



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 22, 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. Mayor Pro-tem Shane Price

PLEDGE TO THE UNITED STATES FLAG AND THE TEXAS FLAG

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS AND ANNOUNCEMENTS

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.

2. **Minutes:** Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on June 8, 2023 **(Shawna Atkinson)**
3. **Resolution:** Receive a Report, Hold a Discussion and Take Action on the Purchase of Six (6) 4WD Police Packaged Chevrolet Tahoes from Caldwell Country Chevrolet through BuyBoard Co-operative #601-19 **(Don Green)**
4. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Approving a Contract Amendment with Tyler Technologies, Inc. **(Michael Rice)**
5. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Award of Bid No. CB2349 - Sale of land at 1909 W. Stamford **(Max Johnson)**
6. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Approving Change Order #1 with Bontke Brothers Construction Co., Inc. for Water Department Street and Miscellaneous Repair Work 2022-2023 **(Max Johnson)**
7. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Awarding Bid #CB-2351 South 27th St./Southwest Dr. Improvements (Barrow St. to Danville Dr.) to Bontke Brothers Construction Co., Inc. **(Max Johnson)**
8. **Ordinance (First Reading):** Receive a Report, Hold a Discussion and Take Action on amending Chapter 3, "Subdivision Regulations," Article 2, "Subdivision Standards," Division 11. "Stormwater Management Requirements," of the Abilene Land Development Code, by amending certain sections as set out below. **(Max Johnson)**
9. **Ordinance (First Reading):** Receive a Report, Hold a Discussion and Take Action on Approving the Financing Plan for TIRZ District #3 **(Tim Littlejohn)**
10. **Ordinance (First Reading) CUP-2023-03:** Receive a Report, Hold a Discussion and Take Action on a Request from Waco Parkdale, LP to Apply a Conditional Use Permit to Approximately 9.82 Acres to Allow for a Trade School Within General Retail (GR) Zoning. Located at 3301 South 14th Street, #35A **(Tim Littlejohn)**
11. **Ordinance (First Reading) CUP-2023-04:** Receive a Report, Hold a Discussion and Take Action on A Request From Marla Pollitt – Clearview RV, LLC to Apply a Conditional Use Permit to Approximately 11.16 Acres on a Site Zoned Agricultural Open (AO) and PDD-42 to Allow an RV Park Within the Portion of the Lot Zoned Agricultural Open. Located at 4051 W. Lake Road **(Tim Littlejohn)**
12. **Ordinance (First Reading) Z-2023-15:** Receive a Report, Hold a Discussion and Take Action on a Request from IWS2 Investments, LLC to Change the Zoning of Approximately 1.26 Acres from Residential Single Family-6 (RS-6) to Multi-Family Residential (MF) Located on the 900 Block of Minda Street **(Tim Littlejohn)**
13. **Ordinance (First Reading) Z-2023-17:** Receive a Report, Hold a Discussion and Take Action on a Request from Mike and Buffi Awtry to Change the Zoning of Approximately 0.08 Acres from Agricultural Open (AO) to Heavy Commercial (HC). Located at 2401 E. Stamford Street **(Tim Littlejohn)**
14. **Ordinance (First Reading) Z-2023-19:** Receive a Report, Hold a Discussion and Take Action on a Request from Antonio and Elizabeth Gonzales to Change the Zoning of Approximately 0.82 Acres from Agricultural Open (AO) To Mobile Home (MH). Located at 350 Comanche Trail **(Tim Littlejohn)**
15. **Ordinance (First Reading) Z-2023-20:** Receive a Report, Hold a Discussion and Take Action on a Request from the City Of Abilene on Behalf of Petra Ortiz to Change the Zoning of Approximately 0.32 Acres from Heavy Commercial (HC) to Residential Single-Family (RS-6). Located at 1317 Mesquite Street **(Tim Littlejohn)**
16. **Ordinance (First Reading) TC-2023-03:** Receive a Report, Hold a Discussion and Take Action

on a Request from IWS2 Investments, LLC to Abandon the Unimproved Manilla Street Located Between Hailey Street and Minda Street, Abilene, Taylor County, Texas. (Tim Littlejohn)

REGULAR AGENDA - ORDINANCES AND PUBLIC HEARINGS - RESOLUTIONS

17. **Ordinance (Final Reading):** Receive a Report, Hold a Discussion and Public Hearing, 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)
18. **Discussion:** Hold a Discussion and Public Hearing on the Sanctuary City for the Unborn Ordinance to better understand the impact of the ordinance. In posting this agenda heading, the City is categorically declaring that there is not an interest on the part of the City Council to repeal the Ordinance, but rather to understand if elements of the Ordinance need to be clarified or amended to address unintended consequences.

EXECUTIVE SESSION

19. **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
10. Little, et al. v. Llano County Lawsuit
11. Sanctuary City for the Unborn Ordinance
12. Texas Regulatory Consistency Act
13. Library Collection Policy and House Bill 900

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)

1. Recycling & Retention Center on Southwest Drive

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 16th day of June, 2023, at 2:35 p.m.

Shawna Atkinson, TRMC, CMC
City Secretary