CITY COUNCIL MEETING
August 22, 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 August 22, 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 Kyle McAlister, Deputy Mayor Pro-tem Travis Craver, and Councilmembers Shane Price, Blaise Regan, and Brian Yates. Councilmember Lynn Beard was not present. Also present were City Manager Robert Hanna, City Attorney Stanley Smith, and City Secretary Shawna Atkinson.

Deputy Mayor Pro-tem Travis Craver delivered the invocation.

Kroy Shook, 3rd Grader from Ward 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 2-16. Items 3 and 4 were pulled for individual consideration.

Items pulled for individual consideration:

- Items 3 & 4: Councilmember Regan

PUBLIC COMMENTS

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

- Rachel Rowland
- Krystal Lewis
- Tammy Fogle

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

CONSENT AGENDA

Councilmember Price moved to approve the consent agenda now consisting of items 2 and 5-16. Mayor Pro-tem McAlister seconded the motion. Motion carried.

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

Councilmember Yates had a conflict of interest on item 10 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 10 alone was:

AYES (5): Mayor Hurt, Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Craver, and Councilmembers Price, and Regan
NAYS (0): None
ABSTAIN (1): Councilmember Yates
ABSENT (1): Councilmember Beard

2. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on August 8, 2024

5. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing a Contract with Forvis Mazars, LLP for Auditing Services
[ASSIGNED RESOLUTION NO. 183-2024]

6. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing a Contract for Cost Allocation Plan Services with MGT of America Consulting, LLC
[ASSIGNED RESOLUTION NO. 184-2024]

7. Resolution: Receive a Report, Hold a Discussion and Take Action on Acknowledging Receipt of the Abilene-Taylor County Events Venue District's Budget for Revised FY 2024 and Approved FY 2025 Budgets
[ASSIGNED RESOLUTION NO. 185-2024]

8. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving a Negotiated Settlement Between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division Regarding the Company's 2024 Rate Review Mechanism Filing; Declaring Existing Rates To Be Unreasonable; Adopting Tariffs that Reflect Rate Adjustments Consistent with the Negotiated Settlement; Finding the Rates to Be Set By the Attached Settlement Tariffs to Be Just And Reasonable And In The Public Interest; Approving an Attachment Establishing A Benchmark for Pensions and Retiree Medical Benefits; Requiring the Company to Reimburse ACSC's Reasonable Ratemaking Expenses; Determining that this Resolution was Passed in Accordance with the Requirements of the Texas Open Meetings Act; Adopting a Savings Clause; Declaring an Effective Date; and Requiring Delivery of this Resolution To the Company and the ACSC's Legal Counsel
[ASSIGNED RESOLUTION NO. 186-2024]

9. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding a Contract to Daiken Applied America's, Inc. using TIPS Contract #T22010601 for Chiller Repairs at Abilene Convention Center
[ASSIGNED RESOLUTION NO. 187-2024]

10. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing the Purchase of Reverse Osmosis Membranes from Hydranautics, a Nitto Group Company, for the Possum Kingdom Raw Water Roughing Facility
[ASSIGNED RESOLUTION NO. 188-2024]

11. Ordinance (First Reading) HOZ-2024-01: Receive a Report, Hold a Discussion 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

12. Ordinance (First Reading) Z-2024-19: Receive a Report, Hold a Discussion 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.

13. Ordinance (First Reading) Z-2024-20: Receive a Report, Hold a Discussion 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

14. Ordinance (First Reading) Z-2024-21: Receive a Report, Hold a Discussion 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.

15. Ordinance (First Reading) Z-2024-22: Receive a Report, Hold a Discussion 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.

16. Ordinance (First Reading) Z-2024-14: Receive a Report, Hold a Discussion 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

ITEM PULLED FOR INDIVIDUAL CONSIDERATION

3. Resolution: Receive a Report, Hold a Discussion, and Take Action to Approve a Contract with KFH Group, Inc for Strategic Evaluation of Fixed Route to Microtransit System Conversion Consulting Services
[ASSIGNED RESOLUTION NO. 181-2024]

Having pulled the item, Councilmember Regan wanted clarification on the benefits and specifics of this strategic evaluation.

Robert Hanna, City Manager, presented the item. Adoption of the item would approve a contract with KFH Group, Inc., for Strategic Evaluation of a fixed route to microtransit system conversion. Mr. Hanna addressed Councilmember Regan's questions and concerns, by stating this evaluation will help us better understand how we can better assist the community with transportation options.

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. Deputy Mayor Pro-tem Craver seconded the motion. Motion carried.

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

4. Resolution: Receive a Report, Hold a Discussion, and Take Action to Approve a Contract with Schindler Elevator Corporation to Rebuild the Interior Escalators in the Airport Terminal
[FAILED]

Having pulled the item, Councilmember Regan had concerns about fixing the escalators if they will be removed in the near future. Councilmember Regan would like to see the front of the escalators framed off and for staff to utilize this area for advertisement instead.

Robert Hanna, City Manager, presented the item. Adoption of the item would approve a contract with Schindler Elevator to repair the inside escalators at the airport.

Mayor Hurt opened the public hearing. The following spoke in opposition to the item:

- Tammy Fogle

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

Councilmember Yates moved to approve the item as presented. Mayor Pro-tem McAlister seconded the motion. Motion failed.

AYES (3): Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Craver, and Councilmember Yates
NAYS (3): Mayor Hurt, and Councilmembers Price and Regan
ABSENT (1): Councilmember Beard

REGULAR AGENDA

17. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Resolution Directing Publication of Notice of Intention to Issue Combination Tax and Revenue Certificates of Obligation for Public Safety and Airport Projects
[ASSIGNED RESOLUTION NO. 189-2024]

Marjorie Knight, Director of Finance, presented the item. Adoption of the item would approve the publication of a notice of intention to issue combination tax and revenue certificates of obligation for public safety and airport projects.

Mayor Hurt opened the public hearing. The following addressed the council:

- Tammy Fogle

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

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

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

13. Ordinance (Final Reading) Z-2024-14: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on A Request From The Owner, To Amend The Terms And Conditions Of A Planned Development District (PDD-61). Specifically, To Amend The Boundaries Of The Planned Development To Add A 'Tract 3' With The Base Zoning Of Agricultural Open (AO) With A Permitted Use Of Carpentry Services. Located At 450 South 25th Street
[ASSIGNED ORDINANCE NO. 38-2024]

Tim Littlejohn, Director of Planning & Development Services, presented the item. Adoption of the item would amend the terms and conditions of PDD-61 to add a Tract 3 with the base zoning of Agricultural Open Space (AO) with a permitted use of carpentry services.
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. Deputy Mayor Pro-tem Craver seconded the motion; motion carried.

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

EXECUTIVE SESSION

Mayor Hurt recessed into Executive Session at 9:16 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:

19.B.551.072 (Deliberations About Real Property)
1. Utility Easement, .882 acres Between Dunham Dr & Boys Ranch Road
2. 610 Walnut Street

19.D.551.074 (Personnel Matters)
1. City Manager
2. Board Appointments

19.F.551.087 (Business Prospect/Economic Development)
1. DCOA Project Road Runner

The Executive Session ended at 10:00 a.m. and reconvened to Open Session. Mayor Hurt reported no votes or action were taken in Executive Session.

REGULAR AGENDA

20. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving DCOA Project Road Runner
[ASSIGNED RESOLUTION NO. 190-2024]

Earlier in the meeting, under Section 551.087 (Business Prospect/Economic Development) of the Open Meetings Act, the item was discussed during the Executive Session, which started at 9:16 a.m., and ended at 10:00 a.m. No votes or actions were taken at that time.

Misty Mayo, CEO of the Development Corporation of Abilene, presented the item. Adoption of the item would approve an agreement with Project Road Runner. The company name is withheld until the contract is finalized.

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

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

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

ADJOURNMENT

There being no further business, the meeting adjourned at 10:07 a.m.

Shawna Atkinson
City Secretary

Weldon Hurt
Mayor

Minutes approved on: September 12, 2024