

CITY COUNCIL MEETING
August 24, 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 August 24, 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 Deputy City Secretary Kaitlin Richardson.

Mayor Pro-tem Shane Price delivered the invocation.

Kaylee Herrera, 3rd grader from Alcorta Elementary 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 2-17. No item was pulled for individual consideration.

PUBLIC COMMENTS

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

- Carmen Price
- Michelle Schuley (not an Abilene resident)

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

CONSENT AGENDA

Councilmember McAlister moved to approve the consent agenda consisting of items 2-17. 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

2. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on August 10, 2023
3. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing a Joint Election Agreement and Contract for Election Services with Taylor County for a Special Election to be Held on Tuesday, November 7, 2023
[ASSIGNED RESOLUTION NO. 142-2023]
4. Resolution: Receive a Report, Hold a Discussion and Take Action to Adopt the City of Abilene Active Living Plan
[ASSIGNED RESOLUTION NO. 143-2023]

5. Resolution: Receive a Report, Hold a Discussion and Take Action on the Reappointment of the Honorable Chace Craig as the Municipal Court Judge
[ASSIGNED RESOLUTION NO. 144-2023]
6. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving the BJA FY 23 Edward Byrne Memorial Justice Assistance Grant (JAG)
[ASSIGNED RESOLUTION NO. 145-2023]
7. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding Bid #CB-2358 Water Department Street & Miscellaneous Repair Work 2023-2024 to Epic Construction Co.
[ASSIGNED RESOLUTION NO. 146-2023]
8. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding the Bid for a Replacement Inductively Coupled Plasma Spectrometer Instrument for the Abilene Environmental Laboratory
[ASSIGNED RESOLUTION NO. 147-2023]
9. Resolution: Receive a Report, Hold a Discussion and Take Action on Receipt and Review of the Abilene-Taylor County Events Venue District Revised FY 2023 and Approved FY 2024 Budgets
[ASSIGNED RESOLUTION NO. 148-2023]
10. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving the Abilene Convention and Visitors Bureau FY 2024 Budget
[ASSIGNED RESOLUTION NO. 149-2023]
11. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving a Negotiated Settlement Between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division Regarding the company's 2023 Rate Review Mechanism Filing; Declaring Existing Rates to Be Unreasonable; Adopting Tariffs that Reflect Rate Adjustments Consistent with the Negotiated Settlement; Finding the Rates to be Set by the Attached Settlement Tariffs to be Just and Reasonable and in the Public Interest; Approving an Attachment Establishing a Benchmark for Pension and Retiree Medical Benefits; Requiring the Company to Reimburse ACSC's Reasonable Ratemaking Expenses; Determining that this Resolution was Passed in Accordance with the Requirements of the Texas Open Meetings Act; Adopting a Savings Clause; Declaring an Effective Date; and Requiring Delivery of the Resolution to the Company and the ACSC's Legal Counsel
[ASSIGNED RESOLUTION NO. 150-2023]
12. Ordinance (First Reading) CUP-2023-05: Receive a Report, Hold a Discussion and Take Action on A Request From Alan Wartes, Represented By Jovon Christophe, To Apply A Conditional Use Permit To Approximately 0.17 Acres To Allow For A Daycare Within Residential Single Family (RS-6) Zoning For Up To 12 Children. Located At 3236 Ambler Avenue
13. Ordinance (First Reading) Z-2023-24: Receive a Report, Hold a Discussion and Take Action on A Request From Amazing Grace True Grit, LLC, Represented By Sara Trammel, To Change The Zoning Of Approximately 0.68 Acres From Residential Single Family (RS-12) To A Planned Development District (PDD-183) To Allow For A Medical Spa. Located At 642 Sayles Boulevard
14. Ordinance (First Reading) Z-2023-26: Receive a Report, Hold a Discussion and Take Action on A Request From KKP Investments, LLC, Represented By Jacob & Martin, To Amend The Terms Of Planned Development District 172 To Allow Single-Family Residential Uses With No Through Connection To East Stamford Street. Located At 2668 Garfield Avenue

15. Ordinance (First Reading) Z-2023-28: Receive a Report, Hold a Discussion and Take Action on a request from Darin Albergucci, represented by e-HT, to change the zoning of approximately 4.80 acres from Light Industrial (LI) to General Commercial (GC). Located at 910 Bandera Park
16. Ordinance (First Reading) Z-2023-29: Receive a Report, Hold a Discussion and Take Action on a request from Moore Abilene Holdings, LP, represented by Alex Moore, to change the zoning of approximately 0.64 acres from Heavy Industrial (HI) to Heavy Commercial (HC). Located at 2222, 2234, 2250 Butternut Street
17. Ordinance (First Reading): Receive a Report, Hold a Discussion and Take Action on Amending Chapter 18, "Motor Vehicles and Traffic," Article VII., "Stop, Yield Intersections," Article X, "Stopping, Standing, and Parking," and Article XIII, "Schedules," of the Abilene Municipal Code, By Amending Certain Sections As Set Out Below, Providing A Severability Clause; And Declaring A Penalty

REGULAR AGENDA

11. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending the City Code by Adding Chapter 13, Health & Sanitation, Article VI. "Public Swimming Pools and Spas"
[ASSIGNED ORDINANCE NO. 55-2023]

Annette Lerma, Director of Public Health, presented the item. Adoption of the item would amend the city code by adding Chapter 13, Health & Sanitation, Article VI. "Public Swimming Pools and Spas. Adoption of this item would give public health the authority to regulate public swimming pools, spas, and interactive water features.

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

EXECUTIVE SESSION

Mayor Hurt recessed into Executive Session at 8:40 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. A. 551.071 (Consultation with Attorney)
 1. Eminent Domain lawsuits – North First & Leggett Streets intersection
 2. Possum Kingdom Discharge Permit
19. B. 551.072 (Deliberations about Real Property)
 1. 810 N 6th Street
19. F. 551.087 (Business Prospect/Economic Development)
 1. 505 Pine Street

The Executive Session ended at 9:21 a.m. and reconvened to Open Session. Mayor Hurt reported no votes or action were taken in Executive Session.

REGULAR AGENDA

28. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Creating the GLC Enterprise Zone Designation
[ASSIGNED RESOLUTION NO. 151-2023]

Misty Mayo, CEO of the Development Corporation of Abilene, presented the item. Adoption of the item would support the Great Lakes Cheese Enterprise Zone, that is a state incentive designed to encourage private investment and job creation. It offers state sales and use tax benefits to new and expanding businesses in eligible areas identified by the State of Texas.

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 Regan 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

ADJOURNMENT

There being no further business, the meeting adjourned at 9:34 a.m.


Shawna Atkinson
City Secretary


Weldon Hurt
Mayor

Minutes approved on: September 14, 2023

