



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 November 16, 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 October 26, 2023, and the Regular Meeting Held on November 2, 2023 **(Shawna Atkinson)**
3. **Resolution:** Receive a Report, Hold a Discussion, and Take Action on Canvassing the Returns and Declaring the Results of Bond Election Held in the City of Abilene on November 7, 2023 **(Shawna Atkinson)**
4. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Awarding Bid #CB-2409 Concrete Intersection Construction Project N. 14th St. at Westwood St. to Bontke Brothers Construction Co, Inc. **(Max Johnson)**
5. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Approving the Professional Services Contract with Signature Automation, LLC for the Grimes WTP Programmable Logic Controller Replacement Project **(Rodney Taylor)**
6. **Resolution:** Receive a Report, Hold a Discussion and Take Action on approving a Construction Manager at Risk (CMAR) Agreement with Tienert Construction for the City of Abilene Cypress Street Streetscape Improvements **(Michael Rice)**
7. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Authorization of a Downtown Coordinator Staff Position **(Robert Hanna)**
8. **Ordinance (First Reading) HOZ-2023-02:** Receive a Report, Hold a Discussion and Take Action on A Request From Robert Hoemke To Apply Historic Overlay Zoning To Approximately 0.44 Acres Zoned Central Business (CB). Located At 1201 South 1st Street. **(Tim Littlejohn)**
9. **Ordinance (First Reading) HOZ-2023-03:** Receive a Report, Hold a Discussion and Take Action on A Request From Matthew Meador To Apply Historic Overlay Zoning To Approximately 0.69 Acres Zoned Medium Density (MD). Located At 1941 North 3rd Street. **(Tim Littlejohn)**
10. **Ordinance (First Reading) Z-2023-31:** Receive a Report, Hold a Discussion and Take Action on A Request From Abilene Christian University, Represented By TJC Development And McMahon Surovik Suttle, To Amend The Terms And Conditions And Concept Plan Of Planned Development District 157 To Allow Single Family Residential Uses West Of Judge Ely Boulevard, To Reduce The Setback Requirement For Single Family Residential Uses, And To Provide A New Concept Plan. Located On The West Side 2500 Block Of Judge Ely Blvd. **(Tim Littlejohn)**
11. **Ordinance (First Reading) Z-2023-35:** Receive a Report, Hold a Discussion and Take Action on A Request From Hoemke Property LLC Represented By Seth Merritt, To Change The Zoning Of Approximately 0.33 Acres From Heavy Industrial To Light Industrial. Located At 409 S Treadaway Blvd. **(Tim Littlejohn)**
12. **Ordinance (First Reading) Z-2023-38:** Receive a Report, Hold a Discussion and Take Action on A Request From Nathan Hathorn, Represented By Jacob & Martin, To Change The Zoning Of Approximately 12.97 Acres From Agricultural Open And General Commercial To General Commercial. Located At 1209 Spur 707. **(Tim Littlejohn)**

REGULAR AGENDA - ORDINANCES AND PUBLIC HEARINGS - RESOLUTIONS

13. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on awarding a bid to The Crowe Group, Inc. for the Fallen Hero Memorial Plaza **(Lesli Andrews)**

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. Sharra Sampson v. City of Abilene; Cause No. 8144-B, In the 104th Judicial District Court, Taylor County, Texas; filed September 14, 2020
4. 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
5. 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
6. 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
7. 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
8. Richard Scheriger, et al. v. City of Abilene; Cause No. CV33253, In the 90th Judicial District Court, Stephens County, Texas, filed April 21, 2023
9. 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
10. City of Abilene, Texas v. 3W Brands, LLC; Cause No. 7820, In the County Court at Law #2, Taylor County, Texas; filed August 11, 2023
11. Abilene Apartments, LLC v. City of Abilene, Texas; Cause No. 51762-A, In the 42nd Judicial District Court, Taylor County, Texas; filed October 26, 2023
12. Amendments to the Sanctuary City for the Unborn Ordinance

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

15. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving an Economic Development Agreement and a Lease Agreement with Abilene Youth Sports Authority (AYSA) for Flat Fields at Grover Nelson Park **(Robert Hanna)**

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 9th day of November, 2023, at 12:00 p.m.

Shawna Atkinson, TRMC, CMC
City Secretary