

CITY COUNCIL MEETING
December 17, 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 November 19, 2020, at 4:30 p.m. in the Council Chambers, 555 Walnut St. Mayor Anthony Williams was present and presiding with Mayor Pro-tem Shane Price, Deputy Mayor Pro-tem Jack Rentz and Councilmembers Donna Albus, Weldon Hurt, Kyle McAlister and Travis Craver. Also present were City Manager Robert Hanna, 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:

- 27. A. 551.071 (Consultation with Attorney)
 - 1. City of Abilene, Texas & Garfield Public/Private LLC v. Ken Paxton, AG of Texas
 - 2. DCOA Bylaws (Also Agenda Item 25)
- 27. F. 551.087 (Business Prospect/Economic Development)
 - 1. Abilene Convention Center Hotel Project
 - 2. DCOA Project Legacy

The Executive Session ended at 5:12 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 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 3-18. Item #4 was pulled for individual consideration.

Items pulled for individual consideration were as follows:

- Councilmember Hurt and David Swart, citizen– Item #4

Councilmember Hurt moved to approve the Consent Agenda, now consisting of items 3 and 5-18. Deputy Mayor Pro-tem Rentz seconded the motion. Motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Price, Deputy Mayor Pro-tem Rentz, and Councilmembers Albus, Hurt, McAlister and Craver
NAYS (0): None

Mayor Williams, Mayor Pro-tem Price, and Councilmember McAlister had a conflict of interest on Items 16 and 17, and abstained from voting on those two items alone. The vote for Items 16 and 17 only was as follows:

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

3. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on December 3, 2020
5. Resolution: Receive a Report, Hold a Discussion and Take Action on Stop Loss Insurance Coverage for Health Plan Year 2021
[ASSIGNED RESOLUTION NO. 234-2020]
6. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Awarding a Contract for Uniform Rentals to Unifirst Corporation
[ASSIGNED RESOLUTION NO. 235-2020]
7. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the purchase of one Bucket Truck from ETI Equipment Technology for Traffic Engineering
[ASSIGNED RESOLUTION NO. 236-2020]
8. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving an Extended Term Street Use License at 141 Oak Street with DBST Investments, 141 Oak Series
[ASSIGNED RESOLUTION NO. 237-2020]
9. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Awarding Bid No. 2108 to Raydon, Inc. on Street Resurfacing Project Work Zone S10 & S17
[ASSIGNED RESOLUTION NO. 238-2020]
10. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Awarding Bid No. 2109 to Raydon, Inc. on Street Resurfacing Project Work Zone N3 N5 N8 & N14
[ASSIGNED RESOLUTION NO. 239-2020]
11. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authoring the City Manager to Enter into an Advanced Funding Agreement with Texas Department of Transportation for the TxDOT Railroad Crossing and Intersection Improvements Project
[ASSIGNED RESOLUTION NO. 240-2020]
12. Ordinance (First Reading) Z-2020-22: Receive a Report and Hold a Discussion and Public Hearing on a request from Mobile Home Concepts, LLC to rezone property from a combination of Manufactured/Mobile Home (MH) and General Commercial (GC) to Planned Development (PD) District allowing occupancy by recreational vehicles and vacation travel trailers as well as mobile and manufactured homes on property at 6101 South 7th Street in western Abilene
13. Ordinance (First Reading) Z-2020-23: Receive a Report and Hold a Discussion and Public Hearing on a request from Eugene Rickert to rezone property from Agricultural Open Space (AO) to Rural Residential (RR-1) District on one acre of land located at 1949 Beltway South (F.M. Highway 707)
14. Ordinance (First Reading) Z-2020-24: Receive a Report and Hold a Discussion and Public Hearing on a request from Donald Callaway (agents Jacob & Martin LLC) and the City of Abilene to rezone approximately 0.6 acre of land (120 feet wide) located behind the restaurant building at 4801 Buffalo Gap Road, from Agricultural Open Space (AO) to Neighborhood Retail (NR) District
15. Ordinance (First Reading) Z-2020-25: Receive a Report and Hold a Discussion and Public Hearing on a request from KPLB LLC, agents Jacob & Martin LLC, to rezone property from Residential Single-Family Patio Home (PH) to a Residential Medium-Density (MD) District on 5.85 acres of now-vacant land at 1826 Colony Hill Road in southeastern Abilene

16. Ordinance (First Reading) Z-2020-20: Receive a Report and Hold a Discussion and Public Hearing on a request from Abilene Christian University, agent Kendra Hanfeld of Parkhill, Smith and Cooper Inc., to rezone 13.05 acres (occupied since 1955 by Taylor Elementary School) at 916 East North 13th Street, from Residential Medium-Density (MD) to a College University (CU) District
17. Ordinance (First Reading) TC-2020-07: Receive a Report and Hold a Discussion and Public Hearing on a request from Abilene Christian University, agents Enprotec/Hibbs & Todd Inc., to abandon the public right-of-way within a 0.4039-acre tract of presently unpaved land initially dedicated for what is now known as North Judge Ely Boulevard and located northeast from the original campus of Taylor Elementary School at 916 E.N. 13th Street in northeast Abilene
18. Ordinance (First Reading) TC-2020-06: Receive a Report and Hold a Discussion and Public Hearing on a request from the City of Abilene to abandon the public right-of-way within the complete 418-foot length of Crow Street as it extends north from right-of-way for East South 5th Street, approximately 765 feet west from and parallel to T&P Lane in southeast central Abilene

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

4. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Modifying and Extending the Declaration of Local Disaster Issued November 19, 2020
[ASSIGNED RESOLUTION NO. 233-2020]

The item was pulled by Councilmember Hurt and David Swart, citizen.

Having pulled the item, David Swart stated that he understands that we have to keep approving this in order to receive funds, and hopes we will know in January if this will continue or not. Mr. Swart gave some statistics on COVID-19 numbers and thinks that small business are being targeted in these shut downs. He thinks this is unfair.

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

Councilmember Hurt expressed his opinions and concerns in regards to this item, stating that every business is essential.

Robert Hanna, City Manager, presented the item. Adoption of the item would modify and extend the Declaration of Local Disaster issued on October 22, 2020.

Mayor Pro-tem Price moved to approve the item as presented. Deputy Mayor Pro-tem Rentz seconded the motion; motion carried.

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

NAYS (1): Councilmember Hurt

REGULAR AGENDA

19. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving an Ordinance Establishing the 2021 Standards of Care
[ASSIGNED ORDINANCE NO. 55-2020]

Lesli Andrews, Director of Community Services, presented the item. Adoption of the item would approve the 2021 Standards of Care.

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 Albus seconded the motion; motion carried.

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

NAYS (0): None

20. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Fiscal Year 2021 Budget Cuts
[ASSIGNED ORDINANCE NO. 55-2020]

Robert Hanna, City Manager, presented the item. Adoption of the item would approve budget cuts and revenue enhancements for Fiscal Year 2021. Mr. Hanna gave the reasoning behind these needed cuts and went over the programs he recommends cutting, and the revenue enhancements he recommends putting in place.

Council discussed the various options on the table at length and gave their opinions on them.

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

- David Swart – spoke about the senior meal program and questioned the sales tax deficit and if that will affect the money going to the DCOA from sales tax.
- Jenny Goode – spoke about 2-1-1 and how Betty Hardwick is interested in taking on Adaptive Rec.
- Sue Davidson – spoke in favor of keeping the Adaptive Rec program.
- Leah Beltran – spoke in favor of the Adaptive Rec program and having Disabilities in Action help with it.
- JoAnn Fluke – spoke in favor of keeping the Adaptive Rec program and having Disabilities in Action help with it.
- Ruby Blascyk – spoke in favor of keeping the Adaptive Rec program.
- Shannon Bryant – spoke in favor of keeping the senior meal program free.
- Jerry Holman – spoke in favor of keeping the Adaptive Rec program.
- Brandi Kaufmann – spoke in favor of keeping the Adaptive Rec program.
- Taylor Kohler – spoke in favor of keeping the Adaptive Rec program.
- Jeff Bell – spoke in favor of keeping the Adaptive Rec program.
- Katherine Ballard (through a sign language interpreter) – spoke in regards to the importance of helping those with special needs, and keeping the senior meals free.
- Welton Robinson – spoke in favor of keeping the senior meals free.

- Jerry Smith – stated he always gets a recording when he calls 2-1-1 and hopes that can be fixed. Also stated that he thinks City employees would not suffer from a 5% salary reduction to help the budget shortfalls.
- Tammy Sanford – spoke in favor of keeping the Adaptive Rec program.
- LouAnne Chastain – spoke in favor of keeping the Adaptive Rec program.
- Chantee Fleming – spoke in favor of keeping the money already approved for parks updates as it is.
- Niccolus Moses – understands the need of the Adaptive Rec program but hopes the money can come from somewhere other than the money budgeted for parks upgrades,
- Chris Daughtry – encouraged Council not to take away money from any recreation department.
- Candy Ice – spoke in favor of keeping the Adaptive Rec program.

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

Mayor Williams moved to approve the item as presented with the following changes:

- Funding for Adaptive Recreation Services is removed for the remainder of FY 2021, and the City Manager is directed to identify and negotiate the divestment by the City and assumption of the program by a trusted nonprofit entity.
- A fee in the amount of \$2.00 is to be charged for Senior meals. The implementation will be delayed until a scholarship program can be established.
- A fee in the amount of \$25 is to be charged to league sport players as a facility use charge, per player, per season. Those players who reside in the corporate boundaries of the City of Abilene shall be charged a discounted rate of \$20. The implementation will be delayed until a scholarship program can be established.
- The funding set aside for Park improvements shall be reduced by \$50,200 and the same amount shall be appropriated for Senior meals.
- The City Manager will make travel and training cuts, as needed.

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

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

NAYS (0): None

21. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action to Approve the Airport Master Plan
[NOT CONSIDERED]

This item was pulled from consideration.

Mayor Williams recessed the meeting for a 5-minute break at this point, from 7:30 p.m. to 7:35 p.m.

22. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action to Approve Renaming the Airport Conference Room
[ASSIGNED RESOLUTION NO. 242-2020]

Don Green, Director of Transportation, presented the item. Adoption of the item would approve the formal naming of the Airport Lower Level Conference Room to Lawrence E. Gill Conference Room.

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

Councilmember Albus moved to approve the item as presented. Mayor Pro-tem Price seconded the motion; motion carried.

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

NAYS (0): None

23. 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. 243-2020]

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

Councilmember McAlister moved to (re)appoint the following:

| Board | Term End Date |
|--|---------------|
| <i>Abilene-Taylor County Child Advocacy Center Board</i> | |
| Karon Bingaman Hall [Reappointment] | December 2023 |
| Leslie Holley [Reappointment] | December 2023 |
| Craig Shaw [Reappointment] | December 2023 |
| Sherita Nickerson [Reappointment] | December 2023 |
| Becky Poindexter [Reappointment] | December 2023 |
| Casey Wasson [Reappointment] | December 2023 |

Councilmember Craver seconded the motion; motion carried

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

NAYS (0): None

24. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on approval of a Resolution approving of (i) a Restated Certificate of Formation (formerly Articles of Incorporation) of the DCOA with amendments and (ii) an Application to present to the Abilene City Council to amend the DCOA's Certificate of Formation (formerly Articles of Incorporation)
[ASSIGNED RESOLUTION NO. 244-2020]

Misty Mayo, CEO of the Development Corporation of Abilene, presented the item. Adoption of the item would amend the Development Corporation of Abilene's Certificate of Formation (formerly the Articles of Incorporation).

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

- David Swart – stated that he doesn't understand why the City is looking at budget cuts while the DCOA is getting to spend more money here. He thinks that the DCOA should be put back on the ballot for the voters to decide again because of this.

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

Councilmember McAlister moved to approve the item as presented. Deputy Mayor Pro-tem Rentz seconded the motion; motion carried.

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

NAYS (0): None

25. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action Authorizing Changes to the DCOA's Bylaws
[ASSIGNED RESOLUTION NO. 245-2020]

Misty Mayo, CEO of the Development Corporation of Abilene, presented the item. Adoption of the item would approve changes to the Development Corporation of Abilene's bylaws.

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

- David Swart – stated that he doesn't understand how the Public Works Department would have to come to City Council to get a new dump truck, but that the DCOA now is going to be able to spend way more than that without coming to Council. Also spoke about the DCOA employee salaries and how he feels they are high.
- Jerry Smith – spoke about the DCOA CEO's salary and compared it to the City Manager's. Questioned why they only give money to current businesses and not new business.

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

Mayor Pro-tem Price moved to approve the item as presented. Deputy Mayor Pro-tem Rentz seconded the motion; motion carried.

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

NAYS (0): None

26. Oral Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on approving the FY 2020 Annual Report of Activities for the Development Corporation of Abilene
[ORAL RESOLUTION]

Misty Mayo, CEO of the Development Corporation of Abilene, presented the item. Adoption of the item would approve the Fiscal Year 2020 Annual Report of Activities for the Development Corporation of Abilene. Ms. Mayo discussed the DCOA's various projects throughout the year, including their mission, vision, and strategic plan, their achievements from the past year, project summaries, their partners, staff, and board members, and investing in Abilene.

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

- Jerry Smith – apologized to Ms. Mayo for his previous statements and stated that it wasn't a personal attack on her, but he would like to know how they calculate the \$7 coming back to Abilene for every \$1 spent by these companies.
- David Swart – stated that the only business that affects him is Coca-cola. Thinks we are ripe in the picking for new business and we should have started on the hotel project now since it's a good time.

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

Mayor Pro-tem Price moved to approve the item as presented. Councilmember Albus seconded the motion; motion carried.

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

NAYS (0): None

PUBLIC COMMENTS

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

- David Swart – stated that the media reports Mayor Williams is leaving Abilene after he just got re-elected, and that he will miss him. He hopes that things will get better next year with COVID-19.
- Wendell Glen Pugh – introduced himself as the new representative from Senator Dawn Buckingham's Abilene office.
- Aaron Young – spoke about the new Taylor Elementary School opening up in January and requests a school speed zone put in place before school starts.

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

ADJOURNMENT

There being no further business, the meeting adjourned at 8:31 p.m.


Shawna Atkinson
City Secretary


Anthony Williams
Mayor

Minutes approved on: December 14, 2021

