CITY COUNCIL MEETING
November 7, 2019 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 November 7, 2019, at 8:30 a.m. in the Council Chambers, 555 Walnut St. Mayor Pro-tem Weldon Hurt was present and presiding with Mayor Pro-tem Donna Albus and Councilmembers Shane Price, Jack Rentz, Kyle McAlister and Travis Craver. Mayor Anthony Williams was absent. Also present were City Manager Robert Hanna, City Attorney Stanley Smith, City Secretary Shawna Atkinson, and various members of the City staff.

Deputy Mayor Pro-tem Donna Albus delivered the invocation.

Christian Chandler, 3rd grader at Reagan Elementary, led the Pledge of Allegiance to the Flag of the United States of America and State of Texas Flag.

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS, ANNOUNCEMENTS

- Employee Service Awards
  - Bobby Woodward, Transportation Services – 25 Years

CONSENT AGENDA

The Consent Agenda consisted of items 3-20. Items 6, 7, 18, and 19 were pulled for individual consideration.

Items pulled for individual consideration were as follows:

- Councilmember McAlister – Item 6
- David Swart, citizen – Items 7, 18 and 19
- Mayor Pro-tem Hurt – Item 19

Item 20 was inadvertently left off of the consent agenda, and was considered individually.

Councilmember McAlister moved to approve the consent agenda, now consisting of items 3-5 and 8-17. Councilmember Price seconded the motion; motion carried.

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

3. Minutes: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Minutes from the Regular Meeting Held on October 17, 2019

4. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving a Professional Services Contract with Jacob and Martin, LLC for South 14th Water Line Replacement
[ASSIGNED RESOLUTION NO. 218-2019]

5. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving a Professional Services Contract with Jacob and Martin, LLC for the 2020 SSOI Agreement Sewer Line and Manhole Rehabilitation
[ASSIGNED RESOLUTION NO. 219-2019]

8. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a resolution creating a Demolition Assistance Grant Program and committing funds necessary for implementation
[ASSIGNED RESOLUTION NO. 222-2019]

9. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on G-Suite Contract Renewal
[ASSIGNED RESOLUTION NO. 223-2019]

10. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Donation of Surplus and Salvage Fire Equipment to the Helping Hands Program, an Extension of the Texas A&M Forest Service
[ASSIGNED RESOLUTION NO. 224-2019]

11. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Resolution of the City Council of the City of Abilene, Texas Authorizing the City Manager to Execute a Contract with Galls for $68,827.50 for the Purchase of Workrite Nomex IIIA Uniform Pants
[ASSIGNED RESOLUTION NO. 225-2019]

12. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on resolution authorizing a single-family rehabilitation/reconstruction project with FY 2019/2020 HOME Funds
[ASSIGNED RESOLUTION NO. 226-2019]

13. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on authorizing the City Manager to approve the Abilene Public Library purchases from Baker & Taylor
[ASSIGNED RESOLUTION NO. 227-2019]

14. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on authorizing the City Manager to approve the Abilene Public Library purchases from Midwest Tape for Hoopla
[ASSIGNED RESOLUTION NO. 228-2019]

15. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on authorizing the City Manager to continue the Agreement between the Abilene Public Library and Overdrive, Inc.
[ASSIGNED RESOLUTION NO. 229-2019]

16. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on authorizing the City Manager to continue the Agreement between the Abilene Public Library and Abilene Library Consortium
[ASSIGNED RESOLUTION NO. 230-2019]

17. Resolution: Received a Report, Hold a Discussion, Public Hearing, and Take Action on Approving a Contract Amendment for the Landfill Agreement between Abilene Landfill, PC, LP and the City of Abilene.
[ASSIGNED RESOLUTION NO. 231-2019]

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

6. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Awarding purchase of four Street Sweepers to Pannell Industries II
[ASSIGNED RESOLUTION NO. 220-2019]

The item was pulled by Councilmember McAlister.

Having pulled the item, Councilmember McAlister wanted to ensure that the equipment being purchased was going to be the newest and best available, as there has been issues with the current street sweepers.

Chris Taylor, Assistant Director of Transportation, advised the Council that they did their homework on the product and the company. He advised they are well made products and have extended warranties. He advised there are currently five street sweepers but not all function at the same time.

Mayor Pro-tem Hurt opened the public hearing, and with no 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 Pro-tem Hurt, Deputy Mayor Pro-tem Albus and Councilmembers Price, Rentz, McAlister and Craver
NAYS (0): None
ABSENT (1): Mayor Williams

7. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Awarding Purchase of Twelve Police Packaged SUVs to Caldwell Country Chevrolet
[ASSIGNED RESOLUTION NO. 221-2019]

The item was pulled by David Swart, citizen.

Having pulled the item, David Swart expressed his concern about the purchase of the additional Tahoes for the Police Department as there have been 25 purchases in the last six months. He advised he feels this is excessive and suggested for police officers to ride two to a vehicle in order to not have to have to purchase more.

Councilmember and Staff addressed Mr. Swart's concerns and stated that since Abilene is such a large City, having two officers per vehicle would either require the hiring of more staff or covering less ground for patrols. It was stated that these vehicles were budgeted for and that Tahoes are the best vehicle for the job.

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

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

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

18. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving an Amendment to the Street Maintenance Advisory and Appeals Board Prior Resolution that Established Bi-annual Meeting Dates for the Board.
[ASSIGNED RESOLUTION NO. 232-2019]

The item was pulled by David Swart, citizen.

Having pulled the item, David Swart stated that he felt there should be more meetings than just two a year. He believes meetings should be held quarterly, and in October specifically, because of the budget. He advised there is not much activity right now but that it will pick up next year.

City Manager Robert Hanna clarified that the board is only an advisory board, and only needs to meet twice a year, but they are able to meet more than the two scheduled meetings, if there are cases to hear.

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

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

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

19. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Use of the Surplus 2015 Street Bond Proceeds towards the Design and Construction of Sayles Boulevard from South Danville Drive to Buffalo Gap Road to be Constructed in 2020
[ASSIGNED RESOLUTION NO. 233-2019]

The item was pulled by Mayor Pro-tem Hurt, and David Swart, citizen.

Having pulled the item, Mayor Pro-tem Hurt advised that this is a good use of bond money, and that it was pulled directly from the board's recommendation. He also stated that he hopes the construction will begin in the Summer when school is out, to not affect the school traffic in the area.

Also having pulled the item, David Swart advised that he is in agreement with the recommendation. He cautioned to wait until all of the bids in before starting the project. He thinks there would be a surplus leftover that should be used on Sayles.

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

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

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

20. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the Support to the West Central Texas Council of Government Towards a USDA Rural Development Solid Waste Management Grant for FY 2020-21
[ASSIGNED RESOLUTION NO. 234-2019]

This item was not pulled for individual consideration, but inadvertently left off the Consent Agenda.

Mayor Pro-tem Hurt opened the public hearing, and with no speakers coming forward, the public hearing was closed.

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

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

REGULAR AGENDA

21. Ordinance: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing the Issuance and Sale of City of Abilene, Texas General Obligation Bonds, Series 2019; Levying an Annual Ad Valorem Tax and Providing for the Security for and Payment of Said Bonds; Approving the Official Statement; Providing an Effective Date; and Enacting other Provisions Relating to the Subject
[ASSIGNED ORDINANCE NO. 64-2019]

Mike Rains, Director of Finance, presented the item. Adoption of the item would authorize the sale of the final installment of the bonds from the 2015 Bond Election.

Mike Rains introduced George Williford with Hilltop Securities, who advised Council of the preliminary figures. The final version will be prepared next week with the actual numbers.

Mayor Pro-tem Hurt opened the public hearing. The following addressed the city council:

- David Swart – compared the ten year bonds on radio equipment to the purchase of a new vehicle. He doesn't think a ten year bond is a good idea on things that can go out of date. He also spoke about the streets in the project and is concerned that the main downtown area isn't mentioned. He wants to make sure that area will be covered, as well.

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

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

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

22. Ordinance: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing the Issuance and Sale of City of Abilene, Texas Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2019; Levying an Annual Ad Valorem Tax and Providing for the Security for and Payment of Said Certificates; Approving the Official Statement; Providing an Effective Date; and Enacting other Provisions Relating to the Subject
[ASSIGNED ORDINANCE NO. 65-2019]

Mike Rains, Director of Finance, presented the item. Adoption of the item would authorize the issuance of Certificates of Obligation totaling $27,280,000.

Mayor Pro-tem Hurt opened the public hearing, and with no speakers coming forward, the public hearing was closed.

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

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

23. Ordinance: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing the Issuance and Sale of City of Abilene, Texas General Obligation Refunding Bonds, Series 2019; Establishing Procedures and Delegating Authority for the Sale and Delivery of the Bonds; Providing An Effective Date; and Enacting Other Provisions Relating to the Subject
[ASSIGNED ORDINANCE NO. 66-2019]

Mike Rains, Director of Finance, presented the item. Adoption of the item would allow the City to advance refund the 2013 and 2014 Certificates of Obligation under a taxable issuance.

Mike Rains introduced George Williford with Hilltop Securities, who advised Council of the details of the taxable advance.

Mayor Pro-tem Hurt opened the public hearing, and with no speakers coming forward, the public hearing was closed.

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

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

24. Ordinance (Final Reading) Z-2019-25: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Bryan Pope, John Michael Clark, Jerold Armstrong and Abilene Auto Glass; agent C.J. Chaney, to rezone seven tracts of land from a Heavy Industrial (HI) to a Heavy Commercial (HC) District. Proposed HC zoning includes all except the south 139 feet of the east 130 feet of city block bounded by South Treadaway Boulevard; Dimmitt, Cherry and South 14th Streets, plus Lots 4 thru 6 in Block B of John Touy's Subdivision of Lot Numbers 3 and 4 in Block 208, Original Town of Abilene and located at northwest corner of Cherry and South 14th Streets
[ASSIGNED ORDINANCE NO. 67-2019]

Mike Warrix, Director of Planning and Development Services, presented the item. Adoption of the item would rezone the above referenced property from Heavy Industrial (HI) to Heavy Commercial (HC) in order to utlize the locations for a wider range of commercial activities.

Mayor Pro-tem Hurt opened the public hearing, and with no 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 Pro-tem Hurt, Deputy Mayor Pro-tem Albus and Councilmembers Price, Rentz, McAlister and Craver
NAYS (0): None
ABSENT (1): Mayor Williams

25. Ordinance (Final Reading) Z-2019-26: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Lytle Creek Golf Links LLC; agent David Todd of Enprotec/Hibbs & Todd, to amend Planned Development District Number 70 (a.k.a. PD 70) to include revised building setback standards for patio homes constructed therein located at 3669 thru 3963 National Drive, which said street projects north from 1500 block of East Industrial Boulevard in southeast Abilene **[ASSIGNED ORDINANCE NO. 68-2019]**

Mike Warrix, Director of Planning and Development Services, presented the item. Adoption of the item would amend existing Planned Development District Number 70 (PD 70) to include revised building setback standards for patio homes.

Mayor Pro-tem Hurt opened the public hearing. The following addressed the city council:

- David Todd – represents the applicant. Advised Council that this setback is more in line with condominium zoning and would like to see the Land Development Code changed. Also advised that the street in question does connect to both Industrial and Cornell.

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

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

AYES (7): Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus and Councilmembers Price, Rentz, McAlister and Craver
NAYS (0): None
ABSENT (1): Mayor Williams

PUBLIC COMMENTS

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

- David Swart – spoke about how it is hard to find bond info on the website, as he has mentioned before. He advised there needs to be a list of the streets being worked on that is easy to find on the website.

City Manager Hanna addressed Mr. Swart's concerns by advising the website does have current street projects on the home page, and the new website will have a further breakdown.

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

EXECUTIVE SESSION

Mayor Pro-tem Hurt recessed into Executive Session at 9:38 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:

26.B 551.077 (Consultation with Attorney)
9. City of Abilene v. Patrick Sumrall; Caseu No. 27, 733-B
12. Maria Ramirez v. The City of Abilene; Cause No. 27880-B
26.B 551.072 (Deliberations about Real Property)
1. Clyde Water
26.F 551.087 (Business Prospect/Economic Development)
1. Abilene Convention Center Hotel Project
2. 1166 N 2nd Street
3. Windsor Hotel

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

REGULAR AGENDA

27. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Casting a Vote to Nominate a Member to the Taylor County Appraisal District Board of Directors – Jessica Cantu **[ASSIGNED RESOLUTION NO. 235-2019]**

Mayor Pro-tem Hurt opened the public hearing, and with no speakers coming forward, the public hearing was closed.

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

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

28. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Casting a Vote to Nominate a Member to the Jones County Appraisal District Board of Directors – Seaton Higginbotham **[ASSIGNED RESOLUTION NO. 236-2019]**

Mayor Pro-tem Hurt opened the public hearing, and with no speakers coming forward, the public hearing was closed.

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

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

29. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving an Economic Development Agreement with the Abilene Convention Center Hotel Development Corporation for the Development of the Downtown Hotel
[ASSIGNED RESOLUTION NO. 237-2019]

City Manager Robert Hanna presented the item. Adoption of the item would approve a Chapter 380 economic development agreement with the Abilene Convention Center Hotel Development Corporation for the development of the downtown hotel.

Mayor Pro-tem Hurt opened the public hearing. The following addressed the Council:

- David Swart – stated he was at the hotel signing event and he is looking forward to the hotel. He spoke about the downtown area, and advised the outlook for the City looks good.

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

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

30. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving an Economic Development Agreement with Silverthorne Properties for 1166 North 2nd Street
[ASSIGNED RESOLUTION NO. 238-2019]

City Manager Robert Hanna presented the item. Adoption of the item would approve an economic development agreement with Silverthorne Properties for 1166 North 2nd Street.

Mayor Pro-tem Hurt opened the public hearing, and with no speakers coming forward the public hearing was closed.

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

AYES (7): Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus and Councilmembers Price, Rentz, McAlister and Craver
NAYS (0): None
ABSENT (1): Mayor Williams

ADJOURNMENT

There being no further business, the meeting adjourned at 10:17 a.m.

Shawna Atkinson
City Secretary

Anthony Williams
Mayor

Minutes approved on: 11/21/19