



City of Abilene City Council Agenda

Shane Price, Mayor Pro-tem
Lynn Beard, Deputy Mayor Pro-tem
Blaise Regan, Council Member
Robert Hanna, City Manager

Weldon Hurt, Mayor

Brian Yates, 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 June 8, 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. Deputy Mayor Pro-tem Lynn Beard

PLEDGE TO THE UNITED STATES FLAG AND THE TEXAS FLAG

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS AND ANNOUNCEMENTS

2. **Service Awards:**

- Jess Madison - Fire Department - 35 Years
- Brian Cokonougher - Police Department - 30 Years
- Lowell "Kevin" Easley - Police Department - 30 Years
- Gerald Moran - Police Department - 30 Years
- Doug Wrenn - Police Department - 30 Years
- David Almanzar - Parks & Recreation - 20 Years

3. **Presentations & Proclamations:**

- Elder Abuse Awareness Month
- Motorcycle and Scooter Ride to Work 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 Special Workshop Meeting Held on May 19, 2023, and the Regular Meeting Held on May 25, 2023 **(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 Adjustment
 - Parks & Recreation Board
 - Senior Citizens Advisory Board
 - Visual Arts Jury
6. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Approving Change Order No. 3 to the Contract for Lake Fort Phantom Hill Pump Station Improvements **(Rodney Taylor)**
7. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to Enter into a Hotel Occupancy Tax Management and Use Agreement Pursuant to 351.101(c) of the Texas Tax Code with the Expo Center of Taylor County, Texas **(Robert Hanna)**
8. **Resolution:** Receive a Report, Hold a Discussion, and Take Action Approving a Contract with Kimley Horn and Associates for Engineering Services for S. 27th St. and Southwest Dr. Traffic Signal Modifications and Signal Timing Optimization **(Max Johnson)**
9. **Ordinance (First Reading):** Receive a Report, Hold a Discussion and Take Action on Approving an Ordinance Adding Chapter 27, "Solid Waste," Article VI., "Recyclable Material," which creates a Permitting Process for Private Haulers of Recyclable Materials **(Max Johnson)**

REGULAR AGENDA - ORDINANCES AND PUBLIC HEARINGS - RESOLUTIONS

10. **Ordinance (Final Reading) HOZ-2023-01:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request From Third And Pine, LP To Apply Historic Overlay Zoning To Approximately .16 Acres Zoned Central Business (CB) Located at 302 Pine Street **(Tim Littlejohn)**
11. **Ordinance (Final Reading) Z-2023-07:** Receive a Report, Hold a Discussion and Public

Hearing, and Take Action on a Request From Coffee Momma LLC To Change Zoning From PDD-128 To General Retail, Located at 701 S. Judge Ely Blvd. **(Tim Littlejohn)**

12. **Ordinance (Final Reading) Z-2023-11:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Bridgestone Bandag, LLC To Change Zoning From Light Industrial To Heavy Industrial, located at 4962 FM 18 **(Tim Littlejohn)**

13. **Ordinance (Final Reading) Z-2023-13:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request From Dennis Ray Dunnam II And Mollie Victoria Dunnam To Change Zoning From Agricultural Open (AO) And General Commercial (GC) To General Commercial, located at 411 ES 11th Street **(Tim Littlejohn)**

EXECUTIVE SESSION

14. **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

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 2nd day of June, 2023, at 9:15 a.m.

Shawna Atkinson, TRMC, CMC
City Secretary