



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 May 11, 2023, 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 Kyle McAlister

PLEDGE TO THE UNITED STATES FLAG AND THE TEXAS FLAG

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS AND ANNOUNCEMENTS

2. **Presentations & Proclamations:**

- National Travel & Tourism Week
- Be Kind to Animals Week
- Bicycle Awareness Month & Ride of Silence

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 April 27, 2023 **(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)**
 - Abilene Housing Authority
 - Abilene-Taylor County Public Health District
 - Keep Abilene Beautiful
 - Senior Citizens Advisory Board
 - Visual Arts Jury
5. **Resolution:** Receive a Report, Hold a Discussion and Take Action to Award a Contract for Capital Projects Implementation Service Consultant (CB-2342). **(Don Green)**
6. **Resolution:** Receive a Report, Hold a Discussion and Take Action to Approve the implementation of Passenger Facility Charge Application #4 at Abilene Regional Airport **(Don Green)**
7. **Resolution:** Receive a Report, Hold a Discussion and Take Action to approve an Operating Agreement with Turo, Inc. to enable a Peer to Peer Vehicle Sharing Service at Abilene Regional Airport **(Don Green)**
8. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Executing a Professional Services Contracts with West Texas Occupational Corporate Health Solutions (WTX-OCHS) and Screening For Life to Conduct Annual Medical Physicals for Employees of the Abilene Fire Department **(Cande Flores)**
9. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Finding that AEP Texas Inc.'s Application to Amend it's Distribution Cost Recovery Factors to Increase Distribution Rates Within the City Should be Denied; Authorizing Participation with the Cities Served by AEP Texas; Authorizing Hiring of Legal Counsel; Finding that the City's Reasonable Rate Case Expenses Shall Be Reimbursed by the Company; Finding that the Meeting at Which This Resolution is Passed is Open to the Public as Required by Law; Requiring Notice of this Resolution to the Company and Legal Counsel **(Mike Rains)**
10. **Resolution:** Receive a Report, Hold a Discussion, and Take Action authorizing an application for the State of Texas Department of Transportation 2023 Alternative (TA) Program call for projects for the Old Anson Road Walkability Project (West Stamford Street to Ambler Avenue) **(Max Johnson)**
11. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to Enter Into a Contract with Jacob and Martin, LLC for the Design of

Fire Station #9 (*Lesli Andrews*)

REGULAR AGENDA - ORDINANCES AND PUBLIC HEARINGS - RESOLUTIONS

12. **Ordinance (Final Reading) Z-2023-09:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Rolling Plains EV Stations LLC to change zoning of approximately 783 acres of land located at 5502 Spinks Road from Agricultural Open to Planned Development (PD-181) (*Tim Littlejohn*)
13. **Ordinance (Final Reading) Z-2023-10:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Bridgestone Bandag, LLC to change zoning from Agricultural Open (AO) to Heavy Industrial (HI), located at 4678 FM 18 (*Tim Littlejohn*)
14. **Ordinance (Final Reading) Z-2023-12:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from KPLB LLC to amend the terms of PDD-155. More specifically, this request is to change the base zoning of the north three hundred feet of this PD from Neighborhood Office (NO) to Neighborhood Retail (NR), located on the 4600 Block of Antilley Road (*Tim Littlejohn*)

EXECUTIVE SESSION

15. **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. 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
4. Sharra Sampson v. City of Abilene; Cause No. 8144-B, In the 104th Judicial District Court, Taylor County, Texas; filed September 14, 2020
5. 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
6. 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
7. 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
8. 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
9. Richard Scheriger, et al. v. City of Abilene; Cause No. CV33253, In the 90th Judicial District Court, Stephens County, Texas, filed April 21, 2023

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

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 5th day of May, 2023, at 2:35 p.m.

Shawna Atkinson, TRMC, CMC
City Secretary