

CITY COUNCIL MEETING
January 12, 2023 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 January 12, 2023, at 8:30 a.m. in the Council Chambers, 555 Walnut St. 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.

Councilmember Shane Price delivered the invocation.

Kaysen Smith, 4th grader from Martinez 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:
 - Community Health Challenge Days accepted by Annette Lerma and the Public Health Department staff.

PRESENTATION OF CONSENT AGENDA

The Consent Agenda consisted of items 4-10. Item #9 was pulled for individual consideration.

Items pulled for individual consideration:

- Councilmember Beard – Item 9

PUBLIC COMMENTS

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

- David Swart – spoke about the new cheese factory, West Texas Rehab Telethon, the two breweries in town that are shutting down, and Martin Luther King Day that is coming up.

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

CONSENT AGENDA

Mayor Pro-tem Hurt moved to approve the consent agenda now consisting of items 4-8 and 10. Councilmember Price seconded the motion. Motion carried.

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

4. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on December 15, 2022

- 5. Receive a Report, Hold a Discussion and Take Action on Appointing Members to Various Boards and Commissions per the City Charter
[ASSIGNED RESOLUTION NO. 01-2023]

Board	Term End Date
<i>Abilene-Taylor County Child Advocacy Center Advisory Board</i>	
Debra McCracken	December 2025
<i>Board of Building Standards</i>	
Delbert Allred [Regular] [Reappointment]	November 2024
<i>Development Corporation of Abilene</i>	
Tracey Howell	December 2023

- 6. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing Change Order No. 1 to Contract with Weisinger, Inc. for Repair of Grimes Pump #7
[ASSIGNED RESOLUTION NO. 02-2023]
- 7. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding Bid #2313 Maple Street South Paving & Drainage Improvements to Epic Construction Company
[ASSIGNED RESOLUTION NO. 03-2023]
- 8. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding Request For Proposals (RFP) for Engineering Services for S 14th Pedestrian Improvements to Enprotec/ Hibbs & Todd
[ASSIGNED RESOLUTION NO. 04-2023]
- 10. Ordinance (First Reading) Z-2023-01: Receive a Report, Hold a Discussion and Take Action on A Request From New Dairy Texas, LLC, Represented by Borden Bluff, to Change the Zoning of Approximately 2.4 Acres Located at 309 South Pioneer Drive from Light Industrial (LI) to Planned Development District 178 (PDD-178) to Allow Multi-Family Residential Uses and Uses Permitted in the General Retail (GR) District, While Retaining the Right for Light Industrial (LI) Uses

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

- 9. Ordinance (First Reading): Receive a Report, Hold a Discussion and Take Action on approving an Ordinance to Amend Chapter 8, "Construction Regulations," Article V, "Advisory Boards," Division 2, "Board of Building Standards" of the Code of Ordinances

Adoption of the item would approve amendments to Chapter 8 of the City Code, dealing with the Board of Building Standards

Having pulled the item, Councilmember Beard stated he had no issues with the composition of the board, but would like to see threshold of votes to overturn the building official be set at 5, instead of 6 that is in the proposed ordinance.

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, with the exception of the alteration of the threshold of votes to overturn the building official being changed from 6 to 5. Councilmember Price 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

REGULAR AGENDA

11. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing the Initiation of Condemnation Proceedings Necessary to Complete Construction of Public Access Sidewalks at the Intersections of North 1st Street at Leggett Street and North 1st Street at Pioneer Drive
[ASSIGNED RESOLUTION NO. 05-2023]

Max Johnson, Director of Public Works, presented the item. Adoption of the item would begin condemnation proceedings for the easements necessary to complete the public improvement project on North 1st and South 1st Streets in regards to public access sidewalks at the intersections.

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

Councilmember McAlister moved to approve the item as presented. Councilmember Craver 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

12. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action to award a contract to Teinert Construction for Airport Terminal Modernization Phase 1 (CB-2304)
[ASSIGNED RESOLUTION NO. 06-2023]

Don Green, Director of Transportation, presented the item. Adoption of the item would approve bid number CB-2304 to Teinert Construction in the amount of \$2,660,000 for Airport Terminal modernization, plus \$44,500 for Alternate 1 of painting areas not eligible for FAA grant funding. This project will repaint the interior of the Airport Terminal, and renovate the Lower Level Restrooms and add a Family/Assisted Restroom.

Mayor Williams opened the public hearing. With no 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

13. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action to approve Change Order 1 to the Terminal Modernization Phase One Contract with Teinert Construction
[ASSIGNED RESOLUTION NO. 07-2023]

Don Green, Director of Transportation, presented the item. Adoption of the item would approve Change Order 1 to the Teinert Construction contract approved with the previous agenda item. Teinert proposed multiple cost saving changes selected by Airport staff to result in a cost reduction of \$937,276 from the original bid amount.

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 McAlister 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

14. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action to approve a Ground Lease and Concession Agreement with Bowie's ABI, LLC.
[ASSIGNED RESOLUTION NO. 08-2023]

Don Green, Director of Transportation, presented the item. Adoption of the item would approve a ground lease and concession agreement with Bowie's ABI, LLC, for a 40 year ground lease to build a fuel station, convenience store and restaurant on City/Airport property along Highway 36.

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

- Brian Blum, representing Bowie's ABI, LLC – thanked the Airport staff for putting this together and stated their excitement to start this project, as it is a great opportunity.

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

Councilmember Beard moved to approve the item as presented. Councilmember Craver 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

15. Ordinance (Final Reading) Z-2022-28: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Buffalo Gap I & E, Represented by Harris Acoustics, to Change the Zoning of Approximately 5.83 Acres Located at 888 Ben Richey Drive from Agricultural Open (AO) to Heavy Commercial (HC)
[ASSIGNED ORDINANCE NO. 01-2023]

Tim Littlejohn, Director of Planning & Development Services, presented the item. Adoption of the item would rezone the above referenced property from Agricultural Open Space (AO) to Heavy Commercial (HC).

Mayor Williams opened the public hearing. With no 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

16. Ordinance (Final Reading) CUP-2022-11: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Hallum, Represented by Art Attack Tattoo, for a Conditional Use Permit of Approximately 0.08 Acres Located at 226 Pine Street Zoned Central Business (CB) to Allow a Tattoo Parlor as a Permitted Use
[ASSIGNED ORDINANCE NO. 02-2023]

Tim Littlejohn, Director of Planning & Development Services, presented the item. Adoption of the item would approve a conditional use permit for the above referenced property, to allow for a tattoo parlor.

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

- James Sanders, owner of the tattoo studio – stated his reasoning for wanting to open his studio in this location. Mr. Sanders stated that downtown is a clean and safe environment, and he wants to provide that for his clients who have previously felt unsafe in other locations he has been located at.
- Jacqueline Torres – spoke in support of this item. Ms. Torres thinks it is a great opportunity to make Downtown Abilene more modern and will attract a younger generation.

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

Councilmember McAlister moved to approve the item as presented. 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

17. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on AMENDING CHAPTER 8, ARTICLE VI, "CODES AND OTHER REGULATIONS," DIVISION 1, "GENERALLY;" DIVISION 2, "BUILDING CODE;" DIVISION 3, "ELECTRICAL CODE;" DIVISION 4, "PLUMBING CODE;" DIVISION 5, "MECHANICAL CODE;" DIVISION 7, "RESIDENTIAL CODE;" DIVISION 8, "FUEL GAS CODE;" DIVISION 9, "ENERGY CODE;" DIVISION 10, "EXISTING BUILDING CODE;" ADDING DIVISION 11, "PROPERTY MAINTENANCE CODE;" ADDING DIVISION 12, "SWIMMING POOL AND SPA CODE;" AND DELETING IN ITS ENTIRETY CHAPTER 29.5 "SWIMMING POOLS AND SPAS" of the Code of Ordinances
[ASSIGNED ORDINANCE NO. 03-2023]

Tim Littlejohn, Director of Planning & Development Services, presented the item. Adoption of the item would adopt, with amendments, the 2021 International Building Code, the 2020 National Electrical Code, the 2021 International Plumbing Code, the 2021 International Mechanical Code, the 2021 International Residential code, the 2021 International Fuel Gas Code, the 2021 International Energy Conservation Code, the 2021 International Existing Building Code, the 2021 International Property Maintenance Code, and the 2021 International Swimming Pool and Spa Code.


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 Beard seconded the motion; motion carried.

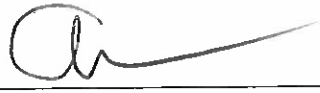
AYES (7): Mayor Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus, and Councilmembers Price
Beard, McAlister and Craver
NAYS (0): None

ADJOURNMENT

There being no further business, the meeting adjourned at 9:24 a.m.



Kaitlin Richardson
Deputy City Secretary



Anthony Williams
Mayor

Minutes approved on: January 26, 2023