CITY COUNCIL MEETING
December 19, 2019 at 3:30 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 December 19, 2019, at 3:30 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, Jack Rentz and Travis Craver. Councilmember Kyle McAlister 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 3:30 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:

24. A. 551.071 (Consultation with Attorney)
    1. Chad Carter v. City of Abilene
24. B. 551.072 (Deliberations about Real Property)
    1. Clyde Water
24.D. 551.074 (Personnel Matters)
    1. City Council Appointees – City Attorney (Also Agenda Item #22)
    2. City Council Appointees – City Secretary (Also Agenda Item #23)
24. F. 551.087 (Business Prospect/Economic Development)
    1. Abilene Heritage Square (Agenda Items #18 & #19)

The Executive Session ended at 4:29 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 Travis Craver delivered the invocation.

Mayor Williams led the Pledge of Allegiance to the Flag of the United States of America and State of Texas Flag.

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS, ANNOUNCEMENTS

- Proclamations
  - Mayor Williams introduced Richard Marshall from the VFW, who presented Audria Hammond with a plaque of appreciation
  - Mayor Williams also recognized local barbers who helped out with the Holiday Haircuts program

CONSENT AGENDA

The Consent Agenda consisted of items 4-12. Items 5, 8, 9, and 10 were pulled for individual consideration.

Item pulled from consideration:
- Mindy Patterson, Deputy City Manager – Item #8

Items pulled for individual consideration were as follows:
- Mayor Pro-tem Hurt – Item #5
- David Swart, citizen – Item #9

- Ron Kinder, citizen – Items #5, #9 and #10

Councilmember Price moved to approve the Consent Agenda, now consisting of items 4, 6-7 and 11-12. 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, Rentz and Craver
NAYS (0): None
ABSENT (1): Councilmember McAlister

4. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular meeting held on December 5, 2019.

6. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action to Approve an Airport Lease and Operating Agreement with American Airlines
[ASSIGNED RESOLUTION NO. 260-2019]

7. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action to Approve Various Companies the City Typically Uses and that May Exceed an Aggregate Expenditure of $50,000 for each Company in FY20
[ASSIGNED RESOLUTION NO. 261-2019]

11. Ordinance (First Reading) CUP-2019-11: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from JR Team Holdings LLC, agent Jody Team, for Conditional Use Permit allowing an active outdoor recreation facility (specifically limited to only allow a community swimming pool) in a Rural Residential (RR-1) zoning district and located specifically at 1722 Aces Trail

12. Ordinance (First Reading) Z-2019-30: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from NuHome Construction of Abilene LLC, agent Barry Fletcher, to rezone property from Agricultural Open Space (AO) to Residential Single-Family (RS-6) District

ITEM PULLED FROM CONSIDERATION

8. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the Purchase of a Leica RTC360 Laser and Scanner Kit for use in Criminal Investigations
[NOT CONSIDERED]

Item was pulled from consideration prior to the meeting by Mindy Patterson, Deputy City Manager

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

5. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action to Approve Use of a Portion of the Airport for a Timed Automobile Race
[ASSIGNED RESOLUTION NO. 259-2019]

The item was pulled by Mayor Pro-tem Hurt.

Having pulled the item, Mayor Pro-tem Hurt wanted an overview of the project.

Don Green, Director of Transportation Services presented the item. Adoption of the item would approve the use of the Abilene Regional Airport for a timed automobile race with Shift S3ctor. The event would be tentatively scheduled for November 2020, in hopes of it becoming an annual event.

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

Mayor Pro-tem Hurt 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, Rentz and Craver
NAYS (0): None
ABSENT (1): Councilmember McAlister

9. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Purchasing (10) Dell Latitude 5420 Rugged Laptops for the Police Department
[ASSIGNED RESOLUTION NO. 263-2019]

The item was pulled by Ron Kinder, citizen.

Having pulled the item, Ron Kinder questioned why are these being purchased. He stated that we have purchased a number of these over the last several years and doesn't understand why.

David Swart, citizen, also spoke on the item. He stated that the Police Department previously purchased Toughbooks which were nicer than these Dell. He thinks they need a bigger hard drive and an extra battery, and is concerned that the Microsoft Office and antivirus software included are only trials, that the City will have to pay for in the end.

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

Stan Standridge, Chief of Police, addressed concerns by the citizens. He stated that all uniform patrols have these in their cars, but these will be for non-uniform personnel like school resource officers and CID. Seized funds are to be used for the purchase, which requires it to go before Council.

Councilmember Rentz 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, Rentz and Craver
NAYS (0): None
ABSENT (1): Councilmember McAlister

10. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the Purchase of Automatic License Plate Readers (ALPR) and a 2-Camera Self-Sustained ALPR Trailer (for interstate operations) with Intelligence-Led Policing Package
[ASSIGNED RESOLUTION NO. 264-2019]

The item was pulled by Ron Kinder, citizen.

Having pulled the item, Ron Kinder stated his concerns on the item and that this will be too much government in private citizens' business. He thinks it is an infraction of civil liberties and by the time it reads a license plate, the offender will be long gone.

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

Stan Standridge, Chief of Police, addressed Mr. Kinder's concerns. He explained the whole process of the license plate readers and how plates are already being read by tow truck drivers in the area, the Police Department just needs to have access to the system to utilize the information. He also explained how this will help with crimes in the area and create a "hedge of protection" around the City.

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

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

REGULAR AGENDA

13. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Fiscal Year 2019 Annual Report of Activities for the Development Corporation of Abilene
[ORAL RESOLUTION]

Misty Mayo, Chief Executive Officer of the Development Corporation of Abilene presented the item. Adoption of the item would approve the Fiscal Year 2019 Annual Report of Activities. Ms. Mayo presented the report to Council.

Mayor Williams opened the public hearing. The following addressed the council:

- David Swart – stated his concerns over the deficit on the DCOA budget that was discussed at a previous Council meeting.

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

Ms. Mayo addressed Mr. Swartz's concerns and let him know that they do not consider that a deficit, but a reserve for projects that are coming up.

Deputy Mayor Pro-tem Albus 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, Rentz and Craver
NAYS (0): None
ABSENT (1): Councilmember McAlister

14. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on awarding the bid to Dowtech Specialty Contractors, Inc. for the Ovalo Tank Sediment Removal
[ASSIGNED RESOLUTION NO. 265-2019]

Rodney Taylor, Director of Water Utilities, presented the item. Adoption of the item would award the bid for the Ovalo Tank Sediment Removal Project to Dowtech Specialty Contractors, Inc., in the amount of $158,600.00.

Mayor Williams opened the public hearing, 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, Rentz and Craver
NAYS (0): None
ABSENT (1): Councilmember McAlister

15. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on awarding the bid to N.G. Painting, LP for the Elmdale 0.5 MG Elevated Storage Tank Rehabilitation
[ASSIGNED RESOLUTION NO. 266-2019]

Rodney Taylor, Director of Water Utilities, presented the item. Adoption of the item would award the bid for the Elmdale 0.5 MG Elevated Storage Tank Rehabilitation Project to N.G. Painting LP, in the amount of $543,000.00.

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

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

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

16. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on authorizing a Professional Services Contract with Jacob and Martin, LLC for the Lake Fort Phantom Hill Pump Station Improvements
[ASSIGNED RESOLUTION NO. 267-2019]

Rodney Taylor, Director of Water Utilities, presented the item. Adoption of the item would approve a professional services contract with Jacob and Martin, LLC, for the Lank Fort Phantom Hill Pump Station Improvements, in the amount not to exceed $90,000.

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. Councilmember Price seconded the motion; motion carried.

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

17. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on awarding the bid to Starks Construction Company, Inc. for the Dyess Elementary School 16" Water Line Relocation
[ASSIGNED RESOLUTION NO. 268-2019]

Rodney Taylor, Director of Water Utilities, presented the item. Adoption of the item would award the bid for the Dyess Elementary School 16" Water Line Relocation Project to Starks Construction Company, Inc., in the amount of $189,500.00.

Mayor Williams opened the public hearing, 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, Rentz and Craver
NAYS (0): None
ABSENT (1): Councilmember McAlister

18. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on authorizing the City Manager to execute a deed donating Lincoln Middle School to Abilene Heritage Square, Inc.
[ASSIGNED RESOLUTION NO. 269-2019]

Mindy Patterson, Deputy City Manager, presented the item. Adoption of the item would donate the deed for Lincoln Middle School to Abilene Heritage Square, Inc.

Mayor Williams opened the public hearing. The following addressed the council:

- Ron Kinder – stated that he wants to see something done with the building but wants to know how much it will cost the tax payers.
- Leroy Bolt, Treasurer of Abilene Heritage Square – AHS will be raising all of the $42 million for the project in private funds. There will not be a bond election for this. It will be their gift to the City.
- Cynthia Alvidrez – stated that she is confused why we are selling them the building and then leasing it back.
- Jane Beard, President of Abilene Heritage Square – gave a history of the building and the process that has gone into them deciding what to do with it. Gave statistics on education and how libraries affect children's growth. Stated that AHS wants this building to be an education center for Abilene and an investment in the City.
- Laura Moore – stated she thinks this will be a "community living room" and loves everything that libraries bring to communities. Gave examples of what will be happening once the work is complete and thanked the donors for contributing to this great project.
- Kevin Haliburton, an architect for the project – stated he is proud of our community and the way we are helping schools. He thinks this will be a billboard to show the world how much we value education. He really gets the vision that Jane Beard is going for and thinks it will be a great gift to the City.
- Winston Ohlhausen – stated that he is impressed with the money they have raised so far and thinks the City needs to learn their secret for the downtown hotel project.

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

Council expressed their appreciation for the project at this time and their excitement to see what this will bring to the community.

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

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

19. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing the City Manager to Enter into a Lease Agreement with Abilene Heritage Square, Inc.
[ASSIGNED RESOLUTION NO. 270-2019]

Mindy Patterson, Deputy City Manager, presented the item. Adoption of the item would execute a lease agreement with Abilene Heritage Square, Inc., for housing the Main Branch of the Abilene Public Library at the new Abilene Heritage Square, at the old Lincoln Middle School.

Mayor Williams opened the public hearing. The following addressed the council:

- David Swart – stated that his mother went to the school when it was Abilene High and she would think this would be a good use for the building. He was struck by a vehicle in front of the current main Library branch and thinks this will be better, as there won't be a street for people to cross to get to it. Also stated his frustration on library card expirations.
- Ron Kinder – asked why we are doing this. He thinks that libraries are a thing of the past with the advent of smart phones and wonders if this will even make any money.
- Cynthia Alvidrez – figured up the terms of the lease over the 40 years and questioned if it was going to be a public-private partnership.
- Jane Beard – stated that there were 535,000 visits to the Abilene Libraries over the past year and thinks that speaks volumes for the project. Stated what all will be included in the lease and that they are hoping for completion of the project for the building's centennial in 2023.

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

Deputy Mayor Pro-tem Albus 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, Rentz and Craver
NAYS (0): None
ABSENT (1): Councilmember McAlister

20. Ordinance (Final 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
[NOT CONSIDERED - TABLED]

This item was tabled from the last meeting. Councilmember Price moved to remove the item from the table. 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, Rentz and Craver
NAYS (0): None
ABSENT (1): Councilmember McAlister

Councilmember Price moved to table the item once again to the February 13, 2020, meeting. 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, Rentz and Craver
NAYS (0): None
ABSENT (1): Councilmember McAlister

21. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on approving an Ordinance establishing the 2020 Standards of Care
[ASSIGNED ORDINANCE NO. 77-2019]

Lesli Andrews, Director of Community Services, presented the item. Adoption of the item would approve the 2020 Standards of Care.

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. Councilmember Rentz seconded the motion; motion carried.

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

22. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the Evaluation of the City Attorney
[ORAL RESOLUTION]

Earlier in the meeting, under Section 551.074 (Personnel Matters) of the Open Meetings Act, the item was discussed during the Executive Session, which started at 3:30 p.m. and ended at 4:29 p.m. No votes or actions were taken at that time.

Mayor Williams opened the public hearing. The following addressed the council:

- Winston Ohlhausen – questioned if Stanley Smith was employed at the City when Mr. Santee was.

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

Councilmember Craver moved to approve the evaluation of the City Attorney. 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, Rentz and Craver
NAYS (0): None
ABSENT (1): Councilmember McAlister

23. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the Evaluation of the City Secretary
[ORAL RESOLUTION]

Earlier in the meeting, under Section 551.074 (Personnel Matters) of the Open Meetings Act, the item was discussed during the Executive Session, which started at 3:30 p.m. and ended at 4:29 p.m. No votes or actions were taken at that time.

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

Councilmember Price moved to approve the evaluation of the City Secretary. 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, Rentz and Craver
NAYS (0): None
ABSENT (1): Councilmember McAlister

PUBLIC COMMENTS

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

- David Swart – spoke about the holidays coming up and urged everyone to remember the military during this time. Told everyone about the Battle of the Bulge.
- Ron Kinder – spoke about Tahoes being purchased for the Police Department and stated that he thinks there are unfair purchase practices going on. Also spoke about his concerns of the wait times to pay your bill by phone at the Water department. Also stated that he doesn't want something like the Chad Carter case to happen again and an intersection on Sayles that needs repairs.
- Cynthia Alvidrez – spoke about the recent event Holiday Haircuts that provided free haircuts for children who needed them. She thanked everyone involved in the project.

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

ADJOURNMENT

There being no further business, the meeting adjourned at 7:07 p.m.

Shawna Atkinson
City Secretary

Anthony Williams
Mayor

Minutes approved on: January 9, 2020