

**CITY COUNCIL MEETING
December 1, 2022 at 8:30 a.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 1, 2022, at 8:30 a.m. in the Council Chambers, 555 Walnut St. Mayor Anthony Williams was present and presiding, along with Mayor Pro-tem Weldon Hurt, Deputy Mayor Pro-tem Donna Albus, and Councilmembers Shane Price, Lynn Beard and Kyle McAlister. Councilmember Travis Craver was absent. Also present were City Manager Robert Hanna, City Attorney Stanley Smith, and City Secretary Shawna Atkinson.

Deputy Mayor Pro-tem Donna Albus delivered the invocation.

Gracie Birdwell and Hanna Archuleta, kindergarteners, and Andrew and Bryce Brodie, 2nd graders, all from Wylie East Elementary, led the Pledge of Allegiance to the Flag of the United States of America and State of Texas Flag.

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS, ANNOUNCEMENTS

- Service Awards:
 - Nicholas Reagan - 20 Years - Water Utilities
- Proclamations:
 - Law Enforcement Records and Evidence Personnel Day accepted by Records and Evidence personnel, as well as Admin from the Abilene Police Department.
- Recognitions:
 - Deputy Mayor Pro-tem Albus recognized the Abilene High Varsity Volleyball team and their coaches for placing 16th in the State.

EXECUTIVE SESSION

Mayor Williams recessed into Executive Session at 8:47 a.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:

- 22. A. 551.071 (Consultation with Attorney)
 - 11. Library Collection Regulation and Policy

The Executive Session ended at 9:06 a.m. and reconvened to Open Session. Mayor Williams reported no votes or action were taken in Executive Session.

PRESENTATION OF CONSENT AGENDA

The Consent Agenda consisted of items 4-15. No items were pulled for individual consideration.

PUBLIC COMMENTS

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

- David Swart – spoke about the military and how they were unable to spend the holiday with their families. Mr. Swart also spoke about the condemned property at 302 Mockingbird and questioned who the owner is.
- Cynthia Alvidrez – spoke about the property David Swart mentioned and stated the owner lived in Frisco. She also spoke about the City employee she had a negative encounter with and requested the employee be fired. Ms. Alvidrez also requested ADA compliant seating for the Council Chambers.

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

CONSENT AGENDA

Councilmember Beard moved to approve the consent agenda consisting of items 4-15. 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, Beard and McAlister

NAYS (0): None

ABSENT (1): Councilmember Craver

- 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
- Receive a Report, Hold a Discussion and Take Action on Appointing Members to Various Boards and Commissions per the City Charter
[ASSIGNED RESOLUTION NO. 208-2022]

Board	Term End Date
<i>Board of Adjustment</i>	
Scott Hay [Regular] [Reappointment]	Nov-24
Bob Thomas [Alternate] [Reappointment]	Nov-24
<i>Board of Building Standards</i>	
Will Dugger [Regular] [New]	Nov-24
Gary Webb [Regular] [Reappointment]	Nov-24
<i>Citizen's Advisory Board for People with Disabilities</i>	
Michele Daniels [Reappointment]	Oct-24
<i>Neighborhood Services Advisory Board</i>	
Darla Mayes [Reappointment]	Nov-24
Terry Cagle [Reappointment]	Nov-24
<i>Visual Arts Jury</i>	
Robert Green [New] [ACU Rep]	

- 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.
[ASSIGNED RESOLUTION NO. 209-2022]
- Resolution: Receive a Report, Hold a Discussion and Take Action on the Purchase of a Mobile Command Center from LDV Custom Specialty Vehicles
[ASSIGNED RESOLUTION NO. 210-2022]
- 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
[ASSIGNED RESOLUTION NO. 211-2022]

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
[ASSIGNED RESOLUTION NO. 212-2022]
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
[ASSIGNED RESOLUTION NO. 213-2022]
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
[ASSIGNED RESOLUTION NO. 214-2022]
12. 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
[ASSIGNED RESOLUTION NO. 215-2022]
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
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
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

REGULAR AGENDA

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)
[NOT CONSIDERED]
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)
[NOT CONSIDERED]
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
[ASSIGNED ORDINANCE NO. 62-2022]

Randal Anderson, Assistant Director of Planning & Development Services, presented the item. Adoption of the item would rezone the above referenced property from Agricultural Open Space (AO) to a Planned Development District 177 (PDD-177), to allow for single family residential, multi-family and commercial uses.

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

- Lisa Lambert – spoke in opposition of this item.
- JoAnn Wilson – spoke in opposition of this item
- Jennifer Welch – spoke in opposition of this item
- Corey Doolin, represents the developers – stated that the developer is a resident of Abilene, Jon Loudermilk, and that they heard the concerns of the residents within the notification area and are taking care of the issues regarding drainage. Mr. Doolin also went over the project as a whole.
- Roger Welch – spoke in opposition of this item.

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

Mayor Pro-tem Hurt 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, Beard and McAlister

NAYS (0): None

ABSENT (1): Councilmember Craver

Councilmember Beard left the meeting at this point.

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)
[ASSIGNED ORDINANCE NO. 63-2022]

Mayor Pro-tem Hurt had a conflict of interest on this item. He left the room during deliberation and abstained from voting. A Conflict of Interest Affidavit was filled out before the meeting and filed with the City Secretary's office.

Randal Anderson, Assistant Director of Planning & Development Services, presented the item. Adoption of the item would rezone the above referenced property from Heavy Commercial to General Retail to allow for an extended stay motel.

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

- Jon Felder, applicant – stated he is the new owner of this hotel. Mr. Felder's goal is to bring new light to this property and hope to make it a multi-family extended stay area.

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

Councilmember Price moved to approve the item as presented. Councilmember McAlister seconded the motion; motion carried.

AYES (4): Mayor Williams, Deputy Mayor Pro-tem Albus, and Councilmembers Price, and McAlister

NAYS (0): None

ABSENT (2): Councilmember Craver and Beard

ABSTAINED (1): Mayor Pro-tem Hurt

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
[ASSIGNED ORDINANCE NO. 64-2022]

Mayor Pro-tem Hurt had a conflict of interest on this item. He left the room during deliberation and abstained from voting. A Conflict of Interest Affidavit was filled out before the meeting and filed with the City Secretary's office.

Randal Anderson, Assistant Director of Planning & Development Services, presented the item. Adoption of the item would approve a conditional use permit to the referenced property, to allow for an extended stay motel.

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. Councilmember McAlister seconded the motion; motion carried.

AYES (4): Mayor Williams, Deputy Mayor Pro-tem Albus, and Councilmembers Price, and McAlister
NAYS (0): None
ABSENT (2): Councilmember Craver and Beard
ABSTAINED (1): Mayor Pro-tem Hurt

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
[ASSIGNED ORDINANCE NO. 65-2022]

Randal Anderson, Assistant Director of Planning & Development Services, presented the item. Adoption of the item would abandon Simmons Avenue between Ambler Avenue and University Boulevard.

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

- BJ Pritchard, represents the applicant – stated that this request is made because of the new residence hall they are building at Simmons and Ambler Avenue. They are displacing parking and there is a desire to make sure students are safe crossing back and forth on Simmons Avenue.

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

Councilmember McAlister moved to approve the item as presented. Councilmember Price seconded the motion; motion carried.

AYES (5): Mayor Williams, Mayor Pro-tem Hurt, Deputy Mayor Pro-tem Albus, and Councilmembers Price and McAlister
NAYS (0): None
ABSENT (2): Councilmember Craver and Beard

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
[NOT CONSIDERED]

ADJOURNMENT

There being no further business, the meeting adjourned at 9:57 a.m.



Shawna Atkinson
City Secretary



Anthony Williams
Mayor

Minutes approved on: December 15, 2022

