



City of Abilene City Council Agenda

Weldon Hurt, Mayor Pro-tem
Shane Price, Council Member
Lynn Beard, Council Member
Robert Hanna, City Manager

Anthony Williams, Mayor

Donna Albus, Council Member
Kyle McAlister, Council Member
Travis Craver, Council Member
Stanley Smith, City Attorney
Shawna Atkinson, City Secretary

AMENDED

Notice is hereby given of a meeting of the City Council of City of Abilene to be held on June 9, 2022, at 8:30 a.m., at the Abilene Public Library, South Branch, Mall of Abilene, 4310 Buffalo Gap Road, 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 Anthony Williams

PLEDGE TO THE UNITED STATES FLAG AND THE TEXAS FLAG

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS AND ANNOUNCEMENTS

2. **Service Awards:**

- Denise Ibarra - Zoological Gardens - 20 Years

3. **Proclamations:**

- Elder Abuse Awareness Month
- Waste & Recycling Workers Week
- Ride to Work Day

CONSENT AGENDA AND PUBLIC COMMENTS

All items listed in the Consent Agenda are considered routine by the City Council and will be enacted by one motion. There will be no separate discussion or presentation of these items unless otherwise requested by a Council Member. In the event one or more Council Members remove an item from the

consent Agenda for separate discussion or presentation, the item or items removed will be considered in numerical order as part of the Regular Agenda and shall include a public hearing.

After the Council Members have requested any item on the consent Agenda be considered separately, the public comment period will be held. The public comment section of the consent agenda allows members of the public to present any ideas or information to the City Council and staff, and also allows for public comment on the consent agenda items not otherwise pulled for separate consideration. Neither the City Council nor staff will engage in discussion with the public during the public comments unless the item is listed on the Council agenda.

Members of the public will have a total time limit of three (3) minutes to speak during the public comments section.

4. **Minutes:** Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on May 26, 2022 (**Shawna Atkinson**)
5. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Appointing Members to Various Boards and Commissions per the City Charter (**Shawna Atkinson**)
 - Abilene-Taylor County 9-1-1 District Board of Directors (nomination only)
 - Abilene-Taylor County Public Health District Board
 - Citizens Advisory Board for People with Disabilities
 - Parks & Recreation Board
 - Street Maintenance Advisory & Appeals Board
6. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Accepting Permanent Sculptures Donated to the City of Abilene (**Lesli Andrews**)
7. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Approving the City Manager to Enter into a Contract with AMKO, Inc. for the Construction Documents, Bidding, and Construction Administration of a Roof Project for the Police Department, Municipal Court, and Water Office Complex (**Lesli Andrews**)
8. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to enter into a contract with Bontke Brothers Construction Company, Inc. for the Cedar Creek Development Trail Project (**Lesli Andrews**)
9. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Approving a Change Order for City Facility Improvements (Festival Park District) with DPR Construction (**Michael Rice**)
10. **Resolution:** Receive a Report, Hold a Discussion and Take Action on the Acceptance of the DEAAG grant funds for the Dyess Air Force Improved and Expanded Fiber and 5-G Infrastructure Project (**Michael Rice**)

REGULAR AGENDA - ORDINANCES AND PUBLIC HEARINGS - RESOLUTIONS

11. **Ordinance (Final Reading) Z-2022-09:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Gregory And Marcia Straughn Within The Subdivision Known As The Hillview Addition To Change Zoning Of Approximately 3.906 Acres From Agricultural Open (AO) To Residential Single-Family District-12 (RS-12) (**Tim**)

Littlejohn

12. **Ordinance (Final Reading) Z-2022-10:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From The Collective Owners Of Property Within The Subdivision Known As The Green Acres Addition To Change The Zoning Of .909 Acres From General Retail (GR) To A Planned Development District (PD-176) on the 2100 Block Of N Willis St., Abilene, Taylor County, Texas. **(Tim Littlejohn)**
13. **Ordinance (Final Reading) Z-2022-11:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Patrick Cowen To Change Zoning From Heavy Industrial (HI) To Heavy Commercial (HC) On Approximately 3 Acres At The 4200 Block Of Burl Harris Dr. Abilene In Taylor County, Texas. **(Tim Littlejohn)**
14. **Ordinance (Final Reading) CUP-2022-02:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From The Collective Owners Of Property Within The Subdivision Known As Original Town Of Abilene To Allow The Use Of Automobile Repair And Maintenance Services-Minor Within The Central Business (CB) District, 633 Oak Street, Abilene, Taylor County, Texas. **(Tim Littlejohn)**
15. **Ordinance (Final Reading) CUP-2022-05:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From The Collective Owners Of Property Within The Subdivision Known As Original Town Of Abilene To Allow The Use Of Wholesaling & Storage-Indoor Within The Central Business (CB) District, 149 Oak Street, Abilene, Taylor County, Texas. **(Tim Littlejohn)**
16. **Discussion:** Receive a Report, Hold a Discussion and Public Hearing on the Collection Development Policy of the Abilene Public Library **(Julee Hatton)**

EXECUTIVE SESSION

17. **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. 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
3. 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
4. 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
5. 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
6. Sharra Sampson v. City of Abilene; Cause No. 8144-B, In the 104th Judicial District Court, Taylor County, Texas; filed September 14, 2020
7. 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
8. Natasha Jones v. City of Abilene, Texas; EEOC Charge of Discrimination, 450-2020-06446; filed September 15, 2020
9. Alton H. Smith, Jr. and Alicia Malorie Smith v. City of Abilene, Texas; Cause No. 51055-A, In the 42nd Judicial District Court, Taylor County, Texas; filed March 11, 2021
10. Steve Van Horne, et al. v. City of Abilene, et al.; Cause No. 12530-D, In the 350th Judicial District Court, Taylor County, Texas; filed September 7, 2021
11. Cockrell Investment Partners, L.P. v. Middle Pecos Groundwater Conservation District,

et al.; Cause No. P827783CV, in the 83rd Judicial District Court, Pecos County, Texas; filed September 11, 2020

12. The City of Abilene, Texas v. Ken Paxton, Attorney General of Texas; Cause No. D-1-GN-21-006299, In the 250th Judicial District Court, Travis County, Texas; filed October 20, 2021

13. Samuel Hightower v. City of Abilene, Appeal of Temporary Suspension to Hearing Examiner, filed December 28, 2021

14. Zach Williams v. City of Abilene, Appeal of Temporary Suspension to Hearing Examiner, filed December 28, 2021

15. Allstate Fire and Casualty Insurance Company as Subrogee of Del Davis v. City of Abilene; Case No. SC22-11166J11, In the Justice Court, Precinct 1, Place 1, Taylor County, Texas, filed March 30, 2022

B. 551.072 (Deliberations about Real Property)

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. Allen Ridge Hotel

2. Allen Ridge Walking Trail

3. Trail Ridge Subdivision

RECONVENE

REGULAR AGENDA

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 AMENDED meeting notice was posted on the bulletin board at the City Hall of the City of Abilene, Texas, on the 6th day of June, 2022, at 8:20 a.m.

Shawna Atkinson, TRMC, CMC
City Secretary