

**CITY COUNCIL MEETING  
July 8, 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 July 8, 2021, at 8:30 a.m. in the Council Chambers, 555 Walnut St. Mayor Anthony Williams was present and presiding, along with Deputy Mayor Pro-tem Travis Craver, and Councilmembers Shane Price, Lynn Beard, Donna Albus, and Weldon Hurt. Mayor Pro-tem Kyle McAlister was absent. Also present were City Manager Robert Hanna, City Attorney Stanley Smith, and Deputy City Secretary Katilin Richardson.

Councilmember Lynn Beard delivered the invocation.

Deputy Mayor Pro-tem Travis Craver led the Pledge of Allegiance to the Flag of the United States of America and State of Texas Flag.

**PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS, ANNOUNCEMENTS**

- Employee Service Awards
- Becky Windham – 50 Years – Accounting

- Proclamations:
  - Parks and Recreation Month – accepted by City of Abilene Parks and Recreation Staff

**CONSENT AGENDA**

The Consent Agenda consisted of items 4-7. Item 4 was pulled for individual consideration.

Item pulled for individual consideration were as follows:

- Councilmember Beard – Item #4

Councilmember Price moved to approve the consent agenda, now consisting of items 5-7. Deputy Mayor Pro-tem Craver seconded the motion; motion carried.

AYES (6): Mayor Williams, Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard, Albus and Hurt  
NAYS (0): None  
ABSENT (1): Mayor Pro-tem McAlister

A separate vote was taken for item 5 only. The vote was as follows:

AYES (5): Mayor Williams, Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard and Albus  
NAYS (1): Councilmember Hurt  
ABSENT (1): Mayor Pro-tem McAlister

5. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Modifying and Extending the Declaration of Local Disaster (COVID-19) Issued June 10, 2021  
[ASSIGNED RESOLUTION NO. 102-2021]

6. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action to Approve an Extended Term Street Use License with Soda District Warehouse, LLC (806A S. 2<sup>nd</sup> St.)  
[ASSIGNED RESOLUTION NO. 103-2021]

7. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action to Approve an Extended Term Street Use License with Titan Towers, LP (Woodlawn Drive)  
[ASSIGNED RESOLUTION NO. 104-2021]

### ITEM PULLED FOR INDIVIDUAL CONSIDERATION

4. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on June 24, 2021 and the Special Workshop Meeting Held on June 28, 2021

*The item was pulled by Councilmember Beard.*

Having pulled the item, Councilmember Beard stated that the Denison Workshop was a great learning opportunity. The point of this workshop was seeing their remarkable success in their infill development. Mr. Hanna, City Manager stated that the purpose of this trip was to understand their success with affordable housing, the tools they have used, and what they have done to overcome hurdles and assist home builders.

Mayor Williams opened the public hearing. With no speakers coming forward, the public hearing was closed. Councilmember Beard moved to approve the item. Councilmember Albus seconded the motion; motion carried.

AYES (6): Mayor Williams, Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard, Albus and Hurt  
NAYS (0): None  
ABSENT (1): Mayor Pro-tem McAlister

### REGULAR AGENDA

8. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the Closure of N 6th Street between Cedar Street and Cypress Street  
[ASSIGNED RESOLUTION NO. 105-2021]

Michael Rice, Assistant City Manager, presented the item. Adoption of the item would approve the closure of N 6th Street between Cedar Street and Cypress Street in conjunction with the downtown convention center hotel.

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

- David Swart – questioned who would fund the traffic signals that are needed once this takes place. Mr. Swart is also concerned with not being able to see the new stripes on the roads downtown.

Robert Hanna, City Manager addressed Mr. Swart's concerns and stated that funding for the signals will possibly come out of the Minor Improvement Fund. In regards to the striping on the roadway, it is a two-step process, painting, and then to go back over it using thermoplastic. This last step will make the strips more noticeable.

With no other 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 (6): Mayor Williams, Deputy Mayor Craver, and Councilmembers Price, Beard, Albus and

Hurt

NAYS (0): None

ABSENT (1): Mayor Pro-tem McAlister

Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on adopting the

Wastewater Collection System Modeling and Master Plan

[ASSIGNED RESOLUTION NO. 106-2021]

Rodney Taylor, Director of Water Utilities, introduced Sage Diller with Enprotec/Hibbs & Todd who presented the item. Adoption of the item would adopt the Wastewater Collection System Modeling and Master Plan.

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

- David Swart – stated that there was no mention of the type of piping that will be used on older homes – if it will be clay or plastic.

Mr. Taylor addressed Mr. Swart's concerns, stating that the piping will be replaced with plastic tubing, which has a greater life expectancy and is rust resistance. They are looking to increase the capacity size to 50% for future growth.

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

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

AYES (6): Mayor Williams, Deputy Mayor Craver, and Councilmembers Price, Beard, Albus and

Hurt

NAYS (0): None

ABSENT (1): Mayor Pro-tem McAlister

Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Adopting the

2020 Water Distribution Master Plan

[ASSIGNED RESOLUTION NO. 107-2021]

Rodney Taylor, Director of Water Utilities, introduced Curt Hallo with Jacob & Martin who presented the item. Adoption of the item would approve the 2020 Water Distribution Master Plan.

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

- David Swart – questioned if more money would be invested in water storage and if the City will be doing away with the Grimes Plant, why not use this.

With no other 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 (6): Mayor Williams, Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard, Albus and

Hurt

NAYS (0): None

ABSENT (1): Mayor Pro-tem McAlister

Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on adopting the

2020 Water Treatment Plants Master Plan

[ASSIGNED RESOLUTION NO. 108-2021]

Rodney Taylor, Director of Water Utilities, introduced David Goodall from Plummer Associates, and Jordan Hibbs with Enprotec/Hibbs & Todd, who presented the item. Adoption of the item would adopt the 2020 Water Treatment Plants Master Plan.

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

- David Swart – stated that all the money we are using for Cedar Ridge could be allocated here instead, and questioned if we are receiving water from all different areas. He also questioned if the Possum Kingdom pipeline is going straight to Abilene or if it goes to another area.

Mr. Taylor addressed Mr. Swart's concerns stating that we receive water from all areas and that each lake has unique characteristics.

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

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

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

Hurt

NAYS (0): None

ABSENT (1): Mayor Pro-tem McAlister

12. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Adopting the

FY2022 Five Year Rate Plan for Water Utilities

[ASSIGNED RESOLUTION NO. 109-2021]

Rodney Taylor, Director of Water Utilities, presented the item. Adoption of the item would adopt the FY2022 Five Year Rate Plan for Water Utilities.

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

- David Swart – stated that he remembered when staff brought this item up before and that it was said that it would only go up a nickel. Mr. Swart also stated that the lower income areas will not be able to afford more increases to their bill.

With no other 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 (6): Mayor Williams, Deputy Mayor Craver, and Councilmembers Price, Beard, Albus and Hunt  
NAYS (0): None  
ABSENT (1): Mayor Pro-term McAlister

Mayor Williams called for a 5-minute recess at this point, in which he left the meeting. Deputy Mayor Pro-term Craver presided over the remainder of the meeting.

13. Ordinance (Final 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  
[ASSIGNED ORDINANCE NO. 26-2021]

Mike Warrix, Director of Planning and Development Services, presented the item. Adoption of the item would rezone the above referenced property from Agricultural Open Space (AO) to Residential Single-Family (RS-6).

Deputy Mayor Pro-term Craver opened the public hearing. With no speakers coming forward, the public hearing was closed.

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

AYES (5): Deputy Mayor Craver, and Councilmembers Price, Beard, Albus and Hunt  
NAYS (0): None  
ABSENT (2): Mayor Williams, Mayor Pro-term McAlister

14. Ordinance (Final 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  
[ASSIGNED ORDINANCE NO. 27-2021]

Mike Warrix, Director of Planning and Development Services, presented the item. Adoption of the item would rezone the above referenced property from Central Business (CB) to Planned Development (PD) District.

Deputy Mayor Pro-term Craver 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): Deputy Mayor Craver, and Councilmembers Price, Beard, Albus and Hunt  
NAYS (0): None  
ABSENT (2): Mayor Williams, Mayor Pro-term McAlister

15. Ordinance (Final 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 2nd Street, from Neighborhood Retail (126 S. Mockingbird) and Residential Medium-Density (2958 South 2nd) to General Commercial District  
[ASSIGNED ORDINANCE NO. 28-2021]

Mike Wartix, Director of Planning and Development Services, presented the item. Adoption of the item would rezone the above referenced property Neighborhood Retail and Residential Medium-Density to General Commercial District.

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

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

AYES (5): Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard, Albus and Hurt  
NAYS (0): None  
ABSENT (2): Mayor Williams, Mayor Pro-tem McAlister

16. Ordinance (Final 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  
[ASSIGNED ORDINANCE NO. 29-2021]

Mike Wartix, Director of Planning and Development Services, presented the item. Adoption of the item would rezone the above referenced property from Agricultural Open Space (AO) to General Retail (GR).

Deputy Mayor Pro-tem Craver opened the public hearing. With no 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 (5): Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard, Albus and Hurt  
NAYS (0): None  
ABSENT (2): Mayor Williams, Mayor Pro-tem McAlister

17. Ordinance (Final 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 9th 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 9th Street and Located Behind a Vacant Lot at 901 South Treadaway Boulevard in South Central Abilene  
[ASSIGNED ORDINANCE NO. 30-2021]

Mike Wartix, Director of Planning and Development Services, presented the item. Adoption of the item would abandon the above referenced property.

Deputy Mayor Pro-tem Craver opened the public hearing. 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): Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard, Albus and Hurt  
NAYS (0): None  
ABSENT (2): Mayor Williams, Mayor Pro-tem McAlister

**PUBLIC COMMENTS**

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

- David Swart – spoke about the concerns he had with the closure of Cobb Recreation Center. Since it was closed due to staff shortages, he felt upset about it. Mr. Swart also stated that no one is going to afford their water bills with all of the fees that are either being increase or added to their existing bill.

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

**EXECUTIVE SESSION**

Mayor Williams recessed into Executive Session at 11:39 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:

- 18. A. 551.071 (Consultation with Attorney)
- 1. Robert Steven Reitz v. City of Abilene, Texas
- 2. City of Abilene v. Patrick Sumrall
- 18. B. 551.072 (Deliberations about Real Property)
- 1. Sale of Property at Ft Phantom Hill Lake
- 18. D. 551.074 (Personal Matters)
- 1. Employment - City Manager
- 18. F. 551.087 (Business Prospect/Economic Development)
- 1. Project Double T
- 2. Project Future Hope
- 3. Project Tiger

The Executive Session ended at 12:53 p.m. and reconvened to Open Session. Mayor Williams reported no votes or action were taken in Executive Session.

**REGULAR AGENDA**

- 19. Discussion: Receive a Report and Hold a Discussion and Public Hearing on the Sale of Property around Lake Fort Phantom Hill

This item was pulled from discussion prior to the meeting.

20. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on approving a Resolution approving an Agreement with Project Double T [ASSIGNED RESOLUTION NO. 110-2021]
- Misty Mayo, CEO of the Development Corporation of Abilene, presented the item. Adoption of the item would approve an agreement with Project Double T, Hendrick Health System.
- Deputy Mayor Pro-tem Craver opened the public hearing. With no speakers coming forward, the public hearing was closed.
- Councilmember Price moved to approve the item as presented. Councilmember Albus seconded the motion; motion carried.
- AYES (5): Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard, Albus and Hurt  
NAYS (0): None  
ABSENT (2): Mayor Williams, Mayor Pro-tem McAlister
21. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on approving a Resolution approving an Agreement with Project Future Hope [ASSIGNED RESOLUTION NO. 111-2021]
- Misty Mayo, CEO of the Development Corporation of Abilene, presented the item. Adoption of the item would approve an agreement with Project Future Hope, Next Lab.
- Deputy Mayor Pro-tem Craver opened the public hearing. With no speakers coming forward, the public hearing was closed.
- Councilmember Price had a conflict of interest on this item and abstained from voting. A Conflict of Interest Affidavit was filed out before the meeting and filed with the City Secretary's office.
- Councilmember Beard moved to approve the item as presented. Councilmember Hurt seconded the motion; motion carried.
- AYES (4): Deputy Mayor Pro-tem Craver, and Councilmembers Beard, Albus and Hurt  
NAYS (0): None  
ABSENT (2): Mayor Williams, Mayor Pro-tem McAlister  
ABSTAIN (1): Councilmember Price
22. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on approving a Resolution approving an Agreement with Project Tiger [ASSIGNED RESOLUTION NO. 112-2021]
- Misty Mayo, CEO of the Development Corporation of Abilene, presented the item. Adoption of the item would approve an agreement with Project Tiger, Primal Pet Group.
- Deputy Mayor Pro-tem Craver opened the public hearing. The following addressed the Council:
- David Swart – questioned if you could go to a local store to purchase these products.
- With no other speakers coming forward, the public hearing is closed.




Ms. Mayo addressed Mr. Swart's concern and stated that, you can purchase these products from Pet Supplies Plus.

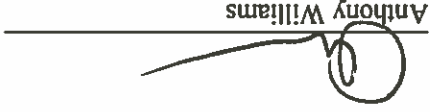
Councilmember Price moved to approve the item as presented. Councilmember Hurt seconded the motion; motion carried.

AYES (5): Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard, Albus and Hurt  
NAYS (0): None  
ABSENT (2): Mayor Williams, Mayor Pro-tem McAllister

**ADJOURNMENT**

There being no further business, the meeting adjourned at 1:17 p.m.

  
Shawna Atkinson  
City Secretary

  
Anthony Williams  
Mayor

Minutes approved on: July 29, 2021

