

## CITY COUNCIL MEETING

July 9, 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 July 9, 2020, 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 and Kyle McAlister. Councilmember Travis Craver was absent. Also present were City Manager Robert Hanna, City Attorney Stanley Smith, and Deputy City Secretary Kaitlin Richardson.

Mayor Pro-tem Weldon Hurt 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 2-8. Items 2, 3, 4 & 7 were pulled for individual consideration.

Items pulled for individual consideration were as follows:

- Councilmember Price – Item 2
- Councilmember Rentz – Item 3
- David Swart, citizen – Item 4 and Item 7

Councilmember Price moved to approve the consent agenda, now consisting of items 5, 6 and 8. Councilmember Rentz seconded the motion; motion carried.

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

NAYS (0): None

ABSENT (1): Councilmember Craver

5. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Designating an Officer to Calculate the No-New-Revenue Tax Rate and the Voter-Approved Tax Rate and Publish Property Tax Information  
[ASSIGNED RESOLUTION NO. 123-2020]
6. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving Amendments to the Abilene Public Library Advisory Board Bylaws  
[ASSIGNED RESOLUTION NO. 124-2020]
8. Ordinance (First Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on an Ordinance amending Chapter 32 "Utilities", Article VI "Water Conservation Plan", of the Abilene Municipal Code by amending Section 32-141, Section 32-142, Section 32-143, and Section 32-145, as set out below, providing for a severability clause, and declaring a penalty

#### ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

2. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on June 25, 2020

*The item was pulled by Councilmember Price.*

Having pulled the item, Councilmember Price notated one correction to the minutes, the Invocation was attributed to the wrong person – it should have been Councilmember McAlister.

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

Councilmember Price moved to approve the item with the change noted above. Councilmember McAlister seconded the motion; motion carried.

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

NAYS (0): None

ABSENT (1): Councilmember Craver

3. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action to Approve the Purchase of Vehicle Reporting System to Monitor Vehicle Performance and Location  
**[ASSIGNED RESOLUTION NO. 121-2020]**

*The item was pulled by Councilmember Rentz.*

Having pulled the item, Councilmember Rentz stated that he thinks this is a bad year to be spending money on something like this. Council and staff discussed why the item is necessary.

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 McAlister seconded the motion; motion carried.

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

NAYS (0): None

ABSENT (1): Councilmember Craver

4. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action to accept award of the Small Community Air Service Development Program Grant  
**[ASSIGNED RESOLUTION NO. 122-2020]**

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

Having pulled the item, David Swart stated that now is not the time to spend money on air time. There is no use for parked airports or jets. Mr. Swartz also stated he is for the option of Southwest for a new airline, but not right now now.

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

- Ryan Gaston – stated that he is for both options and thinks this will bring in more tax dollars.
- Tim Yandell – stated that he had a friend fly from Florida to Abilene and the trip was very expensive. He also spoke about current American Eagle flights.

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

NAYS (0): None

ABSENT (1): Councilmember Craver

7. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Awarding Bid #CB-2063 to Justice Construction Inc. for Additional Enhancements for the Law Enforcement Center, Municipal Court and Customer Service Center  
**[ASSIGNED RESOLUTION NO. 125-2020]**

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

Having pulled the item, David Swart stated that we should not be spending money on the flooring. The cost for flooring should have been included in the cost of the remodel. Mr. Swart stated that we have already spent too much on the flagpoles, which were \$100,000.

Robert Hanna, City Manager, addressed Mr. Swart's concerns and stated that this is a remodel of an existing building and they are not replacing the floor, but correcting the acoustics in the facility. Staff is having a hard time assisting clients with the echo throughout the facility. When remodeling a facility you do not know what problems will arise.

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

- Darla Mays – stated that she is not for this item and we shouldn't be spending money on flooring right now. This money should be set aside for something else the community needs.

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

NAYS (0): None

ABSENT (1): Councilmember Craver

## REGULAR AGENDA

9. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Executing a Professional Services Contract with HALFF and Associates for a New Comprehensive Plan  
**[ASSIGNED RESOLUTION NO. 126-2020]**

Cheryl Sawyers, Planning Manager, presented the item. Adoption of the item would approve a professional services contract with HALFF and Associates for the preparation of a new Comprehensive Plan.

Councilmember Price stated that we do not need to spend \$5,000 on a public service announcer for this project and cutting this is a way to reduce cost.

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

- Marrell Waynewood – stated that he is employed with HALFF and stated if it wasn't for them, he wouldn't be where he is today. Is in favor of the item.
- Brennan Kane – represents HALFF associates and stated their excitement for working with the City on this project. Aailed himself for questions from Council.
- Rosten Callerman – stated his excitement about this item because it entails infield development, and that he is in support of it.

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

Councilmember Price moved to approve the item with the removal of the public service announcer and the contract being updated to add language regarding reimbursement for money not spent. Mayor Pro-tem Hurt seconded the motion; motion carried.

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

NAYS (0): None

ABSENT (1): Councilmember Craver

10. Presentation: Receive a Report, Hold a Discussion and Public Hearing on the Realignment of the Development Corporation of Abilene, Inc. partnership with the Abilene Industrial Foundation

Misty Mayo, CEO of the Development Corporation of Abilene, and Doug Peters, President of the Abilene Industrial Foundation, presented a new partnership between the DCOA and the AIF.

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

- David Swart – stated his appreciation of the presentation. He had a conversation with a team member of a supermarket chain located in Abilene and this employee stated that Abilene is not a priority for a second location. Mr. Swart stated this supermarket was in no hurry to open a new location even though they have purchased a property.
- Sheria Ford-Davis – stated she would like to see this move forward, but would also remind staff to not forget about the public with disabilities.
- Chloe Roberts – questioned if the DCOA coordinates with the Black Chamber of Commerce and with other minority groups.
- Demetrius Earthly – questioned what the requirements are to be approved for this.

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

Ms. Mayo addressed the publics concerns and stated that Mr. Peters has a great relationship with the Black Chamber of Commerce and the Hispanic Community. Ms. Mayo also stated that the chamber is in negotiations with local businesses and minority funds and they are moving as quickly as they can to assist.

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

11. **Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving an Amended Development Corporation of Abilene, Inc.'s Budget for FY 19-20**  
**[ASSIGNED RESOLUTION NO. 127-2020]**

Misty Mayo, CEO of the Development Corporation of Abilene, presented the item. Adoption of the item would approve an amended budget for the Development Corporation of Abilene, Inc. for FY 19-20.

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 item as presented. Councilmember Price seconded the motion; motion carried.

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

**NAYS (0):** None

**ABSENT (1):** Councilmember Craver

12. **Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approval of the Development Corporation of Abilene, Inc.'s Budget for FY 20-21**  
**[ASSIGNED RESOLUTION NO. 128-2020]**

Misty Mayo, CEO of the Development Corporation of Abilene, presented the item. Adoption of the item would approve the Development Corporation of Abilene, Inc.'s budget for FY 20-21.

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 Albus seconded the motion; motion carried.

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

**NAYS (0):** None

**ABSENT (1):** Councilmember Craver

13. **Ordinance (Final Reading) Z-2020-08: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from TTY Holdings LLC. and Jeff Luther Construction Company, agent Timothy Yandell, to rezone from Light Industrial (LI) and Multi-Family Residential (MF) to a Planned Development District (PDD) located at 629 North 6th Street, Lot 7, Block 104, located at 601 Plum Street, Lots 7-12, Block 66, located at 501, 509, 525, 533, 541 Ash Street, Original Town Abilene, Abilene, Taylor County, Texas**  
**[ASSIGNED ORDINANCE NO. 25-2020]**

Mike Warrix, Director of Planning and Development Services, presented the item. Adoption of the item would rezone the above referenced property from Light Industrial (LI) and Multi-Family Residential (MF) to a Planned Development District (PDD).

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

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

14. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving an Extended Term Street Use License-TTY Holdings, LLC  
**[TABLED]**

Michael Rice, Assistant City Manager, presented the item. Adoption of the item would approve an extended term street use license with TTY Holdings, LLC, to use a portion of City right-of-way in front of the building addressed as 630 N 5<sup>th</sup> Street.

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

- Tim Yandell – stated that he is the owner of the Belt Buckle Distillery and that he is confused why curbs are required when there are none in the area. This is a tremendous cost for them that they were not made aware of before now.
- Larry Sanders – stated that he is the Vice President of the Belt Buckle Distillery and that the right of way for the City begins at the face of the property, and that the creation of the curb would not be ideal for them.

Mr. Rice addressed the public's concerns and stated that this requirement is listed in the agreement, but would more than happy to table this item to be able to discuss the agreement with TTY Holdings, LLC.

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

Mayor Williams moved to table the item until the next meeting, July 23, 2020. Councilmember Price seconded the motion; motion carried.

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

15. Ordinance (Final Reading) Z-2020-09: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on request from Quality Implement Company, agents Gary and Diana Handley, to rezone property from Agricultural Open Space (AO) to General Commercial (GC) District located near northeast corner of Loop 322 and Industrial Boulevard  
**[ASSIGNED ORDINANCE NO. 26-2020]**

Mike Warrix, Director of Planning and Development Services, presented the item. Adoption of the item would rezone the above referenced property from Agricultural Open Space (AO) to General Commercial (GC).

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

NAYS (0): None

ABSENT (1): Councilmember Craver

16. Ordinance (Final Reading) CUP-2020-03: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Quality Implement Company, agents Gary and Diana Handley, for Conditional Use Permit allowing retail sale and rental of trucks and other large vehicles and equipment in a General Commercial District located near northeast corner of Loop 322 and Industrial Boulevard [ASSIGNED ORDINANCE NO. 27-2020]

Mike Warrix, Director of Planning and Development Services, presented the item. Adoption of the item would approve a Conditional Use Permit for the above referenced property, allowing retail sale and rental of trucks and other large vehicles and equipment in a General Commercial District.

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 Rentz seconded the motion; motion carried.

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

NAYS (0): None

ABSENT (1): Councilmember Craver

### PUBLIC COMMENTS

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

- David Swart – wanted to remind everyone of the dangerous weather conditions approaching. Mr. Swart stated that he did not receive a notice of when his water meter was replaced and specifically requested to be notified. His taps were winterized and had concerns about the billing process.
- Sheria Ford-Davis – stated that she had concerns with the accessibility to the restrooms at Stevenson Park. It needs to be ADA compliant.
- Chris Daughtery – stated that Stevenson Park needs to be revitalized, as the conditions of the restrooms are terrible.
- Nick Moses - stated that Stevenson Park is below average and the restrooms are outdated. He stated his mother had to leave the park to use the restrooms, due to the conditions.
- Shawnte Fleming – wanted to thank Mr. Hanna, Lesli Andrews and Richard Rodgers for their assistance with the conditions at Stevenson Park. Ms. Fleming stated she fell on the chainlink fence at Stevenson Park. Also that the restrooms are dirty and there are no water fountains. She is promoting a clean city and more quality of life projects and she needs help to get this done. Ms.
- Tanell Smith- Blackmen – stated that restrooms in a park are a key factor in someone revisiting the park. She stated she is an AISD teacher and takes her students on field trips and would love to visit this park, but cannot because of the condition.
- Demetrius Earthly – stated that he grew up here and that GV Daniels and Stevenson Park looks the same as it did back when he was young. He is hoping for improvements.
- Jermaine Well – stated that this is his hometown and that the park is in terrible condition. He thinks that if you don't have dignity in where you live, you're not inclined to do well for yourself. Mr. Well stated that

kids are currently stuck in houses with nothing to do, but to be on the internet and we need to help change that with a park revitalization.

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

### EXECUTIVE SESSION

Mayor Williams recessed into Executive Session at 11:20 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:

- 10. A. 551.071 (Consultation with Attorney)
  - 1. Claim of Discrimination – Rita Monterrosa
  - 2. Governor’s Executive Orders COVID-19
- 10.B 551.072 (Deliberations about Real Property)
  - 2. T&P Freight Warehouse, 901 North 1<sup>st</sup> Street
- 10.D 557-074 (Personnel Matters)
  - 1. Personnel Matters

The Executive Session ended at 11:59 a.m. and reconvened to Open Session. Mayor Williams reported no votes or action were taken in Executive Session.

### ADJOURNMENT

There being no further business, the meeting adjourned at 11:59 a.m.

  
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Shawna Atkinson  
City Secretary

  
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Anthony Williams  
Mayor

Minutes approved on: July 23, 2020

