

**CITY COUNCIL MEETING**  
**March 26, 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 March 26, 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, Kyle McAlister and Travis Craver. Also present were City Manager Robert Hanna, City Attorney Stanley Smith, and City Secretary Shawna Atkinson.

This meeting was broadcast over a teleconference to allow the public to call in via telephone, since the meeting and City Hall were closed to the public during the current disaster situation.

**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:

- 10. A. 551.071 (Consultation with Attorney)
  - 1. Chad Carter v. City of Abilene
  - 2. Officer Patrick Sumrall & City of Abilene
  - 3. Sanctuary City for the Unborn
- 10.D. 551.074 (Personnel Matters)
  - 1. City Council Appointees – City Manager
- 10. F. 551.087 (Business Prospect/Economic Development)
  - 1. Abilene Convention Center Hotel Project
  - 2. 101 Oak Street – Matera Gardens, LLC

The Executive Session ended at 5:05 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 Anthony Williams delivered the invocation.

Councilmember Craver 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 3-8. There were no items pulled for individual consideration.

Councilmember McAlister moved to approve the Consent Agenda. 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

- 3. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the City Council Workshop Meeting Held on March 6, 2020, and the Regular Meeting Held on March 12, 2020

4. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing a Professional Services Contract with Enprotec/Hibbs & Todd, Inc. for the 2020 E Hwy 80 Water Line Replacement Coordination & Design  
[ASSIGNED RESOLUTION NO. 64-2020]
5. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Awarding the Bid to Lupe Rubio Construction Company, Inc. for the Baylor Drive Lift Station Replacement Project  
[ASSIGNED RESOLUTION NO. 65-2020]
6. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing a Professional Services Contract with Enprotec/Hibbs & Todd, Inc. for the NEWTP SCADA System Improvements  
[ASSIGNED RESOLUTION NO. 66-2020]
7. Ordinance (First Reading) TC-2020-04: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from the City of Abilene to abandon public right-of-way within an 80' wide segment of Cedar Street extending 300' between the north line of right-of-way for North 5th Street and the south line of right-of-way for North 6th Street; and a request to abandon public right-of-way within a 20' wide alley extending 300' between the north line of right-of-way for North 5th Street and the south line of right-of-way for North 6th Street, midway and parallel between Cypress and Cedar Streets
8. Ordinance (First Reading) TC-2020-05: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Jeff Prince Operating, L.P., to abandon public right-of-way within an unimproved 60' wide segment of South 23rd Street extending approximately 500 feet between the east line of right-of-way for South Treadaway Boulevard and the west line of right-of-way for the Abilene & Southern Railway

#### REGULAR AGENDA

9. Ordinance Final Reading: Receive a Report, Hold a Discussion and Public Hearing and Take Action on Amending the Abilene Code of Ordinances, Chapter 7, Civil Defense  
[ASSIGNED ORDINANCE NO. 13-2020]

Stanley Smith, City Attorney, presented the item. Adoption of the item would Amend Chapter 7 of the Abilene Code of Ordinances, Civil Defense, and provide a punishment for the offense of a fine not to exceed \$1,000 or confinement in jail for a term no more than 180 days, during a local state of disaster. He stated that there is one change from the way the ordinance appears in the agenda packet – striking through “a fine and confinement in jail” and leaving only “a fine or confinement in jail”.

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

- David Swart – stated that he is concerned if this is constitutional or not. Questioned if it was for a limited time only and described some situations in other areas of people being taking into custody for this sort of thing.

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

Stanley Smith, City Attorney, addressed Mr. Swart's concerns and stated that it would only be good as long as the Mayor's Disaster Declaration is in place, and that the Texas Government Code allows this, so it is not unconstitutional.

Councilmember Price moved to approve the item with the corrections that City Attorney Smith pointed out. 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 via teleconference:

- David Swart – stated that he appreciates what Council is doing but doesn't want to move to more extreme measures in the current crisis. Also spoke about the severe weather season coming up and the tornado that occurred last week. He encouraged everyone to buy a NOAA weather radio, sign up for Code Red alerts, and to enable the severe weather alerts on smart phones.

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

### ADJOURNMENT

There being no further business, the meeting adjourned at 5:48 p.m.

  
Shawna Atkinson  
City Secretary

  
Anthony Williams  
Mayor

Minutes approved on: April 9, 2020

