

**CITY COUNCIL MEETING**  
**February 13, 2020 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 the 13<sup>th</sup> day of February, at 8:30 a.m. in the Council Chambers, 555 Walnut St. Mayor Pro-tem Hurt was present and presiding with Deputy Mayor Pro-tem Donna Albus and Councilmembers Shane Price, Jack Rentz, Kyle McAlister and Travis Craver. Mayor Anthony Williams 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 Shane Price delivered the invocation.

Kaedyn Hill, 4<sup>th</sup> grader at Lee Elementary, and Destinie Russel, 4<sup>th</sup> grader at Bonham 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
  - Rob Klafter – Water Utilities – 20 Years
  - Carl Lindner – Water Utilities – 20 Years
  - Mickey Chaney – Water Utilities – 35 Years

**CONSENT AGENDA**

The Consent Agenda consisted of items 3-14. Items 6 and 13 were pulled for individual consideration.

Items pulled for individual consideration were as follows:

- David Swartz, citizen – Item 6
- Councilmember Rentz – Item 13

Councilmember McAlister moved to approve the consent agenda, now consisting of items 3-5, 7-12 and 14. Councilmember Price seconded the motion; motion carried.

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

NAYS (0): None

ABSENT (1): Mayor Williams

3. Minutes: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Minutes from the Regular Meeting Held on January 23, 2020
4. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Ordering a City of Abilene General Election to be Held on Saturday, May 2, 2020, for the Purpose of Electing Members to City Council Places 3, 4 and Mayor  
[ASSIGNED RESOLUTION NO. 22-2020]

5. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing a Joint Election Agreement and Contract for Election Services with Taylor County for a General Election to be Held on Saturday, May 2, 2020, and Authorizing the Extension of this Contract to Cover a Runoff Election, if Needed. **[ASSIGNED RESOLUTION NO. 23-2020]**
7. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on awarding the Bid to Weatherbee Construction, Inc. for the US 83/84 Water Line Relocation Re-bid Project **[ASSIGNED RESOLUTION NO. 25-2020]**
8. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving a Relocation Agreement with Atmos Energy Corporation **[ASSIGNED RESOLUTION NO. 26-2020]**
9. Resolution: Receive a Report, Hold a Discussion and Take Action to Approve an Amendment to the Professional Services Contract with CADCO Architects-Engineers, Inc. for design services for the new fire department Fire Training Facility **[ASSIGNED RESOLUTION NO. 27-2020]**
10. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Repealing and Replacing Resolution 193-2018, Adopting Rules of Procedure for City Council **[ASSIGNED RESOLUTION NO. 28-2020]**
11. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Adopting a Resolution in support of the Defense Economic Adjustment Assistance Grant Program (DEAGG) **[ASSIGNED RESOLUTION NO. 29-2020]**
12. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving Financing By Splendor Cultural Education Facilities Finance Corporation for the Benefit of Hardin-Simmons University and Related Matters **[ASSIGNED RESOLUTION NO. 30-2020]**
14. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on supporting a Housing Tax Credit Application for The Trails at Abilene and Commitment of Development Incentives **[ASSIGNED RESOLUTION NO. 32-2020]**

#### ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

6. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Awarding Purchase of Up-Fitting Twelve Police Packaged SUVs to Cap Fleet Upfitters **[ASSIGNED RESOLUTION NO. 24-2020]**

*The item was pulled by David Swart, citizen.*

Having pulled the item, David Swart spoke about when this item was brought before Council previously, and that he thinks the dollar amount has gone up significantly since the first time.

Chris Taylor addressed Mr. Swartz's concerns and stated that the prices are within the budget that was set previously.

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 Pro-tem Hurt, Deputy Mayor Pro-tem Albus and Councilmembers Price, Rentz, McAlister and Craver

NAYS (0): None

ABSENT (1): Mayor Williams

13. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing the City Manager to Negotiate and Execute a Surface Water Availability Agreement with the Brazos River Authority to Purchase and Access 7,737 Acre Feet of Water per Year from Possum Kingdom Lake [ASSIGNED RESOLUTION NO. 31-2020]

*This item was pulled by Councilmember Rentz.*

Having pulled the item, Councilmember Rentz questioned if we don't take this deal now will we lose it? He also asked if this would be for emergency use only.

Tommy O'Brien addressed Councilmember Rentz concerns and stated that the answer is yes, if we don't take this we will lose and this will be for emergencies only.

Mayor Pro-tem Hurt opened the public hearing. With no speakers coming forward, the public hearing was closed.

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

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

NAYS (0): None

ABSENT (1): Mayor Williams

#### REGULAR AGENDA

15. Ordinance (Final Reading) Z-2020-02: 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 [ASSIGNED ORDINANCE NO. 03-2020]

Mike Warrix, Director of Planning and Development Services, presented the item. Adoption of the item would rezone the above referenced property from Agricultural Open (AO) to General Commercial (GC) in order to utilize the location for a wide range of commercial activities.

Council had additional questions on what was required for separation in residential zoning. Mike Warrix addressed the concerns and stated that the Planning & Zoning Commission recommended to add a buffer, subject to site plan review, but there is no requirement in the Land Development Code.

Mayor Pro-tem Hurt opened the public hearing. The following addressed the council:

- Don Whitehead, landowner – gave Council the process by which John Deere came about purchasing this specific land and why it was chosen. Stated that there is already a fence buffer in their site plan, which will be metal, not chain link.

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

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

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

NAYS (0): None

ABSENT (1): Mayor Williams

16. Ordinance (Final Reading) CUP-2020-02: 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  
[ASSIGNED ORDINANCE NO. 04-2020]

Mike Warrix, Director of Planning and Development Services, presented the item. Adoption of the item would allow a Conditional Use Permit on the above referenced property to allow retail sale/rental of trucks and other large vehicles and equipment in General Commercial (GC) Zoning.

Council had concerns on the fence between the residential area and the cemetery adjacent to the property. Mike Warrix addressed the concerns, stating that the Planning & Zoning Commission didn't forward any specific conditions for a fence, but Council can add requirements, if they choose.

Mayor Pro-tem Hurt opened the public hearing. The following addressed the council:

- Jeff Tickner, with Quality Improvement – stated their plan is to have an opaque, R-Panel fence, probably 8 foot tall for security of product. The front will have visibility to show their products though.

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

Councilmember Price moved to approve the item, with the addition of the condition of an opaque screening between the subject property and the residential and cemetery properties. Councilmember McAlister seconded the motion; motion carried.

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

NAYS (0): None

ABSENT (1): Mayor Williams

17. Ordinance (Final Reading) Z-2020-03: 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  
**[ASSIGNED ORDINANCE NO. 05-2020]**

Mike Warrix, Director of Planning and Development Services, presented the item. Adoption of the item would amend an existing Planned Development District (159A) to increase the approved density for semi-detached single family dwellings.

Mayor Pro-tem Hurt opened the public hearing. The following addressed the council:

- John Scott, applicant – availed himself to questions from Council. Clarified that there will be garages in front of the buildings, with additional spaces in front of the garages.

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

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

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

NAYS (0): None

ABSENT (1): Mayor Williams

18. Ordinance (Final Reading) Z-2020-03: 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  
**[ASSIGNED ORDINANCE NO. 06-2020]**

Mike Warrix, Director of Planning and Development Services, presented the item. Adoption of the item would abandon the above referenced property as a public street, because the dead-end segment of Cherry Street's right-of-way has never been improved or used for traffic movement.

City Attorney Stanley Smith clarified that there was a dispute between the adjacent landowners as to who owns the right-of-way. The City is releasing the right-of-way to let the landowners work out the issue between them. There will still be an easement.

Mayor Pro-tem Hurt opened the public hearing. With no other speakers coming forward, the public hearing was closed.

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

AYES (6): Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus and Councilmembers Price, Rentz, McAlister and Craver  
NAYS (0): None  
ABSENT (1): Mayor Williams

### PUBLIC COMMENTS

Mayor Pro tem Hurt opened the public comment period. The following addressed the city council:

- David Swart – stated the City’s new webpage is still having some issues. On the main page the online payment portal crashes after you attempt to login. Mr. Swart also stated that the old webpage had street projects listed and it is not listed on the new webpage.

City Manager Robert Hanna addressed Mr. Swartz’s concerns and asked him to contact the City as soon as he notices any errors.

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

### EXECUTIVE SESSION

Mayor Pro-tem Hurt recessed into Executive Session at 9:33 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:

- 19. A. 551.071 (Consultation with Attorney)
  - 1. Abilene Convention Center Hotel Development Corporation
- 19. B. 551.072 (Deliberations about Real Property)
  - 1. Clyde Water
  - 2. Adobe Wells
- 19.D. 551.074 (Personnel Matters)
  - 1. City Council Appointees – City Manager
- 19. F. 551.087 (Business Prospect/Economic Development)
  - 1. Abilene Convention Center Hotel Development Project
  - 2. Allen Ridge Development

The Executive Session ended at 9:58 a.m. and reconvened to Open Session. Mayor Pro-tem Hurt reported no votes or action were taken in Executive Session.

### REGULAR AGENDA

- 20. 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. 33-2020]

Mayor Pro-tem Hurt opened the public hearing, and with no speakers coming forward, the public hearing was closed.

Councilmember McAlister moved to (re)appoint the following:

Board	Term End Date
<i>Landmarks Commission- Appointment of Chair</i>	
Pebbles Lee (Chair)	
<i>Library Advisory Board</i>	
Elizabeth Norman (New)	November 2021 (unexpired term)
<i>Office of Neighborhood Services Advisory Council</i>	
Kris Kowatch (Reappointment)	November 2022
Amy Owen (Reappointment)	November 2022
Jori Sechrist (Reappointment)	November 2021
Rachel Slaymaker (Reappointment)	November 2021
<i>Street Maintenance Advisory &amp; Appeals Board</i>	
Kristina Campos-Davis (Reappointment)	March 2021
Mathew Lubin Sr. (Reappointment)	March 2021

Councilmember Price seconded the motion; motion carried.

AYES (6): Mayor Pro-Tem Hurt, Deputy Mayor Pro-tem Albus and Councilmembers Price, Rentz, McAlister and Craver  
NAYS (0): None  
ABSENT (1): Mayor Williams

#### ADJOURNMENT

There being no further business, the meeting adjourned at 9:59 a.m.

  
Shawna Atkinson  
City Secretary

  
Anthony Williams  
Mayor

Minutes approved on: February 27, 2020

