

CITY COUNCIL MEETING
February 11, 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 February 11, 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.

Mayor Pro-tem 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.

CONSENT AGENDA

The Consent Agenda consisted of items 3-13. Items 7, 8, 10 & 11 were pulled for individual consideration.

Item pulled for individual consideration were as follows:

- Councilmember Hurt and David Swart, citizen – Item #8
- David Swart, citizen – Item #7, 10 & 11

Councilmember Hurt moved to approve the consent agenda, now consisting of items 3-6, 9, & 12-13. 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

3. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on January 28, 2021
4. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Ordering a City of Abilene General Election to be Held on Saturday, May 1, 2021, for the Purpose of Electing Members to City Council Places 1 and 2
[ASSIGNED RESOLUTION NO. 13-2021]
5. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing a Joint Election Agreement and Contract for Election Services with Taylor County for a General Election to be Held on Saturday, May 1, 2021, and Authorizing the Extension of this Contract to Cover a Runoff Election, if Needed
[ASSIGNED RESOLUTION NO. 14-2021]
6. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing the City Manager to Award Bid No. CB-1953 for the Sale of Real Property located at 294, 302 and 310 Medical Drive
[ASSIGNED RESOLUTION NO. 15-2021]
9. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Awarding Bid No. 2121 to Bontke Brothers, Inc. on Airport Blvd. Resurfacing Project
[ASSIGNED RESOLUTION NO. 18-2021]

12. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the Abilene Empowerment Zone No. 1 (NEZ) Report
[ASSIGNED RESOLUTION NO. 21-2021]
13. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Supporting a Housing Tax Credit Application for Heritage at Abilene and Commitment of Development Incentives
[ASSIGNED RESOLUTION NO. 22-2021]

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

7. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing the City Manager to Execute a Contract with the Architectural Office and Interior Design Office of Tim Rice McClarty for the Design and Project Management Services for the Abilene Convention Center - North Plaza Renovation
[ASSIGNED RESOLUTION NO. 16-2021]

The item was pulled by David Swart, citizen.

Having pulled the item, David Swart spoke about the lighting on this project. He thinks there are several needed light poles and wanted to mention that LED lighting would be best. It gets dark in that area at night and people can get hurt, so he recommends adding that lighting, if it's not already in the plan.

With no other speakers coming forward, the public comment period 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

8. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Modifying and Extending the Declaration of Local Disaster Issued January 14, 2021
[ASSIGNED RESOLUTION NO. 17-2021]

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

Having pulled the item, David Swart stated he knows this is about funding, but is hoping for some sort of COVID relief from the government soon. He gave examples of businesses in the area closing and thinks it scary that this is happening. He does not want to penalize local businesses.

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 Hurt, also having pulled the item, spoke about protecting the vulnerable but not shutting down local businesses in the process. He stated that we have a duty to protect ourselves and a right to earn a living

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

10. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Awarding Bid No. 2123 to Bontke Brothers, Inc. on Southwest Drive Resurfacing Project
[ASSIGNED RESOLUTION NO. 19-2021]

The item was pulled by David Swart, citizen.

Having pulled the item, David Swart stated that he thinks this funding is coming from the Street Maintenance Fee, as well as the DCOA. He stated that the media said this resurfacing is happening because of the street, but that he knows the real reason is the restaurant on the corner, and how they routinely hold up traffic. He also questioned how far down the Southwest Drive this would be going.

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

City Manager Hanna clarified that the resurfacing is from Southwest Drive to Sharon Drive.

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

11. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the Purchase of Accessories to Complete Six (6) Standard Patrol Police Pursuit Vehicle Tahoes from Cap Fleet Upfitters for Abilene Police Department
[ASSIGNED RESOLUTION NO. 20-2021]

The item was pulled by David Swart, citizen.

Having pulled the item, David Swart questioned why this is for only 6 vehicles, when 7 were purchased recently. He also questioned why the City can't strip out parts of the old vehicles, such as gun racks and light bars, and use those in the new ones, as it would save a lot of money.

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

Tim Cass, Assistant Director of Fleet, clarified that the seventh unit is for a K9 unit and would be fitted separately. He also clarified that there was a change in the model of the Tahoes and they won't be able to use a lot of the items from the previous vehicles since the body has changed.

Councilmember McAlister 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

REGULAR AGENDA

14. Ordinance (Final Reading) Z-2021-01: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Lane Miller to rezone property from a Planned Development (PD) District primarily limited to residences, to a Neighborhood Office (NO) District and located at 3702 Antilley Road, approximately 0.2 mile east from Buffalo Gap Road
[TABLED]

Zack Rainbow, Assistant Director of Planning & Development Services, presented the item. Adoption of the item would rezone the above referenced property from Planned Development District 4 (PD 4) to Neighborhood Office (NO), to allow for a financial services office.

Mayor Pro-tem Price questioned what other uses the NO designation allows for. Since there was some opposition from the neighbors, he wanted to make sure something else couldn't end up going in, like a restaurant, instead of the financial services office. Councilmember McAlister also questioned the hour restrictions with the NO zone.

Staff was unable to answer these questions and needed some time to come up with answers.

Mayor Williams moved to table the item, to allow staff time to find answers. 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

15. Ordinance (Final Reading) Z-2020-23: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Pattie Hollingsworth and Matthew Gjerstad to rezone property from an Agricultural Open Space (AO) to a Residential Single-Family (RS-6) District and located on approximately 0.79 acre at 5526 and 5534 Highway 277, approximately 0.62 mile southwest from Texas Avenue's intersection with Highway 277
[ASSIGNED ORDINANCE NO. 09-2021]

Zack Rainbow, Assistant Director of Planning & Development Services, presented the item. Adoption of the item would rezone the above referenced properties from Agricultural Open Space (AO) to a Residential Single-Family (RS-6) District.

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. 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

16. Ordinance (Final Reading) Z-2020-24: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Leonor Rivera, agents Anton and Francesca Barnett, to abandon the public right-of-way (40-feet) of Sunrise Avenue extending between Minda Street (on the south) and Hailey Street (on the north) and located approximately 650 feet east from T&P Lane in east central Abilene
[ASSIGNED ORDINANCE NO. 10-2021]

Before the presentation, Mayor Williams stated that he is an elder at the Church located next to this property and questioned if this would be a conflict of interest for him. Stanley Smith, City Attorney, stated that it was not a conflict and he was allowed to participate.

Zack Rainbow, Assistant Director of Planning & Development Services, presented the item. Adoption of the item would abandon the above referenced right-of-way to incorporate land within the properties, to allow the owners to build a new home.

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

- Francesca Barnett – her grandmother is the applicant. She and her family are wanting to move forward with putting a home on the property. The property has been in her family for close to 100 years, passed down through her family, and she wanted Council to know that this is not a business deal for them, but a family home.

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

Councilmember Albus 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

14. Ordinance (Final Reading) Z-2021-01: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Lane Miller to rezone property from a Planned Development (PD) District primarily limited to residences, to a Neighborhood Office (NO) District and located at 3702 Antilley Road, approximately 0.2 mile east from Buffalo Gap Road
[ASSIGNED ORDINANCE NO. 08-2021]

Mayor Williams moved to remove the item from the table. 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

Zack Rainbow, Assistant Director of Planning & Development Services, answered Council's questioned on the hours. The hours allowed in NO zoning is 6 am to 11pm. He called up Cheryl Sawyers, Planning Manager, to answer the other questions. Ms. Sawyers clarified that they would not be able to put in a restaurant in NO zoning. The only things allowed along those lines would be something like a coffee shop in an existing office building. It just can't be the main use of the property. Staff also read through what was allowed in NO zoning.

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

PUBLIC COMMENTS

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

- David Swart – stated the reason he brought up gun racks on his previous comments were because a friend of his purchased a Crown Vic from DPS years ago and there was a gun rack still on it. Also spoke about the recent fires in town and questioned if the old fire station on Cherry could be brought back into service or perhaps a new station completely.

Mayor Williams announced that there will be a Council Retreat Workshop on February 26th, and the topic of fire protection will be brought up at that meeting. City Manager reiterated this and clarified that we do not have any issues with fire protection at this time

- Jack Rich, Chair of the DCOA Board – gave a brief overview of the DCOA's past year and the deals they've done. He also spoke about the many achievements and awards the DCOA has achieved recently and that they will be reviewing their expense policy at their upcoming board meeting. Their goal is to build existing businesses in Abilene and attract new ones and they believe they are keeping Abilene competitive in that regard.

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

EXECUTIVE SESSION

Mayor Williams announced that an Executive Session was not needed for this meeting and the meeting continued in open session.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:25 a.m.


Shawna Atkinson
City Secretary


Anthony Williams
Mayor

Minutes approved on: February 25, 2021

