

CITY COUNCIL MEETING
November 4, 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 November 4, 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.

Mayor Pro-tem Kyle McAlister delivered the invocation.

Jack Bailey, August Albright and Natalie West from Thomas Elementary, and Laila Benavidez and Jordan Blount from Stafford 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:
 - Tyson Kropp – 20 Years – Police Department
- Proclamations:
 - General Aviation Appreciation Month – accepted by Jeff Clement, President of Chapter 471 of the Experimental Aircraft association (EAA).
 - Adopt a Shelter Dog Month – accepted by the staff at Abilene Animal Services

CONSENT AGENDA

The Consent Agenda consisted of items 4-15. All items were pulled for individual consideration.

Items pulled for individual consideration were as follows:

- David Swart, citizen – Item #4
- Cynthia Alvidrez, citizen – Items #5-15

ITEMS 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)
[ASSIGNED RESOLUTION NO. 184-2021]

The item was pulled by David Swart, citizen.

Having pulled the item, Mr. Swart spoke about the President's mandates on the COVID-19 vaccine.

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

- Cynthia Alvidrez – questioned the Mayor's authority to do certain things under the local disaster declaration.

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

Mayor Williams and City Attorney Stanley Smith both addressed Ms. Alvidrez's question and stated that the Mayor does possess certain authorities that are outlined in the declaration.

Deputy Mayor Pro-tem Craver 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 Price, Beard and Albus

NAYS (1): Councilmember Hurt

5. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Entering into a Contract with Justice Construction, Inc. for Improvements to Stevenson Park
[ASSIGNED RESOLUTION NO. 185-2021]

The item was pulled by Cynthia Alvidrez, citizen, who requested to receive the staff report before she commented.

Lesli Andrews, Director of Parks and Recreation, presented the item. Adoption of the item would approve an agreement with Justice Construction for improvements to Stevenson Park.

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

- Cynthia Alvidrez – questioned if Stevenson Park was in a flood zone.

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

6. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Entering into a Contract with Chris Redman for the Facility Management of Rose Park Tennis Center
[ASSIGNED RESOLUTION NO. 186-2021]

The item was pulled by Cynthia Alvidrez, citizen, who requested to receive the staff report before she commented.

Lesli Andrews, Director of Parks and Recreation, presented the item. Adoption of the item would approve an agreement with Chris Redman for the Facility Management of Rose Park Tennis Center

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

- Cynthia Alvidrez – stated she would like to see more sports offerings to those who attend the After School Care Program.

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

7. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Entering into a Contract with Jacob Martin for Engineering Services for Cobb Park and Lee Park Improvements
[ASSIGNED RESOLUTION NO. 187-2021]

The item was pulled by Cynthia Alvidrez, citizen, who requested to receive the staff report before she commented.

Lesli Andrews, Director of Parks and Recreation, presented the item. Adoption of the item would approve an agreement with Jacob & Martin for Engineering Services for Cobb Park and Lee Park Improvements.

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

- Cynthia Alvidrez – expressed her concerns about the dangers of the creek that runs beside the new location for the splash pad for Lee Park, and the restrooms for Cobb Park.
- James Sergeant – recommended strategic placement of the splash pad along with a cover for it.

With no other 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

8. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Entering into a Contract with Jacob Martin for Engineering Services for Sears Park, Nelson Park, and Redbud Park Sidewalk Improvements
[ASSIGNED RESOLUTION NO. 188-2021]

The item was pulled by Cynthia Alvidrez, citizen, who requested to receive the staff report before she commented.

Lesli Andrews, Director of Parks and Recreation, presented the item. Adoption of the item would approve an agreement with Jacob & Martin for Engineering Services for Sears Park, Nelson Park, and Redbud Park Sidewalk Improvements.

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

- Cynthia Alvidrez – questioned where the funds were coming from for the sidewalk at Sears Park.

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

9. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving a Contract Renewal for Cartegraph Operations Management System
[ASSIGNED RESOLUTION NO. 189-2021]

The item was pulled by Cynthia Alvidrez, citizen, who left the meeting before the item was considered.

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 Price seconded the motion; motion carried.

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

NAYS (0): None

ABSENT (1): Councilmember Beard

10. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Expansion of the Automated Ticketwriter Program and Related Purchases
[ASSIGNED RESOLUTION NO. 190-2021]

The item was pulled by Cynthia Alvidrez, citizen, who left the meeting before the item was considered.

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 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

11. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action to Approve the Acceptance of the Children's Advocacy Centers of Texas Grant, and Approving the creation of a full time Mental Health Advocate/Child Sex Trafficking Care Coordinator position
[ASSIGNED RESOLUTION NO. 191-2021]

The item was pulled by Cynthia Alvidrez, citizen, who left the meeting before the item was considered.

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 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

12. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Awarding Request For Proposals (RFP) for Engineering Services for North 10th Street Roadway Improvements to Enprotec/ Hibbs & Todd
[ASSIGNED RESOLUTION NO. 192-2021]

The item was pulled by Cynthia Alvidrez, citizen, who left the meeting before the item was considered.
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

13. Ordinance (First 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 18-289.1, "Same - During Certain Hours" of the Code of Ordinances Regarding School Zone Areas No Longer in Use

The item was pulled by Cynthia Alvidrez, citizen, who left the meeting before the item was considered.

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

Councilmember Hurt 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

14. Ordinance (First 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 18-297, "Stopping, standing and parking prohibited," of the Code of Ordinances to install a No Stopping, Standing, Parking Zone on the North and South sides of EN10th Street near Taylor Elementary School

The item was pulled by Cynthia Alvidrez, citizen, who left the meeting before the item was considered.

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 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

15. Ordinance (First Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on amending Chapter 32, "Utilities" of the Abilene Municipal Code, Article III, "Fats, Oils, and Grease", and setting a public hearing for November 18, 2021

The item was pulled by Cynthia Alvidrez, citizen, who left the meeting before the item was considered.

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)

REGULAR AGENDA

16. Presentation: Receive a Report, Hold a Discussion and Public Hearing Regarding the Findings of the Mayor's Entertainment District Task Force

Michael Rice, Assistant City Manager, presented the item. Mr. Rice went over the task that was set forth for the Task Force, their meetings and attendance, discussion topics, and the overall findings and recommendations of the Task Force.

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

- Ian Nickerson – thanked the Council for allowing him the opportunity to be on the Task Force and stated it would be wise to have subject matter expertise to take it a step further
- David Swart – Requested under the MIP fund to put LED street lights on NE & SE corner of 3rd and Cypress.
- Tom McAlister – stated that he would like to see a limit on the number of places that sell alcohol within the downtown area.
- Katherine Beeman – served on the Task Force and represents Keep Abilene Beautiful, and stated they are working with numerous organizations and businesses to improve the downtown area.
- Steve Davis – served on the Task Force, and stated he would like to see a designated Downtown Coordinator and believes that downtown could be the heartbeat of Abilene.
- David Councilman – thanked the City and those involved in developing downtown.
- Kyle Tamez – stated he purchased a few properties in the downtown area and does not want to see more restrictions put in place on those properties
- Allison Carol –President of the Downtown Association. Stated she would love to be included in further discussion of the development of downtown.
- Josh Black – stated that limitations are important for property growth and are not to limit businesses, but to grow the whole area. The Preservation League always encourages people to preserve buildings.
- Rosten Callerman – Reminded everyone to include our vulnerable neighbors that spend time downtown, and invited everyone to engage with the local homeless coalition to have conversations about this as development happens.

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

This item was for presentation only. No votes or action were taken at this time.

17. Ordinance (Final Reading) Z-2021-28: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request to Change Zoning from Residential Single-Family (RS-6) to a Heavy Commercial (HC) District on Approximately 0.482 Acre of Land at 437, 541 and 557 North 11th Street, at or Near the Southeast Corner of Ash and North 11th Streets
[ASSIGNED ORDINANCE NO. 61-2021]

Tim Littlejohn, Interim Director of Planning & Development Services, presented the item. Adoption of the item would rezone the above referenced property from Residential Single-Family (RS-6) to a Heavy Commercial (HC) District.

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

- Terry Lankford, Feddy Deleon, Wilbur Lockridge, Becky Tribar, and Sandy McCortter filled out cards in support of this item, but didn't speak
- Jenny Henley – represents applicant. Stated they are wanting to replat it into one property. One part of the property is already zoned HC that her client owns.
- James Pitt – owner of the property. Purchased the lot for his business and has been fenced and secured for storage, which is to keep the neighborhood presentable. Stated this is a family business and employs people from the neighborhood.
- Susan Lankford – stated she still owns property on N10th, and they did not have problems changing those properties to HC. Ms. Lankford is in favor of this item.
- Randy Steffy – spoke about different lots and the homes in the area.
- Allan Pitts – spoke in support of the item.
- Izair Lankford – stated it is his desire that the neighborhood be improved for residents rather than extending it to other businesses.
- Rosten Callerman – stated that the Carver neighborhood plan was adopted 10 years ago to protect the neighborhood from encroachment and development, and is against this item.
- McKayla Almond – stated the money is not staying in the Carver neighborhood, because it is owned by a commercial realtor in Dallas.

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 (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) Z-2021-29: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Weatherbee Construction Inc. (Represented by Enprotec/Hibbs & Todd, Engineering Consultants) to Amend Terms and Conditions of Planned Development District Number 104 (PD 104) as They Affect Approximately 18 Acres of Now-Vacant Land Located Therein and Planned for Low to Medium Densities of Single and Two-Family Homes
[ASSIGNED ORDINANCE NO. 62-2021]

Councilmember Hurt 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.

Tim Littlejohn, Interim Director of Planning & Development Services, presented the item. Adoption of the item would amend the terms and conditions of the above planned development district for Low to Medium Densities of single and two-family homes.

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

- David Todd – represents the client. Stated that the verbiage for tract 3 in the ordinance talks only about self-storage units. Staff felt like they needed clarification that tract 3 would allow self-storage and or medium density housing.

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, Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard and Albus

NAYS (0): None

ABSTAIN (1): Councilmember Hurt

PUBLIC COMMENTS

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

- David Swart – stated 42 years ago the American Embassy in Iran was taken captive by radical students. Today is Steal a Taco, Steal a Base Day, and next Thursday is Armistice day. Mr. Swart thanked veterans.
- Dorothy Clay – spoke about making Abilene a sanctuary city for the unborn.

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

EXECUTIVE SESSION

Mayor Williams recessed into Executive Session at 10:19 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:

19. A. 551.071 (Consultation with Attorney)
 1. Robert Steven Reitz v. City of Abilene, Texas et al
 2. Public Comment Law & the Open Meetings Act
19. B. 551.072 (Deliberations about Real Property)
 1. 101 Cypress Street
 2. 1250 N 1st
19. F. 551.087 (Business Prospect/Economic Development)
 1. Abilene Convention Center Hotel Project
 2. DCOA Project Artemis

The Executive Session ended at 10:28 a.m. and reconvened to Open Session. Mayor Williams reported no votes or action were taken in Executive Session.

REGULAR AGENDA

20. 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. 193-2021]

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

Councilmember Hurt moved approve the casting of votes to nominate Jessica Cantu to the Taylor County Appraisal District Board of Directors. Councilmember Price 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

21. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Casting a Vote to Nominate a Member to the Jones County Appraisal District Board of Directors
[ASSIGNED RESOLUTION NO. 194-2021]

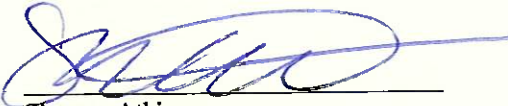
Mayor Williams opened the public hearing. With no speakers coming forward, the public hearing was closed.

Councilmember Beard moved approve the casting of votes to nominate Haley Jo Oates to the Jones County Appraisal District Board of Directors. Councilmember Albus 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 11:14 a.m.



Shawna Atkinson
City Secretary



Anthony Williams
Mayor

Minutes approved on: November 18, 2021

