

**CITY COUNCIL MEETING**  
**October 22, 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 October 22, 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 Kyle McAlister. Councilmember Travis Craver was absent. Also present were Deputy City Manager Mindy Patterson, 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:

- 22. A. 551.071 (Consultation with Attorney)
  - 1. Chandler Brooks v. Taylor County, et al; Civil Action No 1:20-cv-00049
  - 2. John Doe v. Robert Hanna, Individually & as City Manager; Cause No 28078-B
- 22. B. 551.087 (Deliberations about Real Property)
  - 1. Clyde Water
  - 2. Resolution Modifying & Extending Declaration of Local Disaster (Also agenda item #12)
- 22. D 557-074 (Personnel Matters)
  - 1. Personnel Matters – City Manager

The Executive Session ended at 4:45 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 Jack Rentz delivered the invocation.

Augusta Brumley, Emily Brumley and Grace Williams with the Cadette Girl Scouts 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
  - John Brunett – 25 Years – Fire Department
  - Philip Crockett – 25 Years – Fire Department
  - Charles Galco – 25 Years – Fire Department
  - Jennifer Matthews – 25 Years – Police Department

**CONSENT AGENDA**

The Consent Agenda consisted of items 4-17. Item's # 5, 7, 11, 12, 13 and 16 were pulled for individual consideration.

Items pulled for individual consideration were as follows:

- Jerry Tucker, citizen – Item #5
- David Swart, citizen – Item #7, 12 and 13
- Deputy Mayor Pro-tem Albus – Item #11
- Councilmember Price – Item #16

Mayor Pro-tem Hurt moved to approve the Consent Agenda, now consisting of items 4, 6, 8-10, 14-15 and 17. 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

4. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on October 8, 2020
6. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action Approving a Hepatitis C Program  
**[ASSIGNED RESOLUTION NO. 202-2020]**
8. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving Amendments to the Visual Arts Jury Bylaws  
**[ASSIGNED RESOLUTION NO. 204-2020]**
9. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action to Approve Contract with Freese and Nichols, Inc. for the Design of the Cedar Creek Trail Project through RFP #CB-2075  
**[ASSIGNED RESOLUTION NO. 205-2020]**
10. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Awarding Contract to Fletco Services, LP. for Security Access Control Center (SACC) at Dyess Air Force Base  
**[ASSIGNED RESOLUTION NO. 206-2020]**
14. Ordinance (First Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending the Fiscal Year 2021 Annual Operating Budget for the City of Abilene by Appropriating Funds to Add Four Customer Service Representative II Positions to the Water Utilities Department
15. Ordinance (First Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending the Fiscal year 2021 Annual Operating Budget of the City of Abilene by Appropriating Funds necessary for Adding Additional Licensed Telecommunicator Positions to the Abilene Police Department's 9-1-1 System
17. Ordinance (First Reading) Z-2020-43: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Rogers Recreation Inc., agent Jacob & Martin LLC, to rezone property from Planned Development (PD) District Number 58 to a Residential Single-Family (RS-6) District and a Residential Medium-Density (MD) District on 60.83 acres of now-vacant land wrapped around (but not adjoining) the southeast corner of Maple Street and Berry Lane in southeast central Abilene

#### ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

5. Resolution: Receive a Report, Hold A Discussion and Public Hearing, and Take Action on the Award of Bid No. CB-2102 - Sale of Land 22.98 Acres  
**[ASSIGNED RESOLUTION NO. 201-2020]**  
*The item was pulled by Jerry Tucker, citizen.*

Having pulled the item, Jerry Tucker stated that he lives on Penny Lane and is concerned with the entrance and exit access on that street. Mr. Tucker stated that the city used to have another entrance.

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

Travis McClure, Land Agent, responded to Mr. Tucker's concerns stating that the developer will establish access to the west, and that there is no access on Penny Lane.

Councilmember McAlister 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

7. Resolution: Receive a Report, Hold a Discussion and Public Hearing and Take Action on the Purchase and Installation of New Video and Audio/Visual Equipment in the City Council Chambers and City Hall Emergency Operations Center with Swagit Video Service and Visionality Audio/Visual  
**[ASSIGNED RESOLUTION NO. 203-2020]**

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

Having pulled the item, David Swart stated that the current video seems to be fine and questioned if this would be an upgrade to a 4k or 8k. Also questioned if this purchase was budgeted.

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

Mari Cockerell, Communication Director, responded to Mr. Swart's concerns stating that this will not affect the budget; the cost will come from the CARES Act money and the PEG Fund. Video will now have picture in picture for sign language interpretation and it will be 4k.

Councilmember Price 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

11. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Awarding Bid No. 2101 to Raydon Inc. on Colony Hill Road Repair  
**[ASSIGNED RESOLUTION NO. 207-2020]**

*The item was pulled by Deputy Mayor Pro-tem Albus.*

Having pulled the item, Deputy Mayor Pro-tem Albus questioned why the bid was awarded to Raydon, Inc, which is a Breckenridge company, when Bontke Construction is local and their bid was only \$2,000 below Raydon.

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

Michael Rice, Assistant City Manager responded to Deputy Mayor Pro-tem Albus's concerns stating that Raydon's accountant is in Breckenridge, but they are actually a local business.

Councilmember Rentz 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

12. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Modifying and Extending the Declaration of Local Disaster Issued September 24, 2020  
**[ASSIGNED RESOLUTION NO. 208-2020]**

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

Having pulled the item, David Swart stated that we keep approving this declaration to keep our name in the hat for COVID funding. Mr. Swart stated he understands that we sent a letter to the governor requesting more control on a local level, but hopes it didn't travel by mail, as there has been too many issues with the courier service.

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

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

AYES (5): Mayor Williams, Deputy Mayor Pro-tem Albus and Councilmembers Price, Rentz and McAlister

NAYS (1): Mayor Pro-tem Hurt

ABSENT (1): Councilmember Craver

13. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing the City Manager to Execute a Contract Between the City of Abilene and the The Crowe Group, Inc., for the Construction of a New Fire Training Facility  
**[ASSIGNED RESOLUTION NO. 209-2020]**

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

Having pulled the item, David Swart stated that this would be a great benefit for the northeast side of town if it will also have an active engine stationed there; that way if Ladder 5 is busy, the new station can respond.

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 (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 (First Reading) CUP-2020-07: Receive A Report, Hold A Discussion And Public Hearing, And Take Action On A Request Conditional Use Permit Allowing Multiple-Family Dwellings In General Retail (GR) District and In An Adjoining Office (O) District

*The item was pulled by Councilmember Price.*

Having pulled the item, Councilmember Price stated he would like staff work with Planning & Zoning to bring a recommendation on changes to the Land Development Code to address housing density limitations for zonings that allow MF by means of a Conditional Use Permit.

Mayor Pro-tem Hurt stated he would like additional zoning specifically for duplexes.

Mayor Williams opened the public hearing. With no other 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

#### REGULAR AGENDA

18. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action to Approve a Contract with Matrix Design Group for Dyess JLUS Implementation Consulting (CB-2071)  
[ASSIGNED RESOLUTION NO. 210-2020]

Don Green, Director of Transportation, presented the item. Adoption of the item would approve a contract with Matrix Design Group for the Dyess Joint Land Use Study (JLUS) Implementation Consulting.

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

Deputy Mayor Pro-tem Albus 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

19. Presentation: Receive a Report, and Hold a Discussion and Public Hearing on Updating the City Council on the Progress of the Smart Water Meter Replacement and Advanced Metering Infrastructure Installation Project

Rodney Taylor, Director of Water Utilities, presented the item. Mr. Taylor went over the progress of the Smart Water Meter Replacement and Advanced Metering Infrastructure installation project in detail.

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

- David Swart – stated his experience with the new water meters has been so-so. Mr. Swart stated that the website said he would be notified when his meter was going to be replaced, and he received a notification three weeks after the fact. He also thinks he had been overbilled in the past and that he likes the new meters. His only negative feedback would be the customer service.
- Samuel Garcia – thanked Rodney Taylor and his staff with this process and presentation. Stated that he doesn't ever worry about water, because they do such an amazing job.

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

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

20. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on an ordinance amending Chapter 32, "Utilities", Article III, "Industrial Wastes", of the Abilene Municipal Code, by amending certain sections as set out below; proving a severability clause, and declaring a penalty  
**[ASSIGNED ORDINANCE NO. 39-2020]**

Rodney Taylor, Director of Water Utilities, presented the item. Adoption of the item would amend chapter 32 of the Abilene Municipal Code, "Utilities", Article III "Industrial Wastes", with small modifications that are necessary in order to comply with provisions of the National Pretreatment Regulations of the Environmental Protection Agency (EPA).

Mayor Williams opened the public hearing, and 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 (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

21. Ordinance (Final Reading) Z-2020-10: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Sharon Riley, agent H.C. Zachry, to amend existing Planned Development (PD) District Number 32 by removing from subparagraph (f) 1 and 2 stating "no other signs shall be allowed" from Lots 25-30 and allowing all signage allowed in General Retail (GR)  
**[PULLED FROM CONSIDERATION]**

This item required a super-majority vote from Council. Because a member were absent and another will be abstaining, it was pulled from consideration and Mayor Williams announced that it will be held at the following meeting on 11/5.

### PUBLIC COMMENTS

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


- David Swart – stated that he saw the presentation about the new Police Chief and questioned why there was not any local candidates selected, especially considering the cost of using the consultant and flying candidates here. Mr. Swart stated that the citizens of Aurora Colorado had lost confidence in the police department there, and Mr. Dudley’s department was three and a half times larger than Abilene’s department.
- Sheila Becker – spoke about fireworks set off around town during holidays, and asked if there is anything staff and Council could do about them. Ms. Becker also stated that there is hogs outside of town causing destruction and thought the City could take care of them and donate the meat to the homeless ministries in town.
- Samuel Garcia – spoke about his interest in the Development Corporation of Abilene. Mr. Garcia stated that the DCOA is wanting to change their bylaws to decrease the number of board meetings, and that he doesn’t agree with the CEO having the authority to spend \$200,000 without Council approval, when the City Manager has to seek approval over \$50,000. Mr. Garcia also voiced his concerns with how unprofessional the DCOA board meeting are, and their lack of set dates.
- Cynthia Alvidrez – stated that there is a problem with how ACU has been awarded \$1.5 million in TIRZ money, as Mayor Williams is employed by this entity, when there are more deserving areas in the TIRZ that could use the money more.

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

### ADJOURNMENT

There being no further business, the meeting adjourned at 6:46 p.m.

  
Shawna Atkinson  
City Secretary

  
Anthony Williams  
Mayor

Minutes approved on: November 5, 2020

