

CITY COUNCIL MEETING
January 25, 2024 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 January 25, 2024, 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 Weldon Hurt delivered the invocation.

Thalia Brooks and Kevin Davis, from Stafford Elementary and Littles with Big Brothers Big Sisters, led the Pledge of Allegiance to the Flag of the United States of America and State of Texas Flag.

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS AND ANNOUNCEMENTS

- Proclamation:
 - National Mentoring Month accepted by Big Brothers Big Sisters staff members

PRESENTATION OF CONSENT AGENDA

The Consent Agenda consisted of items 3-18. Items 11 was pulled from consideration.

PUBLIC COMMENTS

Mayor Hurt opened the public comment period. The following addressed the City Council:

- Charles Michael
- Jo Bengs

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

CONSENT AGENDA

Councilmember McAlister moved to approve the consent agenda, now consisting of items 3-10 & 12-18
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

Deputy Mayor Pro-tem Beard had a conflict of interest on items 10 and 12-14 and abstained from voting on those items alone. A Conflict of Interest Affidavit was filled out before the meeting and filed with the City Secretary's office. The vote for items 10 and 12-14 was:

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

NAYS (0): None

ABSTAIN (1): Deputy Mayor Pro-tem Beard

3. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on January 11, 2024
4. 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. 11-2024]

Board	Term End Date
<i>Board of Adjustment</i>	
Melissa Sparks [Regular] [New] [moving from Alt position]	November 2025
<i>Citizens Advisory Board for People with Disabilities</i>	
Berkley Craig [New]	October 2024 [unexpired term]
<i>Venue District Board</i>	
Shae Hall [New] [Joint City/County Appointee]	November 2024 [unexpired term]

5. Resolution: Receive a Report, Hold a Discussion and Take Action to Approve a Resolution Renaming the Citizens Advisory Board for People with Disabilities to the Mayor's Board for People with Disabilities
[ASSIGNED RESOLUTION NO. 12-2024]
6. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding the Bid for the Purchase of 95-Gallon Poly Refuse Containers to OTTO Environmental Systems
[ASSIGNED RESOLUTION NO. 13-2024]
7. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding the Bid for the purchase of 300-gallon Poly Refuse Containers from Snyder Industries
[ASSIGNED RESOLUTION NO. 14-2024]
8. Resolution: Receive a Report, Hold a Discussion, and Take Action Approving a Contract with Kimley Horn and Associates for Engineering Services for S. 14th St. Traffic Signal Improvements and Interconnected Signal System Plans
[ASSIGNED RESOLUTION NO. 15-2024]
9. Resolution: Receive a Report, Hold a Discussion and Take Action on Change Order for Defense Economic Adjustment Assistance Grant (DEAAG) 5G Fiber Project on Dyess Air Force Base
[ASSIGNED RESOLUTION NO. 16-2024]
10. Resolution: Receive a Report, Hold a Discussion, and Take Action to Approve an On-Airport Concession Agreement with Brevard Capital Group, Inc. to Operate Hertz, Dollar-Thrifty Car Rentals
[ASSIGNED RESOLUTION NO. 17-2024]
12. Resolution: Receive a Report, Hold a Discussion, and Take Action to Approve an On-Airport Concession Agreement with EAN Holdings, LLC doing business as Enterprise Rent-A-Car and National Car Rental
[ASSIGNED RESOLUTION NO. 19-2024]
13. Resolution: Receive a Report, Hold a Discussion, and Take Action to Approve Amended By-Laws of the Airport Development Board
[ASSIGNED RESOLUTION NO. 20-2024]
14. Ordinance (First Reading): Receive a Report, Hold a Discussion, and Take Action to Approve an Amendment to the Fee and Charges Ordinance to Add New Rates for Advertising in the Abilene Regional Airport Terminal

15. Ordinance (First Reading) Z-2023-39: Receive a Report, Hold a Discussion and Take Action on A Request From HD Development Properties LP (D/B/A The Home Depot), Represented By Cassie Permenter, To Amend The Terms Of The Planned Development District 75 To Allow Outdoor Retail Sales/Rental And Display Within The Track "The Home Depot". Located At 4590 Southwest Dr, Abilene, TX 79606
16. Ordinance (First Reading) Z-2024-01: Receive a Report, Hold a Discussion, and Take Action on A Request From The Owner, Represented By Jacob Martin, To Change The Zoning Of Approximately 14.6 Acres From Agricultural Open To Planned Development District 185. Specifically, To Allow Residential Single-Family Uses On 5,000 Sq. Ft. Lots. Located At The 6500-6800 Block Of Fairway Oaks Blvd, Abilene, TX 79606
17. Ordinance (First Reading) Z-2024-02: Receive a Report, Hold a Discussion and Take Action on A Request From The Owner, To Change The Zoning Of 0.47 Of An Acre From Agricultural Open To Multi-Family, Located On 2900 Block Of Old Anson Road
18. Ordinance (First Reading) OAM-2023-01: Receive a Report, Hold a Discussion and Take Action on A Request From The City Of Abilene To Amend The Land Development Code (LDC) To Create The Rebuild ABI Infill Overlay (RAI) District To Promote Infill Development And Redevelopment In Targeted Neighborhoods

ITEM PULLED FROM CONSIDERATION

11. Resolution: Receive a Report, Hold a Discussion, and Take Action to Approve an On-Airport Concession Agreement with Avis Budget Group, Inc. to Operate Avis Car Rental
[NOT CONSIDERED]

REGULAR AGENDA

19. Ordinance (Final Reading) Z-2023-36: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From The Owners, Represented By Jacob Martin, To Change The Zoning Of Approximately 7.07 Acres From PD 96A To General Retail. Located On The East Side Of The 5300 Block Buffalo Gap Road
[FAILED]

Tim Littlejohn, Director of Planning & Development Services, presented the item. Adoption of the item would rezone the above referenced property from PD 96A to General Retail (GR).

Mayor Hurt opened the public hearing. The following spoke in opposition to Z-2023-36:

- Van Jones
- Denise Jones
- Scott Weatherman

The following spoke in support of Z-2023-36:

- Tal Filingim
- Jane Estes Weatherby

Mayor Hurt recessed into Executive Session at 9:25 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:

F.551.071 (Consultation with Attorney)
19. Z-2023-36

The Executive Session ended at 9:42 a.m. and reconvened to Open Session. Mayor Hurt reported no votes or action were taken in Executive Session.

Mayor Hurt continued the public hearing. The following spoke in opposition to Z-2023-36:

- Gary Cozan
- Charles Carter
- Fred Stacer
- Rachel Stacer

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

Council and staff discussed the proposed changes, buffers, split zoning, and other options at length. Due to the opposition received, this item requires a supermajority vote to pass.

Councilmember McAlister moved to approve the recommendation from Planning and Zoning to rezone the entire property to General Retail (GR). Councilmember Yates seconded the motion; motion failed.

AYES (4): Mayor Hurt and Councilmembers Yates, McAlister and Craver
NAYS (3): Mayor Pro-tem Price, Deputy Mayor Pro-tem Beard and Councilmember Regan

Councilmember McAlister moved to rezone lots 203 and 202 to General Retail (GR), and lot 206 to Neighborhood Retail (NR). Motion failed for a lack of a second.

Councilmember McAlister move to take the western edge of lot 206 as a boundary line, rezoning everything to the west of this line to General Retail and everything east of this line to Neighborhood Retail. Councilmember Regan seconded the motion; motion failed.

AYES (3): Mayor Hurt and Councilmembers McAlister and Craver
NAYS (4): Mayor Pro-tem Price, Deputy Mayor Pro-tem Beard and Councilmembers Regan and Yates

EXECUTIVE SESSION

Mayor Hurt recessed into Executive Session at 10:27 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:

20. F.551.071 (Consultation with Attorney)

1. Sharra Sampson v. City of Abilene, Cause No 8144-B
2. Robert Steven Reitz v. City of Abilene, Texas, et al., Case No 1:16-cv-00181-BL
3. Ginger Robertson v. City of Abilene and Abilene Zoological Society; Cause No. 13179-D

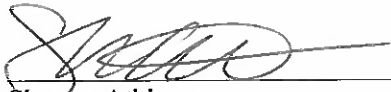
20.D.2. (Personnel Matters)

1. Board of Adjustment, Venue Board, Board of Building Standards, Neighborhood Services Board and Parks and Recreation Board appointments

The Executive Session ended at 10:53 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 10:53 a.m.


Shawna Atkinson
City Secretary


Weldon Hurt
Mayor

Minutes approved on: February 8, 2024

