

**CITY COUNCIL MEETING**  
**November 5, 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 November 5, 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 Travis Craver. Councilmember Kyle McAlister was absent. Also present were City Manager Robert Hanna, City Attorney Stanley Smith, and City Secretary Shawna Atkinson.

Councilmember Shane Price delivered the invocation and led the Pledge of Allegiance to the Flag of the United States of America and State of Texas Flag.

**PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS, ANNOUNCEMENTS**

Mayor Williams gave a brief overview of the COVID-19 numbers in the area. He introduced Brad Holland from Hendricks Medical Center who spoke more in depth about the rising COVID-19 numbers, and the hospital capacity in the area. Mr. Holland introduced Dr. Steven Lowery, Chief of Staff at Hendricks, and Sue Castle, Chief Nursing Officer at Hendricks, who both spoke about requesting help from the state for staffing of ICU beds and updates on therapeutics for the virus.

Robert Hanna, City Manager, asked Abilene citizens to do their part to help slow the spread, because local authorities cannot take stricter measures under the current Governor's orders. Mr. Hanna encouraged everyone to wear a mask when you cannot socially distance, and to take care of the vulnerable population.

Mayor Williams opened a Public Comment period for this discussion. The following addressed the Council:

- David Swart – stated that masks are a big issue and there is debate on if they do any good or not. A doctor told him that even if you wear a mask it could get in through your eyes. He stated that the military has a biohazard suit they wear for hazardous materials, and even that suit is only 80% effective, so a mask your grandmother made is not that effective, comparatively. Mr. Swart stated everyone should do their best and try to stay apart.

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

**CONSENT AGENDA**

The Consent Agenda consisted of items 2-8. No items were pulled for individual consideration.

Mayor Pro-tem Hurt moved to approve the consent agenda 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 Craver  
**NAYS (0):** None  
**ABSENT (1):** Councilmember McAlister

2. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on October 22, 2020

3. **Correction 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. 211-2020]**
4. **Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action to Authorize the City Manager to Execute a Contract with Texas Fire Apparatus, LLC for the Purchase of One (1) Custom Built HazMat/Communication Apparatus  
[ASSIGNED RESOLUTION NO. 212-2020]**
5. **Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Resolution Authorizing the City Manager to Continue the Agreement Between the Abilene Public Library and Overdrive, for the Purchase of Library Materials  
[ASSIGNED RESOLUTION NO. 213-2020]**
6. **Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Resolution Authorizing the City Manager to Continue the Agreement Between the Abilene Public Library and Midwest Tape (Hoopla), for the Purchase of Library Materials  
[ASSIGNED RESOLUTION NO. 214-2020]**
7. **Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Resolution Authorizing the City Manager to Continue the Agreement Between the Abilene Public Library and Baker & Taylor, for the Purchase of Library Materials  
[ASSIGNED RESOLUTION NO. 215-2020]**
8. **Resolution: Receive A Report, Hold A Discussion And Public Hearing, And Take Action On A Resolution Authorizing The Continuation Of The Agreement With The Abilene Library Consortium  
[ASSIGNED RESOLUTION NO. 216-2020]**

#### **REGULAR AGENDA**

9. **Ordinance (Final 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  
[ASSIGNED ORDINANCE NO. 41-2020]**

Rodney Taylor, Director of Water Utilities, presented the item. Adoption of the item would approve the hiring of four additional Customer Service Representative II positions for the Water Utilities Department's Customer Service Center, which are necessary to reduce call wait times, improve the processing time for emails and website applications, and reopen the front office to allow for walk in customers.

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

**NAYS (0):** None

**ABSENT (1):** Councilmember McAlister

10. Ordinance (Final 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 One Additional Telecommunicator Position to the Abilene Police Department's 9-1-1 System

**[ASSIGNED ORDINANCE NO. 42-2020]**

Stan Standridge, Chief of Police, presented the item. Adoption of the item would promote one current telecommunicator to supervisor, and will add six new telecommunicator positions to the Abilene Police Department's 9-1-1 system.

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. 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 Craver

NAYS (0): None

ABSENT (1): Councilmember McAlister

11. Resolution SNC-2020-01: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Street Name Change request to add an honorary street name "Larry and Mary Gill's Way" to the street known as Lytle Way Circle extending west from Lytle Way in southeast central Abilene  
**[ASSIGNED RESOLUTION NO. 217-2020]**

Mike Warrix, Director of Planning & Development Services, presented the item. Adoption of the item would approve an honorary street name "Larry and Mary Gill's Way" to the street known as Lytle Way Circle extending west from Lytle Way, in southeast central Abilene.

Council thanked Larry and Mary Gill for their service to the community.

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

- Dennis O'Connell, from the Lytle Lake WID – stated that he made the request to honor the Gill's for all of their work in the community, specifically on Lytle Lake and their board.

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

Councilmember Price 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 Craver

NAYS (0): None

ABSENT (1): Councilmember McAlister

12. Ordinance (Final 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  
**[ASSIGNED ORDINANCE NO. 43-2020]**

Mike Warrix, Director of Planning & Development Services, presented the item. Adoption of the item would approve a request for a Conditional Use Permit to allow the development of multiple-family dwellings in a General Retail (GR) District and in an Office (O) District, at the 6800-6900 blocks (west side) of Highway 83-84.

Councilmember Price stated that the density was discussed in the first reading and wants clarification on what staff is expecting. The density levels differ and he would like the conditional use permit to specify a limit of 24 units per acre.

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

- Tal Filmingham, agent – stated that this is intended to be a mixed use development. The density is 15 units per acre, but he is wanting to keep the 24 units per acre in the motion, just in case that shifts in their plans going forward.

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

Councilmember Price moved to approve the item as presented, with the addition of language limiting the conditional use permit to 24 units per acre. Councilmember Craver seconded the motion; motion carried.

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

NAYS (0): None

ABSENT (1): Councilmember McAlister

13. Ordinance (Final Reading) Z-2020-14: 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 [ASSIGNED ORDINANCE NO. 44-2020]

Mike Warrix, Director of Planning & Development Services, presented the item. Adoption of the item would trezone the above referenced property from Planned Development (PD) District Number 58 to a Residential Single-Family (RS-6) District and a Residential Medium-Density (MD) District.

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

- Clayton Farrow, agent – stated this will be a single family and duplex development.
- Robyn Wertheim – lives in the subdivision that borders this and wants Council to consider traffic flow and high speed limit roads in the area before approval. The State Supported Living Center has created traffic issues in the area already, and she does not want further infrastructure issues with this development.
- Quirico Torres – had questions about the fencing, stormwater drainage, and purposes.

Mr. Warrix clarified that this is just a rezoning request, not design work for the project. All infrastructure will have to go through the Development Review Committee, and be looked at by engineers and the Public Works Department before the site plan is approved.

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

Mayor Pro-tem Hurt moved to approve the item as presented, with the stipulation that the medium density zoning be limited to duplexes. There was no second; motion withdrawn.

City Attorney Smith clarified that since it is strictly a rezoning request, conditions cannot be implemented.

Councilmember Rentz 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 Craver

NAYS (0): None

ABSENT (1): Councilmember McAlister

14. 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)  
**[ASSIGNED ORDINANCE NO. 45-2020]**

Zack Rainbow, Assistant Director of Planning & Development Services, presented the item. Adoption of the item would approve an amendment to the current PD 32 ordinance to allow one off-site advertising billboard on Lot 232.

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

- H.C. Zachry, agent – is for this proposal. He stated that the current regulations allow one billboard on the north side and that there are already two in the area, so it is only fair if they are allowed to have one, as well.

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

Mayor Pro-tem Hurt 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 Craver

NAYS (0): None

ABSENT (1): Councilmember McAlister

### **PUBLIC COMMENTS**

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

- David Swart – congratulated the local race winners. He stated there was a lot of frustration when the County Judge backtracked on the COVID-19 hospital numbers, and that it makes people question if the numbers can be trusted at all. Mr. Swart hopes that Mike Perry will be compensated for his time as the Interim Police Chief, and stated that the lights under the Mockingbird underpass are destroyed and need to be replaced, and that AEP is not fixing them.
- Larry and Mary Gill - thanked Council for approving their honorary street name.
- Samuel Garcia – congratulated the newly elected officials, and stated that it is easy to help businesses that go above and beyond, like in regards to approving Sharon Allen’s sign request. Mr. Garcia also stated that the DCOA’s board meetings are unprofessional, and that he would like to see the changes the DCOA is proposing to their bylaws well in advance of a vote.

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

### **EXECUTIVE SESSION**

Mayor Williams recessed into Executive Session at 9:50 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:

- 15. A. 551.071 (Consultation with Attorney)
  - 1. John Doe v Robert Hanna, Individually and as City Manager
  - 2. Cockrell Investment Partners, L.P. v Middle Pecos Groundwater Conservation District
  - 3. Sharra Sampson v. City of Abilene
  - 4. Cedar Creek Reservoir
  - 5. YMCA Lease (also agenda item #16)
- 15. B 557.072 (Deliberations about Real Property)
  - 1. Clyde Water
  - 2. Cedar Creek Reservoir
  - 3. YMCA Lease (also agenda item #16)
- 15. F. 551.087 (Business Prospect/Economic Development)
  - 1. Abilene Convention Center Hotel Development Project

Mayor Williams left the meeting at the conclusion of Executive Session. Mayor Pro-tem Hurt presided over the remainder of the meeting.

The Executive Session ended at 10:32 a.m. and reconvened to Open Session. Mayor Pro-tem Hurt reported no votes or action were taken in Executive Session.

### **REGULAR AGENDA**

16. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approval of Consent to Deed of Trust (Leasehold) and Estoppel Certificate between the YMCA and AIMBank pertaining to YMCA's lease at Redbud Park  
**[ASSIGNED RESOLUTION NO. 218-2020]**

Earlier in the meeting, under Section 551.072 (Deliberations about Real Property) of the Open Meetings Act, the item was discussed during the Executive Session, which started at 9:50 a.m. and ended at 10:32 a.m. No votes or actions were taken at that time.

Robert Hanna, City Manager, presented the item. Adoption of the item would approve the consent to Deed of Trust (Leasehold) and Estoppel Certificate between the YMCA and AIMBank pertaining to YMCA's lease at Redbud Park.

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 Craver seconded the motion; motion carried.

AYES (5): Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus and Councilmembers Price, Rentz and Craver  
NAYS (0): None

ABSENT (2): Mayor Williams and Councilmember McAlister

17. 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. 200-2020]

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

Councilmember Craver moved to (re)appoint the following:

Board	Term End Date
<i>Ablene Housing Authority</i>	
James Batiste [Reappointment]	November 2022
Jud Beall [Reappointment]	November 2022
David Ekombe [Reappointment]	November 2022
<i>Airport Development Board</i>	
Nanci Liles [New]	November 2023
<i>Board of Adjustment</i>	
Scott Hay [Reappointment]	November 2022
Mark Odle [Reappointment]	November 2022
Dani Ramsay [Reappointment] [Alternate]	November 2022
Bryce Stickney [New] [Alternate]	November 2021 (unexpired term)
Bob Thomas [Reappointment] [Alternate]	November 2022
<i>Board of Building Standards</i>	
Delbert Alfred [Reappointment]	November 2022
<i>Civil Service Commission</i>	
Izair Lankford [Reappointment]	November 2023
<i>Landmarks Commission</i>	
Pebbles Lee [Reappointment]	November 2023
<i>Planning &amp; Zoning Commission</i>	
Izair Lankford [Reappointment]	November 2023
<i>Street Maintenance Advisory &amp; Appeals Board</i>	
Niccolus Moses [New]	March 2021 (unexpired)

Councilmember Price seconded the motion; motion carried

AYES (7): Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus and Councilmembers Price, Rentz and Craver

NAYS (0): None

ABSENT (2): Mayor Williams and Councilmember McAlister

#### ADJOURNMENT

There being no further business, the meeting adjourned at 10:37 a.m.



Shawna Atkinson  
City Secretary



Anthony Williams  
Mayor

Minutes approved on: November 19, 2020

