



City of Abilene City Council Agenda

Kyle McAlister, Mayor Pro-tem
Travis Craver, Deputy Mayor Pro-tem
Shane Price, Council Member
Lynn Beard, Council Member
Robert Hanna, City Manager

Weldon Hurt, Mayor

Blaise Regan, Council Member
Brian Yates, Council Member
Stanley Smith, City Attorney
Shawna Atkinson, City Secretary

Notice is hereby given of a meeting of the City Council of City of Abilene to be held on September 12, 2024 at 8:30 a.m. at City Hall, 555 Walnut Street, Council Chambers, Abilene, Texas, for the purpose of considering the following agenda items. All agenda items are subject to action. The City Council reserves the right to meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

CALL TO ORDER

INVOCATION

1. Mayor Pro-tem Kyle McAlister

PLEDGE TO THE UNITED STATES FLAG AND THE TEXAS FLAG

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS AND ANNOUNCEMENTS

2. Service Awards:

- Kowe Carmichael - 20 Years - Parks & Recreation

3. Proclamation:

- Service Dog Month

CONSENT AGENDA AND PUBLIC COMMENTS

All items listed in the Consent Agenda are considered routine by the City Council and will be enacted by one motion. There will be no separate discussion or presentation of these items unless otherwise requested by a Council Member. In the event one or more Council Members remove an item from the consent Agenda for separate discussion or presentation, the item or items removed will be considered in numerical order as part of the Regular Agenda and shall include a public hearing.

After the Council Members have requested any item on the consent Agenda be considered separately, the

public comment period will be held. The public comment section of the consent agenda allows members of the public to present any ideas or information to the City Council and staff, and also allows for public comment on the consent agenda items not otherwise pulled for separate consideration. Neither the City Council nor staff will engage in discussion with the public during the public comments unless the item is listed on the Council agenda.

Members of the public will have a total time limit of three (3) minutes to speak during the public comments section.

4. **Minutes:** Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on August 22, 2024 **(Shawna Atkinson)**
5. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Appointing Members to Various Boards and Commissions per the City Charter **(Shawna Atkinson)**
 - Mayor's Advisory Board for People with Disabilities
 - Tax Increment Reinvestment Zone (TIRZ) #2
6. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Authorizing a Contract with United States Geological Survey for Streamflow Monitoring Stations **(Rodney Taylor)**
7. **Resolution:** Receive a Report, Hold a Discussion, and Take Action on Awarding Bid# CB-2472 Street Resurfacing Project Work Zone S10A (West of Rose Park Neighborhood) to Bontke Brothers Construction Co., Inc. **(Max Johnson)**
8. **Resolution:** Receive a Report, Hold a Discussion, and Take Action on Awarding Bid# CB-2473 Corsicana Ave. Rehabilitation Project to Bontke Brothers Construction Co., Inc. **(Max Johnson)**
9. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Approving the Abilene Cultural Affairs Council FY 2025 Budget **(Marjorie Knight)**
10. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Approving the Abilene Convention and Visitors Bureau FY 2025 Budget **(Marjorie Knight)**
11. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Approving the Taylor County Expo Center's FY 2025 Budget **(Marjorie Knight)**
12. **Resolution:** Receive a Report, Hold a Discussion, and Take Action on the Renewal of Samsara Telematics Software using Sourcewell Cooperative Contract #020221 **(Don Green)**
13. **Resolution:** Receive a Report, Hold a Discussion, and Take Action to Accept Grant B-24-CP-TX-2052 from the U.S. Department of Housing and Urban Development **(Don Green)**
14. **Resolution:** Receive a Report, Hold a Discussion, and Take Action to Approve a Task Order with Enprotec, Hibbs and Todd to Design the New Airport Access Road **(Don Green)**
15. **Resolution:** Receive a Report, Hold a Discussion, and Take Action to Approve a Rent Abatement of Up to \$6,500.00 to Help Offset Unanticipated Costs for Brevard Capital to Get Electricity to its On-Airport Service Facility **(Don Green)**
16. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Awarding Bid CB-2465, CB-2466, and CB-2469 for the Demolition of G.V. Daniels and Cesar Chavez Recreation Centers and Asbestos Abatement of G.V. Daniels to AAR, Inc. **(Lesli**

Andrews)

17. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Approving Bid CB-2476 for Improvements to Garcia Field in Sears Park to CJ Fencing LLC. (*Lesli Andrews)*
18. **Resolution:** Receive a Report, Hold a Discussion and Take Action on the Approval to Purchase Hardware from RCN Technologies as a Provider of Wireless Communication Hardware Through the OMNIA Partners Contract #R200803 (*Troy Swanson)*
19. **Resolution:** Receive a Report, Hold a Discussion and Take Action to Execute a Purchase Agreement with Flex Financial, a Division of Stryker Sales, LLC to Purchase LifePak 35 Cardiac Monitors and LUCAS CPR Devices for the Abilene Fire Department (AFD) (*Cande Flores)*
20. **Ordinance (First Reading):** Receive a Report, Hold a Discussion and Take Action on amending Chapter 8, Article VI, "Code and other Regulations", Division 2, "Building Code" Section 8-481 and Division 7 "Residential Code" Section 8-581 (*Tim Littlejohn)*

REGULAR AGENDA - ORDINANCES AND PUBLIC HEARINGS - RESOLUTIONS

21. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving Eminent Domain Proceeds for Utility Easement, Being a 0.882 acre strip of land out of the SW/4 of Section No. 66, Blind Asylum Lands, Abstract No. 745, City of Abilene, Taylor County, Texas, and Being out of that certain 64.73 acre tract of land described in a Special Warranty Deed to Abilene Asset Management LLC recorded in Instrument No. 2018-9771, Official Public Records, Taylor County, Texas (*Stanley Smith)*
22. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Adopting the Lake Fort Phantom Master Plan (*Lesli Andrews)*
23. **Resolution SNC-2024-02:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Jerome Abor, for an Honorary Street Name Change for a Portion of North 13th Street To Gladys Abor Street, More Specifically that Portion Of North 13th Street Between Walnut Street And North Treadaway Boulevard (*Tim Littlejohn)*
24. **Ordinance (Final Reading) HOZ-2024-01:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Rachel Rowland, to Apply Historic Overlay Zoning to Approximately 0.31 Acres Zoned Single Family Residential (RS-12), Located at 940 Sayles Boulevard (*Tim Littlejohn)*
25. **Ordinance (Final Reading) Z-2024-19:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from the Owner, Represented by Garold Ropp, to Change the Zoning of Approximately 0.51 Acres from Medium Density (MD) to Multi-Family (MF), Located at 1665 S 15th St. (*Tim Littlejohn)*
26. **Ordinance (Final Reading) Z-2024-20:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from the Owner, Represented by Erik Johnson, to Change the Zoning of Approximately 10.1 Acres from Agricultural Open (AO) To Heavy Commercial (HC), located at the southeast corner of the intersection at Loop 322 and East Stamford Street (*Tim Littlejohn)*
27. **Ordinance (Final Reading) Z-2024-21:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from the Owner, Represented by Enprotec/Hibbs & Todd Inc, to Change the Zoning of Approximately 5.09 Acres From Medium Density (MD) To Medical Use (MU), Located At 1301-1441 Compere Boulevard And 1935, 1945 Simmons Ave. (*Tim Littlejohn)*
28. **Ordinance (Final Reading) Z-2024-22:** Receive a Report, Hold a Discussion and Public

Hearing and Take Action on a Request from the Owner, Represented by Enprotec / Hibbs & Todd, Inc, to Change the Zoning of Approximately 0.56 Acres from Residential Single-Family (RS-6) To General Retail (GR), Located At 1618, 1626, 1642 Ambler Ave. (Tim Littlejohn)

29. **Ordinance (Final Reading) Z-2024-23:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from the Owner, Represented by Civetta Solutions, to Amend the Terms and Conditions of Planned Development District 76 (PDD-76), Specifically to Allow for Patio Home Uses and Medium Density Residential Uses, Located at Health Way Drive, the 5800 Block of Health Center Drive and the 2800 Block of Bishop Drive (Tim Littlejohn)

EXECUTIVE SESSION

30. **The City Council of the City of Abilene reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed below, as authorized by the noted Texas Government Code Sections:**

A. 551.071 (Consultation with Attorney)

1. City of Abilene v. 3118 South 22nd Street, Abilene, Texas, et al.; Cause No. 11968-D, In the 350th Judicial District Court, Taylor County, Texas; filed October 11, 2019
2. The City of Abilene, Texas v. Ken Paxton, Attorney General of Texas; Cause No. D-1-GN-20-007028, In the 459th Judicial District Court, Travis County, Texas; filed November 18, 2020
3. Alton H. Smith, Jr. and Alicia Malorie Smith v. City of Abilene, Texas; Cause No. 51055-A, In the 42nd Judicial District Court, Taylor County, Texas; filed March 11, 2021
4. Steve Van Horne, et al. v. City of Abilene, et al.; Cause No. 12530-D, In the 350th Judicial District Court, Taylor County, Texas; filed September 7, 2021
5. The City of Abilene, Texas v. Ken Paxton, Attorney General of Texas; Cause No. D-1-GN-21-006299, In the 250th Judicial District Court, Travis County, Texas; filed October 20, 2021
6. Richard Scheriger, et al. v. City of Abilene; Cause No. CV33253, In the 90th Judicial District Court, Stephens County, Texas, filed April 21, 2023
7. The Woodlands Pride, Inc., et al. v. Ken Paxton, Attorney General of Texas, et al., Case No. 4:23-cv-02847, In the United States District Court, Southern District of Texas, Houston Division, filed August 2, 2023
8. PFAS Litigation
9. Ginger Robertson v. City of Abilene and Abilene Zoological Society; Cause No. 13179-D, In the 350th Judicial District Court, Taylor County, Texas; filed December 5, 2023
10. City of Dallas, et al, v. Disney DTC, LLC, et al., Cause No. DC-22-09128, In the 14th Judicial District Court, Dallas County, Texas, filed August 3, 2022
11. Patricia Anderson v. City of Abilene; Cause No. 51867-A, IN the 42nd Judicial District Court, Taylor County, Texas; filed March 1, 2024
12. Mary Lou Gonzales v. City of Abilene, Board of Building Standards; Cause No. 29156-B; In the District Court, 104th Judicial District, Taylor County, Texas; filed April 10, 2024

B. 551.072 (Deliberations about Real Property)

C. 551.073 (Deliberations about Gifts and Donations)

1. 101 Cypress Street

D. 551.074 (Personnel Matters)

1. City Council may consider appointment, employment, compensation, reassignment, duties, discipline, or dismissal of public officers or employees, City Manager, City Attorney, Municipal Court Judge, City Secretary, and City Board and Commission Members
2. City of Abilene Boards & Commissions May be Discussed, as needed for (re)appointment

E. 551.076 (Deliberations about Security Devices)

F. 551.087 (Business Prospect/Economic Development)

RECONVENE

REGULAR AGENDA

31. **Oral Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Annual Evaluation of the City Manager
32. **Oral Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Annual Evaluation of the City Attorney

ADJOURNMENT

In compliance with the Americans with Disabilities Act, the City of Abilene will provide for reasonable accommodations for persons attending City Council meetings. To better serve you, requests should be received 48 hours prior to the meetings. Please call 325-676-6208.

CERTIFICATION

I hereby certify the above meeting notice was posted on the bulletin board at the City Hall of the City of Abilene, Texas, on the 6th day of September, 2024, at 10:30 a.m.

Shawna Atkinson, TRMC, CMC
City Secretary