



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 December 1, 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. Deputy Mayor Pro-tem Donna Albus

PLEDGE TO THE UNITED STATES FLAG AND THE TEXAS FLAG

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS AND ANNOUNCEMENTS

2. Service Awards:

- Nicholas Reagan - 20 Years - Water Utilities

3. Proclamations:

- Law Enforcement Records and Evidence Personnel 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 November 17, 2022, and the Special Meeting Held on November 21, 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)**
 - Board of Adjustments
 - Board of Building Standards
 - Citizens Advisory Board for People with Disabilities
 - Neighborhood Services Advisory Board
 - Senior Citizens Advisory Board
 - Visual Arts Jury
6. **Resolution:** Receive a Report, Hold a Discussion and Take Action on the Purchase of Axon Taser 7 Conducted Energy Weapons, Holsters, Batteries, Training, and Cartridges from Axon Enterprises, Inc. **(Marcus Dudley, Jr.)**
7. **Resolution:** Receive a Report, Hold a Discussion and Take Action on the Purchase of a Mobile Command Center from LDV Custom Specialty Vehicles. **(Marcus Dudley, Jr.)**
8. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Awarding a Contract to MCS of Tampa for Dyess Single-Mode Fiber Expansion Project **(Max Johnson)**
9. **Resolution:** Receive a Report, Hold a Discussion and Take Action on a gift to Dyess Air Force Base for the Single-Mode Fiber Expansion Project **(Max Johnson)**
10. **Resolution** Receive a Report, Hold a Discussion and Take Action on the Purchase and Implementation of Samsara Telematics Software, Hardware and Integration Services from Samsara Inc Through Sourcewell Cooperative Contract Number 020221-SAM **(Don Green)**
11. **Resolution:** Receive a Report, Hold a Discussion, and Take Action to Authorize an Agreement with Sedgwick Claims Management Services, Inc. to provide a Family and Medical Leave Act (FMLA) and Leave of Absence (LOA) System **(Pamela Williams)**
12. **Resolution:** Receive a Report, Hold a Discussion and Take Action on adopting a resolution in support of the West Central Texas Municipal Water District's intention to

seek legislative relief for broadening the criteria for board residency requirements ***(Robert Hanna)***.

13. **Ordinance (First Reading):** Receive a Report, Hold a Discussion and Take Action on approving an Ordinance establishing the 2023 Standards of Care and Setting a Public Hearing for December 15, 2022 ***(Lesli Andrews)***
14. **Ordinance (First Reading):** Receive a Report, Hold a Discussion and Take Action on Certifying the Charter Amendments Approved by Voters on November 8, 2022 and Incorporating the Amendments into a Single Form ***(Stanley Smith)***
15. **Ordinance (First Reading):** Receive a Report, Hold a Discussion and Take Action on Amending Chapter 5, "Ambulance Services," Article I, "In General," Abilene Code of Ordinances. ***(Cande Flores)***

REGULAR AGENDA - ORDINANCES AND PUBLIC HEARINGS - RESOLUTIONS

16. **Ordinance (Final Reading) Z-2022-24** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Leticia Leija, Represented By Matthew Muzechenko, To Change The Zoning Of Approximately 5 Acres From Agricultural Open (AO) To Heavy Commercial (HC) ***(Tim Littlejohn)***
17. **Ordinance (Final Reading) Z-2022-25** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Mike And Buffi Awtry, Represented By Matthew Muzechenko, To Change The Zoning Of Approximately 5.27 Acres From Agricultural Open (AO) To Heavy Commercial (HC) ***(Tim Littlejohn)***
18. **Ordinance (Final Reading) Z-2022-26** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From West Texas Land Guys, Represented By Sean Hanfeld, To Change The Zoning Of Approximately 187 Acres From Agricultural Open (AO) To Planned Development District 177 (PDD-177) To Allow For Single Family Residential Uses, Multi-Family Uses, And Commercial Uses ***(Tim Littlejohn)***
19. **Ordinance (Final Reading) Z-2022-27** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From John Felder To Change The Zoning Of Approximately 3.02 Acres From Heavy Commercial (HC) To General Retail (GR) ***(Tim Littlejohn)***
20. **Ordinance (Final Reading) CUP-2022-09** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From John Felder, To Apply A Conditional Use Permit To Approximately 3.02 Acres To Allow Multi-Family Uses In General Commercial ***(Tim Littlejohn)***
21. **Ordinance (Final Reading) TC-2022-03** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from the City of Abilene, Applicant, to Abandon Simmons Avenue Between Ambler Avenue and University Boulevard ***(Tim Littlejohn)***

EXECUTIVE SESSION

22. **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. 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
10. 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
11. Regulation of library collection and programs.

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

23. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing the City Manager to Enter into a Chapter 380 Economic Development Agreement with Rainy Creek Abilene LP, a Texas Limited Partnership **(Robert Hanna)**

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 23rd day of November, 2022, at 1:45 p.m.

Kaitlin Richardson, TRMC
Deputy City Secretary