



City of Abilene City Council Agenda

Kyle McAlister, Mayor Pro-tem
Weldon Hurt, Council Member
Lynn Beard, Council Member
Robert Hanna, City Manager

Anthony Williams, Mayor

Donna Albus, Council Member
Shane Price, Council Member
Travis Craver, Council Member
Stanley Smith, City Attorney
Shawna Atkinson, City Secretary

Notice is hereby given of a meeting of the City Council of City of Abilene to be held on May 13, 2021, at 8:30 a.m., at City Hall, 555 Walnut Street, Council Chambers, Abilene, Texas, for the purpose of considering the following agenda items. All agenda items are subject to action. The City Council reserves the right to meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

CALL TO ORDER

INVOCATION

1. Mayor Pro-tem Kyle McAlister

PLEDGE TO THE UNITED STATES FLAG AND THE TEXAS FLAG

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS AND ANNOUNCEMENTS

2. **Proclamations:**

- National Public Works Week
- Ride of Silence

3. **Employee Service Awards:**

- Sheletra Hayes - 20 Years - Legal
- Rodney Goodman - 35 Years - Fire
- Jeffery Jones - 35 Years - Fire
- Joey Kincaid - 35 Years - Fire

CONSENT AGENDA

All consent agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember or Citizen so requests, in which event the item will be removed from the Consent Agenda and considered separately.

4. **Minutes:** Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Special Joint Meeting with the DCOA on April 16, 2021, and the Regular Meeting Held on April 22, 2021 **(Shawna Atkinson)**
5. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Modifying and Extending the Declaration of Local Disaster (COVID-19) Issued April 8, 2021 **(Robert Hanna)**
6. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing the City Manager to Execute an Agreement with the Abilene Chamber of Commerce, Abilene Cultural Affairs Council, and Abilene Convention and Visitors Bureau for the Management and use of the Hotel Occupancy Taxes. **(Robert Hanna)**
7. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Finding That AEP Texas Inc.'s Application to Amend It's Distribution Cost Recovery Factors to Increase Distribution Rates Within the City Should Be Denied; Authorizing Participation With the Cities Served By AEP Texas; Authorizing Hiring of Legal Counsel; Finding that the City's Reasonable Rate Case Expenses Shall Be Reimbursed by the Company; Finding that the Meeting at Which this Resolution is Passed is Open to the Public as Required by Law; Requiring Notice of this Resolution to the Company and Legal Counsel **(Mike Rains)**
8. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing the Execution of a Purchase Contract with Benchmark Business Solutions, Inc. for the Purchase of (20) Panasonic CF-33 Toughbooks **(Cande Flores)**
9. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing the City Manager to Sign a Lease Agreement with Betty Hardwick Center for the Adaptive Recreation Building **(Lesli Andrews)**
10. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Accepting Bid# CB-2128 for the Asbestos Abatement and Demolition of Cesar Chavez Recreation Center **(Lesli Andrews)**
11. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Awarding Bid No. 2130 to Flat Line, Inc. on Downtown Pavement Marking Project **(Greg McCaffery)**
12. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Awarding Bid No. 2131 to Flat Line, Inc. on Crosswalk Pavement Marking Replacements **(Greg McCaffery)**
13. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action to Approve an Extended Term Street Use License with ABI 173, Inc. **(Greg McCaffery)**
14. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action for the submittal of an application for the State of Texas Department of Transportation 2021 Alternative (TA) Program call for projects for the South 14th Street Walkability Project (Pioneer Street to Barrow Street) **(Greg McCaffery)**
15. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action for the submittal of an application for the State of Texas Department of Transportation 2021 Alternative (TA) Program call for projects for the Old Anson Road Walkability Project (West Stamford Street to Ambler Avenue) **(Greg McCaffery)**
16. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a

Resolution Authorizing the City Manager to Execute an Agreement with Meals on Wheels Plus, Incorporated for the Disbursement of Community Development Block Grant (CDBG) Funds. (Mike Warrix)

17. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing a Professional Services Contract for Baylor Drive Lift Station RPR Services (Rodney Taylor)
18. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing a Contract for Repair of Ivie Raw Water Intake Pump #3 Using BuyBoard Purchasing Cooperative (Rodney Taylor)
19. **Ordinance (First Reading):** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending the Land Development Code, Chapter 3, Subdivision Regulations, Article 2, Subdivision Standards, Division 7, Roadways, Section 3.2.7.4, Street, Alley Abandonment and Closure Policy (Stanley Smith)

REGULAR AGENDA - ORDINANCES AND PUBLIC HEARINGS - RESOLUTIONS

20. **Ordinance (Final Reading) Z-2021-06:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Five Owners of the Subject Properties, Represented by Jacob & Martin LLC, to Amend Terms and Conditions of Planned Development District Number 82 (PD 82) Specifically as They Affect Certain Commercial Properties Located Directly North of Lone Star Drive and East of Loop 322, to Allow Use and Development in Compliance with Requirements of General Retail (GR) Zoning, Instead of Specific Uses and Standards Now Required by PD 82. (Mike Warrix)
21. **Ordinance (Final Reading) Z-2021-07:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Heart of Texas Hearing Centers, Represented by Fallen Perrie Busenlehner, to Rezone Property from Neighborhood Office (NO) to Planned Development (PD) District to Permit Retail Sale of Apparel and Related Accessories, In Addition to All Uses Permitted in NO Zoning Districts. (Mike Warrix)
22. **Ordinance (Final Reading) Z-2021-08:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Cimarron Meadows Development Corporation, Represented by Jacob & Martin LLC, to Rezone Property from Residential Medium-Density (MD) to Planned Development (PD) District to Allow Duplex Dwellings as well as Townhomes (with no more nor fewer than two dwellings in any one row of attached buildings) on Approximately 14 acres of Vacant Land Located on the 2000 block (east side) of Maple Street and Directly North from the Abilene State-Supported Living Center in Southeast Abilene. (Mike Warrix)
23. **Presentation:** Receive a Report and Hold a Discussion and Public Hearing on Accessibility Alterations and Renovations to Council Chamber (Mari Cockerell)

PUBLIC COMMENTS

There will be no votes or any formal actions taken on subjects presented during public comment. The public comment period will only allow members of the public to present ideas and information to city officials and staff.

EXECUTIVE SESSION

24. **The City Council of the City of Abilene reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed below, as authorized by the noted Texas Government Code Sections:**

A. 551.071 (Consultation with Attorney)

1. Robert Steven Reitz v. City of Abilene, Texas, et al., Case No. 1:16-cv-00181-BL; In the

- U.S. District Court, Northern District of Texas, Abilene Division, filed October 10, 2016
2. City of Abilene v. Patrick Sumrall; Cause No. 27,733-B, In the 104th Judicial District Court, Taylor County, Texas, filed May 28, 2019
3. City of Abilene v. 3118 South 22nd Street, Abilene, Texas, et al.; Cause No. 11968-D, In the 350th Judicial District Court, Taylor County, Texas; filed October 11, 2019
4. Chandler Brooks v. Taylor County, et al.; Civil Action No. 1:20-cv-00049, In the United States District Court, Northern District of Texas, Abilene Division; filed March 5, 2020
5. John Doe v. Robert Hanna, Individually and as City Manager; Cause No. 28078-B; In the 104th Judicial District Court, Taylor County, Texas; filed July 7, 2020
6. The City of Abilene, Texas v. Ken Paxton, Attorney General of Texas; Cause No. D-1-GN-20-004598, In the 53rd Judicial District Court, Travis County, Texas; filed September 1, 2020
7. Sharra Sampson v. City of Abilene; Cause No. 8144-B, In the 104th Judicial District Court, Taylor County, Texas; filed September 14, 2020
8. The City of Abilene, Texas v. Ken Paxton, Attorney General of Texas; Cause No. D-1-GN-20-007028, In the 459th Judicial District Court, Travis County, Texas; filed November 18, 2020
9. Natasha Jones v. City of Abilene, Texas; EEOC Charge of Discrimination, 450-2020-06446; filed September 15, 2020
10. Patrick Sumrall v. City of Abilene, Texas; Cause No. 28,269-B, In the 104th Judicial District Court, Taylor County, Texas; filed February 18, 2021
11. Officer Mark Watson and City of Abilene, Case No. 01-21-0002-5335; Appeal of Indefinite Suspension to Arbitration, filed March 10, 2021
12. Governor's Executive Orders COVID-19
13. City's Liability for the Firefighter's Pension Fund
14. Clyde Water

B. 551.072 (Deliberations about Real Property)

1. 4725 Loop 322

C. 551.073 (Deliberations about Gifts and Donations)

D. 551.074 (Personnel Matters)

1. City Council may consider appointment, employment, compensation, reassignment, duties, discipline, or dismissal of public officers or employees, City Manager, City Attorney, Municipal Court Judge, City Secretary, and City Board and Commission Members
2. City of Abilene Boards & Commissions May be Discussed, as needed for (re)appointment

E. 551.076 (Deliberations about Security Devices)

F. 551.087 (Business Prospect/Economic Development)

1. Abilene Convention Center Hotel Project
2. Civic Plaza Hotel Site

RECONVENE

REGULAR AGENDA

25.

Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Appointing Members to Various Boards and Commissions per the City Charter (**Shawna Atkinson**)

- Frontier Texas! Board of Directors
- Office of Neighborhood Services Advisory Board
- West Central Texas Municipal Water District Board of Directors

26.

Oral Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Possible Take Action on Changing the Dates of the Budget Hearings

ADJOURNMENT

In compliance with the Americans with Disabilities Act, the City of Abilene will provide for reasonable accommodations for persons attending City Council meetings. To better serve you, requests should be received 48 hours prior to the meetings. Please call 325-676-6208.

CERTIFICATION

I hereby certify the above meeting notice was posted on the bulletin board at the City Hall of the City of Abilene, Texas, on the 7th day of May, 2021, at 3:10 p.m.

Kaitlin Richardson,
Deputy City Secretary