

CITY COUNCIL MEETING

April 11, 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 April 11, 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 and Travis Craver. Councilmember Kyle McAlister was absent. Also present were City Manager Robert Hanna, City Attorney Stanley Smith, and City Secretary Shawna Atkinson.

Councilmember Brian Yates delivered the invocation.

Braxton Gray, Michael Nelson, and Luna Ponce Portillo, all 5th graders at Thomas 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 2-18. No items were pulled for individual consideration.

PUBLIC COMMENTS

Mayor Hurt opened the public comment period. The following spoke:

- Tammy Fogle
- Mary Brooks
- Elizabeth Powell

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

CONSENT AGENDA

Councilmember Craver moved to approve the consent agenda consisting of items 2-18. Mayor Pro-tem Price seconded the motion. Motion carried.

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

NAYS (0): None

ABSENT (1): Councilmember McAlister

Councilmember Yates had a conflict of interest on item 3 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 vote for item 3 alone was:

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

NAYS (0): None

ABSTAIN (1): Councilmember Yates

ABSENT (1): Councilmember McAlister

2. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on March 28, 2024
3. 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. 74-2024]

Board	Term End Date
<i>Senior Citizens Advisory Board</i>	
Rosa Canales [New]	May 2026
<i>West Central Texas Municipal Water District Board</i>	
Sam Chase [Reappointment]	May 2026
Anthony Williams [New]	May 2026
Dani Ramsay [Reappointment]	May 2026

4. Resolution: Receive a Report, Hold a Discussion and Take Action on Accepting the Annual Comprehensive Financial Report for the Fiscal Year Ending September 30, 2023
[ASSIGNED RESOLUTION NO. 75-2024]
5. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving the Expenditure of General Fund FY 2023 Fund Balance in Excess of the Three Month Reserve Requirement
[ASSIGNED RESOLUTION NO. 76-2024]
6. Resolution: Receive a Report, Hold a Discussion and Take Action on Approval of the Investment Policy
[ASSIGNED RESOLUTION NO. 77-2024]
7. Resolution: Receive a Report, Hold a Discussion and Take Action on an Economic Development Agreement with Ellis Island Holding for a New Construction Home Located at 325 Poplar St.
[ASSIGNED RESOLUTION NO. 78-2024]
8. Resolution: Receive a Report, Hold a Discussion and Take Action on an Economic Development Agreement Abilene Custom Homes for a New Single Family Construction Home Located at 2541 Bel Air Dr.
[ASSIGNED RESOLUTION NO. 79-2024]
9. Resolution: Receive a Report, Hold a Discussion and Take Action on an Economic Development Agreement with Abilene Custom Homes for a New Construction Home Located at 2545 Bel Air Dr
[ASSIGNED RESOLUTION NO. 80-2024]
10. Resolution: Receive a Report, Hold a Discussion and Take Action on an Economic Development Agreement with Abilene Custom Homes for a New Construction Home Located at 2547 Bel Air Dr.
[ASSIGNED RESOLUTION NO. 81-2024]
11. Resolution: Receive a Report, Hold a Discussion and Take Action on an Economic Development Agreement with Abilene Custom Homes for a New Construction Home Located at 2551 Bel Air Dr.
[ASSIGNED RESOLUTION NO. 82-2024]
12. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding the Bid to Yokogawa Fluid Imaging Technologies, Inc. for the Fluid Imaging System for the Abilene Environmental Laboratory
[ASSIGNED RESOLUTION NO. 83-2024]

13. Resolution: Receive a Report, Hold a Discussion and Take Action on the Approval to Purchase Two (2) Pursuit Rated Pickups from Lake Country Chevrolet using TIPS USA Cooperative Purchasing Contract #210907 for Police Administration and Police Patrol
[ASSIGNED RESOLUTION NO. 84-2024]
14. Resolution: Receive a Report, Hold a Discussion and Take Action on the Approval to Purchase Various Software and Services from SHI International Corp. Through DIR-CPO-5237 Contract
[ASSIGNED RESOLUTION NO. 85-2024]
15. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to Approve Library Materials Purchases from Midwest Tape for Hoopla
[ASSIGNED RESOLUTION NO. 86-2024]
16. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to Continue the Agreement with OverDrive
[ASSIGNED RESOLUTION NO. 87-2024]
17. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to Approve Library Materials Purchases from Baker & Taylor
[ASSIGNED RESOLUTION NO. 88-2024]
18. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to Continue the Agreement with the Abilene Library Consortium
[ASSIGNED RESOLUTION NO. 89-2024]

REGULAR AGENDA

19. Ordinance (Final Reading) CUP-2024-02: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From The Owner, Represented By Shelley Watson, To Apply A Conditional Use Permit To The Property At 2781 Beech St, Abilene, TX 79601 To Allow A Duplex
[ASSIGNED ORDINANCE NO. 15-2024]

Tim Littlejohn, Director of Planning & Development Services, presented the item. Adoption of the item would approve a Conditional Use Permit for 2781 Beech St, which would allow for a duplex.

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 Yates seconded the motion; motion carried.

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

NAYS (0): None

ABSENT (1): Councilmember McAlister

20. Ordinance (Final Reading) Z-2024-05: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From The Owner, Represented By Larry Coon, To Change The Zoning Of Approximately 1.94 Acres From Single Family Residential (RS-8) To General Retail (GR). Located At 6466 Buffalo Gap Rd.
[ASSIGNED ORDINANCE NO. 16-2024]

Tim Littlejohn, Director of Planning & Development Services, presented the item. Adoption of the item would rezone the above referenced property from a Single Family Residential (RS-8) to General Retail (GR).

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

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

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

NAYS (0): None

ABSENT (1): Councilmember McAlister

21. Ordinance (Final Reading) Z-2024-06: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From The Owner, Represented By Jacob Martin To Change The Zoning Of Approximately 138.26 Acres From Agricultural Open (AO) To Residential Single Family (RS-6). Located West Of Butterfield Meadows Parkway
[ASSIGNED ORDINANCE NO. 17-2024]

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) to Residential Single Family (RS-6) to allow construction of new homes.

Mayor Hurt opened the public hearing. The following spoke in favor of Z-024-06:

- Clayton Farrow

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

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

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

NAYS (0): None

ABSENT (1): Councilmember McAlister

22. Ordinance (Final Reading) Z-2024-07: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From The Owner, Represented By JES Development, To Amend The Terms And Conditions Of A Planned Development District (PDD-178). Specifically, To Allow The Use Of The Existing Structures Located On The East Side Of The Property For Residential And Accessory Use And To Amend The Concept Plan. Located At 309 S Pioneer Drive
[ASSIGNED ORDINANCE NO. 18-2024]

Tim Littlejohn, Director of Planning & Development Services, presented the item. Adoption of the item would amend the terms and conditions of PDD-178 at the above referenced property, to allow the use of the existing structures located on the east side of the property for residential and accessory use.

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

Mayor Pro-tem Price moved to approve the item as presented with the language listed in Exhibit B, "Shall not apply to existing structures". Deputy Mayor Pro-tem Beard seconded the motion; motion carried.

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

NAYS (0): None

ABSENT (1): Councilmember McAlister

23. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending Chapter 15, "Lakes," Article II, "Lake Fort Phantom Hill," Section 15-18, "Prohibited Areas," Code of Ordinances
[ASSIGNED ORDINANCE NO. 19-2024]

Stanley Smith, City Attorney, presented the item. Adoption of the item would approve the addition of a restricted area for the City of Clyde in the Lake Fort Phantom pipeline project.

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

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

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

NAYS (0): None

ABSENT (1): Councilmember McAlister

24. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Adopting Amendments to the 2023-2024 Operating Budget
[ASSIGNED ORDINANCE NO. 20-2024]

Robert Hanna, City Manager, presented the item. Adoption of the item would amend the 2023-2024 operating budget by \$1,770,914.60.

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. Mayor Pro-tem Price seconded the motion; motion carried.

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

NAYS (0): None

ABSENT (1): Councilmember McAlister

EXECUTIVE SESSION

Mayor Hurt recessed into Executive Session at 9:07 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. The Woodlands Pride, Inc., et al. V. Ken Paxton, AG of Texas
 - 2. Ginger Robertson v. City of Abilene and Abilene Zoological Society
 - 3. Patricia Anderson v. City of Abilene
- 22. F.551.073 (Gifts & Donations)
 - 1. Donation of Fannin from AISD
- 22.D.551.074 (Personnel Matters)
 - 1. City Manager

The Executive Session ended at 9:33 a.m. and reconvened to Open Session. Mayor Hurt reported no votes or action were taken in Executive Session.

REGULAR AGENDA

26. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Donation of Land to the Veteran's Land Board for the Veteran's Cemetery Expansion
[ASSIGNED RESOLUTION NO. 90-2024]

Robert Hanna, City Manager, presented the item. Adoption of the item would donate a tract of land consisting of 111 acres to the Veterans Land Board for expansion of the veterans cemetery.

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. Mayor Pro-tem Price seconded the motion; motion carried.

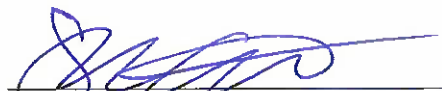
AYES (6): Mayor Hurt, Mayor Pro-tem Price, Deputy Mayor Pro-tem Beard, and Councilmembers Regan, Yates and Craver

NAYS (0): None

ABSENT (1): Councilmember McAlister

ADJOURNMENT

There being no further business, the meeting adjourned at 9:37 a.m.


Shawna Atkinson
City Secretary


Weldon Hurt
Mayor

Minutes approved on: April 25, 2024