

CITY COUNCIL MEETING
June 23, 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 June 23, 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 Weldon Hurt, Deputy Mayor Pro-tem Donna Albus, and Councilmembers Shane Price, Lynn Beard, Kyle McAlister and Travis Craver. Also present were City Manager Robert Hanna, City Attorney Stanley Smith, and City Secretary Shawna Atkinson.

Deputy Mayor Pro-tem Donna Albus delivered the invocation and led the Pledge of Allegiance to the Flag of the United States of America and State of Texas Flag.

PRESENTATION OF CONSENT AGENDA

The Consent Agenda consisted of items 2-11. Item 9 was pulled from consideration prior to the meeting, and item 11 was pulled for individual consideration.

PUBLIC COMMENTS

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

- Rebecca Gingrich – stated that a council member has agreed to meet with her group about the library books, so she is withholding comments until after this meeting.
- James Griffith – stated that he teaches a class on pornography and sex addiction. He stated most of the individuals in his class were exposed between 8 and 12 years old and that he is opposed to putting those books in the library for children.
- Joan Batson – stated she is saving her comments on the library books for a meeting that is being held tomorrow.
- Joe Humphrey – spoke in favor of the sidewalks for South 14th Street.
- Dorothy Clay – spoke about the library books issue and children being sexualized. Stated that she wants to make sure our children are protected.
- David Swart – spoke about the sidewalks for South 14th, he never sees anyone walking on the edges of 14th. Mr. Swart stated North 12th is a better area for sidewalks and believes this is a pet project for someone. He also spoke about police surveillance equipment for Tahoe's.
- Wendy Tamez – did not speak but indicated her opposition to banning books in the public library.

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

CONSENT AGENDA

Mayor Pro-tem Hurt moved to approve the consent agenda, consisting of items 2-8 and 10. Deputy Mayor Pro-tem Albus seconded the motion. Motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus, and Councilmembers Price, Beard, McAlister, and Craver

NAYS (0): None

2. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on June 9, 2022

3. 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. 96-2022]

Board	Term End Date
<i>Keep Abilene Beautiful</i>	
Rebekah Raus-Sumrall [New]	September 2025
<i>Senior Citizens Advisory Board</i>	
Monroe Nevells [Reappointment]	May 2024
Maxine Williams [Reappointment]	May 2024
Dorothy Drones [Reappointment]	May 2024
Leroy King [Reappointment]	May 2024
Johnny Whisenhunt [Reappointment]	May 2024

4. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving the Financing By Tarrant County Cultural Education Finance Corporation of Health Facilities Located Within the City of Abilene, Texas
 [ASSIGNED RESOLUTION NO. 97-2022]
5. 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 S 14th St Walkability Project
 [ASSIGNED RESOLUTION NO. 98-2022]
6. Ordinance (First Reading): Receive a Report, Hold a Discussion and Take Action on Amending Chapter 18, "MOTOR VEHICLES AND TRAFFIC," ARTICLE XIII, "SCHEDULES," SECTION 18-286, "Decreased speed limits-School zones," of the Abilene Municipal Code to Add School Traffic Zones at Wylie East Elementary
7. Resolution: Receive a Report, Hold a Discussion and Take Action on awarding the bid for the Second Pressure Plane Supply Line - Phase 2
 [ASSIGNED RESOLUTION NO. 99-2022]
8. Ordinance (First Reading): Receive a Report, Hold a Discussion and Take Action on an Ordinance amending Chapter 32 "Utilities", Article VI "Water Conservation Plan", of the Abilene Municipal Code by amending Sections 32-140, 32-141, 32-142, 32-143, 32-144, 32-145, and 32-146, as set out below, providing a severability clause, and declaring a penalty
9. Ordinance (First Reading) Z-2022-12: Receive a Report, Hold a Discussion and Take Action on A Request From Griffith Lake Estates Represented By Jacob & Martin, LLC To Change Zoning Of Approximately 27.2 Acres From Agricultural Open (AO) And Residential Multi-Family (MF) To Residential Multi-Family (MF) And General Commercial (GC)
10. Ordinance (First Reading) Z-2022-13: Receive a Report, Hold a Discussion and Take Action on A Request From PB 6950, LLC Represented By Jacob & Martin, LLC To Change The Zoning Of Approximately 36.5 Acres From Residential Multi-Family (MF), Office (O), And Agricultural Open (AO) To General Retail (GR), Residential Multi-Family (MF) And General Commercial (GC)
11. Ordinance (First Reading) CUP-2022-04: Receive a Report, Hold a Discussion and Take Action on A Request From Windmill Circle Apartments LLC (Represented By Enprotec/Hibbs & Todd, Engineering Consultants) For Approval Of A Conditional Use Permit Allowing Multi-Family Residential Buildings On Approximately 15 Acres Of Now-Vacant Land In A General Retail (GR) District At 28 Thru 36 Windmill Circle And At 5601 Memorial Drive In South Abilene

ITEM PULLED FOR INDIVIDUAL CONSIDERATION

11. Ordinance (First Reading) CUP-2022-04: Receive a Report, Hold a Discussion and Take Action on A Request From Windmill Circle Apartments LLC (Represented By Enprotec/Hibbs & Todd, Engineering Consultants) For Approval Of A Conditional Use Permit Allowing Multi-Family Residential Buildings On Approximately 15 Acres Of Now-Vacant Land In A General Retail (GR) District At 28 Thru 36 Windmill Circle And At 5601 Memorial Drive In South Abilene

Having pulled the item, Mayor Pro-tem Hurt wanted an opportunity to explain to those present that this is a first reading only, and that today's action will send this to the July 14th meeting for the final reading, where final action will be taken.

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

- Allison Cowling – spoke in opposition to the item.
- ~~Jimmy Boulware – did not wish to speak, but is in opposition to the item.~~
- Lisa Dews – spoke in opposition to the item.
- John Farnsworth – did not wish to speak, but is in opposition to the item.
- Linda Griggs – did not wish to speak, but is in opposition to the item.
- Cindy Ramsey – spoke in opposition to the item.
- Priscilla Rothwell – did not wish to speak, but is in opposition to the item.
- Fran Stone – did not wish to speak, but is in opposition to the item.
- Paul Beale – did not wish to speak, but is in opposition to the item.
- Henry Beiro – spoke in opposition to the item.
- Pat Callahan – spoke in opposition to the item.
- David Swart – state he is glad people came out to speak on this, and that he feels that this is solely about increasing the property tax base. He also stated that most government servers have filters on email their system and you cannot send any files or pictures to government official emails.
- Abbey Speed – spoke in opposition to the item.

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

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

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

ITEM PULLED FROM CONSIDERATION

9. Ordinance (First Reading) Z-2022-12: Receive a Report, Hold a Discussion and Take Action on A Request From Griffith Lake Estates Represented By Jacob & Martin, LLC To Change Zoning Of Approximately 27.2 Acres From Agricultural Open (AO) And Residential Multi-Family (MF) To Residential Multi-Family (MF) And General Commercial (GC)
[NOT CONSIDERED]

REGULAR AGENDA

12. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing the City Manager to enter into a contract with Bontke Brothers Construction Company, Inc. for the Cedar Creek Development Trail Project
[DENIED]

Councilmember Price moved to remove this item from the table. Councilmember Beard seconded the motion. Motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus, and Councilmembers Price, Beard, McAlister, and Craver

NAYS (0): None

Lesli Andrews, Director of Parks & Recreation, presented the item. Adoption of the item would approve a contract with Bontke Brothers Construction Company, Inc. for the Cedar Creek Development Trail Project.

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

- David Swart – stated that the lowest bid should be taken, and that the City needs to reject all the bids or take the lowest value here to save money.

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

Councilmember Price moved to deny the bid from Bontke Brothers Construction Company, Inc. Mayor Pro-tem Hurt seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus, and Councilmembers Price, Beard, McAlister, and Craver

NAYS (0): None

13. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing the City Manager to enter into a Memorandum of Agreement between the City of Abilene and the Abilene Youth Sports Authority for the Lease of Real Property and Development of a Youth Sports Agreement
[ASSIGNED RESOLUTION NO. 101-2022]

Lesli Andrews, Director of Parks & Recreation, presented the item. Adoption of the item would authorize a Memorandum of Agreement between the City of Abilene and the Abilene Youth Sports Authority for a ground lease and facility operations for a flat fields complex at Grover Nelson Park.

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

- Robert Lopez, Vice President of the Abilene Convention and Visitors Bureau – stated he worked for the Convention and Visitors Bureau in McAllen, Texas and they embarked on a similar project. McAllen experienced a boom in sports tourism after it. He stated this agreement is great for everyone and that it will make a large economic impact.
- Erica Batton – stated she loves this idea and agreed there is not a lot fields for soccer in town.
- David Swart – questioned what happened to Lee Complex. He stated this is technically going to be a private deal in a roundabout way, and that the \$1 a year lease is a great deal but that a lot of people are questioning it.

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

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

AYES (7): Mayor Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus, and Councilmembers Price, Beard, McAlister, and Craver

NAYS (0): None

EXECUTIVE SESSION

Mayor Williams recessed into Executive Session at 9:59 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:

14. D. 551.071 (Consultation with Attorney)

1. Robert Steven Reitz v. City of Abilene
2. Chandler Brooks v. Taylor County et al
3. Natasha Jones v. City of Abilene
4. Library Collection Development Policy

14. F. 551.072 (Deliberations about Real Property)

1. 101 Cypress
3. Trail Ridge Subdivision

The Executive Session ended at 11:04 a.m. and reconvened to Open Session. Mayor Pro-tem Hurt reported no votes or action were taken in Executive Session.

Mayor Williams left the meeting after retiring into Executive Session. Mayor Pro-tem Hurt presided over the remainder of the meeting.

REGULAR AGENDA

13. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving a Chapter 380 Agreement with Abilene Improvement Corporation for 101 Cypress Street
[ASSIGNED RESOLUTION NO. 102-2022]

Robert Hanna, City Manager, presented the item. Adoption of the item would approve a Chapter 380 Agreement with Abilene Improvement Corporation for 101 Cypress Street.

Mayor Pro-tem Hurt opened the public hearing. With no speakers coming forward, the public hearing was closed.

Councilmember Price moved to approve the item as presented. Councilmember Craver seconded the motion; motion carried.

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

NAYS (0): None

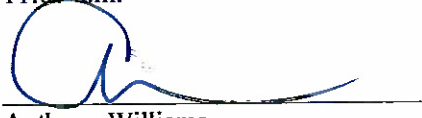
ABSENT (1): Mayor Williams

ADJOURNMENT

There being no further business, the meeting adjourned at 11:07 a.m.



Shawna Atkinson
City Secretary



Anthony Williams
Mayor

Minutes approved on: July 14, 2022

