



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

Notice is hereby given of a meeting of the City Council of City of Abilene to be held on July 28, 2022, 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. Councilmember Travis Craver

PLEDGE TO THE UNITED STATES FLAG AND THE TEXAS FLAG

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS AND ANNOUNCEMENTS

2. **Proclamations:**

- Water Quality Month

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.

3. **Minutes:** Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on July 14, 2022 **(Shawna Atkinson)**
4. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Appointing Members to Various Boards and Commissions per the City Charter **(Shawna Atkinson)**
 - Betty Hardwick Center Board of Trustees
 - Senior Citizens Advisory Board
5. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to Enter into a Management Agreement between ASM Global and the City of Abilene for Management Services for the Abilene Convention Center **(Mindy Patterson)**
6. **Resolution:** Receive a Report, Hold a Discussion, and Take Action on the Approval of FY 2022/2023 One-Year Action Plan for CDBG and HOME Programs **(Leticia Reeves)**
7. **Resolution:** Receive a Report, Hold a Discussion and Take action on Approving the Purchase of New Furniture for Phase One of the First Floor Remodel **(Tim Littlejohn)**
8. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Approval for the City Manager to enter into a contract with Bontke Brothers Construction, Inc. for the replacement and repair of bridges at Maxwell Municipal Golf Course **(Lesli Andrews)**
9. **Resolution:** Receive a Report, Hold a Discussion and Take Action to Award a Contract to The Goodman Corporation for Architectural/Engineering Services for a New Multimodal Transit Facility **(Don Green)**
10. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to Enter into a Memorandum of Understanding between All Kind Animal Initiative and the City of Abilene for the Development of a Pet Adoption and Resource Center on City Property **(Robert Hanna)**
11. **Resolution:** Receive a Report, Hold a Discussion and Take Action on authorizing a contract for the Cleaning and Inspection of the West Sewer Interceptor **(Rodney Taylor)**
12. **Resolution:** Receive a Report, Hold a Discussion and Take Action Authorizing the City Manager to enter into an Advanced Funding Agreement with Texas Department of Transportation for the N 10th Street Highway Safety Improvement Program Project **(Max Johnson)**
13. **Resolution:** Receive a Report, Hold a Discussion and Take Action Authorizing the City Manager to enter into an Advanced Funding Agreement with Texas Department of Transportation for the Rebecca Lane Highway Safety Improvement Program Project **(Max Johnson)**
14. **Resolution:** Receive a Report, Hold a Discussion and Take Action Authorizing the City Manager to enter into an Advanced Funding Agreement with Texas Department of Transportation for the S 14th Street Flashing Yellow Arrow Highway Safety Improvement Program Project **(Max Johnson)**
15. **Resolution:** Receive a Report, Hold a Discussion and Take Action Authorizing the City Manager to enter into an Advanced Funding Agreement with Texas Department of

Transportation for the S 14th Street Interconnected System Highway Safety Improvement Program Project (Max Johnson)

16. **Resolution:** Receive a Report, Hold a Discussion and Take Action to Approve an Extended Term Street Use License with TTY Holdings, LLC (Max Johnson)
17. **Ordinance (First Reading):** Receive a Report, Hold a Discussion and Take Action on Amending Chapter 18, "Motor Vehicles and Traffic," Article XIII, "Schedules," Section 18-286, Decreased Speed Limits - School Zones," of the Abilene Municipal Code, By Amending Two (2) School Zones near Bassetti Elementary and Wylie Early Childhood Center; Adding Two (2) Existing Zones on Beltway South (FM 707); and Adding a New School Zone on Oldham Ln (FM 1750) (Max Johnson)
18. **Ordinance (First Reading) Z-2022-14:** Receive a Report, Hold a Discussion and Take Action on A Request From Weatherbee Construction Represented By Jacob & Martin To Amend The Terms And Conditions Of Planned Development District Number 104 Specifically Rezone approximate 14.34 acres currently Residential Medium Density to create and add tract 6 of Planned Development District (PD- 104) and modifying PD-104 to add and allow 50' wide residential lots as a permitted use within all tracts, save and except, Lot 1, Block A (MF), Trails of Abilene Addition. (Tim Littlejohn)
19. **Ordinance (First Reading) Z-2022-16:** Receive a Report, Hold a Discussion and Take Action on A Request From Arete Interests, LLC Represented By Jacob & Martin To Amend The Terms And Conditions Of Planned Development District Number 159A Specifically To Amend The Concept Plan To Allow For More Residential Uses. Legal Description Being Lots 101-109, Block A, Parramore's Subdivision, Abilene In Taylor County, Texas. (Tim Littlejohn)
20. **Ordinance (First Reading) Z-2022-17:** Receive a Report, Hold a Discussion and Take Action on A Request From Grace Tabernacle Church Represented By Nancy Brown And Gene Dezell To Change Zoning From Residential Single Family (RS-6) To Neighborhood Retail (NR), On Approximately .62 Acres In South Abilene, Legal Description Being Lots 5-8, Block 15, Campus Addition, Abilene, Taylor County, Texas. (Tim Littlejohn)
21. **Ordinance (First Reading) CUP-2022-06:** Receive a Report, Hold a Discussion and Take Action on A Request From Patrick Batten Represented By Rylie Batten For Approval Of A Conditional Use Permit Allowing A Group Home (A.K.A. Halfway House) On Approximately .16 Acres Of Residential Medium Density (MD) District at 1242 Orange St In North Abilene, Legal Description Being Lot 12 In Block F Of Steffens & Lowden, Abilene, Taylor County, Texas. (Tim Littlejohn)
22. **Ordinance (First Reading) Z-2022-15:** Receive a Report, Hold a Discussion and Take Action on A Request From Cimarron Meadows Development Corp. Represented By Jacob & Martin To Amend The Terms And Conditions Of Planned Development District Number 170 Specifically To Add Approximately 37 Acres Of Existing Residential Medium Density (MD) And Approximately 15 Acres Of Agricultural Open Space (AA) Zoning And Amending Them To Allow For 5,000 Square Foot Lots With 5 Foot Side Setbacks And 50 X 100 Foot Lot Dimensions. (Tim Littlejohn)
23. **Ordinance (First Reading) Z-2022-18:** Receive a Report, Hold a Discussion, and Take Action on A Request From Sugar Agua #1 Ltd Represented By Matthew Muzechenko To Change Zoning On Approximately 7.15 Acres In Southwest Abilene From Agricultural Open (AO) To General Commercial (GC). (Tim Littlejohn)

REGULAR AGENDA - ORDINANCES AND PUBLIC HEARINGS - RESOLUTIONS

24. **Ordinance (Final Reading):** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending Chapter 18, "Motor Vehicles and Traffic," Article XIII, "Schedules," Section 18-286, Decreased Speed Limits - School Zones," of the Abilene

Municipal Code, By Amending School Zone near Dyess Elementary and Updating AISD school names (Max Johnson)

25. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Amended 2021-2022 Fiscal Year Budget for the Development Corporation of Abilene (Misty Mayo)
26. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Fiscal Year 2023 Budget for the Development Corporation of Abilene (Misty Mayo)
27. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Development Corporation of Abilene's Economic Development Plan (Misty Mayo)

BUDGET ORDINANCES

These ordinances will only be considered if not completed during the Special Called Budget Meeting on 7/27/2022

28. **Ordinance (Consider on First Reading):** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Revised 2021-2022 Budget
29. **Ordinance (Consider on First Reading):** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Proposed 2022-2023 Budget
30. **Ordinance (Consider on First Reading):** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Setting the Tax Levy
31. **Ordinance (Consider on First Reading):** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Adopting Fees and Charges for FY 2022-2023

EXECUTIVE SESSION

32. **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. 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
4. 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
5. Sharra Sampson v. City of Abilene; Cause No. 8144-B, In the 104th Judicial District Court, Taylor County, Texas; filed September 14, 2020
6. 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
7. 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
8. 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
9. 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

10. 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

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

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

13. 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)

RECONVENE

REGULAR AGENDA

33. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Possible Action on a Request for Extended Line of Duty Illness or Injury Leave of Absence Made By Police Officer **(Marcus Dudley)**

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 22nd day of July, 2022, at 3:00 p.m.

Kaitlin Richardson, TRMC
Deputy City Secretary