

**CITY COUNCIL MEETING**

**July 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 July 13, 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

Councilmember Travis Craver delivered the invocation.

Adilyn Wiley, 4<sup>th</sup> Grader at Wylie West Intermediate, 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 2-9. No items were pulled for individual consideration.

**PUBLIC COMMENTS**

Mayor Hurt opened the public comment period. The following addressed the City Council during public comment:

- Tammy Fogle

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

**CONSENT AGENDA**

Mayor Pro-tem Price moved to approve the consent agenda consisting of items 2-9. 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

Deputy Mayor Pro-tem Beard had a conflict of interest on item #5 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 #5 alone was:

AYES (6): Mayor Hurt, Mayor Pro-tem Price, and Councilmembers Regan, Yates, McAlister and Craver  
NAYS (0): None  
ABSTAIN (1): Deputy Mayor Pro-tem Beard

Mayor Hurt had a conflict of interest on item #9 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 #9 alone was:

AYES (6): Mayor Pro-tem Price, Deputy Mayor Pro-tem Beard, and Councilmembers Regan, Yates, McAlister and Craver  
NAYS (0): None  
ABSTAIN (1): Mayor Hurt

2. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on June 22, 2023
3. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to Enter into a Lease Agreement with All Kind Animal Initiative for the Purposes of Operating an Animal Shelter at 610 ES 11th Street  
**[ASSIGNED RESOLUTION NO. 109-2023]**
4. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to Enter Into an Amendment to Chapter 380 Agreement with All Kind Animal Initiative for the Construction of an Animal Shelter at 610 ES 11th Street  
**[ASSIGNED RESOLUTION NO. 110-2023]**
5. Resolution: Receive a Report, Hold a Discussion, and Take Action on Approving Insurance Carriers and Plan Administration for the City's Employee Benefit Program  
**[ASSIGNED RESOLUTION NO. 111-2023]**
6. Resolution: Receive a Report, Hold a Discussion and Take Action to purchase Three (3) Front Loader Refuse Trucks to Replace Existing Units for Solid Waste Services, Purchased Through BuyBoard Cooperative Contract # 601-19 from Chastang Enterprises  
**[ASSIGNED RESOLUTION NO. 112-2023]**
7. Resolution: Receive a Report, Hold a Discussion, and Take Action to purchase Two (2) 2023 Takeuchi Mini Excavators from Kirby-Smith Machinery through BuyBoard Cooperative Contract # 687-22 for Water Distribution to Replace Existing Units  
**[ASSIGNED RESOLUTION NO. 113-2023]**
8. Resolution: Receive a Report, Hold a Discussion and Take Action on the Purchase of Ten (10) 2024 Ford F150 Pickup Trucks Through Sheriff's Association Cooperative Contract # 22-03-1008R for Multiple City Divisions from Randall Reed Planet Ford  
**[ASSIGNED RESOLUTION NO. 114-2023]**
9. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to Enter Into a Contract with True Aim, Inc. d/b/a Sure Shot Pest Management for Pest Control Services for City of Abilene Facilities  
**[ASSIGNED RESOLUTION NO. 115-2023]**

Robert Hanna, City Manager, recognized the All Kind Animal Initiative staff that were present and the fundraising they are doing for the new animal shelter.

#### **REGULAR AGENDA**

10. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on amending Chapter 3, "Subdivision Regulations," Article 2, "Subdivision Standards," Division 11. "Stormwater Management Requirements," of the Abilene Land Development Code, by amending certain sections as set out below  
**[ASSIGNED ORDINANCE NO. 33-2023]**

Scott Chandler, City Engineer, presented the item. Adoption of the item would amend Chapter 3, "Subdivision Regulations," Article 2, "Subdivision Standards," Division 11. "Stormwater Management Requirements," of the Abilene Land Development Code to comply with FEMA regulations.

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 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

11. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Project and Financing Plan for TIRZ District #3,” of the Abilene Land Development Code, by amending certain sections as set out below  
**[ASSIGNED ORDINANCE NO. 34-2023]**

Mayor Pro-tem Price and Councilmember McAlister had conflicts of interest on this item and left the room during discussion, and abstained from voting. A Conflict of Interest Affidavit was filled out before the meeting and filed with the City Secretary’s office.

Tim Littlejohn, Director of Planning & Development Services, presented the item. Adoption of the item would approve the financing plan for TIRZ District #3.

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

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

AYES (5): Mayor Hurt, Deputy Mayor Pro-tem Beard, and Councilmembers Regan, Yates, and Craver

NAYS (0): None

ABSTAIN (2): Mayor Pro-tem Price and Councilmember McAlister

12. Ordinance (Final Reading) CUP-2023-03: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Waco Parkdale, LP to Apply a Conditional Use Permit to Approximately 9.82 Acres to Allow for a Trade School Within General Retail (GR) Zoning. Located at 3301 South 14<sup>th</sup> Street, #35A  
**[ASSIGNED ORDINANCE NO. 35-2023]**

Tim Littlejohn, Director of Planning & Development Services, presented the item. Adoption of the item would apply a Conditional Use Permit to allow a massage academy trade school at the above referenced property.

Mayor Hurt opened the public hearing. The following spoke in favor of CUP-2023-03:

- Kathleen Mazy
- James Sargent

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

Councilmember McAlister moved to approve the item as presented. 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

13. Ordinance (Final Reading) CUP-2023-04: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Marla Pollitt – Clearview RV, LLC to Apply a Conditional Use Permit to Approximately 11.16 Acres on a Site Zoned Agricultural Open (AO) and PDD-42 to Allow an RV Park Within the Portion of the Lot Zoned Agricultural Open. Located at 4051 W. Lake Road  
[ASSIGNED ORDINANCE NO. 36-2023]

Tim Littlejohn, Director of Planning & Development Services, presented the item. Adoption of the item would apply a Conditional Use Permit to allow an RV Park at the above referenced property.

Mayor Hurt opened the public hearing. The following spoke in favor of CUP-2023-04:

- Marla Pollitt

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

Mayor Pro-tem Price moved to approve the item with the Planning and Zoning Commissions recommendations, but striking item 4, which would require the impervious material for pads and the drive surface of the road. 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

14. Ordinance (Final Reading) Z-2023-15: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from IWS2 Investments, LLC to Change the Zoning of Approximately 1.26 Acres from Residential Single Family-6 (RS-6) to Multi-Family Residential (MF) Located on the 900 Block of Minda Street  
[ASSIGNED ORDINANCE NO. 37-2023]

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

Mayor Hurt opened the public hearing. The following spoke in favor of Z-2023-15:

- Tal Fillingim

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

Councilmember Craver 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

15. Ordinance (Final Reading) Z-2023-17: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Mike and Buffi Awtry to Change the Zoning of Approximately 0.08 Acres from Agricultural Open (AO) to Heavy Commercial (HC). Located at 2401 E. Stamford Street [ASSIGNED ORDINANCE NO. 38-2023]

Mayor Pro-tem Price and Councilmember McAlister had conflicts of interest on this item and left the room during discussion, and abstained from voting. A Conflict of Interest Affidavit was filled out before the meeting and filed with the City Secretary's office.

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

Mayor Hurt opened the public hearing. The following spoke in favor of Z-2023-17:

- Matthew Muschenko

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

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

AYES (5): Mayor Hurt, Deputy Mayor Pro-tem Beard, and Councilmembers Regan, Yates, and Craver

NAYS (0): None

ABSTAIN (2): Mayor Pro-tem Price and Councilmember McAlister

16. Ordinance (Final Reading) Z-2023-19: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Antonio and Elizabeth Gonzales to Change the Zoning of Approximately 0.82 Acres from Agricultural Open (AO) To Mobile Home (MH). Located at 350 Comanche Trail [ASSIGNED ORDINANCE NO. 39-2023]

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 Mobile Home (MH).

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. 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

17. Ordinance (Final Reading) Z-2023-20: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from the City Of Abilene on Behalf of Petra Ortiz to Change the Zoning of Approximately 0.32 Acres from Heavy Commercial (HC) to Residential Single-Family (RS-6). Located at 1317 Mesquite Street [ASSIGNED ORDINANCE NO. 40-2023]

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

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. 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

18. Ordinance (Final Reading) TC-2023-03: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from IWS2 Investments, LLC to Abandon the Unimproved Manilla Street Located Between Hailey Street and Minda Street, Abilene, Taylor County, Texas  
[ASSIGNED ORDINANCE NO. 41-2023]

Tim Littlejohn, Director of Planning & Development Services, presented the item. Adoption of the item would abandon Manilla Street, located between Hailey and Minda Street.

Mayor Hurt opened the public hearing. The following spoke in favor of TC-2023-03:

- Tal Fillingim

With no other 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

### EXECUTIVE SESSION

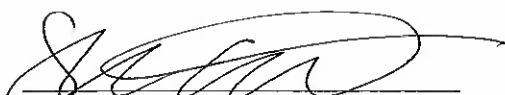
Mayor Hurt recessed into Executive Session at 9:16 a.m., pursuant to the following of the Open Meetings Act, with the following issues discussed during this session, as listed on the agenda and authorized by the noted Texas Government Code Section:


19. D. 551.072 (Deliberations about Real Property)  
1. 810 N 6<sup>th</sup> Street

The Executive Session ended at 9:36 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 9:36 a.m.

  
Shawna Atkinson  
City Secretary

  
Weldon Hurt  
Mayor

Minutes approved on: July 27, 2023