

CITY COUNCIL MEETING
November 21, 2019 at 4:30 p.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 October 17, 2019, at 4:30 p.m. in the Council Chambers, 555 Walnut St. Mayor Anthony Williams was present and presiding with Mayor Pro-tem Weldon Hurt, Deputy Mayor Pro-tem Donna Albus and Councilmembers Shane Price, Kyle McAlister and Travis Craver. Councilmember Jack Rentz was absent. Also present were Deputy City Manager Mindy Patterson, City Attorney Stanley Smith, City Secretary Shawna Atkinson, and various members of the City staff.

EXECUTIVE SESSION

Mayor Williams recessed into Executive Session at 4:30 p.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:

- 15. A. 551.071 (Consultation with Attorney)
 - 2. Chad Carter v. City of Abilene
- 15. B. 551.072 (Deliberations about Real Property)
 - 1. Clyde Water
- 15.D. 551.074 (Personnel Matters)
 - 1. City Council Appointees – City Manager
- 15. F. 551.087 (Business Prospect/Economic Development)
 - 1. Abilene Convention Center Hotel Project
 - 2. Windsor Hotel

The Executive Session ended at 5:25 p.m. and reconvened to Open Session at 5:30 p.m. as noted on the posted agenda. Mayor Williams reported no votes or action were taken in Executive Session.

Councilmember Shane Price delivered the invocation.

Girl Scout Troop 7002 led the Pledge of Allegiance to the Flag of the United States of America and State of Texas Flag. The Troop consisted of members Malea Anderson, Augusta Brumley, Levyn Cody-Johnson, Mya Haskins, Nuru Idris, Olivia Martin, Bristol Musick and Grace Thompson. After the Pledges, Mayor Williams presented Ms. Idris and Ms. Martin with their "Inside Government" badge.

CONSENT AGENDA

The Consent Agenda consisted of items 3-12. Items 6 and 9 were pulled for individual consideration.

Items pulled for individual consideration were as follows:

- David Swart, citizen – Items 6 and 9

Mayor Pro-tem Hurt moved to approve the Consent Agenda, now consisting of Items 3-5, 7-8 and 10-12. Councilmember Craver seconded the motion. Motion carried.

AYES (6): Mayor Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus and Councilmembers Price, McAlister and Craver

NAYS (0): None

ABSENT (1): Councilmember Rentz

3. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular meeting held on November 7, 2019.
4. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Appointing the Honorable Keith A. Barton as Municipal Court Judge.
[ASSIGNED RESOLUTION NO. 239-2019]
5. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending the Texas A&M Forest Service Lease to Relocate their Leased Area at the Airport.
[ASSIGNED RESOLUTION NO. 240-2019]
7. Ordinance (First Reading) CUP-2019-09: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Hudman Investment Group, agent Phillip Hill, for Conditional Use Permit to allow contractor services in General Commercial (GC) zoning district and located specifically at 118 North Pioneer Drive.
8. Ordinance (First Reading) CUP-2019-10: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Reynaldo and Ixel Smith, for Conditional Use Permit to allow a home-based daycare for more than six children (other than caregivers' own children) in Agricultural Open Space (AO) zoning district and located specifically at 6605 Maple Street.
10. Ordinance (First Reading) Z-2019-28: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Stan Chapman, Ron Fogle, Bobby Bright, Carol Purser and Mesquite Gate Properties to rezone property from Light Industrial (LI) with Historic (H) Overlay, to Central Business (CB) with Historic (H) Overlay located at 802, 818, 826, 834 and 842 North 3rd Street as well as at 324 Mesquite Street.
11. Ordinance (First Reading) Z-2019-29: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Three JB Properties to rezone property from a Heavy Industrial (HI) District to a Planned Development (PD) District allowing industrial use but with no site-related or boundary street improvements required by terms of Chapter 3 (Subdivision) in Abilene's Land Development Code, on properties at 749 China Street, 750 Rose Street and 397 South 8th Street.
12. Ordinance (First Reading) TC-2019-02: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from, Lone Star Railroad Inc./Jeff Basket, agent John Hill, to abandon all of the 20' wide alley right-of-way (ROW) running north-south beginning at S. 8th Street, and heading north 531' terminating at the ROW of S. 7th Street. Additionally, request to abandon a portion of S. 8th Street, beginning at the easternmost extent of China Street ROW and heading east 300' to the westernmost extent of Southern Switching Railroad ROW, Abilene, Taylor County, Texas.

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

6. Ordinance (First Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending Chapter 3, "Subdivision Regulations," Article II, "Subdivision Standards," Division I, "Adequate Public Facilities," Section 3.2.1.1, "General Policy," of the Abilene Land Development Code, by amending sections to change initial planning and installation responsibilities of street lights in new developments from the City of Abilene to developers; and setting a public hearing for December 5, 2019.

The item was pulled by David Swart, citizen.

Having pulled the item, David Swart urged Council to consider adding the language “energy efficient” to the ordinance in order to save the tax payers money. He stated by using energy efficient or LED lighting, this will use less power and therefore, the City will spend less money on electricity.

Assistant City Manager Michael Rice responded to Mr. Swart’s concerns and provided insight on how energy tariff rates are set with the State of Texas, and that the City can only choose certain options from an approved tariff list.

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 Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus and Councilmembers Price, McAlister and Craver

NAYS (0): None

ABSENT (1): Councilmember Rentz

9. Ordinance (First Reading) Z-2019-27: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Sam Daggubati, agent Lauren Montgomery, to amend the existing Planned Development District Number 116, specifically by amending the graphic site plan (Exhibit B) guiding development on western 6.207 acres of this district including former Anson Jones Elementary School at 2002 Jameson Street.

The item was pulled by David Swart, citizen.

Having pulled the item, David Swart stated that he is excited to see this project. He stated that the media has said it will be a QT Convenience store, as well as apartments and a hotel. He thinks this will get a lot of traffic coming off of I-20 and will only increase sales and hotel occupancy taxes for the City.

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

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

AYES (6): Mayor Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus and Councilmembers Price, McAlister and Craver

NAYS (0): None

ABSENT (1): Councilmember Rentz

REGULAR AGENDA

13. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on authorizing a Professional Services Contract with Enprotec/Hibbs & Todd, Inc. for the Abilene AWIA Risk & Resiliency Assessment & Emergency Response Plan.
[ASSIGNED RESOLUTION NO. 241-2019]

Rodney Taylor, Director of Water Utilities, presented the item. Adoption of the item would approve a professional services contract with Enprotec/Hibbs & Todd for the Abilene AWIA Risk & Resiliency Assessment and Emergency Response Plan in the amount not to exceed \$199,870.00.

Mayor Williams opened the public hearing and with no speakers coming forward, the public hearing was closed.

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

AYES (6): Mayor Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus and Councilmembers Price, McAlister and Craver

NAYS (0): None

ABSENT (1): Councilmember Jack Rentz

14. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving an Economic Development Agreement with 401 Pine Associates, Ltd. for the Windsor Hotel
[ASSIGNED RESOLUTION NO. 242-2019]

Mindy Patterson, Deputy City Manager, presented the item. Adoption of the item would approve an economic development agreement with Pine Associates Limited, for the development of the Windsor Hotel.

Mayor Williams opened the public hearing, with no speakers coming forward, the public hearing was closed.

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

AYES (6): Mayor Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus and Councilmembers Price, McAlister and Craver

NAYS (0): None

ABSENT (1): Councilmember Jack Rentz

PUBLIC COMMENTS

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

- David Swart – spoke about street lighting. He attended the Street Maintenance Advisory Board meeting where they talked about using DCOA money for improvements on Rolling Green Drive. He thinks they need to add new street lights to the area if they are investing money in the streets. He also thinks there needs to be a light on Catclaw Drive where it comes to the intersection. He urged Council to consider using LED lighting.

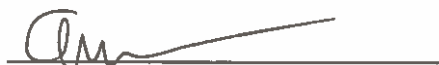
With no other speakers coming forward, the public comment period was closed.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:57 p.m.



Shawna Atkinson
City Secretary



Anthony Williams
Mayor

Minutes approved on: December 5, 2019