

**CITY COUNCIL MEETING**  
**May 27, 2021 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 May 27, 2021, at 4:30 p.m. in the Council Chambers, 555 Walnut St. Mayor Pro-tem Kyle McAlister was present and presiding with Deputy Mayor Pro-tem Travis Craver, and Councilmembers Shane Price, Lynne Beard, and Weldon Hurt. Also present were City Manager Robert Hanna, City Attorney Stanley Smith, City Secretary Shawna Atkinson, and various members of the City staff. Not present were Mayor Williams and Councilmember Albus.

**EXECUTIVE SESSION**

Mayor Pro-tem McAlister 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:

- 23. A. 551.071 (Consultation with Attorney)
  - 1. Potential Claim against Netflix, Hulu, Disney+, and Others
  - 2. Vivint Solicitors Permit
- 23. F. 551.087 (Business Prospect/Economic Development)
  - 1. Abilene Convention Center Hotel Project

The Executive Session ended at 4:51 p.m. and reconvened to Open Session at 5:30 p.m. as noted on the posted agenda. Mayor Pro-tem McAlister reported no votes or action were taken in Executive Session.

Councilmember Price delivered the invocation.

The Big Country Soccer Association's U10 Avengers soccer team led the Pledge of Allegiance to the Flag of the United States of America and State of Texas Flag.

**PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS, ANNOUNCEMENTS**

- Proclamations:
  - Flood Awareness Week – accepted by City of Abilene Public Works employees

**CONSENT AGENDA**

The Consent Agenda consisted of items 4-18. Item 6 was pulled from consideration. Items 10-11, 14, and 18 were pulled for individual consideration.

Item pulled for individual consideration were as follows:

- Councilmember Beard – Item #10
- Councilmember Price – Item # 11
- Councilmember Hurt – Item # 14
- David Swart, citizen – Item # 18

Councilmember Hurt moved to approve items 4-5, 7-9, 12-13 and 15-17. Councilmember Beard seconded the motion. Motion carried.

AYES (5): Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard and Hurt

NAYS (0): None

ABSENT (2): Mayor Williams and Councilmember Albus

Deputy Mayor Pro-tem Craver had a conflict on Item 17 and abstained from voting on the item. A Conflict of Interest Affidavit was filled out before the meeting and filed with the City Secretary's Office. The vote for item 17 was as follows:

AYES (4): Mayor Pro-tem McAlister and Councilmembers Price, Beard and Hurt

NAYS (0): None

ABSTAINED (1): Deputy Mayor Pro-tem Craver

ABSENT (2): Mayor Williams and Councilmember Albus

4. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Special Meeting to Canvass the Election on May 10, 2021, and the Regular Meeting Held on May 13, 2021
5. Resolution: Receive a Report, Hold a Discussion and Public Hearing and Take Action to Approve Change Order 3 with Collier Construction for the Airport Fire Station construction contract  
**[ASSIGNED RESOLUTION NO. 74-2021]**
7. Resolution: Receive a Report, Hold a Discussion and Public Hearing and Take Action to Approve a Task Order with Corgan to Design a Consolidated Quick Turn Around Facility at Abilene Regional Airport  
**[ASSIGNED RESOLUTION NO. 75-2021]**
8. Resolution: Receive a Report, Hold a Discussion and Public Hearing and Take Action to Approve an Amendment to the Vehicle Replacement Policy  
**[ASSIGNED RESOLUTION NO. 76-2021]**
9. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the change in vendors for lease vehicles  
**[ASSIGNED RESOLUTION NO. 77-2021]**
12. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on awarding bid for the Lake Fort Phantom Hill Pump Station Improvements  
**[ASSIGNED RESOLUTION NO. 80-2021]**
13. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the purchase of two 10 yard 2022 Freightliner M2106 PB BC-4 Patch Trucks from Freightliner of Austin for Street Services  
**[ASSIGNED RESOLUTION NO. 81-2021]**
15. Ordinance (First Reading) Z-2021-09: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Bethany and Kaden Connell to Rezone Properties Located at 1802 and 1810 Huckleberry Lane from Residential Single-Family (RS-6) to Agricultural Open Space (AO)
16. Ordinance (First Reading) Z-2021-10: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Sitzes APB LP, Agent Enprotec/Hibbs & Todd Inc., to Change Zoning from Heavy Industrial (HI) to Heavy Commercial (HC) District and Located at 2249 Butternut Street, on the Northeast Corner of Butternut and South 23rd Streets

17. Ordinance (First Reading) TC-2021-06: Receive a Report and Hold a Discussion and Public Hearing on a Request from Hardin-Simmons University, Agent Enprotec/Hibbs & Todd Inc., to Abandon the Complete 60-Foot-Width of Public Right-of-Way of Beech Street as it Extends 160 feet South from Sandefer Street's Right-of-Way, and 152.5 to 312.5 Feet North from the Right-of-Way of Ambler Avenue in North Central Abilene

#### ITEMS PULLED FROM CONSIDERATION

6. Resolution: Receive a Report, Hold a Discussion and Public Hearing and Take Action to Approve the Purchase of Nine (9) Type III Cutaway Vans  
**[PULLED FROM CONSIDERATION]**

*This item was pulled from consideration prior to the meeting.*

#### ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

10. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action to Approve the Purchase of Ecolane scheduling software to replace the current software, RouteMatch, used by CityLink  
**[ASSIGNED RESOLUTION NO. 78-2021]**

*The item was pulled by Councilmember Beard*

Having pulled the item, Councilmember Beard stated he did not have any questions, but wanted to say that after his tour of CityLink yesterday, how impressed he was by that operation, and thanked them for an outstanding job.

Mayor Pro-tem McAlister opened the public hearing. With no speakers coming forward, the public hearing was closed.

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

AYES (5): Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard and Hurt

NAYS (0): None

ABSENT (2): Mayor Williams and Councilmember Albus

11. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the acceptance of the donated "Otis and the Calf" sculptures for placement on the Adamson Spalding Storybook Garden lawn of the Abilene Convention Center  
**[ASSIGNED RESOLUTION NO. 79-2021]**

*The item was pulled by Councilmember Price.*

Having pulled the item, Councilmember Price stated that this is an amazing event that happens every year, and encouraged everyone to take the time to go to the festival on June 10<sup>th</sup>. He also stated his gratitude for the sculpture donations.

Mayor Pro-tem McAlister opened the public hearing. With no speakers coming forward, the public hearing was closed.

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

AYES (5): Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard and Hurt

NAYS (0): None

ABSENT (2): Mayor Williams and Councilmember Albus

14. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the purchase of two 2021 Dulevo 6000 Street Sweepers from Pannell Industries for Stormwater Services  
**[ASSIGNED RESOLUTION NO. 82-2021]**

Having pulled the item, Councilmember Hurt questioned if there are six of these sweepers currently operational and only four of them will be Dulevo, if the other two will be discontinued. He also questioned if there will be staffing issues for employees to run the machines.

Tim Cass, Assistant Director of Fleet Services addressed Councilmembers questions, stating that in 2023 the other two will be discontinued and that there is no problem staffing these machines.

Mayor Pro-tem McAlister opened the public hearing. With no speakers coming forward, the public hearing was closed.

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

AYES (5): Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard and Hurt

NAYS (0): None

ABSENT (2): Mayor Williams and Councilmember Albus

18. Ordinance (First Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending Budget Ordinance No. 31-2020 to Include Updated Staffing Levels for the Police Department

Having pulled the item, David Swart stated his concerns over this change and that the City should consider a corporal position for the department instead, as peer cities have that position. Creating that position would give tenured patrol officers a chance for a little seniority if they don't want to go straight to sergeant. Mr. Swart also questioned where the funding is coming from for this.

Chief Dudley addressed David Swart's question and concerns stating that they are not asking for an exact 1 to 1 replacement. Staff is currently going through an organizational restructuring that will require them to divide the responsibilities that fall under patrol and investigations, to create a separate support services division, and need an assistant chief to cover that new department.

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

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

AYES (5): Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard and Hurt

NAYS (0): None

ABSENT (2): Mayor Williams and Councilmember Albus

## REGULAR AGENDA

19. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Changing the Frequency in Reporting COVID-19 Data Publicly  
[RESOLUTION 83-2021]

Annette Lerma, Health Director, presented the item. Adoption of the item would change the reporting of COVID-19 data. Ms. Lerma presented Council with several different options that the City could switch to.

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

- David Swart – stated that Council should decide to make it effective June 1<sup>st</sup>, as that would be the simplest way to reset over the holiday weekend.

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

Councilmember Beard moved to approve switching to dashboard only reporting, effectively immediately. Councilmember Price seconded the motion; motion carried.

AYES (4): Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Craver, and Councilmembers Price and Beard

NAYS (1): Councilmember Hurt

ABSENT (2): Mayor Williams and Councilmember Albus

20. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving a Design-Build Agreement with DPR Construction regarding construction of Downtown Convention Center Hotel, City Facilities and Parking  
[RESOLUTION 84-2021]

This item was tabled at the April 8, 2021 meeting.

Councilmember Price moved to remove the item from the table. Councilmember Hurt seconded the motion; motion carried.

AYES (5): Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard and Hurt

NAYS (0): None

ABSENT (2): Mayor Williams and Councilmember Albus

Robert Hanna, City Manager, presented the item. Adoption of the item would approve an agreement with DPR Construction regarding the Downtown Hotel.

Mayor Pro-tem McAlister opened the public hearing. With no other speakers coming forward, the public hearing was closed.

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

AYES (5): Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard and Hurt

NAYS (0): None

ABSENT (2): Mayor Williams and Councilmember Albus

21. Resolution: Receive a Report, Hold a Discussion and Public Hearing and Take Action to Approve the Land Use Plan for Abilene Regional Airport  
[RESOLUTION 85-2021]

Councilmember Beard had a conflict on this item and left the room during discussion, and abstained from voting on the item. A Conflict of Interest Affidavit was filled out before the meeting and filed with the City Secretary's Office.

Don Green, Transportation Director, presented the item. Adoption of the item would approve the land use plan for the Abilene Regional Airport. Mr. Green introduced Kate Alvarez, Airport Business Development Manager, who presented the complete land use plan.

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

- David Swart – stated that this is a wonderful vision for future generations to enjoy. He hopes to see a well-known budget carrier at our airport though, since Southwest Airlines flies over Abilene all the time anyway. The vision video reminded him of the Phoenix and Midland airport. He stated that it will be hard coming out of COVID right now and money being tied up, but maybe someday this would be achievable.

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

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

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

ABSTAIN (1): Councilmember Beard

ABSENT (2): Mayor Williams and Councilmember Albus

22. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending the Land Development Code, Chapter 3, Subdivision Regulations, Article 2, Subdivision Standards, Division 7, Roadways, Section 3.2.7.4, Street, Alley Abandonment and Closure Policy  
[ASSIGNED ORDINANCE NO. 18-2021]

Stanley Smith, City Attorney, presented the item. Adoption of the item would amend the Land Development Code by changing the process for street and alley abandonments and closures.

Mayor Pro-tem McAlister opened the public hearing. With no speakers coming forward, the public hearing was closed.

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

AYES (5): Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard and Hurt

NAYS (0): None

ABSENT (2): Mayor Williams and Councilmember Albus

### PUBLIC COMMENTS

Mayor Pro-tem McAlister opened the public comment period. The following addressed the city council:

- David Swart – stated that Monday is Memorial Day, for all the soldiers that did not come home, and to remember that when celebrating at your BBQ. He also stated that it is energy star weekend, so if you need energy efficient products, you will get a tax break. Mr. Swart stated that in 2018 he got a library card and in the last thirty months it has been deactivated four times, and he doesn't understand why it keeps happening. He gave an example of when he went to the Mockingbird library recently to print something and it took five minutes of trying his card before realizing it was deactivated, and he didn't get to finish printing before the computers turned off for the day. He stated his frustration in this process.

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

### ADJOURNMENT

There being no further business, the meeting adjourned at 6:49 p.m.



Shawna Atkinson  
City Secretary



Anthony Williams  
Mayor

Minutes approved on: June 10, 2021

