



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 September 14, 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 Travis Craver

PLEDGE TO THE UNITED STATES FLAG AND THE TEXAS FLAG

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS AND ANNOUNCEMENTS

2. **Service Awards:**

- Anthony Redman - 30 Years - Library
- Jerry Rose - 20 Years - Parks & Recreation

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 August 24, 2023 **(Shawna Atkinson)**
4. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Approving the Abilene Cultural Affairs Council FY 2024 Budget **(Mike Rains)**
5. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Amending the Professional Services Agreement with Enprotec/Hibbs & Todd, Inc. for the South 14th Street Pedestrian Improvements Design **(Max Johnson)**
6. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to enter into a contract with the Veterans Land Board for the Management of the Texas State Veterans Cemetery at Abilene **(Lesli Andrews)**
7. **Ordinance (First Reading):** Receive a Report, Hold a Discussion and Take Action to Revise the FY 23-24 Budget Ordinance and to Increase Staffing for the Texas State Veterans Cemetery in Abilene **(Robert Hanna)**

REGULAR AGENDA - ORDINANCES AND PUBLIC HEARINGS - RESOLUTIONS

8. **Ordinance (Final Reading):** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending Chapter 18, "Motor Vehicles and Traffic," Article VII., "Stop, Yield Intersections," Article X, "Stopping, Standing, and Parking," and Article XIII, "Schedules," of the Abilene Municipal Code, By Amending Certain Sections As Set Out Below, Providing A Severability Clause; And Declaring A Penalty **(Max Johnson)**
9. **Ordinance (Final Reading) CUP-2023-05:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Alan Wartes, Represented By Jovon Christophe, To Apply A Conditional Use Permit To Approximately 0.17 Acres To Allow For A Daycare Within Residential Single Family (RS-6) Zoning For Up To 12 Children. Located At 3236 Ambler Avenue. **(Tim Littlejohn)**
10. **Ordinance (Final Reading) Z-2023-24:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From Amazing Grace True Grit, LLC, Represented By Sara Trammel, To Change The Zoning Of Approximately 0.68 Acres From Residential Single Family (RS-12) To A Planned Development District (PDD-183) To Allow For A Medical Spa. Located At 642 Sayles Boulevard. **(Tim Littlejohn)**
11. **Ordinance (Final Reading) Z-2023-26:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From KKP Investments, LLC, Represented By Jacob & Martin, To Amend The Terms Of Planned Development District 172 To Allow Single-Family Residential Uses With No Through Connection To East Stamford Street. Located At 2668 Garfield Avenue. **(Tim Littlejohn)**
12. **Ordinance (Final Reading) Z-2023-28:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Darin Albergucci, represented by e-HT, to change the zoning of approximately 4.80 acres from Light Industrial (LI) to General Commercial (GC). Located at 910 Bandera Park. **(Tim Littlejohn)**
13. **Ordinance (Final Reading) Z-2023-29:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Moore Abilene Holdings, LP, represented by Alex Moore, to change the zoning of approximately 0.64 acres from Heavy Industrial (HI) to Heavy Commercial (HC). Located at 2222, 2234, 2250 Butternut Street. **(Tim Littlejohn)**
14. **Discussion:** Receive a Report, Hold a Discussion and Public Hearing on the Impact of Water

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
10. The Woodlands Pride, Inc., et al. v. Angela Colmenero, Interim Attorney General of Texas, et al., Case No. 4:23-cv-02847, In the United States District Court, Southern District of Texas, Houston Division, filed August 2, 2023
11. Eminent Domain Lawsuits - North First and Leggett Street Intersections
12. Eminent Domain - 212 ES 11th Street

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. 505 Pine Street

RECONVENE

REGULAR AGENDA

16. **Oral Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Annual Evaluation of the City Manager
17. **Oral Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Annual Evaluation of the City Attorney

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 8th day of September, 2023, at 2:00 p.m.

Shawna Atkinson, TRMC, CMC
City Secretary