

CITY COUNCIL MEETING
November 16, 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 November 16, 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 City Secretary Shawna Atkinson.

Mayor Pro-tem Shane Price delivered the invocation.

Kade Lomax and Luke Martinez, both 5th Graders from Dyess Elementary, led the Pledge of Allegiance to the Flag of the United States of America and State of Texas Flag.

PRESENTATION OF CONSENT AGENDA

The Consent Agenda consisted of items 2-12. Item 7 was pulled for individual consideration.

Item pulled for individual consideration:

- Item 7: Councilmember Regan

PUBLIC COMMENTS

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

- Eddie Pugh
- Dale Cartee
- Barbara Berry
- John Berry
- Mike Murry - did not wish to speak, but indicated support of item 10 on card
- Cynthia Alvidrez

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

CONSENT AGENDA

Councilmember Regan moved to approve the consent agenda consisting of items 2-6 and 8-12. Deputy Mayor Pro-tem Beard 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 Pro-tem Price and Councilmember McAlister had a conflict of interest on item 10 and abstained from voting on that item. Conflict of Interest Affidavits were filled out before the meeting and filed with the City Secretary's office. The vote for item 10 alone was:

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

NAYS (0): None

ABSTAIN (2): Mayor Pro-tem Price and Councilmember McAlister

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
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
[ASSIGNED RESOLUTION NO. 209-2023]
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.
[ASSIGNED RESOLUTION NO. 210-2023]
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
[ASSIGNED RESOLUTION NO. 211-2023]
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
[ASSIGNED RESOLUTION NO. 212-2023]
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.
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.
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.
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.
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.

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

7. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorization of a Downtown Coordinator Staff Position
[ASSIGNED RESOLUTION NO. 213-2023]

Having pulled the item, Councilmember Regan wanted clarification on what role and responsibility this position would have.

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

Councilmember McAlister 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

REGULAR AGENDA

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
[ASSIGNED RESOLUTION NO. 214-2023]

Lesli Andrews, Director of Parks and Recreation, presented the item. Adoption of the item would award the bid to The Crowe Group, Inc. for the Fallen Hero Memorial Plaza project, located at the Convention Center.

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

- Drew Elliott
- Eddie Pugh
- Tim Rice McClarty
- Jackie Parker

With no other 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

EXECUTIVE SESSION

Mayor Hurt recessed into Executive Session at 9:15 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:

- 14. A. 551.071 (Consultation with Attorney)
 - 1. Robert Steven Reitz v. City of Abilene, Texas et al., Case No. 1:16-cv-00181-BL
 - 2. City of Abilene, Texas v. 3W Brands, LLC; cause No 7820
 - 3. Abilene Apartments LLC v. City of Abilene, Texas; Cause No. 51762-A
 - 4. Amendments to the Sanctuary City for the Unborn Ordinance
- 12. F. 551.74 (Personnel Matters)
 - 1. City Manager
 - 2. City Boards & Commissions Appointments & Reappointments

The Executive Session ended at 10:13 a.m. and reconvened to Open Session. Mayor Hurt reported no votes or action were taken in Executive Session.

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
[ASSIGNED RESOLUTION NO. 215-2023]

Robert Hanna, City Manager, presented the item. Adoption of the item would approve an Economic Development Agreement and a lease agreement with Abilene Youth Sports Authority for Flat Fields at Grover Nelson Park.

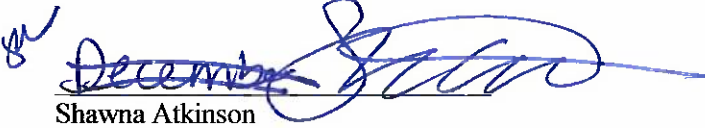
Mayor Hurt opened the public hearing. With no speakers coming forward, the public hearing was closed.

Councilmember McAlister 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

ADJOURNMENT

There being no further business, the meeting adjourned at 10:21 a.m.


Shawna Atkinson
City Secretary


Weldon Hurt
Mayor

Minutes approved on: December 7, 2023