

CITY COUNCIL MEETING
April 14, 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 April 14, 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 Lynn Beard delivered the invocation.

William Sack, 5th grader at Purcell 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:
 - Public Safety Telecommunicators Week – Accepted by Abilene Police Department 9-1-1 Dispatchers

PRESENTATION OF CONSENT AGENDA

The Consent Agenda consisted of items 3-17. Item # 14 was pulled from the agenda. No other items were pulled for individual consideration.

PUBLIC COMMENTS

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

- Cara Tentzer – chose not to speak, but is in support for the sanctuary city for the unborn.
- Ann Sasse – chose not to speak, but is in support for the sanctuary city for the unborn.
- Charles Byrn – spoke in support for the sanctuary city for the unborn.
- Hershel Redding – spoke in support for the sanctuary city for the unborn.
- James Sargent – spoke in support for the sanctuary city for the unborn.
- Samuel H Garcia – chose not to speak, but is in support for the sanctuary city for the unborn.
- Fred Johnson – spoke in support for the sanctuary city for the unborn.
- Robert Brown – chose not to speak, but is in support for the sanctuary city for the unborn.
- Andrew Gallant – chose not to speak, but is in support for the sanctuary city for the unborn.
- Bruce Tentzer – chose not to speak, but is in support for the sanctuary city for the unborn.
- Dorothy Clay – spoke in support for the sanctuary city for the unborn.
- Cathy Johnson – chose not to speak, but is in support for the sanctuary city for the unborn.
- Scott Beard – spoke in support for the sanctuary city for the unborn.
- Mark Lee Dixon – spoke in support for the sanctuary city for the unborn.
- Ryan Goodwin – spoke in support for the sanctuary city for the unborn.
- Amanda Estevez – spoke in support for the sanctuary city for the unborn.
- Tony Boob – spoke about his concerns with the new Lancium bitcoin facility.
- Beverly Paxton – spoke about her concerns with the new Lancium bitcoin facility.
- Timothy McClennan – chose not to speak, but is in support for the sanctuary city for the unborn.

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

CONSENT AGENDA

Mayor Pro-tem McAlister moved to approve the consent agenda, consisting of items 3-13 and 15-17.
 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

Councilmember Hurt voted differently on item 15 only. The vote for item 15 was as follows:

AYES (6): Mayor Williams, Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard and Albus
 NAYS (1): Councilmember Hurt

- 3. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on March 24, 2022
- 4. 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. 53-2022]

Board	Term End Date
<i>Airport Development Board</i>	
James Boone [New]	November 2023 (unexpired term)
<i>Board of Building Standards</i>	
Jerodan Schmitz [Alternate] [Reappointment]	Nov-24
<i>Street Maintenance Advisory & Appeals Board</i>	
James McCoy [Reappointment]	May-24
Antonio Pillariz [Reappointment]	May-24
<i>West Central Texas Municipal Water District Board</i>	
Dani Ramsay [Reappointment]	May-24
Sam Chase [Reappointment]	May-24
Joe Cannon [Reappointment]	May-24

- 5. Resolution: Receive a Report, Hold a Discussion and Take Action on authorizing a contract with Ace Pipe Cleaning Inc. for the Manhole Rehabilitation 2022 Project
[ASSIGNED RESOLUTION NO. 54-2022]
- 6. Resolution: Receive a Report, Hold a Discussion and Take Action Authorizing the City Manager to enter into an agreement with Texas Department of Transportation for the Bridge Replacement on ES 7th Street at Cedar Creek
[ASSIGNED RESOLUTION NO. 55-2022]
- 7. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to accept the bid from CanTex Roofing & Construction, LLC for the Adaptive Recreation Roof Project
[ASSIGNED RESOLUTION NO. 56-2022]
- 8. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving the acceptance of the donated "Winnie" sculpture for placement on the Adamson Spalding Storybook Garden lawn of the Abilene Convention Center
[ASSIGNED RESOLUTION NO. 57-2022]

9. Resolution: Receive a Report, Hold a Discussion and Take Action on Approval of Single-Family Rehabilitation/Reconstruction Program Project Budget with HOME Program Funds
[ASSIGNED RESOLUTION NO. 58-2022]
10. Resolution: Receive a Report, Hold a Discussion and Take Action to Authorize the City Manager to Enter into a Mutual Aid Agreement between the City of Abilene and Taylor County, Texas
[ASSIGNED RESOLUTION NO. 59-2022]
11. Resolution: Receive a Report, Hold a Discussion, and Take Action to Authorize the City Manager to Execute an Agreement with Daco Fire Equipment for the Purchase of LION Structural Firefighting Protective Gear for the Abilene Fire Department
[ASSIGNED RESOLUTION NO. 60-2022]
12. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving a Lease Agreement with Capps Van & Truck Rental
[ASSIGNED RESOLUTION NO. 61-2022]
13. Resolution: Receive a Report, Hold a Discussion and Take Action to authorize the purchase of four Type III Cutaway Vans from Creative Bus Sales Through the State of Oklahoma Statewide Contract
[ASSIGNED RESOLUTION NO. 62-2022]
15. Resolution: Receive a Report, Hold a Discussion and Take Action on Modifying and Extending the Declaration of Local Disaster (COVID-19)
[ASSIGNED RESOLUTION NO. 63-2022]
16. Report: Receive a Report on the Final Results of the Initiative Petition Filed in the City Secretary's Office on February 22, 2022, and Supplement Filed on March 21, 2022, for the Sanctuary City for the Unborn
17. Ordinance (First Reading): Receive a Report, Hold a Discussion and Take Action on an Ordinance Outlawing Abortion, Declaring Abilene a Sanctuary City for the Unborn, Making Various Provisions and Findings, Providing for Severability, and Establishing an Effective Date

ITEM PULLED FROM CONSIDERATION

14. Oral Resolution: Receive a Report, Hold a Discussion and Take Action on Approving Updates to the City Council Rules of Procedure
[NOT CONSIDERED]

REGULAR AGENDA

18. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action to Approve an Extended Term Street Use License with TearTex, LLC
[ASSIGNED RESOLUTION NO. 64-2022]

Max Johnson, Interim Director of Public Works, presented the item. Adoption of the item would approve an extended term street use license at Walnut and N 1st and 2nd, for new HVAC units to be installed in an alleyway.

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. 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

19. Ordinance (Final Reading) Z-2022-05: Receive a Report, Hold a Discussion and Public Hearing, 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
[ASSIGNED ORDINANCE NO. 11-2022]

Tim Littlejohn, Director of Planning and Development Services, presented the item. Adoption of the item would rezone the above referenced property from General Commercial (GC) to a Neighborhood Retail (NR) 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 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) Z-2022-05: Receive a Report, Hold a Discussion and Public Hearing, 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
[ASSIGNED ORDINANCE NO. 12-2022]

Tim Littlejohn, Director of Planning and Development Services, presented the item. Adoption of the item would rezone the above referenced property from Heavy Industrial (HI) to a Heavy Commercial (HC) District.

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. 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

21. Ordinance (Final Reading) Z-2022-06: Receive a Report, Hold a Discussion and Public Hearing, 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
[ASSIGNED ORDINANCE NO. 13-2022]

Tim Littlejohn, Director of Planning and Development Services, presented the item. Adoption of the item would rezone the above referenced property from Planned Development District (PDD 160) to a Residential Medium Density (MD) District.

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

EXECUTIVE SESSION


Mayor Williams recessed into Executive Session at 9:12 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. 551.071 (Consultation with Attorney)
 - 1. Samuel Hightower v. City of Abilene
 - 2. Zach Williams v. City of Abilene
 - 3. City Council Rules of Procedure (Agenda Item #14)
 - 4. Sanctuary City for the Unborn (Agenda Items 16 & 17)
- 22. B. 551.072 (Deliberations about Real Property)
 - 1. City Council Chamber Renovations
 - 2. 610 ES 11th St & S 7th (McPhail Properties)
- 22. D. 551.074 (Personnel Matters)
 - 1. Assistant City Attorney
- 22. F. 551.087 (Business Prospects & Economic Development)
 - 1. Trail Ridge Subdivision

The Executive Session ended at 10:01 a.m. and reconvened to Open Session. Mayor Williams reported no votes or action were taken in Executive Session.

ADJOURNMENT

There being no further business, the meeting adjourned at 10:02 a.m.


Shawna Atkinson
City Secretary


Anthony Williams
Mayor

Minutes approved on: April 28, 2022