

CITY COUNCIL MEETING
January 14, 2021 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 January 14, 2021, at 8:30 a.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, and City Secretary Shawna Atkinson.

Councilmember Donna Albus delivered the invocation.

Bella Isalas, 5th Grader at Thomas Elementary, and Leah Rodriguez, 4th Grader at Thomas Elementary, 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 2-6. Items 4 and 5 were pulled for individual consideration.

Item pulled for individual consideration were as follows:

- Councilmember Hurt and David Swart, citizen – Item #4
- David Swart, citizen – Item #5

Councilmember Hurt moved to approve the consent agenda, now consisting of items 2-3 and 6. 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

2. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on December 17, 2020
3. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Supporting a Housing Tax Credit Application for Abilene Pioneer Crossing and Commitment of Development Incentives
[ASSIGNED RESOLUTION NO. 01-2021]
6. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the purchase of three Rear Loaders from Houston Freightliner for Solid Waste
[ASSIGNED RESOLUTION NO. 04-2021]

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 December 17, 2020
[ASSIGNED RESOLUTION NO. 02-2021]

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

Having pulled the item, Councilmember Hurt stated that he is for taking care of the vulnerable, but is not for shutting down businesses.

Also having pulled the item, David Swart stated he knows this is about funding, but it's effected a lot of people everywhere. Just following the Governors orders here, but with the change in administration next week, we don't know what the new administration will do.

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

Robert Hanna, City Manager, presented the item. Adoption of the item would modify and extend the disaster declaration issued on December 17, 2020.

Councilmember McAlister moved to approve the item as presented. Councilmember Craver 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

5. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the purchase of seven Chevrolet Police Pursuit Vehicle Tahoe's from Caldwell Country Chevrolet for Abilene Police Department
[ASSIGNED RESOLUTION NO. 03-2021]

The item was pulled by David Swart, citizen.

Having pulled the item, David Swart, citizen stated he is concerned about the upfitting costs. Previously, staff said they didn't have time to do the upfitting in-house. Mr. Swart stated that he hopes the K9 Unit has doggy A/C to keep the dog cool when the officer leaves the vehicle. He thinks the AM/FM radio is a waste of money, but the warranty is good.

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

Mayor Pro-tem Price moved to approve the item as presented. Councilmember McAlister 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

REGULAR AGENDA

7. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Adopting and Ratifying the City's Governing Principles, Rules of Procedure, and Council Policies
[ASSIGNED RESOLUTION NO. 05-2021]

Robert Hanna, City Manager, presented the item. Adoption of the item would adopt and ratify the City's Governing Principles, Rules of Procedure, and Council Policies, by combining them into one document.

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

- David Swart – stated that this is a good move. Seems like one dealership always get the police vehicle bids, and the Parks Department has a hodge-podge of different makes. He thinks it is a good thing to have this, so local bidders can get in on it.

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

Mayor Pro-tem Price moved to approve the item as presented. Councilmember McAlister 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

8. Discussion: Receive a Report and Hold a Discussion and Public Hearing on Recycling in Abilene, TX

Michael Rice, Assistant City Manager, presented the item. The City's contractor for receiving & processing cardboard and paper products has placed the City on notice that they will no longer be able to provide this service after January 31, 2021. This discussion is to determine the Council's desire for Abilene's recycling program in the future.

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

- David Swart – stated that he didn't like when plastics went away, because it is convenient to buy bottled water, but then you have to do something with the bottles afterwards. The newspaper recycling at United was convenient. Mr. Swart is glad to see we are not pulling the recycling centers completely. He thinks this is something the DCOA should be able to assist with and urged staff to reach out to them for help.

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

Council and Staff discussed various options to move forward with recycling. Robert Hanna, City Manager stated he would like 90 days to do an analysis and bring back different options to Council. Mr. Hanna wants to look at all the materials, not just cardboard.

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

9. Ordinance (Final 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 [ASSIGNED ORDINANCE NO. 01-2021]

Mike Warrix, Director of Planning & Development Services, presented the item. Adoption of the item would rezone the above referenced 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.

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 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

10. Ordinance (Final 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)
[ASSIGNED ORDINANCE NO. 02-2021]

Mike Warrix, Director of Planning & Development Services, presented the item. Adoption of the item would rezone the above referenced property from Agricultural Open Space (AO) to Rural Residential (RR-1) District.

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

Mayor Pro-tem Price moved to approve the item as presented. Councilmember Hurt 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

11. Ordinance (Final 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
[ASSIGNED ORDINANCE NO. 03-2021]

Mike Warrix, Director of Planning & Development Services, presented the item. Adoption of the item would rezone the above referenced property from Agricultural Open Space (AO) to Neighborhood Retail (NR) District, to allow for a parking lot.

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

- Tal Fillingim, agent with Jacob & Martin – stated that the request was to rezone only a portion, but understands doing the whole area. There is buffering requirements in the LDC and they will adhere to them. They do not expect any more development other than the parking lot, and cars will park facing north and south.

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

12. Ordinance (Final 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
[ASSIGNED ORDINANCE NO. 04-2021]

Mike Warrix, Director of Planning & Development Services, presented the item. Adoption of the item would rezone the above referenced property from Residential Single-Family Patio Home (PH) to a Residential Medium-Density (MD) District.

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

- Tal Fillingim, agent with Jacob & Martin – stated the request is to go back to MD. The owners decided to go back to this original plan and apologized for going back and forth.

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

13. Ordinance (Final Reading) Z-2020-26: 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
[ASSIGNED ORDINANCE NO. 05-2021]

Mayor Williams, Councilmember Price and Councilmember McAlister had a conflict of interest on this item and abstained from voting. Conflict of Interest Affidavits were filled out before the meeting and filed with the City Secretary's office. Mayor Williams, Mayor Pro-tem Price and Councilmember McAlister left the room during this discussion and Deputy Mayor Pro-tem Rentz presided.

Mike Warrix, Director of Planning & Development Services, presented the item. Adoption of the item would rezone the above referenced property from Residential Medium-Density (MD) to a College University (CU) District.

Deputy Mayor-tem Rentz opened the public hearing. The following addressed the Council:

- Kendra Hanfeld with Parkhill, Smith and Cooper, Inc – stated that ACU has already gained ownership of the property and intends to use it for their education programs.

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

Councilmember Hurt moved to approve the item as presented. Councilmember Albus seconded the motion; motion carried.

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

14. Ordinance (Final 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
[ASSIGNED ORDINANCE NO. 06-2021]

Mayor Williams, Mayor Pro-tem Price and Councilmember McAlister had a conflict of interest on this item and abstained from voting. Conflict of Interest Affidavits were filled out before the meeting and filed with the City Secretary's office. Mayor Williams, Deputy Mayor Pro-tem Price and Councilmember McAlister left the room during this discussion and Deputy Mayor Pro-tem Rentz presided.

Mike Warrix, Director of Planning & Development Services, presented the item. Adoption of the item would abandon the public right-of-way at the above referenced property.

Deputy Mayor Pro-tem Rentz opened the public hearing. The following addressed the Council:

- Kendra Hanfeld with Parkhill, Smith and Cooper, Inc – stated that this is really a cleanup, as the land was never swapped. They will be combining it with the rest of the property.

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

Councilmember Craver moved to approve the item as presented. Councilmember Hurt seconded the motion; motion carried.

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

15. Ordinance (Final 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
[ASSIGNED ORDINANCE NO. 07-2021]

Mike Warrix, Director of Planning & Development Services, presented the item. Adoption of the item would abandon the public right-of-way at the above referenced property.

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 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

PUBLIC COMMENTS

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

- David Swart – stated this is a rough election year and has lost faith in the ballot box. When they check your ID and names don't match with the voter ID card, he questions if his vote actually counted. Mr. Swart requested to publish the senior menu online and it is still not there. The \$2.00 charge is starting in February.
- Samuel Garcia – stated he is shocked that Councilmember McAlister said it is great for the DCOA to have a country club membership. Mr. Garcia spoke about receipts from dinners and thinks the DCOA needs more oversight. City employees don't spend money at the country club so he doesn't understand why this is allowed. He stated that Jack Rich is being appointed to board for the 3rd time, and that there are no Hispanics on that board. Mr. Garcia thinks he is overly qualified to be appointed instead of Mr. Rich.

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

EXECUTIVE SESSION

Mayor Williams recessed into Executive Session at 10:18 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:

16. A. 551.071 (Consultation with Attorney)
 1. Cockrell Investment Partners, LP v Middle Pecos Groundwater Conservation
 2. Annual Ethics Training
16. B. 551.072 (Deliberations about Real Property)
 1. Discussion on Recycling (Also Agenda Item 8)
16. F. 551.087 (Business Prospect/Economic Development)
 1. Abilene Convention Center Hotel Project

The Executive Session ended at 10:31 a.m. and reconvened to Open Session. Mayor Williams reported no votes or action were taken in Executive Session.

REGULAR AGENDA

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. 06-2021]

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

- John Beckham – stated he is in favor of reappointing Jack Rich to the DCOA board. Mr. Rich has great value to the board and his leadership is critical to their future economic development efforts.
- Samuel Garcia – stated the DCOA's board has no diversity. There are two African Americans and no Hispanics. Mr. Garcia questioned why he wasn't being appointed to the board. He thinks the DCOA needs to have an audit.
- Sam Vinson – stated that Misty Mayo and Jack Rich couldn't be here, but he speaks on behalf of the board, and they fully support Jack's reappointment. They are thriving with him as the Chair. Jack Rich is imperative in closing major projects.

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

Mayor Pro-tem Price moved to (re)appoint the following:

Board	Term End Date
<i>Abilene Taylor County Child Advocacy Center Board</i>	
Kari Leong [New]	December 2023
<i>Development Corporation of Abilene</i>	
Jack Rich [Reappointment]	December 2023
<i>Keep Abilene Beautiful</i>	
John Willey [New]	December 2022 [unexpired]
<i>Planning & Zoning Commisison</i>	
Shawnte Fleming [New]	November 2023 [unexpired term]
<i>Street Maintenance Advisory & Appeals Board</i>	
James McCoy [New]	March 2021 [unexpired term]
<i>Senior Citizens Advisory Board</i>	
Dorothy Drone [New]	May 2022 [unexpired term]


Deputy Mayor Pro-tem Rentz seconded the motion; motion carried

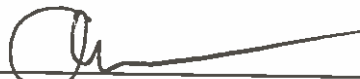
AYES (7): Mayor Williams, Mayor Pro-tem Price, Deputy Mayor Pro-tem Rentz, and Councilmembers Albus, Hurt, McAlister and Craver

NAYS (0): None

ADJOURNMENT

There being no further business, the meeting adjourned at 10:55 a.m.


Shawna Atkinson
City Secretary


Anthony Williams
Mayor

Minutes approved on: January 28, 2021

