

**CITY COUNCIL MEETING
December 7, 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 December 7, 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.

Councilmember Travis Craver delivered the invocation.

Derek Cano, 3rd Grader at Martinez 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:
 - Lesli Andrews – 20 Years – Parks and Recreation
 - Leonardo “Leon” Herrera – 20 Years – Fire Department
- Recognition:
 - Michael Flores was recognized for winning the Texas Recreation and Parks Society 2023 West Region Parks Professional of the Year
 - Dr. John Kelley presented the Abilene Veterans’ Cemetery with an award for a 99.03% customer satisfaction rate

PRESENTATION OF CONSENT AGENDA

The Consent Agenda consisted of items 4-15. Item 15 was pulled for individual consideration.

Item pulled for individual consideration:

- Item 15: Councilmember Regan

PUBLIC COMMENTS

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

- Brittany Hill
- Rosten Callerman

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

CONSENT AGENDA

Mayor Pro-tem Price moved to approve the consent agenda, now consisting of items 4-14. 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

4. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on November 16, 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. 216-2023]

Board	Term End Date
<i>Ablene-Taylor County Child Advocacy Center Advisory Board</i>	
Karon Hall (Reappointment)	December 2026
Craig Shaw (Reappointment)	December 2026
Sherita Nickerson (Reappointment)	December 2026
Kari Leong (Reappointment)	December 2026
Becky Ponder (Reappointment)	December 2026
Cathy Watson (Reappointment)	December 2026
<i>Airport Development Board</i>	
James Boone (Reappointment)	November 2026
Gray Bridwell (Reappointment)	November 2026
Steve Kraker (New)	November 2026
Lori Dodd (Reappointment)	November 2026
<i>Board of Adjustment</i>	
Melissa Sparks (Alternate) (New)	November 2025
<i>Board of Building Standards</i>	
David Beard (Regular) (Chair) (Reappointment)	November 2025
Lloyd Turner (Regular) (Reappointment)	November 2025
Jeremy McBrayer (Regular) (Reappointment)	November 2025
JD Coffee (Alternate) (Reappointment)	November 2025
David Brown (Alternate) (Reappointment)	November 2024
<i>Civil Service Commission</i>	
Gary Bone (New)	November 2026
<i>Keep Abilene Beautiful</i>	
Johanna Partain (New)	September 2026
Allycia Evans (New)	September 2026
<i>Landmarks Commission</i>	
Johanna Partain (New) (Alternate)	November 2024 (unexpired term)
Pebbles Lee (Reappointment)	November 2026
Josh Black (Reappointment)	November 2026
<i>Library Advisory Board</i>	
Kathryn New (New)	November 2026
<i>Neighborhood Services Advisory Board</i>	
Rachel Slaymaker (Reappointment)	November 2025
Jeff Scott (New)	November 2025
Bill Enriquez (Reappointment)	November 2025
Lauren Cantrell (Reappointment)	November 2025
Kenneth Bowles (Reappointment)	November 2025
<i>Planning and Zoning Commission</i>	
Shirley Fleming (Reappointment)	November 2026

6. Resolution: Receive a Report, Hold a Discussion and Take Action on the purchase of one (1) 2023 Komatsu WA200-8 Wheel Loader for Water Utilities from Kirby-Smith Machinery using BuyBoard Contract # 687-22
[ASSIGNED RESOLUTION NO. 217-2023]
7. Resolution: Receive a Report, Hold a Discussion and Take Action on the purchase of one (1) 2025 Autocar ACX64 with Heil Front Load Refuse truck for Solid Waste Services from Chastang Autocar through BuyBoard Cooperative #601-19
[ASSIGNED RESOLUTION NO. 218-2023]
8. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving Change Order No.1 to the Contract with Advanced Water Well Technologies for the Repair of NEWTP High Service Pump No. 4
[ASSIGNED RESOLUTION NO. 219-2023]
9. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding the Bid to Horseshoe Construction, Inc. for the South 14th Street Water Line Replacement Project
[ASSIGNED RESOLUTION NO. 220-2023]
10. Resolution: Receive a Report, Hold a Discussion and Take Action to Approve the Purchase Of Traffic Signal Equipment from Iteris, Inc. for the S. 27th Traffic Signal Improvement Project Through BuyBoard
[ASSIGNED RESOLUTION NO. 221-2023]

11. Resolution: Receive a Report, Hold a Discussion and Take Action on a Rebuild ABI Chapter 380 Economic Development Agreement between the City of Abilene and Thornton Custom Homes for 2634 N Willis St.
[ASSIGNED RESOLUTION NO. 222-2023]
12. Resolution: Receive a Report, Hold a Discussion and Take Action on a Rebuild ABI Chapter 380 Economic Development Agreement between the City of Abilene and Thornton Custom Homes for 2633 N Willis St.
[ASSIGNED RESOLUTION NO. 223-2023]
13. Resolution: Receive a Report, Hold a Discussion and Take Action on a Rebuild ABI Chapter 380 Economic Development Agreement between the City of Abilene and Thornton Custom Homes for 2641 N Willis St.
[ASSIGNED RESOLUTION NO. 224-2023]
14. Ordinance (First Reading): Receive a Report, Hold a Discussion and Take Action, regarding recommendations from the Sanctuary City for the Unborn Ordinance Amendment Committee, to Amend Chapter 20, "Offenses," Article VIII, "Abortion," Section 20-86, "Definitions," and Section 20-87, "Abortion Prohibited," Code of Ordinances

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

15. Ordinance (First Reading): Receive a Report, Hold a Discussion and Take Action on approving an Ordinance establishing the 2024 Standards of Care and Setting a Public Hearing for December 21, 2023

Having pulled the item, Councilmember Regan wanted clarification on the proposed change of allowing someone from inside the city to complete the audit. He wanted to make sure this wouldn't create a bias.

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

REGULAR AGENDA

16. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing the City Manager to Enter Into an Agreement with Freese and Nichols, Inc for a Comprehensive Land Development Code Rewrite
[ASSIGNED RESOLUTION NO. 225-2023]

Robert Hanna, City Manager, presented the item. Adoption of the item would approve an agreement with Freese and Nichols, Inc. for a Comprehensive Land Development Code rewrite.

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 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 announced a change to the agenda and moved Item 19 before Item 17.

19. Ordinance (Final Reading) Z-2023-31: Receive a Report, Hold a Discussion and Public Hearing, 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
[ASSIGNED ORDINANCE NO. 68-2023]

Mayor Pro-tem Price and Councilmember McAlister had conflicts of interest on item 19 and left the room and abstained from voting. Conflict of Interest Affidavits were filled out before the meeting and filed with the City Secretary's office.

Tim Littlejohn, Director of Planning & Development Services, presented the item. Adoption of the item would amend the terms, conditions, and concept plan of Planned Development District 157 (PD-157) to allow Single Family Residential uses.

Mayor Hurt opened the public hearing. The following spoke in support of Z-2023-31:

- Mike Murray

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

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

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

Mayor Hurt recessed for a five-minute break at 9:29 a.m. and left the meeting. Mayor Pro-tem Price presided over the remainder of the meeting.

17. Ordinance (Final Reading) HOZ-2023-02: Receive a Report, Hold a Discussion and Public Hearing, 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
[ASSIGNED ORDINANCE NO. 66-2023]

Tim Littlejohn, Director of Planning & Development Services, presented the item. Adoption of the item would apply Historic Overlay to the above referenced property.

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

NAYS (0): None

ABSENT (1): Mayor Hurt

18. Ordinance (Final Reading) HOZ-2023-03: Receive a Report, Hold a Discussion and Public Hearing, 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
[ASSIGNED ORDINANCE NO. 67-2023]

Tim Littlejohn, Director of Planning & Development Services, presented the item. Adoption of the item would apply Historic Overlay to the above referenced property.

Mayor Pro-tem Price opened the public hearing. The following spoke in support of HOZ-2023-03:

- Carrie Bloshkin

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

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

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

NAYS (0): None

ABSENT (1): Mayor Hurt

20. Ordinance (Final Reading) Z-2023-35: Receive a Report, Hold a Discussion and Public Hearing, 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.
[ASSIGNED ORDINANCE NO. 69-2023]

Tim Littlejohn, Director of Planning & Development Services, presented the item. Adoption of the item would rezone the above referenced property from Heavy Industrial (HI) to Light Industrial (LI).

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

NAYS (0): None

ABSENT (1): Mayor Hurt

21. Ordinance (Final Reading) Z-2023-38: Receive a Report, Hold a Discussion and Public Hearing, 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
[ASSIGNED ORDINANCE NO. 70-2023]

Tim Littlejohn, Director of Planning & Development Services, presented the item. Adoption of the item would rezone the above referenced property from Agricultural Open Space (AO) and General Commercial (GC) to General Commercial (GC).

Mayor Pro-tem Price opened the public hearing. The following spoke in support of Z-2023-38:

- Tal Filingim

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

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

AYES (6): Mayor Pro-tem Price, Deputy Mayor Pro-tem Beard, and Councilmembers Regan, Yates, McAlister and Craver
NAYS (0): None
ABSENT (1): Mayor Hurt

EXECUTIVE SESSION

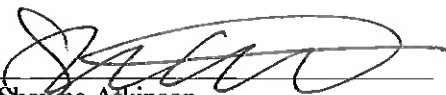
Mayor Pro-tem Price recessed into Executive Session at 9:48 a.m., pursuant to the following of the Open Meetings Act, with the following issues discussed during this session, as listed on the agenda and authorized by the noted Texas Government Code Section:

- 22. A. 551.071 (Consultation with Attorney)
 - 1. City of Abilene, Texas v. 3W Brands, LLC; cause No 7820
- 22. F.551.087 (Business Prospects/Economic Development)
 - 1. 718 Mulberry Development
 - 2. Old Abilene Reporter News Building Site

The Executive Session ended at 10:35 a.m. and reconvened to Open Session. Mayor Pro-tem Price reported no votes or action were taken in Executive Session.

ADJOURNMENT

There being no further business, the meeting adjourned at 10:35 a.m.


Shawna Atkinson
City Secretary


Weldon Hurt
Mayor

Minutes approved on: December 21, 2023