

**CITY COUNCIL MEETING**  
**June 8, 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 June 8, 2023, at 8:30 a.m. in the Council Chambers, 555 Walnut St. Mayor Weldon Hurt was present and presiding, along with Mayor Pro-tem Shane Price, Deputy Mayor Pro-tem Lynn Beard, and Councilmembers Blaise Regan, Brian Yates, 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 Lynn Beard delivered the invocation.

Ryan Hale, 4<sup>th</sup> grader at Wylie West Elementary, led the Pledge of Allegiance to the Flag of the United States of America and State of Texas Flag.

**PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS, ANNOUNCEMENTS**

- Service Awards:
  - Jess Madison – Fire Department – 35 Years
  - Brian Cokonougher – Police Department – 30 Years
  - Lowell “Kevin” Easley – Police Department – 30 Years
  - Gerald Moran – Police Department – 30 Years
  - Doug Wrenn – Police Department – 30 Years
  - David Almanzar – Parks & Recreation Department – 20 Years
  
- Presentations & Proclamations:
  - Elder Abuse Awareness Month – accepted by Adult Protective Services Staff
  - Motorcycle and Scooter Ride to Work Day – accepted by E’Lisa Smentana of the MPO, and TXDOT

**PRESENTATION OF CONSENT AGENDA**

The Consent Agenda consisted of items 4-9. Item #7 was pulled for individual consideration.

Item pulled for individual consideration:

- Item #7: Councilmember Yates

**PUBLIC COMMENTS**

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

- Tammy Fogle – spoke about the parental responsibility policy at the library. Ms. Fogle also spoke about the things she has learned in her research in the last year.
- Londonya Kellen – spoke about a City employee at the recreation centers that she would like fired.
  - Mr. Hanna let Ms. Kellen know that Council doesn’t control employee firings, and she can set up a meeting with his office.

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

**CONSENT AGENDA**

Deputy Mayor Pro-tem Beard moved to approve the consent agenda consisting of items 4-6 and 8-9. Mayor Pro-tem Price seconded the motion. Motion carried.

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

NAYS (0): None

4. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Special Workshop Meeting Held on May 19, 2023, and the Regular Meeting Held on May 25, 2023
5. 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. 100-2023]**

Board	Term End Date
<i>Board of Adjustment</i>	
Clay Whitlock [New] [Alternate]	November 2024 <i>[unexpired term]</i>
Joe Ellinger [New] [Alternate]	November 2024 <i>[unexpired term]</i>
<i>Parks &amp; Recreation Board</i>	
Rolyn Wertheim [Reappointment]	May 2026
Leigh Black [Reappointment]	May 2026
Michael Homer [New]	May 2026
<i>Senior Citizens Advisory Board</i>	
James Webb [Reappointment]	May 2025 May 2024
Cherry Branch [New]	<i>[unexpired term]</i>
<i>Visual Arts Jury</i>	
Caryon Allred	May 2026

6. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving Change Order No. 3 to the Contract for Lake Fort Phantom Hill Pump Station Improvements  
**[ASSIGNED RESOLUTION NO. 101-2023]**
8. Resolution: Receive a Report, Hold a Discussion, and Take Action Approving a Contract with Kimley Horn and Associates for Engineering Services for S. 27th St. and Southwest Dr. Traffic Signal Modifications and Signal Timing Optimization  
**[ASSIGNED RESOLUTION NO. 103-2023]**
9. Ordinance (First Reading): Receive a Report, Hold a Discussion and Take Action on Approving an Ordinance Adding Chapter 27, "Solid Waste," Article VI., "Recyclable Material," which creates a Permitting Process for Private Haulers of Recyclable Materials

**ITEM PULLED FOR INDIVIDUAL CONSIDERATION**

7. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to Enter into a Hotel Occupancy Tax Management and Use Agreement Pursuant to 351.101(c) of the Texas Tax Code with the Expo Center of Taylor County, Texas  
**[ASSIGNED RESOLUTION NO. 102-2023]**

Robert Hanna, City Manager, presented the item. Adoption of the item would approve the Hotel Occupancy Tax Management and Use Agreement with the Taylor County Expo Center.

Having pulled the item Councilmember Yates wanted clarification on what it is so that the public could better understand the agreement.

Council and staff discussed the agreement in detail, including the background on how this came about, other possible options, and how best to distribute the hotel occupancy tax funds.

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

- Rochelle Johnson, General Manager of the Expo Center – wanted to clarify that the Expo Center receives \$30,000 a year from the Abilene Convention and Visitors Bureau, which is allocated for marketing and is used to incentivize events to come to Abilene.
- Taylor County Judge Phil Crowley – wanted to thank Robert Hanna for putting this proposal together. He stated it is rare where everyone can win and this situation does that, so he is in support of this agreement.

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

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

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

#### REGULAR AGENDA

10. Ordinance (Final Reading) HOZ-2023-01: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request From Third And Pine, LP To Apply Historic Overlay Zoning To Approximately .16 Acres Zoned Central Business (CB) Located at 302 Pine Street  
[ASSIGNED ORDINANCE NO. 28-2023]

Tim Littlejohn, Director of Planning & Development Services, presented the item. Adoption of the item would apply historic overlay zoning to the above referenced property, which is currently the Conley & Company building.

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

11. Ordinance (Final Reading) Z-2023-07: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request From Coffee Momma LLC To Change Zoning From PDD-128 To General Retail, Located at 701 S. Judge Ely Blvd  
[ASSIGNED ORDINANCE NO. 29-2023]

Tim Littlejohn, Director of Planning & Development Services, presented the item. Adoption of the item would rezone the above referenced property from PDD-128 to General Retail (GR).

Mayor Hurt 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 Hurt, Mayor Pro-tem Price, Deputy Mayor Pro-tem Beard, and Councilmembers Regan, Yates, McAlister and Craver

NAYS (0): None

12. Ordinance (Final Reading) Z-2023-11: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Bridgestone Bandag, LLC To Change Zoning From Light Industrial To Heavy Industrial, located at 4962 FM 18  
**[ASSIGNED ORDINANCE NO. 30-2023]**

Tim Littlejohn, Director of Planning & Development Services, presented the item. Adoption of the item would rezone the above referenced location from Light Industrial (LI) to Heavy Industrial (HI).

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

- Sam Chase, attorney representing Bridgestone Bandag – stated Bridgestone has decided to expand, which is a goal for all businesses in Abilene. Mr. Chase asked for the council's support on this item.

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

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

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

NAYS (0): None

13. Ordinance (Final Reading) Z-2023-11: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request From Dennis Ray Dunnam II And Mollie Victoria Dunnam To Change Zoning From Agricultural Open (AO) And General Commercial (GC) To General Commercial, located at 411 ES 11<sup>th</sup> Street  
**[ASSIGNED ORDINANCE NO. 31-2023]**

Tim Littlejohn, Director of Planning & Development Services, presented the item. Adoption of the item would rezone the above referenced property from Agricultural Open (AO) and General Commercial (GC) to all General Commercial (GC).

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

Councilmember Regan moved to approve the item as presented. Councilmember Yates seconded the motion; motion carried.

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

NAYS (0): None

**EXECUTIVE SESSION**

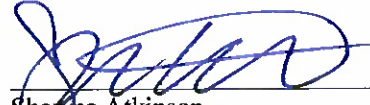
Mayor Hurt recessed into Executive Session at 10:04 a.m., pursuant to the following of the Open Meetings Act, with the following issues discussed during this session, as listed on the agenda and authorized by the noted Texas Government Code Section:

- 16. B. 551.071 (Consultation with Attorney)
  - 1. City of Abilene, Texas v. Ken Paxton, Attorney General of Texas, Cause No D1GN20004598
- 16. D. 551.076 (Personnel Matters)
  - 1. City Manager

The Executive Session ended at 10:28 a.m. and reconvened to Open Session. Mayor Hurt reported no votes or action were taken in Executive Session.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 10:28 a.m.

  
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Shawna Atkinson  
City Secretary

  
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Weldon Hurt  
Mayor

Minutes approved on: June 22, 2023

