

**CITY COUNCIL MEETING**  
**June 24, 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 June 24, 2021, at 4:30 p.m. in the Council Chambers, 555 Walnut St. Mayor Anthony Williams was present and presiding, along with Mayor Pro-tem Kyle McAlister, Deputy Mayor Pro-tem Travis Craver, and Councilmembers Shane Price, Lynn Beard, Donna Albus, 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.

**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:

- 21. B. 551.072 (Deliberations About Real Property)
  - 1. 101 Cypress Street
- 21. D. 551.074 (Personnel Matters)
  - 1. Municipal Court Judge
  - 2. Discussion of Public Officials
- 21. F. 551.087 (Business Prospect/Economic Development)
  - 1. Abilene Convention Center Hotel Project

The Executive Session ended at 5:06 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 Donna Albus delivered the invocation.

Wayne Kruger, Paratransit Supervisor in the Transportation Department, 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 3-14. Items 4 and 9 were pulled for individual consideration.

Item pulled for individual consideration were as follows:

- Mayor Williams – Item #4
- David Swart, Citizen – Items #4 & #9

Councilmember Hurt moved to approve items 3, 5-8 and 10-14. Mayor Pro-tem McAlister seconded the motion. Motion carried.

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

3. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on June 10, 2021

5. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on authorizing Amendment No. 1 to the professional services contract with Enprotec/Hibbs & Todd, Inc. for the Hamby WRF Phase II MBR Expansion  
**[ASSIGNED RESOLUTION NO. 96-2021]**
6. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on authorizing the Software as a Service Agreement with Tyler Technologies, Inc.  
**[ASSIGNED RESOLUTION NO. 97-2021]**
7. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approval of Single-Family Rehabilitation/Reconstruction Program Budgeted with HOME Program Funds  
**[ASSIGNED RESOLUTION NO. 98-2021]**
8. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving an Extended Term Street Use License with Gunn General Contractors, Inc. (Family Dollar Store)  
**[ASSIGNED RESOLUTION NO. 99-2021]**
10. Ordinance (First Reading) Z-2021-11: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request From HRT Enterprises Inc. and Johnny Trotter, Represented by Jacob Martin LLC, to Change Zoning from Agricultural Open Space (AO) to Residential Single-Family (RS-6) on 245.285 Acres of Now-Vacant Land Bordering 3000-3100 Blocks (North Side) of Highway 351 and 3500-3600 Blocks (East Side) of East Lake Road
11. Ordinance (First Reading) Z-2021-12: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Marilu and Gary Corpian to Change Zoning from Central Business (CB) to Planned Development (PD) District to Allow Automobile Sales as Well as All Uses Permitted by CB Zoning, on a 0.44 Acre Parcel Located at 1243 South 1<sup>st</sup> Street at the Southeast Corner of Butternut and South 1<sup>st</sup> Streets In Central Abilene
12. Ordinance (First Reading) Z-2021-13: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Charles Wolfe to Change Zoning of Adjoining Properties at 126 South Mockingbird Boulevard and 2958 South 2<sup>nd</sup> Street, from Neighborhood Retail (126 S. Mockingbird) and Residential Medium-Density (2958 South 2<sup>nd</sup>) to General Commercial District
13. Ordinance (First Reading) Z-2021-14: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Shops at Carriage Hills LLC, Represented by Jacob Martin LLC, to Change Zoning from Agricultural Open Space (AO) to General Retail (GR) for 16.937 Acres of Vacant Land Bordering 100-300 Blocks (North Side) of East Beltway South for a Distance of Approximately 0.35 Mile East from Maple Street
14. Ordinance (First Reading) TC-2021-05: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from ACCO Feeds Inc., Represented by Erik Paul Johnson, to Abandon the 80-Foot Width of Public Right-of-Way of South 9<sup>th</sup> Street Extending 140 Feet East from South Treadaway Boulevard's Right-of-Way, and the 10-Foot-Width of Right-Of-Way for a Publicly-Dedicated Alley as it Extends 50 Feet South from the East End of the Above-Described Segment of South 9<sup>th</sup> Street and Located Behind a Vacant Lot at 901 South Treadaway Boulevard in South Central Abilene

### ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

4. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Making June 26th of Every Year "Mark Rogers Day" in the City of Abilene [ASSIGNED RESOLUTION NO. 95-2021]

*The item was pulled by Mayor Williams and David Swart, Citizen.*

Having pulled the item, Mayor Williams stated that we have done this similarly with other individuals like Leo Scott. This recognition is consistent with identifying great Abilenians.

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

- David Swart – questioned if this was a day of recognition or paid City holiday. Mr. Swart stated he is in favor of the item, but urged Council to also consider treating Abilene's birthday the same way.
- Travis Ruiz – spoke in favor of the item and gave a brief summary of Mark Rogers' life and what he meant to the entire community.
- London Gray – spoke in favor of the item and gave a brief summary of how Mark Rogers's death impacted her life and inspired her to transfer to Abilene Christian University.

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

Mayor Williams recognized Urban and Melissa Rogers, Mark's parents. Mr. Rogers spoke about his son briefly. Each Councilmember spoke about Mark and his legacy.

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

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

NAYS (0): None

9. Ordinance (First Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amendment of the Schedule of Rates and Charges for the City of Abilene Stormwater Services

*The item was pulled by David Swart, Citizen*

Having pulled the item, David Swart stated that he remembers his grandparents in the 80s and 90s saying they were voting for bonds again to clean out the creeks, and that they thought that would be the end of it. Mr. Swart thinks the City is hurting people who are water customers in doing this, no one else. Mr. Swart thinks this should come out of the General Fund instead and expressed his concern about the news that the City is not going through with Cedar Ridge after so much money has been spent on it. Mr. Swart urged people to consult an attorney to get this up for an election.

City Manager Hanna addressed Mr. Swart's concerns and stated the storm water fees are used to mitigate storm water issues. Council approved a master plan recently and it has a number of projects that need funding and that will be needed to continue funding storm water mitigation. Mr. Hanna stated that it could

be moved to the general fund but you would have to raise property taxes to do that. Staff has chosen to do it this way, because it was dedicated revenue stream and no chance of it going to something else.

Mayor Williams opened the public hearing.

- Cynthia Alvidrez – stated that item #19 on the agenda has bonds regarding stormwater works and sewer and questioned if those bonds have anything to do with this stormwater issue. Ms. Alvidrez asked to see the staff presentation.

City Manager Hanna clarified that the bonds are separate from this. Mayor Williams clarified that the staff presentation will be held at the second reading.

With no other 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 (7): Mayor Williams, Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard, Albus and Hurt

NAYS (0): None

#### REGULAR AGENDA

15. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending Chapter 18, "Motor Vehicles and Traffic," Article XIII, "Schedules," Section 18-286, Decreased Speed Limits - School Zones," of the Abilene Municipal Code, By Amending Certain Sections [ASSIGNED ORDINANCE NO. 23-2021]

Greg McCaffery, Director of Public Works, presented the item. Adoption of the item would amend Chapter 18, "Motor Vehicles and Traffic," Article XIII, "Schedules," Section 18-286, Decreased Speed Limits - School Zones," of the Abilene Municipal Code, By Amending Certain Sections

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

- George Miller – stated that the former YMCA on State Street will be the Texas Leadership High School and questioned if that whole area on State Street will become a school zone.

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

Greg McCaffrey, Director of Public Works addressed George Miller's concerns and stated that typically a school zone has to meet criteria from the traffic control manual, which means that they have to wait until the school is in place before they can add the school zone. They will make that change at a later date, if need be.

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

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

NAYS (0): None

16. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on an Amendment to Ordinance 33-2020 Adopting Fees and Charges, by Establishing a Maximum Fee for Subdivision Plat Review  
[ASSIGNED ORDINANCE NO. 24-2021]

Mike Warrix, Director of Planning and Development Services, presented the item. Adoption of the item would make an amendment to the Ordinance 33-2020 Adopting Fees and Charges, by Establishing a Maximum Fee for Subdivision Plat Review

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

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

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

NAYS (0): None

17. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on an Amendment to Ordinance 33-2020 Adopting Fees and Charges, by Amending Solicitors Permit Fees  
[ASSIGNED ORDINANCE NO. 25-2021]

Shawna Atkinson, City Secretary, presented the item. Adoption of the item would increase the fees for solicitor's permits from \$10 per individual to \$30 per individual.

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

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

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

NAYS (0): None

18. Oral Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving June 19th, Juneteenth, as an Official City Holiday  
[ORAL RESOLUTION]

Council briefly discussed Juneteenth becoming an Official City Holiday or possibly giving staff the option to have this as a floating holiday, if they so choose.

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

- Samuel Garcia – spoke in support of the item
- Rev. Izair Langford – spoke in support of the item
- Via Jones – spoke in support of the item
- David Swart – spoke in support of the item
- Shawntee Fleming – spoke in support of the item
- Rosten Callerman – spoke in support of the item

- Cynthia Alvidrez – spoke in support of the item

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

Mayor Williams moved to approve June 19<sup>th</sup> an official City Holiday. Councilmember Beard seconded the motion; motion carried.

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

NAYS (0): None

19. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Directing Publication of Notice of Intention to Issue Combination Tax and Revenue Certificates of Obligation for Convention Center Facilities  
[RESOLUTION 101-2021]

Robert Hanna, City Manager, presented the item. Adoption of the item would approve the Directing Publication of Notice of Intention to Issue Combination Tax and Revenue Certificates of Obligation for Convention Center Facilities

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

- Samuel Garcia – spoke in opposition to the item
- Luke Miller – questioned if taxes would go up because of this
- David Swart – spoke in support of the item
- Colby Hatchett – spoke in opposition to the item
- Gary Collins – stated that he is neutral on the hotel itself, but questioned if there is a plan to have solar panels on the top of it.
- Cynthia Alvidrez – spoke in opposition to the item
- Bob Thomas – spoke in opposition to the item

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

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

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

NAYS (0): None

20. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing the City Manager to Expend Project Funds Up to \$450,000 for Early Release Packages and Other Pre-Development Expenses for the Downtown Hotel Project  
[RESOLUTION 102-2021]

Robert Hanna, City Manager, presented the item. Adoption of the item would authorize the City Manager to Expend Project Funds Up to \$450,000 for Early Release Packages and Other Pre-Development Expenses for the Downtown Hotel Project

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 Price seconded the motion; motion carried.

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

NAYS (0): None

### PUBLIC COMMENTS


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

- David Swart – stated this weekend is the American Radio League Field Day, located at the 24 hour emergency operations center that shows the community what our radio can do for you. He urged Council to come during the event, as they get credit if a public official attends.
- James Bailey – stated he is from the Fort Phantom Hill Lake Association, which is not a homeowners association, but for anyone within the Abilene area that has a general interest in the Lake. Their vision is to develop the lake into a safe, clean, wholesome, model community with recreation and economic enhancements that promotes the lakes natural resources, tourism and quality of life. They are requesting support for a future agenda item to explore the full potential of Ft Phantom Hill Lake as a viable resource.
- Hailey Jo Oates – business owner and head of the development for Lake Fort Phantom. Ms. Oates urged the Council to look at selling land currently used for camping at the lake, in order to provide more places to stay and an economic impact for the area.
- Gary Collings – Mr. Collings spoke about the recycling program that has been laid to waste recently. The bubble wrap he presented is made from 100% recycled plastic, as are many other things he provided examples of. He urged the Council to look into starting the program back up again.
- Cynthia Alvidrez – stated she would like the Council to reconsider the individuals appointed to City boards, specifically the TIRZ board appointees. She thinks there are concerns about people on Council who get a paycheck from places that benefit from the TIRZ zone, when that money could go to people in an area that's been forgotten about. Ms. Alvidrez is requesting that every board meeting be recorded and when someone is on the board that you utilize their official name.

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

### ADJOURNMENT

There being no further business, the meeting adjourned at 7:46 p.m.

  
Shawna Atkinson  
City Secretary

  
Anthony Williams  
Mayor

Minutes approved on: July 8, 2021

