

CITY COUNCIL MEETING
October 26, 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 26, 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 Blaise Regan, Brian Yates, Kyle McAlister, and Travis Craver. Also present were City Manager Robert Hanna, City Attorney Stanley Smith, and Deputy City Secretary Kaitlin Richardson.

Councilmember Blaise Regan delivered the invocation.

Jordan Perry, 4th grader at Bowie Elementary led the Pledge of Allegiance to the Flag of the United States of America and State of Texas Flag.

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS, ANNOUNCEMENTS

- Proclamations:
 - Chiropractic Awareness Month – accepted by local chiropractors
- Presentations:
 - Development Corporation of Abilene – International Economic Development Corporation of the Year Award

PRESENTATION OF CONSENT AGENDA

The Consent Agenda consisted of items 4-13. Item 10 was pulled from consideration prior to the meeting. Items 5 and 7 were pulled for individual consideration.

Item pulled for individual consideration:

- Item 5: Councilmember Yates
- Item 7: Councilmember Price

Item pulled from consideration:

- Item 10

PUBLIC COMMENTS

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

- Eddie Pugh

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

CONSENT AGENDA

Councilmember McAlister moved to approve the consent agenda consisting of items 4, 6, 8-9, & 11-13. Councilmember Yates seconded the motion. Motion carried.

AYES (7): Mayor Hurt, Mayor Pro-tem Price, Deputy Mayor Pro-tem Beard, and Councilmembers Regan, Yates, McAlister and Craver

NAYS (0): None

Mayor Hurt had a conflict of interest on item 12 and abstained from voting on that item. A Conflict of Interest Affidavit was filled out before the meeting and filed with the City Secretary's office. The votes for item 12 alone was:

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

NAYS (0): None

ABSTAIN (1): Mayor Hurt

4. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on October 12, 2023
6. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding a Contract to Routeware, Inc. for Solid Waste Route Balancing and Solid Waste Route Automation
[ASSIGNED RESOLUTION NO. 195-2023]
8. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to enter into a contract with Kreative Core Tech for technical custom development of interfaces for the utility billing phase of the City's Tyler Munis Enterprise Resource Planning (ERP) Implementation
[ASSIGNED RESOLUTION NO. 197-2023]
9. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving the Appointment of an Assistant Municipal Court Judge
[ASSIGNED RESOLUTION NO. 198-2023]
11. Ordinance (First Reading) Z-2023-30: Receive a Report, Hold a Discussion and Take Action on a request from the City of Abilene, represented by Jacob & Martin, to change the zoning of approximately 225.93 acres from Agricultural Open to Planned Development District 184, to allow base zoning districts of General Commercial along SE 11th Street and Loop 322 and Agricultural Open, for the Abilene Zoo. Located at 2070 Zoo Lane and 1042 Loop 322.
12. Ordinance (First Reading) Z-2023-32: Receive a Report, Hold a Discussion and Take Action on a request from Weatherbee Construction Inc, represented by Civetta Solutions LLC, to amend the terms and conditions and concept plan of Planned Development District 104. Specifically, to allow Self-storage and General Commercial uses in Tract 2 and to remove Exhibit C to expand the scope of the permitted uses in Tract 1. Located on the west side of Oldham Lane from S. 27th to Loop 322
13. Ordinance (First Reading) Z-2023-34: Receive a Report, Hold a Discussion and Take Action on a request from Aaron & Andrea Robison, represented by Jacob & Martin, to change the zoning of approximately 3.21 acres from General Commercial to General Retail. Located at 5308 HWY 277 S..

ITEMS PULLED FROM CONSIDERATION

10. Resolution: Receive a Report, Hold a Discussion and Take Action on Appointing Dr. Gregory Tuegel as the Health Authority/Medical Director for the Abilene-Taylor County Public Health District
[NOT CONSIDERED]

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

5. Resolution: Receive a Report, Hold a Discussion and Take Action on Accepting KittyCorn/Unicorn Sculpture as part of the Storybook Series
[ASSIGNED RESOLUTION NO. 194-2023]

Having pulled the item, Councilmember Yates stated that he pulled it for a citizen.

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

- Adrienne Fike
- Kristi Brokaw
- Daniel Knight (did not speak, indicated support on card)
- Kathy Taylor (did not speak, indicated support on card)
- Joel Ross
- Kayla Hewitt
- Pamela Tippen (did not speak, indicated support on card)
- Donna Dougherty (did not speak, indicated support on card)
- Lynn Barnett
- Kaye Spalding (did not speak, indicated support on card)
- Dick Spalding (did not speak, indicated support on card)
- Beth Pruitt (did not speak, indicated support on card)
- Rebecca Howle McMurray (did not speak, indicated support on card)
- Paige Sproles
- Steve Neves (did not speak, indicated support on card)
- Allyson Keker (did not speak, indicated support on card)
- J. Sue Thomeson (did not speak, indicated support on card)
- Kristy Compton (did not speak, indicated support on card)
- Weezie Fitzhugh (did not speak, indicated support on card)
- Jean Goodnight (did not speak, indicated support on card)
- Kate Stover (did not speak, indicated support on card)
- Lindsey Minter
- Elizabeth Powell

The following spoke in opposition to the item:

- Michele Schulle (read a statement from Tammy Fogle)
- Conni Robinett
- Christopher Smith
- Christy Smith
- Rebecca Gingrich (did not speak, indicated opposition on card)
- Susan Perry

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

Council discussed the sculpture in detail.

Councilmember McAlister moved to approve the item as presented. 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 (1): Councilmember Regan

7. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving an Agreement with VGI Technology for the Real Time Information Center
[ASSIGNED RESOLUTION NO. 196-2023]

Having pulled the item, Mayor Pro-tem Price needed clarification if we could black out the view of someone's back yard if a camera is stationed at an intersection that faces it.

Interim Police Chief Wrenn stated that this project is in the early stages and we do not have that option yet. His suggestion is to not use those cameras until we have this capability.

Mayor Hurt opened the public hearing. The following spoke:

- Christopher Smith
- Cynthia Alvidrez

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

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

AYES (7): Mayor Hurt, Mayor Pro-tem Price, Deputy Mayor Pro-tem Beard, and Councilmembers Regan, Yates, McAlister and Craver
NAYS (0): None

Mayor Hurt recessed the meeting for a five-minute break at 9:48 a.m.

REGULAR AGENDA

14. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action to Award a Contract to LJA Engineering, Inc. for the Lake Fort Phantom Recreational Development and Parks Master Plan RFP#CB-2317
[ASSIGNED RESOLUTION NO. 200-2023]

Lesli Andrews, Director of Parks & Recreation, presented the item. Adoption of the item would award a contract to LJA Engineering, Inc., for the Lake Fort Phantom Recreational Development and Parks Master Plan.

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

- Haley Jo Oates
- Robert Prew
- John Parton (did not speak, indicated support on card)
- Monya Parton (did not speak, indicated support on card)

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

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

AYES (7): Mayor Hurt, Mayor Pro-tem Price, Deputy Mayor Pro-tem Beard, and Councilmembers Regan, Yates, McAlister and Craver

NAYS (0): None

15. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving a Professional Services Contract with Enprotec/Hibbs & Todd, Inc. for Cedar Ridge Water Right Support **[ASSIGNED RESOLUTION NO. 201-2023]**

Rodney Taylor, Director of Water Utilities, presented the item. Adoption of the item would approve a professional services contract with Enprotec/Hibbs & Todd, Inc for the Cedar Ridge Water right permit support.

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

Councilmember Regan moved to approve the item as presented. Councilmember Craver seconded the motion; motion carried.

AYES (7): Mayor Hurt, Mayor Pro-tem Price, Deputy Mayor Pro-tem Beard, and Councilmembers Regan, Yates, McAlister and Craver

NAYS (0): None

16. Discussion: Receive a Report, Hold a Discussion, and Public Hearing on the requirements of Sign Ordinance Section 4.2.8.9 (f) (1) Off-site Advertising

Tim Littlejohn, Director of Planning & Development Services, presented the item. Mr. Littlejohn stated that staff is looking for direction on adding verbiage or keeping the current sign ordinance as-is.

Robert Hanna, City Manager stated that there are signs in the downtown area that are not permitted for off-premise use. Mr. Hanna asked council if there is a desire from the council to allow off-site signage in the downtown development area.

Council discussed this item at length and came to a consensus that they would like to move forward with amending the ordinance with some direction.

Mayor Hurt opened the public hearing. The following spoke:

- Tim Smith
- Wes Roberts
- William Wolfe

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

This item was for discussion only. No votes or action were taken.

EXECUTIVE SESSION

Mayor Hurt recessed into Executive Session at 10:37 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:

- 17. A. 551.071 (Consultation with Attorney)
 - 1. The Woodlands Pride, Inc. et al v. Angela Colmenero, Interim AG of Texas
 - 2. Eminent Domain – 212 ES 11th Street
 - 3. PFAS Litigation against 3 M & Dupont
- 17. F. 551.87 (Business Prospect/Economic Development)
 - 1. AYSA Flat Fields
 - 2. DCOA – Project Morello

The Executive Session ended at 11:29 a.m. and reconvened to Open Session. Mayor Hurt reported no votes or action were taken in Executive Session.

REGULAR AGENDA

18. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on approving DCOA Project Morello
[ASSIGNED RESOLUTION NO. 202-2023]

Misty Mayo, CEO of the Development Corporation of Abilene, presented the item. Adoption of the item would approve a \$2,750,000 incentive to Project Morello, which is Petro Smith.

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 Regan seconded the motion; motion carried.

AYES (7): Mayor Hurt, Mayor Pro-tem Price, Deputy Mayor Pro-tem Beard, and Councilmembers Regan, Yates, McAlister and Craver

NAYS (0): None

ADJOURNMENT

There being no further business, the meeting adjourned at 11:37 a.m.


Shawna Atkinson
City Secretary


Weldon Hurt
Mayor

Minutes approved on: November 16, 2023