

CITY COUNCIL MEETING

April 23, 2020 at 4:30 p.m.

CITY COUNCIL OF THE CITY OF ABILENE, TEXAS VIRTUAL MEETING

The City Council of the City of Abilene, Texas met in Regular Session on April 23, 2020, at 4:30 p.m. virtually, via Zoom meeting. 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:

- 14. A. 551.071 (Consultation with Attorney)
 - 1. Chandler Brooks v. Taylor County, et al.
 - 2. Moving General Election to Non-uniform Election Date
 - 3. Governor's Executive Order GA-16
- 14. B 551.072 (Deliberations about Real Property)
 - 1. Clyde Water
- 14.D. 551.074 (Personnel Matters)
 - 1. City Council Appointees – City Manager
- 14. F. 551.087 (Business Prospect/Economic Development)
 - 1. Abilene Convention Center Hotel Project

The Executive Session ended at 4:58 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.

Councilmember Travis Craver delivered the invocation, and 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 3-9. Item 4 was pulled for individual consideration.

Item pulled for individual consideration were as follows:

- Councilmember McAlister – Item 4

Councilmember McAlister moved to approve the Consent Agenda, now consisting of Items 3 and 5-9. 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, Councilmember Price and Councilmember McAlister had a conflict of interest on Item 8 and abstained from voting on that item alone. Conflict of Interest Affidavits were filled out before the meeting and filed with the City Secretary's office. The vote for Item 8 only was as follows:

AYES (4): Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus and Councilmembers Rentz and Craver
NAYS (0): None
ABSTAIN (3): Mayor Williams, Councilmembers Price and McAlister

3. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on April 9, 2020, and the Special Meeting Held on April 13, 2020
5. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Finding that AEP Texas Inc.'s Application to Amend It's Distribution Rates Within the City Should Be Denied; Authorizing Participation With the Cities Served by AEP Texas; Authorizing Hiring of Legal Counsel; Finding That the City's Reasonable Rate Case Expenses Shall Be Reimbursed by the Company; Finding that the Meeting At Which This Resolution is Passed is Open to the Public as Required by Law; Requiring Notice of this Resolution to the Company and Legal Counsel
[ASSIGNED RESOLUTION NO. 81-2020]
6. Ordinance (First Reading) Z-2020-06: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Eric Salazar to rezone property from an Agricultural Open Space (AO) to a Rural Residential (RR-1) District located in the 7100-7200 blocks (east side) of West Lake Road, approximately 1.5 miles north of F.M. 3034 in the Lake Fort Phantom Hill area of Abilene, Texas
7. Ordinance (First Reading) Z-2020-07: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Vader Enterprises LLC, agent Sheldon Greene, to rezone property from a Heavy Industrial (HI) to a Heavy Commercial (HC) District at 4721 Hill Street in southern Abilene
8. Ordinance (First Reading) Z-2020-01: R Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Prairie Song LLC, agent Nick Coates, to amend the terms of Planned Development (PD) District Number 144 by expanding its original 14.166 acres to include 0.5 acre of additional now-vacant land at 2660 Garfield Avenue, by changing allowed uses to include all those permissible within Residential Medium-Density (MD) zoning districts and by requiring all access to future development of this property to be from Garfield Avenue; Legal description being 12.004 acres out of T&P Railway Co. Section 84 (and located at least 140 feet north of Garfield Avenue) as well as Lots 4-5 in Block 10 and all of Block 11 in the Hillcrest Addition (on north side of 2600 block of Garfield Avenue)
9. Ordinance (First Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending Section 3.2.13.6 (Exceptions, Waivers, and Deferrals) of the Land Development Code pertaining to appeals of construction of Sidewalks

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

4. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action to Approve the Purchase of Four Police Packaged Motorcycles from Kent's Harley-Davidson through CB-2042
[ASSIGNED RESOLUTION NO. 80-2020]

The item was pulled by Councilmember McAlister.

Having pulled the item, Councilmember McAlister questioned if any other bids were received and if we were only looking at Harley Davidsons.

Police Chief, Stan Standridge addressed Councilmember McAlister's concern and stated that Kent's Harley Davidson was the sole bidder. We have an in-house trainer that is certified on Harley Davidsons, so if we went with another type of motorcycle, we would have to have them re-certified and it would end up being cost-prohibitive.

Mayor Williams 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; 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

10. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action to Approve Operating Cost Relief for American Airlines, Avis/Budget, Hertz and Enterprise-Rent-A-Car
[ASSIGNED RESOLUTION NO. 82-2020]

Don Green, Director of Transportation, presented the item. Adoption of the item would approve operating cost relief in the form of deferred payments, for American Airlines, Avis/Budget, Hertz and Enterprise-Rent-A-Car. This will make temporary changes to the rents and charges the Airport imposes through the lease and operating agreements, in light of the current Covid-19 health crisis.

Mayor Williams opened the public hearing. With no other 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

11. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on awarding the bid to Dowtech Specialty Contractors for the Northeast WTP Filter No. 5 Replacement
[ASSIGNED RESOLUTION NO. 83-2020]

Robert Hanna, City Manager, presented the item. Adoption of the item would award the bid to Dowtech Specialty Contractors for the Northeast WTP Filter No. 5 Replacement.

Mayor Williams opened the public hearing. 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

12. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Temporarily Suspending the Street Maintenance Fee and Shrinking Tier Levels for Residential Water Customers
[ASSIGNED RESOLUTION NO. 84-2020]

Robert Hanna, City Manager, presented the item. Adoption of the item would temporarily suspend the Street Maintenance Fee and shrink the tier levels for residential water customers. Mr. Hanna recommended to Council to suspend the Street Maintenance Fee for two months, with the option to reconsider once that time period is up, and to make no changes to water rates.

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

- Mariann Ermis – would like to see the Street Maintenance Fee suspended for 90 days.
- David Swart – stated that since there is a decrease in sales revenue, this would be a good idea. He thinks we should decrease the base water rates down \$5 and suspend the Street Maintenance Fee for 90 days.
- Christina Williams – stated she was in favor of the item.
- Charles Byrn – questioned on how would we reinstate the Fees, if we were to suspend them. He thinks it would be hard to impose them again and the City would have to be careful on how they do it. Also questioned how we would recover from the shortage of funds.
- Luis Ortiz – asked for clarification as to what the suspense means, and if he would not have to pay during this time period.
- Ron Kinder – stated that there is no revenue coming in with no schools and residents staying inside. Mr. Kinder stated some families will go over the water usage since they are staying home, putting residents in the next higher tier if this is approved.

Mayor Pro-tem Hurt moved to approve suspending the Street Maintenance Fee for two months. 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

13. 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. 85-2020]

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>West Central Texas Municipal Water District Board</i> Dani Ramsay (New)	May 2022

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

PUBLIC COMMENTS

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

- David Swart – stated that it is difficult for the public to comment on various items with this virtual meeting and that it's also a difficult time in general. Mr. Swart stated his friend has been out of work for seven weeks.
- Christina Williams – wanted to thank City Council and employees for everything they have done during this difficult time period.

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

ADJOURNMENT

There being no further business, the meeting adjourned at 6:38 p.m.



Shawna Atkinson
City Secretary



Anthony Williams
Mayor

Minutes approved on: May 14, 2020

