

CITY COUNCIL MEETING
September 9, 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 September 9, 2021, at 8:30 a.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, and City Secretary Shawna Atkinson.

Councilmember Donna Albus delivered the invocation.

Anderson Braden, 5th grader from Austin Elementary, and Emberlyn Jackson 2nd grader from Bowie Elementary, 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
 - Brad McGary – 30 Years – Police Department
 - Mindy Patterson – 30 Years – City Manager’s Office
 - Mike Perry – 30 Years – Police Department
- Chief Flores spoke about the parade and 9/11 services that will be taken place at the West Texas Fair and Rodeo and encouraged everyone to attend.

CONSENT AGENDA

The Consent Agenda consisted of items 3-14. Items 4, 5, 8, 9 & 11 were pulled for individual consideration. Items 12 & 13 were pulled from consideration, prior to the meeting.

Items pulled from consideration were as follows:

- Item #12
- Item #13

Item pulled for individual consideration were as follows:

- David Swart, citizen – Items #4, 5, 8, 9 & 11

Councilmember Beard moved to approve the consent agenda, now consisting of items 3, 6-7, 10 & 14.
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

3. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on August 26, 2021
6. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the purchase of One 2022 Ford F250 Three-Quarter Ton Utility Truck for Sewage Collection from Randall Reed Ford per sealed bid CB-2125
[ASSIGNED RESOLUTION NO. 153-2021]

7. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the purchase of two 2022 Chevrolet 3500 One Ton Utility Trucks for Sewage Collection and Water Distribution from Caldwell Country Chevrolet per sealed bid CB-2125
[ASSIGNED RESOLUTION NO. 154-2021]
10. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing Combined Purchases from the Specified Vendors in Amounts Exceeding \$50,000 during Fiscal Year 2021
[ASSIGNED RESOLUTION NO. 157-2021]
14. Ordinance (First Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending Chapter 10, Article III, "Fire Prevention Code", Division 1, Sec. 10-46 of the Abilene Municipal Code

ITEMS PULLED FROM CONSIDERATION

12. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the Execution of Professional Services Contracts in Support of the Public Health Workforce and Health Equity Grants
[NOT CONSIDERED]
13. Ordinance (First Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending Budget Ordinance No. 41-2021 to Include Updated Revenues and Expenditures for the Health Department
[NOT CONSIDERED]

ITEM PULLED FOR INDIVIDUAL CONSIDERATION

4. 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 August 12, 2021
[ASSIGNED RESOLUTION NO. 151-2021]

The item was pulled by David Swart, citizen.

Having pulled the item, Mr. Swart spoke about the different COVID vaccines on the market and gave his opinions on them.

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

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

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

NAYS (1): Councilmember Hurt

5. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Abilene Convention and Visitors Bureau FY 2022 Budget
[ASSIGNED RESOLUTION NO. 152-2021]

The item was pulled by David Swart, citizen.

Having pulled the item, Mr. Swart stated he is not concerned about the budget but he is concerned about the language in it; in particular the “uninformed yet vocal and closed minded citizens” language, and the criticism of the Convention Center fees.

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

Mayor Pro-tem McAlister had a conflict of interest on this item and abstained from voting. A conflict of Interest Affidavit was filled out before the meeting and filed with the City Secretary’s office.

Councilmember Price 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

ABSTAIN (1): Mayor Pro-tem McAlister

8. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the purchase of One 1-Ton Utility truck with crane for Fleet Maintenance from local vendor, Arrow Ford, through CB-2160

[ASSIGNED RESOLUTION NO. 155-2021]

The item was pulled by David Swart, citizen.

Having pulled the item, Mr. Swart stated that this is \$22,000 over budget, and that is coming out of tax payer’s pockets. Mr. Swart thinks more should have been budgeted for this to begin with.

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

Councilmember Hurt moved to approve the item. 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

9. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the purchase of six 4WD Police Patrol Vehicle Tahoes through Caldwell Country Chevrolet

[ASSIGNED RESOLUTION NO. 156-2021]

The item was pulled by David Swart, citizen.

Having pulled the item, Mr. Swart stated the winter storm made them reconsider having four wheel drive. Mr. Swart stated that these are also over budget and asked what the justification was for replacing Crown Vics.

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. 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

11. Resolution: Receive a Report, Hold a Discussion and Take Action to Approve an Extended Term Street Use License with Abilene Convention Center Hotel Development Corporation
[ASSIGNED RESOLUTION NO. 158-2021]

The item was pulled by David Swart, citizen.

Having pulled the item, Mr. Swart questioned why the City is asking itself permission to do something, as it seems awkward. He is in favor of the awnings for times when it is raining or snowing though.

Councilmember Price addressed Mr. Swart's concern and stated that the hotel is not owned by the City, but by the Hotel Development Corporation, and that is who is asking for the street use licenses.

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

Councilmember Price moved to approve the item. 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

REGULAR AGENDA

15. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending Chapter 22-2 Intoxicating Beverages Prohibited; Confiscation
[ASSIGNED ORDINANCE NO. 45-2021]

Lesli Andrews, Parks and Recreation Director, presented the item. Adoption of the item would amend Chapter 22-2 Intoxicating Beverages Prohibited; Confiscation, to allow alcohol to be served and consumed at the Big League Field in Rose Park, during baseball games and special events.

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

- David Swart – spoke in favor of the item.

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

NAYS (1): Councilmember Price

16. Ordinance (Final 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
[ASSIGNED ORDINANCE NO. 46-2021]

Michael Rice, Assistant City Manager, presented the item. Adoption of the item would approve a Developer Participation Agreement with PB 6950, LLC.

Mayor Williams opened the public hearing. With no 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

17. Ordinance (Final 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
[ASSIGNED ORDINANCE NO. 47-2021]

Tim Littlejohn, Interim Director of Planning & Development Services, presented the item. Adoption of the item would rezone the above referenced property from General Commercial (GC) to a Residential Multi-Family (MF) District.

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 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

18. Ordinance (Final 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
[ASSIGNED ORDINANCE NO. 48-2021]

Tim Littlejohn, Interim Director of Planning & Development Services, presented the item. Adoption of the item would abandon the public's right-of-way at the above referenced location.

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 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

19. Ordinance (Final 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 [ASSIGNED ORDINANCE NO. 49-2021]

Tim Littlejohn, Interim Director of Planning & Development Services, presented the item. Adoption of the item would rezone the above referenced property from Residential Medium-District (MD) to a Residential Multi-Family (MF) District.

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

- April Angstrom – represents the developer. Ms. Angstrom wanted to thank the staff and the Mayor for their help with this project, and stated their excitement to be here.

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

NAYS (0): None

20. Ordinance (Final 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 [ASSIGNED ORDINANCE NO. 50-2021]

Tim Littlejohn, Interim Director of Planning & Development Services, presented the item. Adoption of the item would apply a Historic (H) Overlay Zone onto the Underlying Residential Single-Family (RS-12) Zoning District at the above referenced property.

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. 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

21. Ordinance (Final 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
[ASSIGNED ORDINANCE NO. 51-2021]

Tim Littlejohn, Interim Director of Planning & Development Services, presented the item. Adoption of the item would abandon the public's right-of-way at the above referenced property.

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

- David Todd – represents Enprotec, Hibbs & Todd. Mr. Todd stated that closing the alley allows the developer to do the development as planned without running the alley all the way through. They submitted the final plat already for the alley, which will go to Planning and Zoning Commission Board next month to incorporate the alley.

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

Councilmember Hurt 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

PUBLIC COMMENTS

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

- David Swart – spoke about an item he missed when speaking about the ACVB budget item. He thinks the trolleys were a great addition downtown and that AEP does the lighting, so that part should be on them and not the City. Mr. Swart would like to see something done with the lighting downtown.

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

EXECUTIVE SESSION

Mayor Williams recessed into Executive Session at 9:41 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:

22. A. 551.072 (Deliberations about Real Property)
 1. 101 Cypress Street
 2. 1250 N 1st Street
22. D. 551.087 (Personnel Matters)
 1. City Manager Evaluation (and agenda item #23)
 2. Jones County Appraisal District Board Nomination
 3. City Council Rules of Procedure – Public Comment Period

22. F. 551.087 (Business Prospect/Economic Development)
1. Abilene Convention Center Hotel Project
2. Semi-Pro Baseball team (Agenda Item #15)

The Executive Session ended at 10:48 a.m. and reconvened to Open Session. Mayor Williams reported no votes or action were taken in Executive Session.

REGULAR AGENDA

23. Oral Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the Evaluation of the City Manager
[ORAL RESOLUTION]

Earlier in the meeting, under Section 551.074 (Personnel Matters) of the Open Meetings Act, the item was discussed during the Executive Session, which started at 9:41 a.m., and ended at 10:48 a.m. No votes or actions were taken at that time.

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

Mayor Pro-tem McAlister moved to approve the evaluation and salary adjustment of the City Manager. Councilmember Beard seconded the motion; motion carried

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

24. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Casting a Vote to Nominate a Member to the Taylor County Appraisal District Board of Directors
[ASSIGNED RESOLUTION NO. 160-2021]


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

Councilmember Price moved approve the nomination of Ms. Jessica Cantu to the Taylor County Appraisal District Board of Directors. Councilmember Hurt seconded the motion; motion carried.

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

ADJOURNMENT

There being no further business, the meeting adjourned at 10:51 a.m.


Shawn Atkinson
City Secretary


Anthony Williams
Mayor

Minutes approved on: September 23, 2021