

CITY COUNCIL MEETING
February 23, 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 February 23, 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.

Mayor Pro-tem Weldon Hurt delivered the invocation.

Martin Trevino, fifth grader at Bonham 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:
 - Communities in Schools Day – accepted by Paul Wallace, Executive Director of Communities in Schools of the Big Country.

PRESENTATION OF CONSENT AGENDA

The Consent Agenda consisted of items 3-25. Item #19 was pulled from consideration prior to the meeting. No items were pulled for individual consideration.

PUBLIC COMMENTS

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

- Janis Test – spoke in support of the library collection development policy.
- Carey Young – did not speak, but indicated their support of item 19.
- Susanne Melbourne – did not speak, but indicated their opposition to banning books.
- Kayla Hewitt – spoke in favor of the library collection development policy.
- Kristie Compton – did not speak, but indicated their support of the collection development policy.
- Joshua Groves – spoke about item 21. Stated that the Mckinzie House has a significant historical value to ACU and they are thankful this is happening for the house. He availed himself for any questions.
- Cynthia Alvidrez – stated she had issues with things being placed on the agendas for boards and council. She has asked council to look at board members since she thinks the current board members are ignorant. Ms. Alvidrez stated people are requesting to be on the agendas and they are being denied. She is requesting the renovations she requested three years ago to be allocated towards Sears Park and placed in the budget.
- Brandt Fisher – spoke on the process of removing books.
- Jay Clark – read a part of a book that he thinks is obscene.
- Eric Bengs – read a part of a book that he thinks is obscene.
- Joe Bengs – read a part of a book that she thinks is obscene.
- Patrick Batten – read from the Abilene Reporter News sports section and that it was printed inaccurately. He also read a part of a book that he thought was obscene.
- Connie Howard – read a part of a book that she thinks is obscene.
- Richard Sanders – read a part of a book that he thinks is obscene.
- Thomas Englemeyer – showed a picture from a graphic novel that he thinks is pornographic.

- Elizabeth ? – spoke in favor of the library collection development policy.
- Rebecca Gingrich – read a part of a book that she thinks is obscene.
- Tammy Fogle – read a part of a book that she thinks is obscene.
- James Sargent – read the definition of obscene.
- Erica Batten – read part of a book that she thinks is obscene.
- Monica Walker – stated that quotes from books taken out of context can be made to seem evil. However, if you look in the context you can see the lessons there. Banning books is one of the first steps to destroying democracy.
- Ryan Goodwin – stated that the library board has said all these books were okay, and that there are qualified people serving on boards that don't have the common sense to know what is okay for children.

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 3-18 and 20-25. 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

Mayor Williams, and Councilmembers Price and McAlister had conflicts of interest on item #21 and abstained from voting on that item. Conflict of Interest Affidavits were filled out before the meeting and filed with the City Secretary's office. The vote for item #21 alone was:

AYES (4): Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus, Councilmembers Beard and Craver
 NAYS (0): None
 ABSTAIN (3): Mayor Williams, Councilmembers Price and McAlister

3. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on February 9, 2023
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. 26-2023]

Board	Term End Date
<i>Planning & Zoning Commission</i>	
Kevin Halliburton [New]	November 2025

5. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to Enter into a Contract with Precision Unlimited for HVAC Services for the City of Abilene
 [ASSIGNED RESOLUTION NO. 27-2023]
6. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to Enter into a Contract with Cary Services, Inc. for Ice Machine Services for the City of Abilene
 [ASSIGNED RESOLUTION NO. 28-2023]

7. Resolution: Receive a Report, Hold a Discussion and Take Action to Approve a Professional Services Agreement with Jacob Martin for Resident Project Representative Services During the Construction Phase of the Terminal Modernization Phase 1
[ASSIGNED RESOLUTION NO. 29-2023]
8. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving the Purchase of Rifle Bullet Resistant Shields from GT Distributors, Inc.
[ASSIGNED RESOLUTION NO. 30-2023]
9. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving the Application of Grant Funding for FY24 Rifle Resistant Body Armor through the Office of the Governor
[ASSIGNED RESOLUTION NO. 31-2023]
10. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to Execute an Agreement with Daco Fire Equipment for the Purchase of Structural Firefighting Protective Gear for the Abilene Fire Department
[ASSIGNED RESOLUTION NO. 32-2023]
11. Resolution: Receive a Report, Hold a Discussion and Take Action on Award of Bid No. CB-2326 – Sale of Land at 2232 West Lake Road
[ASSIGNED RESOLUTION NO. 33-2023]
12. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding Bid #2331 EN 10th St Roadway Improvements From Judge Ely Blvd to Loop 322 to Bontke Brothers Construction, Inc.
[ASSIGNED RESOLUTION NO. 34-2023]
13. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding Bid #2327 Street Resurfacing Project Work zone S9C to Raydon, Inc.
[ASSIGNED RESOLUTION NO. 35-2023]
14. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving Change Order #1 with Bontke Brothers Construction, Inc. for N 6th and Cypress Street Improvements
[ASSIGNED RESOLUTION NO. 36-2023]
15. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to Approve Library Materials Purchases from Midwest Tape for Hoopla
[ASSIGNED RESOLUTION NO. 37-2023]
16. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to Approve Library Materials Purchases from Baker & Taylor
[ASSIGNED RESOLUTION NO. 38-2023]
17. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to Continue the Agreement with OverDrive
[ASSIGNED RESOLUTION NO. 39-2023]
18. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to Continue the Agreement with the Abilene Library Consortium
[ASSIGNED RESOLUTION NO. 40-2023]

20. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving the Purchase of New Furniture for the City Hall First Floor Remodel of the Planning and Development Services Department
[ASSIGNED RESOLUTION NO. 42-2023]
21. Ordinance (First Reading) HOZ-2022-01: Receive a Report, Hold a Discussion and Take Action on A Request From Martha Mckinzie Shipp Graves, To Apply Historic Overlay Zoning To Approximately 0.32 Acres Zoned Multi-Family Residential (MF) Located At 689 EN 18th Street
22. Ordinance (First Reading) SNC-2023-03: Receive a Report, Hold a Discussion and Take Action on A Request From The City Of Abilene To Permanently Change The Name Of Blackhawk Road To Blackhawk Drive Between Wildflower Way And Maple Street
23. Ordinance (First Reading) Z-2023-02: Receive a Report, Hold a Discussion and Take Action on A Request From Chaile Allen, Represented By Borden Bluff, To Change The Zoning Of Approximately 0.32 Acres From Multi-Family Residential (MF) To Office (O) Located At 508 Mulberry Street
24. Ordinance (First Reading) Z-2023-03: Receive a Report, Hold a Discussion and Take Action on A Request From Clayton Coffey, To Change The Zoning Of Approximately 40 Acres From Agricultural Open (AO) To Planned Development District 179 (PDD-179) To Allow One Manufactured Home, Uses Permitted In The Agricultural Open (AO) District, And Agriculture Related Commercial Uses. This land is currently addressed as 6441-B East Lake Road in Jones County
25. Ordinance (First Reading): Receive a Report, Hold a Discussion and Take Action to Amended Chapter 1, "General Provisions;" Section 1-9, "General penalty for violation of code, continuing violations, culpable metal state not required," Abilene Code of Ordinances to Increase the Misdemeanor Penalty for Zoning Violations

ITEMS PULLED FROM CONSIDERATION

19. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving the Collection Development Policy for the Abilene Public Library
[NOT CONSIDERED]

REGULAR AGENDA

26. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Directing Publication of Notice of Intention to Issue Combination Tax and Revenue Certificates of Obligation for Street Projects
[ASSIGNED ORDINANCE NO. 06-2023]

Mike Rains, Director of Finance, presented the item. Adoption of the item would direct staff to publish the Notice of Intention to Issue Combination Tax and Revenue Certificates of Obligation for Street Projects. The bonds are expected to be brought to Council at the April 27, 2023, meeting for approval.

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

- Ryan Goodwin – stated this bond could last until 2043 and could be a final total of \$11 Million with interest. He asked everyone to look at this carefully.
- Cynthia Alvidrez – questioned if there is a way to turn this into a bond election instead of council voting on it. She wants the tax payers to be able to vote on such a large amount.

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

Mayor Williams moved approval of the resolution directing publication of notice of intention to issue combination tax and revenue certificates of obligation for street projects. 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

27. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Adoption of a Resolution Expressing Official Intent to Reimburse Costs of Projects for Street and Fire Department Improvements
[ASSIGNED RESOLUTION NO. 44-2023]

Mike Rains, Director of Finance, presented the item. Adoption of the item would allow the City to reimburse itself from bond proceeds for costs incurred on these street and Fire Department improvements prior to bond issuance.

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

- Cynthia Alvidrez – asked for the packet to be read and council to be transparent.

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

28. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Adding Chapter 2, Article 1, Section 2-6 to the City Code of Ordinances for the Termination of Inactive Campaign Treasurer Appointments
[ASSIGNED ORDINANCE NO. 08-2023]

Shawna Atkinson, City Secretary, presented the item. Adoption of the item would add Chapter 2, Article 1, Section 2-6 to the City Code of Ordinances to set procedures for the termination of inactive campaign treasurer appointments.

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

- Cynthia Alvidrez – stated that Councilmember McAlister singled her out and reported her to the Secretary of State's Office and she claims she is being harassed.

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 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 9:55 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:

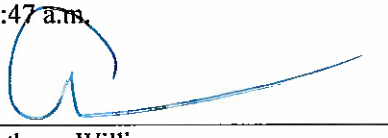
- 14. D. 551.071 (Consultation with Attorney)
 - 1. John Doe v. Robert Hanna, Individually and as City Manager
 - 2. Library Collection Development Policy
 - 3. May 6, 2023 Election
- 14. D. 551.074 (Personnel Matters)
 - 1. Board Appointments – Airport Board
 - 2. City Manager – Library Collection Development
 - 3. City Secretary – May 6, 2023 Election

The Executive Session ended at 10:47 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 10:47 a.m.


Shawna Atkinson
City Secretary


Anthony Williams
Mayor

Minutes approved on: March 9, 2023

