

CITY COUNCIL MEETING
August 26, 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 August 26, 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:

- 23. B. 551.072 (Deliberations About Real Property)
 - 1. 101 Cypress Street (Agenda Item #13)
- 23. D. 551.074 (Personnel Matters)
 - 1. City Manager
 - 2. Municipal Court Judge (Agenda Item #20)
- 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 Williams reported no votes or action were taken in Executive Session.

Mayor Anthony Williams delivered the invocation.

The Destination Imagination teams from Wylie ISD, 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 3-19. Items 5, 6, 7, 10 & 13 were pulled for individual consideration.

Item pulled for individual consideration were as follows:

- David Swart, Citizen – Items #5 & #6
- Councilmember Albus – Item #7
- Mayor Pro-tem McAlister – Item #10
- Bob Thomas, Citizen – Item #13

Councilmember Hurt moved to approve items 3-4, 8-9, 11-12, and 14-19. 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

3. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on August 12, 2021, and the Special Called Meeting Held on August 18, 2021
4. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Receipt and Review of the Abilene-Taylor County Events Venue District Budget for Revised FY 2021 and Approved FY 2022
[ASSIGNED RESOLUTION NO. 140-2021]
8. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing a Professional Services Contract for the EN 10th Street and Maple Street Utilities Relocation Project
[ASSIGNED RESOLUTION NO. 144-2021]
9. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing a Contract with United States Geological Survey for Streamflow Monitoring Stations
[ASSIGNED RESOLUTION NO. 145-2021]
11. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the Purchase of Five (5) 2022 Chevrolet Traverses through CB-2118 from Caldwell Country Chevrolet
[ASSIGNED RESOLUTION NO. 147-2021]
12. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Creating and Establishing a Second Municipal Court for the City Of Abilene Pursuant To Section 78, City Charter
[ASSIGNED RESOLUTION NO. 148-2021]
14. Ordinance (First Reading) Z-2021-20: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Bel Air West LLC (Represented By Ronny Guerrero) to Change Zoning from General Commercial (GC) to a Residential Multi-Family (MF) District on the Eastern 240 Feet of a Site Occupied by Bel Air West Apartments at 5220 Hartford Street, on the Northeast Corner of Presidio and Hartford Streets in Western Abilene
15. Ordinance (First Reading) Z-2021-21: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Iris Abilene: Camp Barkeley (Represented By Overland Property Group) to Change Zoning from Residential Medium-Density (MD) to a Residential Multi-Family (MF) District, on Approximately 3.58 Acres of Land Occupied by a Building at 1101 South 9th Street (Formerly Travis Elementary School) Between Sycamore and Elm Streets in South Central Abilene
16. Ordinance (First Reading) HOZ-2021-01: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Dan Steven and Tracy A. Morgan McNeill to Apply a Historic (H) Overlay Zone onto the Underlying Residential Single-Family (RS-12) Zoning District at 702 Sayles Drive
17. Ordinance (First Reading) TC-2021-02: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Iris Abilene: Camp Barkeley (Represented by Overland Property Group) to Abandon the Public's Right-of-Way Within the Following Street and Alley Segments in South Central Abilene: An Unimproved 55.62-Foot Width of South 10th Street (Formerly Church Street) Between Sycamore and Elm Streets; A 20-Foot-Wide Alley Projecting 150 Feet South from Said Unimproved Segment of South 10th Street, Midway and Parallel Between Sycamore and Elm Streets; And a 20-Foot-Wide Alley (Unimproved) Extending East-to-West for a Distance of 300 Feet Between Sycamore and Elm Streets, 140 Feet South from and Parallel to Right-of-Way for South 9th Street

18. Ordinance (First Reading) TC-2021-06: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request From Barbara Robinson And Dylan Golden (Represented By Enprotec/Hibbs & Todd, Engineering Consultants) to Abandon the Public's Right-of-Way Within a 20-Foot Wide Alley (a Dead End) Extending for a Distance of Approximately 100 Feet West from Right-of-Way For Melissa Lane and Situated 100 Feet South from and Parallel to Right-of-Way for Princess Lane In Western Abilene
19. Ordinance (First Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Developer Participation Agreement between the City of Abilene, Texas and PB 6950, LLC

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

5. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Awarding Bid No. 2157 to Epic Construction, Co. on the N. 6th & Cypress Parking Lot Improvements [ASSIGNED RESOLUTION NO. 141-2021]

The item was pulled by David Swart, citizen.

Having pulled the item, David Swart questioned if this is a City owned parking lot or if it is shared with First Financial Bank. Mr. Swart hopes that it is just City owned, since First Financial is not paying for any of the improvements.

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

- Samuel Garcia – questioned if the public will still have access to the parking lot, and spoke about his concern that the main focus of the City being downtown Abilene.

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

City Manager Hanna clarified that the City is requiring the changes, so First Financial is not paying, but the parking lot will have a public purpose.

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

6. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Awarding Bid No. 2156 to Contract Paving Company for South 27th St Reconstruction Project [ASSIGNED RESOLUTION NO. 142-2021]

The item was pulled by David Swart, citizen.

Having pulled the item, David Swart stated his concerns about the workmanship on Willis Street between 14th and S 32nd Street, as there are two different colored pavements with a groove. Mr. Swart is concerned that this project might look like that work in the end.

City Manager Hanna addressed Mr. Swart's concern stating that Contract Paving did not do the work on Willis Street.

Mayor Williams continued the public hearing. 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 (7): Mayor Williams, Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard, Albus and Hurt

NAYS (0): None

7. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approval of the Abilene Zoological Society Agreement
[ASSIGNED RESOLUTION NO. 143-2021]

The item was pulled by Councilmember Albus.

Having pulled the item, Councilmember Albus stated she watched the Parks Board meeting and it was brought up that the Zoo had the highest participation they had ever had. She wanted the general public to know what an exceptional job they have done.

Mayor Williams opened the public hearing. With no 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 McAlister, Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard, Albus and Hurt

NAYS (0): None

10. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the Purchase of Four (4) Case Maxxum 125 Tractors from Local Vendor Wylie Implement Through the Sourcewell Cooperative for Stormwater Services
[ASSIGNED RESOLUTION NO. 146-2021]

The item was pulled by Mayor Pro-tem McAlister.

Having pulled the item, Mayor Pro-tem McAlister stated that it was mentioned previously that the City never purchases anything local, so he wanted to point out that this was a local bidder.

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. 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

13. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving an Economic Development Agreement with the Abilene Improvement Corporation for 101 Cypress and 1250 N 1st.

[ASSIGNED RESOLUTION NO. 149-2021]

The item was pulled by Bob Thomas, citizen.

Having pulled the item, Bob Thomas questioned why no information was given to the public before the meeting.

Robert Hanna, City Manager addressed Mr. Thomas's concerns stating that this is an economic development agreement and was discussed in executive session.

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

- Samuel Garcia – 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. 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

REGULAR AGENDA

20. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Appointing Chace Craig as a Municipal Court Judge

[ASSIGNED RESOLUTION NO. 150-2021]

Stanley Smith, City Attorney, presented the item. Adoption of the item would appoint Chace Craig as a Municipal Court Judge.

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

- David Swart – had questions regarding the logistics of this appointment

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

Councilmember Price moved to approve the item as presented. 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

21. Ordinance (First Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending Chapter 22-2 Intoxicating Beverages Prohibited; Confiscation and setting a public hearing for September 9, 2021

Lesli Andrews, Director of Community Services, presented the item. Adoption of the item would allow the sale of alcoholic beverages for minor league sports and other special events at Rose Park Big League Field.

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

- Isaac Davila – spoke in opposition to allowing alcohol at Rose Park.
- Scott Purkin – represented the company trying to bring the baseball team to Abilene. Spoke in favor of allowing alcohol in Rose Park.
- Liz Donahue – spoke in favor of the baseball team.

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

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

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

NAYS (1): Councilmember Price

22. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on an Ordinance of the City of Abilene, Texas, and Providing for the Extension of the Boundary Limits of the City of Abilene, Texas, and for the Annexation of Certain Territory Lying Adjacent and Contiguous to the Present Boundary Limits of the City of Abilene, and Granting to All the Inhabitants of the Territory, all the Rights and Privileges of Other Citizens and Binding the Inhabitants by All of the Acts, Ordinances, Resolutions, and Regulations of the City of Abilene; and Adopting a Service Plan Agreement [ASSIGNED ORDINANCE NO. 44-2021]

Michael Rice, Assistant City Manager, presented the item. Adoption of the item would approve an the extension of the boundary limits of the City of Abilene, and provide for the voluntary annexation of land requested by HSH Ventures, LLC, setting the zoning at RS-6.

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

- David Todd – represents the client and availed himself to questions from Council.

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

Councilmember Price moved to approve the item as presented. Councilmember Hurt 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 Williams opened the public comment period. The following addressed the city council:

- David Swart – questioned if the City had something to do with a news article disappearing about a person striking the Fort Phantom Hill dam. Mr. Swart stated that last year’s concern was the roadway cracking, so Mr. Swart doesn’t believe the dam is the issue, but it is the top deteriorating.
- EJ Patel – spoke in regards to recycling. Mr. Patel would like information on why it was stopped and the company that was used previously.
- Debra Newberry – spoke about the proposed new animal shelter and the current shelter stretching rules to fit their needs.
- Debra Pearson – spoke about a spay and neuter ordinance that she would like to see passed in the City of Abilene.
- Victoria Carter – spoke about the animal shelter and how she would like to use the current facility as a holding facility, and then build a new adoption center.

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

ADJOURNMENT

There being no further business, the meeting adjourned 6:37 p.m.



Shawna Atkinson
City Secretary



Anthony Williams
Mayor

Minutes approved on: September 9, 2021

