

CITY COUNCIL MEETING
April 13, 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 April 13, 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, Kyle McAlister, and Travis Craver. Councilmember Lynn Beard was absent. Also present were City Manager Robert Hanna, City Attorney Stanley Smith, and City Secretary Shawna Atkinson.

Councilmember Shane Price delivered the invocation.

Selah Leake, 4th grader at Wylie West Intermediate, led the Pledge of Allegiance to the Flag of the United States of America and State of Texas Flag.

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS, ANNOUNCEMENTS

- Presentations & Proclamations:
 - National Work Zone Awareness Week Proclamation, accepted by TxDOT and Public Works employees.
 - Parkinson's Awareness Month Proclamation, accepted by Lorraine Wilson.
 - Wylie High School Destination Imagination Recognition, accepted by Kim Cheek and students of Wylie schools.

PRESENTATION OF CONSENT AGENDA

The Consent Agenda consisted of items 3-19. Item 16 was pulled for individual consideration.

Item pulled for individual consideration:

- Item #16 -- Councilmember Price

PUBLIC COMMENTS

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

- Russell Souders – spoke about a lot on Lake Fort Phantom Hill he would like to purchase and have rezoned to place his travel trailer on.
- Douglas Offerman – spoke about parliamentary procedure, citizens pulling items off the consent agenda, and having a City-wide song contest to get participation from the community. Mr. Offerman also requested the financial for Fire and Police be broken down on the financial statement.
- Andrea Tucker – wanted to let council how much she appreciated everything they do.
- Tammy Fogle – spoke about Library Advisory Board reconsideration meeting last week and her reconsideration requests.
- Charles Byrn – requested that council not approve the board appointment of Mayor Pro-tem Hurt's son as he sees this as nepotism.
- Ryan Goodwin – stated that it is hard for citizens to read the entire council packet with how long it is, and how difficult it is for citizens to speak on topics they are passionate about in 3 minutes.

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

CONSENT AGENDA

Councilmember Price moved to approve the consent agenda consisting of items 3-15 and 17-19. Deputy Mayor Pro-tem Albus seconded the motion. Motion carried.

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

Mayor Pro-tem Hurt had a conflict of interest on item #4 and abstained from voting on that item. A Conflict of Interest Affidavit was filled out before the meeting and filed with the City Secretary's office. The vote for item #4 alone was:

- AYES (5): Mayor Williams, Deputy Mayor Pro-tem Albus, Councilmembers Price, McAlister and Craver
- NAYS (0): None
- ABSTAIN (1): Mayor Pro-tem Hurt
- ABSENT (1): Councilmember Beard

- 3. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on March 23, 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. 60-2023]

Board	Term End Date
<i>Street Maintenance Advisory & Appeals Board</i>	
Branson Hurt [New]	May 2025
Melanie Royals [New]	May 2025
<i>West Central Texas Municipal Water District Board</i>	
Robert Benham [Reappointment]	May 2025
Russell Berry [Reappointment]	May 2025
Norm Archibald	May 2025

- 5. Resolution: Receive a Report, Hold a Discussion and Take Action on the Termination of Inactive Campaign Treasurer Appointments
[ASSIGNED RESOLUTION NO. 61-2023]
- 6. Resolution: Receive a Report, Hold a Discussion and Take Action on Accepting the Annual Comprehensive Financial Report for the Fiscal Year Ending September 30, 2022
[ASSIGNED RESOLUTION NO. 62-2023]
- 7. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving the Expenditure of General Fund FY 2022 Fund Balance in Excess of the Three Month Reserve Requirement
[ASSIGNED RESOLUTION NO. 63-2023]
- 8. Resolution: Receive a Report, Hold a Discussion and Take Action on Approval of the Investment Policy
[ASSIGNED RESOLUTION NO. 64-2023]

9. Resolution: Receive a Report, Hold a Discussion and Take Action on confirming the City Manager's appointment of the Interim Chief of Police as required by Chapter 143.013 of the Texas Local Government Code
[ASSIGNED RESOLUTION NO. 65-2023]
10. Resolution: Receive a Report, Hold a Discussion and Take Action on authorizing the City Manager to execute Change Order No. 4 for the City Facilities portion of the Downtown Hotel
[ASSIGNED RESOLUTION NO. 66-2023]
11. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to Execute the Final Guaranteed Maximum Price for the City Facilities component of the Downtown Hotel
[ASSIGNED RESOLUTION NO. 67-2023]
12. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to Approve an Addendum to the Lease Agreement with West Texas Golf Systems, LLC for the Maxwell Golf Course Facility
[ASSIGNED RESOLUTION NO. 68-2023]
13. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to enter into a contract with Cantex Roofing & Construction for the City Hall Weatherproofing, and Removal and Replacement of Storefront/Curtain Wall Window Units Project
[ASSIGNED RESOLUTION NO. 69-2023]
14. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to enter into a contract with Don Faulkner Construction LLC for Exterior Wall Control Joints Repair
[ASSIGNED RESOLUTION NO. 70-2023]
15. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to enter into a contract with Hawk Painting, LLC for Painting at City Hall
[ASSIGNED RESOLUTION NO. 71-2023]
17. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding Bid #2335 N 5th Traffic Signal Improvements from Grape St. to Walnut St. to Willis Electric Co. Lp.
[ASSIGNED RESOLUTION NO. 73-2023]
18. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding Bid #2336 N 10th & Pine St Concrete Intersection Construction Project to Bontke Brothers Construction Co.
[ASSIGNED RESOLUTION NO. 74-2023]
19. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving Change Order #1 to the Contract with Advanced Water Well Technologies, LLC for Grimes Pump No. 6.
[ASSIGNED RESOLUTION NO. 75-2023]

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

16. Resolution: Receive a Report, Hold a Discussion and Take Action on the Purchase of a Sears Park Playground from Child's Play, Inc. through BuyBoard
[ASSIGNED RESOLUTION NO. 72-2023]

Lesli Andrews, Director of Parks and Recreation, presented the item. Adoption of the item would approve the purchase of playground equipment from Child's Play, Inc for Sears Park.

Having pulled the item Councilmember Price just wanted to highlight that we are approving the purchase of the equipment that was burned in an arson event.

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

- Billy Enriquez – wanted to thank staff and council for rebuilding the Sears Park playground and spoke about how essential it is to the community.

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

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

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

REGULAR AGENDA

20. Ordinance (Final Reading) Z-2023-04: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Sitzes Cleburne LP To Change Zoning From Office To PDD-180 To Allow For Self-Storage Units With A Base Zoning Of Office. Located At 1325 Hickory St.
[ASSIGNED ORDINANCE NO. 16-2023]

Tim Littlejohn, Director of Planning and Development Services, presented the item. Adoption of the item would rezone the above referenced property from Office (O) to PDD-180.

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

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

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

21. Ordinance (Final Reading) Z-2023-05: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Jerome Abor To Change Zoning Districts From Heavy Commercial To Residential Single-Family 6. Located At 626-610 N 13th St And 1314 Ash St.
[ASSIGNED ORDINANCE NO. 17-2023]

Tim Littlejohn, Director of Planning and Development Services, presented the item. Adoption of the item would rezone the above referenced property from Heavy Commercial (HC) to Residential Single-Family 6 (RS-6).

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

NAYS (0): None

ABSENT (1): Councilmember Beard

22. Ordinance (Final Reading) Z-2023-06: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request From GFF Texas Holdings, LLC To Change Zoning From Medium Density Residential To General Retail. Located at 715 Grape St.
[ASSIGNED ORDINANCE NO. 18-2023]

Tim Littlejohn, Director of Planning and Development Services, presented the item. Adoption of the item would rezone the above referenced property from Medium Density Residential (MD) to General Retail (GR).

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

- Doug Offerman – asked for clarification on the question slide. He stated that it is confusing to the citizens when the council has asked for anyone to speak either for or against the item, and it looks like we are asking the citizens for questions. Also asked if there was a time limit on rezoning cases to construct.

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

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

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

NAYS (0): None

ABSENT (1): Councilmember Beard

23. Ordinance (Final Reading) Z-2023-08: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Request From Great Expectations LLC To Amend The Terms Of PDD-142 To Change The Base Zoning Of Tracts 2 And 3 From Neighborhood Retail And Neighborhood Office Respectively To General Retail. Located at 6856 Buffalo Gap Rd.
[ASSIGNED ORDINANCE NO. 19-2023]

Tim Littlejohn, Director of Planning and Development Services, presented the item. Adoption of the item would amend the terms of PDD-142 to change the base zoning of tracts 2 and 3 of the above referenced property, from Neighborhood Retail (NR) and Neighborhood Office (NO), respectively, to General Retail (GR).

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

- Cheryl Sawyers – represents the applicant. Stated that the property has been vacant since annexation and the rezone in 2014. She availed herself for question from the Council.

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

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

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

NAYS (0): None

ABSENT (1): Councilmember Beard

24. Ordinance (Final Reading) TC-2023-01: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From McMurry University To Abandon Santos St. Between Hunt St. To S 18th St, Abilene, Taylor County, Texas
[ASSIGNED ORDINANCE NO. 20-2023]

Tim Littlejohn, Director of Planning and Development Services, presented the item. Adoption of the item would abandon Santos Street between Hunt Street and South 18th Street.

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

- Tal Filingham – agent for the university. This is to support additional parking for the university. There is a great deal of construction on campus and they are losing a few parking spaces in the process and are looking for new ways to recoup them.

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

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

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

NAYS (0): None

ABSENT (1): Councilmember Beard

25. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Dylan Duggan To Abandon The North Half Of An Alley Located Between The 1800 Blocks Of Grand Avenue And Santos Street
[ASSIGNED ORDINANCE NO. 21-2023]

Tim Littlejohn, Director of Planning and Development Services, presented the item. Adoption of the item would abandon the north half of an alley located between the 1800 blocks of Grand Avenue and Santos Street.

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

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

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

NAYS (0): None

ABSENT (1): Councilmember Beard

26. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a proposal to adopt a new Comprehensive Plan prepared by Halff and Associates Inc.
[ASSIGNED ORDINANCE NO. 22-2023]

Councilmember Price moved to remove this item from the table. Mayor Pro-tem Hurt seconded the motion; motion carried.

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

NAYS (0): None

ABSENT (1): Councilmember Beard

Tim Littlejohn, Director of Planning & Development Services, presented the item. Adoption of the item would adopt a new Comprehensive Plan prepared by Halff and Associates Inc.

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 with the correction of the park name listed on page 73, changed to Stevenson Park. Councilmember McAlister seconded the motion; motion carried.

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

NAYS (0): None

ABSENT (1): Councilmember Beard

27. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving a new Thoroughfare Plan
[ASSIGNED RESOLUTION NO. 76-2023]

Mayor Pro-tem Hurt moved to remove this item from the table. Councilmember Craver seconded the motion; motion carried.

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

NAYS (0): None

ABSENT (1): Councilmember Beard

Tim Littlejohn, Director of Planning and Development Services, presented the item. Adoption of the item would approve and adopt a new thoroughfare plan.

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

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

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

NAYS (0): None

ABSENT (1): Councilmember Beard

EXECUTIVE SESSION

Mayor Williams recessed into Executive Session at 9:21 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:

- 28. A. 551.071 (Consultation with Attorney)
 - 1. John Doe v. Robert Hanna, Individually & as City Manager, Cause No 28078-B
 - 2. Little, et al. v. Llano County, et al. lawsuit
- 28. B. 551.072 (Deliberations about Real Property)
 - 1. 5.03 Acres at 1102 Beltway
- 28. D. 551.076 (Personnel Matters)
 - 1. City Manager
- 28. D. 551.087 (Business Prospect/Economic Development)
 - 1. 1525 East Stamford Street / Rainey Creek Development

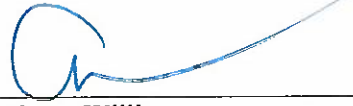
The Executive Session ended at 9:51 a.m. and reconvened to Open Session. Mayor Williams reported no votes or action were taken in Executive Session.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:51 a.m.



Shawna Atkinson
City Secretary



Anthony Williams
Mayor

Minutes approved on: April 27, 2023

