

CITY COUNCIL MEETING
October 12, 2023 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 October 12, 2023, at 8:30 a.m. in the Council Chambers, 555 Walnut St. Mayor Weldon Hurt was present and presiding, along with Mayor Pro-tem Shane Price, Deputy Mayor Pro-tem Lynn Beard, and Councilmembers Brian Yates, Kyle McAlister, and Travis Craver. Councilmember Blaise Regan was absent. Also present were City Manager Robert Hanna, City Attorney Stanley Smith, and City Secretary Shawna Atkinson.

Mayor Weldon Hurt delivered the invocation.

Evelyn Morales, 4th grader, and Madilyn Morales, Kindergartener, both 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:
 - Margarita Ramirez – Municipal Court – 30 Years
 - Monica Morales – Public Health – 20 Years
- Proclamations:
 - Disabilities Awareness Month – accepted by the Citizens Advisory Board for People with Disabilities
 - Physical Therapy Month – accepted by Dr. Marsha Rutland and HSU students
 - Fire Prevention Month – accepted by Jeremy Williams

PRESENTATION OF CONSENT AGENDA

The Consent Agenda consisted of items 4-23. Item 19 was pulled from consideration prior to the meeting. Items 10, 15, 22 & 23 were pulled for individual consideration.

Item pulled for individual consideration:

- Item 10: Councilmember Yates
- Item 15 & 23: Councilmember Price
- Item 22: Mayor Hurt

Item pulled from consideration:

- Item 19

PUBLIC COMMENTS

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

- Wes Roberts
- Michael David Johnson
- Eddie Pugh
- Connie Howard
- Tammy Fogle
- Charles Michael

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

CONSENT AGENDA

Mayor Pro-tem Price moved to approve the consent agenda consisting of items 4-9, 11-14, 16-18 & 20-21. Councilmember Yates seconded the motion. Motion carried.

AYES (6): Mayor Hurt, Mayor Pro-tem Price, Deputy Mayor Pro-tem Beard, and Councilmembers Yates, McAlister and Craver

NAYS (0): None

ABSENT (1): Councilmember Regan

Deputy Mayor Pro-tem Beard had a conflict of interest on items 8 & 9 and abstained from voting on those items. A Conflict of Interest Affidavit was filled out before the meeting and filed with the City Secretary's office. The votes for items 8 & 9 alone were:

AYES (5): Mayor Hurt, Mayor Pro-tem Price, and Councilmembers Yates, McAlister and Craver

NAYS (0): None

ABSTAIN (1): Deputy Mayor Pro-tem Beard

ABSENT (1): Councilmember Regan

4. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Special Called Meeting Held on September 26, 2023, and the Regular Meeting Held on September 28, 2023
5. Resolution: Receive a Report, Hold a Discussion and Take Action on Appointing Members to Various Boards and Commissions per the City Charter
[ASSIGNED RESOLUTION NO. 172-2023]

Board	Term End Date
<i>Firemen's Relief & Retirement Fund Board</i>	
Brian Yates [New]	N/A

6. Resolution: Receive a Report, Hold a Discussion and Take Action on Casting a Vote to Nominate a Member to the Jones County Appraisal District Board of Directors
[ASSIGNED RESOLUTION NO. 173-2023]
7. Resolution: Receive a Report, Hold A Discussion, and Take Action to Approve a Software Services Agreement with Dailey-Wells
[ASSIGNED RESOLUTION NO. 174-2023]
8. Resolution: Receive a Report, Hold a Discussion, and Take Action to Accept a Grant from TXDOT for Design and Construction of an Aircraft Ramp at Abilene Regional Airport
[ASSIGNED RESOLUTION NO. 175-2023]
9. Resolution: Receive a Report, Hold a Discussion, and Take Action to Approve a Task Order with Garver for Design and Construction Management of an Aircraft Ramp at Abilene Regional Airport
[ASSIGNED RESOLUTION NO. 176-2023]
11. Resolution: Receive a Report, Hold a Discussion, and Take Action Approving a Professional Services Contract with Kimley Horn and Associates for Engineering Services for Memorial Dr. and Antilley Rd. Traffic Signal Design and Traffic Signal Coordination
[ASSIGNED RESOLUTION NO. 178-2023]

12. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding Bid #CB-2362 S. 14th St. Pedestrian Improvements (Pioneer Dr. to Barrow St.) CSJ# 0908-33-107 to Bontke Brothers Construction Co., Inc.
[ASSIGNED RESOLUTION NO. 179-2023]
13. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding Bid #CB-2403 Street Resurfacing Project Work Zone S13 to J.H. Strain & Sons, Inc.
[ASSIGNED RESOLUTION NO. 180-2023]
14. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding Bid #CB-2402 Wynrush and Rio Mesa Alley Resurfacing to Raydon, Inc.
[ASSIGNED RESOLUTION NO. 181-2023]
16. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding the Bid to Adventures Outback, L.P. for the Possum Kingdom Drought Response Improvements RO Concentrate Pipeline Phase II Project
[ASSIGNED RESOLUTION NO. 183-2023]
17. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving a Professional Services Contract with Jacob & Martin, LLC for the design of the Fort Phantom Hill Reservoir-Water Line Loop
[ASSIGNED RESOLUTION NO. 184-2023]
18. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving a Professional Services Contract with Enprotec/Hibbs & Todd, Inc. for the Northeast Water Treatment Plant Improvements-Preliminary Design
[ASSIGNED RESOLUTION NO. 185-2023]
20. Resolution: Receive a Report, Hold a Discussion and Take Action to Approve the Purchase of Rifle Bullet Resistant Armor from GT Distributors, Inc
[ASSIGNED RESOLUTION NO. 187-2023]
21. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to execute Change Order No. 3 to the contract with Bontke Brothers Constructions, Inc for the Cedar Creek Trail Development Project
[ASSIGNED RESOLUTION NO. 188-2023]

ITEMS PULLED FROM CONSIDERATION

19. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving an Agreement with VGI Technology for the Real Time Information Center
[NOT CONSIDERED]

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

10. Resolution: Receive a Report, Hold a Discussion, and Take Action to Award a Contract Extension with Remix for Route Planning Software for CityLink.
[ASSIGNED RESOLUTION NO. 177-2023]

Having pulled the item, Councilmember Yates stated that committing to a three-year contract might bind us into something we wish we weren't contractually obligated to be in later on. He would like to consider a shorter term with the options for more additional one-year terms.

Mayor Hurt opened the public hearing. With no speakers coming forward, the public hearing was closed.

Councilmember Yates moved to approve the contract with three one-year terms. Mayor Pro-tem Price seconded the motion; motion carried.

AYES (6): Mayor Hurt, Mayor Pro-tem Price, Deputy Mayor Pro-tem Beard, and Councilmembers Yates, McAlister and Craver

NAYS (0): None

ABSENT (1): Councilmember Regan

15. Resolution: Receive a Report, Hold a Discussion and Take Action to Approve an Extended Term Street Use License with NPH Ventures, LLC (end of 3605 Post Oak Road)
[ASSIGNED RESOLUTION NO. 182-2023]

Having pulled the item, Mayor Pro-tem Price wanted to look at the site plan, as he was concerned about a sign he saw stating there is a gas line there. Travis McClure, Land Agent, stated that staff is aware of the gas line, and it should not be an issue.

Mayor Hurt opened the public hearing. With no speakers coming forward, the public hearing was closed.

Mayor Pro-tem Price moved to approve the item as presented. Deputy Mayor Pro-tem Beard seconded the motion; motion carried.

AYES (6): Mayor Hurt, Mayor Pro-tem Price, Deputy Mayor Pro-tem Beard, and Councilmembers Yates, McAlister and Craver

NAYS (0): None

ABSENT (1): Councilmember Regan

22. Resolution: Receive a Report, Hold a Discussion and Take Action on Accepting the Train Sculpture as part of the City of Abilene Sculpture Collection
[ASSIGNED RESOLUTION NO. 189-2023]

Having pulled the item, Mayor Hurt wanted to commend Donna Albus on all her hard work with this project.

Mayor Hurt opened the public hearing. The following spoke in favor of the item:

- Donna Albus

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

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

AYES (6): Mayor Hurt, Mayor Pro-tem Price, Deputy Mayor Pro-tem Beard, and Councilmembers Yates, McAlister and Craver

NAYS (0): None

ABSENT (1): Councilmember Regan

23. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving the Rebuild ABI Economic Development Program
[ASSIGNED RESOLUTION NO. 190-2023]

Having pulled the item, Mayor Pro-tem Price wanted to ensure we were vocal on announcing the parameters for this program.

Mayor Hurt opened the public hearing. With no speakers coming forward, the public hearing was closed.

Deputy Mayor Pro-tem Beard moved to approve the item as presented. Councilmember McAlister seconded the motion; motion carried.

AYES (6): Mayor Hurt, Mayor Pro-tem Price, Deputy Mayor Pro-tem Beard, and Councilmembers Yates, McAlister and Craver

NAYS (0): None

ABSENT (1): Councilmember Regan

REGULAR AGENDA

24. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving a Permit to Drill and/or Operate an Oil and/or Gas Well
[ASSIGNED RESOLUTION NO. 191-2023]

Max Johnson, Director of Public Works, presented the item. Adoption of the item would approve the application from Sojourner Drilling Corporation to drill "East Vogel Unit #1" well on property owned by Schkade Bros. Operating Company, located at 2482 Burger Street.

Mayor Hurt opened the public hearing. With no speakers coming forward, the public hearing was closed.

Deputy Mayor Pro-tem Beard moved to approve the item as presented. Councilmember Craver seconded the motion; motion carried.

AYES (5): Mayor Hurt, Mayor Pro-tem Price, Deputy Mayor Pro-tem Beard, and Councilmembers McAlister and Craver

NAYS (1): Councilmember Yates

ABSENT (1): Councilmember Regan

EXECUTIVE SESSION

Mayor Hurt recessed into Executive Session at 9:35 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:

25. A. 551.071 (Consultation with Attorney)

1. Richard Scheriger, et al. v. City of Abilene, Cause No. CV33253
2. The Woodlands Pride, Inc. et al v. Angela Colmenero, Interim AG of Texas
3. Eminent Domain – 212 ES 11th Street
4. Rise Church

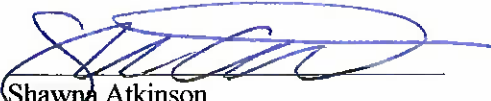
25. F. 551.74 (Personnel Matters)

1. City Manager

The Executive Session ended at 10:42 a.m. and reconvened to Open Session. Mayor Hurt reported no votes or action were taken in Executive Session.

ADJOURNMENT

There being no further business, the meeting adjourned at 10:42 a.m.


Shawna Atkinson
City Secretary


Weldon Hurt
Mayor

Minutes approved on: 10/26/23