

CITY COUNCIL MEETING
March 24, 2022 at 8:30 a.m.

CITY COUNCIL OF THE CITY OF ABILENE, TEXAS
SOUTH BRANCH LIBRARY

The City Council of the City of Abilene, Texas met in Regular Session on March 24, 2022, at 8:30 a.m. at the South Branch Library, Mall of Abilene, 4310 Buffalo Gap Road. 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.

Hattie McSherry, 3rd Grader at Alcorta Elementary, led the Pledge of Allegiance to the Flag of the United States of America and State of Texas Flag.

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS, ANNOUNCEMENTS

- Proclamations:
 - National Library Week – accepted by Library Staff, Board and Friends of the Library
 - National Public Health Week – accepted by staff of the Abilene-Taylor County Public Health District
 - Justin Lelesch Day – accepted by Animal Services Director Justin Lelesch
- Service Awards:
 - David Gray – Police Department – 40 Years

Mayor Williams left the meeting after this item. Mayor Pro-tem McAlister presided over the remainder of the meeting in his absence.

PRESENTATION OF CONSENT AGENDA

The Consent Agenda consisted of items 4-18. No items were pulled for individual consideration.

PUBLIC COMMENTS

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

- David Swart – spoke about the most recent fires and stated that he has been through three, that he described.
- Charles Byrn – spoke about a pot hole patch product that he recommends.
- Shaun Martin, representing the Abilene Industrial Foundation – stated that they have worked with the Abilene Chamber of Commerce to develop a project and website to address workforce needs, targeting military spouses and families initially, but now open to everyone.
- Rosten Callerman, representing Habitat for Humanity – invited the Council to an upcoming event for Habitat to dry-in a home for a family; a special opportunity to work with other non-profits to help a family in need.
- Cynthia Alvidrez – requested that the public be able to pull items on the consent agenda again, stated there is no need for a petition for making Abilene a Sanctuary City for the Unborn, complained that \$70,000 is being spent on vehicles when we should be outsourcing spay and neuter programs instead, expressed her concern with the lack of assistance when contacting the city and Atmos about cross-bore locations, and had questions about the MIP fund.

- Ryan Goodwin – thanked the City Secretary’s Office for their expediency in processing their sanctuary city for the unborn petition. Mr. Goodwin also stated that the city charter makes it difficult for the citizens to have a voice with the requirements it takes to process a petition, and urged Council to consider that for an amendment.

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

CONSENT AGENDA

Councilmember Beard moved to approve the consent agenda, consisting of items 4-18. Deputy Mayor Pro-tem Craver seconded the motion. Motion carried.

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

NAYS (0): None

ABSENT (1): Mayor Williams

4. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on March 10, 2022
5. Report: Receive a Report on the Results of the Initiative Petition Filed in the City Secretary's Office on February 22, 2022, for the Sanctuary City for the Unborn
6. Resolution: Receive a Report, Hold a Discussion and Take Action on Appointing Members to Various Boards and Commissions per the City Charter
[ASSIGNED RESOLUTION NO. 43-2022]
7. Resolution: Receive a Report, Hold a Discussion and Take Action on the purchase of One Ford Transit Camera Van for Wastewater Collection Services from Rausch Electronics
[ASSIGNED RESOLUTION NO. 44-2022]
8. Resolution: Receive a Report, Hold a Discussion and Take Action on the Purchase of Two 2022 Chevrolet 3500 Cab and Chassis for Animal Services
[ASSIGNED RESOLUTION NO. 45-2022]
9. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving the Appointment of an Assistant City Attorney
[ASSIGNED RESOLUTION NO. 46-2022]
10. Resolution: Receive a Report, Hold a Discussion and Take Action on Accepting the Annual Comprehensive Financial Report for the Fiscal Year Ending September 30, 2021
[ASSIGNED RESOLUTION NO. 47-2022]
11. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving the Expenditure of General Fund FY 2021 Fund Balance in Excess of the Three Month Reserve Requirement
[ASSIGNED RESOLUTION NO. 48-2022]
12. Resolution: Receive a Report, Hold a Discussion and Take Action on Approval of the Investment Policy
[ASSIGNED RESOLUTION NO. 49-2022]

13. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding Bid No. 2227 to Andale Construction Inc., for Surface Treatment Project Work Zone S25
[ASSIGNED RESOLUTION NO. 50-2022]
14. Ordinance (First Reading) Z-2022-04: Receive a Report, Hold a Discussion and Take Action on a request from Roberto Valez to change zoning from General Commercial (GC) to a Neighborhood Retail (NR) District on approximately .32 acres of now-vacant land located within the 3200 block of South 2nd street (north side) approximately 200 feet east from the intersection of S. Willis St. and S. 2nd Street
15. Ordinance (First Reading) Z-2022-05: Receive a Report, Hold a Discussion and Take Action on a request from JGN Properties LLC to change zoning from Heavy Industrial (HI) to a Heavy Commercial (HC) District within the 2600-2700 blocks of South Treadaway Boulevard (east side) and the 2700 block of Palm Street (west side) located at 2641 thru 2765 S. Treadaway Blvd and 2718 Palm Street
16. Ordinance (First Reading) Z-2022-06: Receive a Report, Hold a Discussion and Take Action on a request from FL20 Inc. (represented by Andrea and Aaron Robison) to change zoning from Agricultural Open Space (AO) to a General Commercial (GC) District at 5308 Hwy 277 South, located within the 5200-5300 blocks of Hwy 277 South (west side); approximately 900-feet northeast from the intersection of Health Center Drive and Hwy 277 South
17. Ordinance (First Reading): Receive a Report, Hold a Discussion 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 - 72.5 acres - 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
18. Ordinance (First Reading): Receive a Report, Hold a Discussion 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 - 821.22 acres - 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

REGULAR AGENDA

19. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action to Approve an Extended Term Street Use License with EE&G, Inc.
[ASSIGNED RESOLUTION NO. 51-2022]

Max Johnson, Interim Director of Public Works, presented the item. Adoption of the item would approve an extended term street use license with EE&G, Inc., for two monitoring wells located at South 14th and Butternut.

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

- Cynthia Alvidrez – spoke about the recent fires in the area and the homeless population.
- Charles Byrn – questioned how the water flow through these areas is monitored so there is no possibility of it being mixed in the water system.

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

Mr. Johnson addressed Mr. Byrn's question and stated that the TCEQ keeps a record of this and it's a requirement to put monitoring wells to keep track of where it is flowing.

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

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

EXECUTIVE SESSION

Mayor Pro-tem McAlister recessed into Executive Session at 9:13 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:

20. A. 551.071 (Consultation with Attorney)
 1. Robert Steven Reitz v. City of Abilene, Texas
 2. Chandler Brooks v. Taylor County, et al
 4. City Council Rules of Procedure
20. D. 551.074 (Personnel Matters)
 1. Blue Ribbon Committee (Agenda item #21)

The Executive Session ended at 9:32 a.m. and reconvened to Open Session. Mayor Pro-tem McAlister reported no votes or action were taken in Executive Session.

REGULAR AGENDA

21. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on appointing members to a Blue Ribbon Committee for a November Bond Election
[ASSIGNED RESOLUTION NO. 52-2022]

Earlier in the meeting, under Section 551.071 (Consultation with Attorney) of the Open Meetings Act, the item was discussed during the Executive Session, which started at 9:13 a.m., and ended at 9:32 a.m. No votes or actions were taken at that time.

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

- David Swart – in favor of the item, and wanted to encourage the committee to focus on the new fire station and ensure they make it big enough to start with.
- Charles Byrn – requested the list of members for this committee be posted for the public.
- Cynthia Alvidrez – stated she is confused as to why we are having a bond election when we have so much excess money left over every year. Stated that 70% of our streets are failing, when we no longer have a Public Works Director, and claimed Greg McCaffery was forced to resign.
- James Sargent – stated his concern for expansion and growth, which can be a good thing, but stated that taking care of basic needs and not overlooking the massive amount of debt being incurred should be addressed first.

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

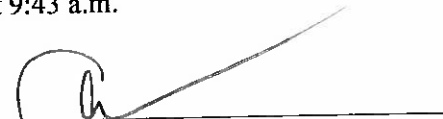
NAYS (0): None

ABSENT (1): Mayor Williams

ADJOURNMENT

There being no further business, the meeting adjourned at 9:43 a.m.


Shawna Atkinson
City Secretary


Anthony Williams
Mayor

Minutes approved on: April 14, 2022

