southeast quarter of Blind Asylum Lands Section 62 in City of Abilene, Taylor County, Texas and located near northeast corner of Loop 322 and Industrial Boulevard

The item was pulled by William Brown, citizen.

Having pulled the item, William Brown stated that he didn't understand if this item passed the Planning and Zoning Commission yet and has concerns about making it General Commercial (GC) in a residential area.

Councilmember McAlister encouraged Mr. Brown to email his concerns to City Council and staff.

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

Councilmember Price moved to approve the item as presented. 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

13. CUP-2020-02: Ordinance (First Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Windmill Circle Partners and Oldham Partners, agents Tony Conder and Don Whitehead, for a Conditional Use Permit allowing retail sale and rental of trucks and other large vehicles and equipment in a General Commercial District; Legal Description being 12.70 acres of vacant land out of southeast quarter of Blind Asylum Lands Section 62 in City of Abilene, Taylor County, Texas and located near northeast corner of Loop 322 and Industrial Boulevard

The item was pulled by William Brown, citizen.

William Brown pulled the item but didn't want to speak again, as his questions were previously answered.

With no other speakers coming forward, the public comment period 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

15. TC-2020-01: Ordinance (First Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from the City of Abilene to abandon an 80-foot-wide segment of right-of-way dedicated for Cherry Street extending 80 to 100 feet south from the right-of-way for South 14th Street

The item was pulled by Edward Conley, citizen

Having pulled the item, Edward Conley stated he is a proponent for the land owner. This easement was placed in error in the 1980's and initially proposed as an extension of Cherry street that never happened. Mr. Conley supports the owner of the property.

Joe Rita Hagans, citizen also spoke on this item. Ms. Hagans questioned what will be done with this easement and its purpose.

Staff addressed the citizens' concerns, stating the City is just abandoning this easement and that there is no future use for it. The City is not taking anything just releasing the easement to the owner.

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

Councilmember Craver moved to approve the item as presented. 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

REGULAR AGENDA

16. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Awarding a Contract to King Consultants for Asbestos Abatement and Demolition of the former Civic Plaza Hotel located at 505 Pine Street
[ASSIGNED RESOLUTION NO. 16-2020]

Michael Rice, Assistant City Manager, presented the item. Adoption of the item would approve a contract with King Consultants for Asbestos Abatement and Demolition of the former Civic Plaza Hotel located at 505 Pine Street.

Council had questions about the TIPS bidding process. City Manager Hanna gave an overview of the TIPS process for clarification.

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

- David Swartz – stated he was for the demolition and he is looking forward for the improvements in the downtown area.
- Jo Rita Hagans – stated that they city is wasting money on moving forward with the demolition. She thinks that this hotel should be used for the homeless that cannot afford other housing opportunities.

Deputy Mayor Pro-tem Albus 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

17. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on authorizing the purchase of a Ditch Witch HX30 Vacuum Excavator through BuyBoard Cooperative Purchasing for the Water Utilities Department
[ASSIGNED RESOLUTION NO. 17-2020]

Rodney Taylor, Director of Water Utilities, presented the item. Adoption of the item would authorize the purchase of a Ditch Witch HX30 Vacuum Excavator for the Water Utilities Department. He clarified that this is the replacement of an old unit.

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

18. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Concrete Valley Gutters Various Locations (2019) Change Order No. 4
[ASSIGNED RESOLUTION NO. 18-2020]

Greg McCaffery, Director of Public Works, presented the item. Adoption of the item would authorize minor improvements at the intersection of Buffalo Gap Road and Ridgemont Drive for a complete replacement of the valley gutter and intersection failed areas, with Bontke Brothers Construction.

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

Councilmember McAlister moved to approve the item as presented. Deputy 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

19. Discussion: Hold a Discussion and Public Hearing on a Request from Councilmember Price on Making Abilene a Sanctuary City for the Unborn

Council and staff discussed a proposal on making Abilene a sanctuary city for the unborn.

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

- Dr. Jim Sullivan – for the item
- Jenna Bonner – against the item
- Hershell Redding – for the item
- Pastor S E Browden – for the item
- Scott Kemp – for and against the item
- Frederick Jones – for the item
- Haylie Defoor – against the item
- Chris Moran – for the item
- Mary Mwaura – for the item
- Carolyn Walden – for the item
- Paul Cornelius – for the item
- Elizabeth Smyser – against the item
- Giselle Rodriguez – for the item
- Micah Davis – against the item
- Steven Gerard Sidlovsky – for the item
- Mark Lee Dickson – for the item
- Chuck Zollars – for the item
- Jo Rita Hagins – against the item
- Scott Beard – for the item
- Stephanie Morin – for the item
- John Seago – for the item
- Marian Boecking – for the item
- Ruth York – for the item
- Edward Conley – for the item
- Janice Clark – for the item
- Grace Russell – for the item
- Noemi Valenzuela – for the item
- Robert Clark – for the item
- Carinne Stanley – for the item

- Shantele Hair – for the item
- Rachel Gutierrez – for the item
- Gwen Zollars – for the item
- Georgetta Parton – for the item
- Linda Castillo – for the item
- Arick Conners – for the item
- Delores LeBlanc – for the item
- Anastia Valdez – for the item
- Ashley Darnell – against the item
- Connie Ramon – for the item
- Christopher Deleon – against the item
- Trevor Liles – against the item
- Ashton Liles – against the item
- Rumi Batton – for the item
- Rylie Batton – for the item
- Levi Rodriguez – against the item
- Amanda (no last name given) – for the item
- Charles Byrn – for the item
- Daniel Bigham – against the item
- Danielle Connors- for the item
- Joel Leblanc – for the item
- Erica Batton – for the item
- Anai Martinez – for the item
- Rita Davidson – for the item
- Mark Williams – for the item
- Tony Ortiz – for the item
- Michelle Fortan – for the item
- David Swart – spoke about how the City would enforce the ordinance, if it passed, and how to go about changing laws the proper way through the Legislature
- Edward Castillo – for the item

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

This item was for discussion only. No votes or action were taken at this time.

Mayor Williams called a 10 minute break from 8:55 p.m. to 9:05 p.m.

21. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Appointing Members to Various Boards and Commissions per the City Charter
[ASSIGNED RESOLUTION NO. 19-2020]

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

Mayor Pro-tem Hurt moved to (re)appoint the following:

Board	Term End Date
<i>Board of Building Standards</i>	
Melissa Sparks [New] [Alternate - Contractor]	November 2021 [unexpired term]
<i>Child Advocacy Center Board</i>	
Debra McCracken [Reappointment]	December 2022

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

22. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving an Economic Development Agreement with Abilene Heritage Square Inc. regarding the former Lincoln Middle School.
[ASSIGNED RESOLUTION NO. 20-2020]

Robert Hanna, City Manager, presented the item. Adoption of the item would approve the Economic Development Agreement with Abilene Heritage Square Inc. regarding the former Lincoln Middle School.

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

- David Swart – questioned if the city will have to purchase workstations. He also questioned if only half of the building will be a library, what else will this facility have?

Robert Hanna, City Manager addressed Mr. Swart's concerns and stated that turnkey furniture is included and the city will pay for the computers.

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

Councilmember Price 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

23. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving a Revised Economic Development Agreement with 401 Pine, LLC for the Windsor Hotel.
[ASSIGNED RESOLUTION NO. 21-2020]

Robert Hanna, City Manager, presented the item. Adoption of the item would approve a revised Economic Development Agreement with 401 Pine, LLC for the Windsor Hotel.

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

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

24. Oral Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the Salary of the Municipal Court Judge

Earlier in the meeting, under Section 551.074 (Personnel Matters) of the Open Meetings Act, the item was discussed during the Executive Session, which started at 4:30 p.m. and ended at 5:00 p.m. No votes or actions were taken at that time.

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

Deputy Mayor Pro-tem Albus moved to approve the salary of the Municipal Court Judge. 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

PUBLIC COMMENTS


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

- David Swart – spoke about Martin Luther King Day , and how it fell on the same day that Franklin D Roosevelt started his fourth term as President. Mr. Swart expressed his concerns about traffic congestion by the Chick-fil-A on Southwest Drive.

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

ADJOURNMENT

There being no further business, the meeting adjourned at 9:16 p.m.


Shawna Atkinson
City Secretary


Anthony Williams
Mayor

Minutes approved on: February 13, 2020

