

CITY COUNCIL MEETING
September 26, 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 September 26, 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, Lynn Beard, Blaise Regan, and Brian Yates. Also present were City Manager Robert Hanna, City Attorney Stanley Smith, and City Secretary Shawna Atkinson.

Councilmember Brian Yates delivered the invocation.

Hillary Harmon and Isaac Messenger, both 5th Graders from Taylor Elementary, led the Pledge of Allegiance to the Flag of the United States of America and State of Texas Flag.

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS AND ANNOUNCEMENTS

- Recognition:
 - Abilene WIC's State Award for Customer Service – accepted by the WIC office staff.

PRESENTATION OF CONSENT AGENDA

The Consent Agenda consisted of items 3-24. Items 21 and 24 were pulled for individual consideration.

Items pulled for individual consideration:

- Item 21: Councilmember Price
- Item 24: Councilmember Regan

PUBLIC COMMENTS

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

- John Jacoby
- Tammy Fogle

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

CONSENT AGENDA

Mayor Pro-tem McAlister moved to approve the consent agenda now consisting of items 3-20 and 22-23. Deputy Mayor Pro-tem Craver seconded the motion. Motion carried.

AYES (7): Mayor Hurt, Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard, Regan, and Yates
NAYS (0): None

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

4. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding Bid CB-2479 to Teinert Construction to Build Fire Station #9
[ASSIGNED RESOLUTION NO. 209-2024]
5. Resolution: Receive a Report, Hold a Discussion, and Take Action on Awarding Bid# CB-2477 N. 18th St. Rehabilitation Project to J.H.Strain & Sons, Inc.
[ASSIGNED RESOLUTION NO. 210-2024]
6. Resolution: Receive a Report, Hold a Discussion, and Take Action on Awarding Bid# CB-2478 S. 7th St. Reconstruction Project to J.H.Strain & Sons, Inc.
[ASSIGNED RESOLUTION NO. 211-2024]
7. Resolution: Receive a Report, Hold a Discussion and Take Action on Approval of Bids from Noble Supply and Logostocs and Ghost Robotics for Defense Economic Adjustment Assistance Grant (DEAAG) Project in Support of Dyess Air Force Base
[ASSIGNED RESOLUTION NO. 212-2024]
8. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding Annual Materials Bid #CB-2482
[ASSIGNED RESOLUTION NO. 213-2024]
9. Resolution: Receive a Report, Hold a Discussion and Take Action to Purchase One (1) 2025 Freightliner 114SD Roll Off Refuse Truck from Solid Waste through HGAC Co-operative Contract # HT06-20
[ASSIGNED RESOLUTION NO. 214-2024]
10. Resolution: Receive a Report, Hold a Discussion, and Take Action to Approve a Contract with Scientel Solutions, LLC to Install New Microwave Communications Equipment
[ASSIGNED RESOLUTION NO. 215-2024]
11. Resolution: Receive a Report, Hold a Discussion, and Take Action to Approve an Agreement with Alliance Work Partners to Provide Employee Assistance Program Coverage
[ASSIGNED RESOLUTION NO. 216-2024]
12. Resolution: Receive a Report, Hold a Discussion and Take Action on the Approval to Acquire Professional Services and Amendment of the Current Contract with Resource Data, Inc. as a Provider of Geographical Information Services
[ASSIGNED RESOLUTION NO. 217-2024]
13. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Purchase of Microfiltration Modules from Aria Filtra, a Division of Trojan Technologies Corp., for the Hargesheimer Water Treatment Plant and for the Possum Kingdom Raw Water Roughing Facility
[ASSIGNED RESOLUTION NO. 218-2024]
14. Resolution: Receive a Report, Hold a Discussion and Take Action on Awarding Bids for Purchase of Bulk Chemicals to be Used by Water and Wastewater Treatment Plants in Fiscal Year 2025
[ASSIGNED RESOLUTION NO. 219-2024]
15. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving Change Order No. 1 to the Contract with Dowtech Specialty Contractors, Inc. for the Hamby WRF Improvements Ph 2
[ASSIGNED RESOLUTION NO. 220-2024]

16. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving Amendment No. 1 to the Contract with Enprotec/Hibbs and Todd, Inc. for the Dry Polymer Feed, Sodium Hydroxide Tanks and Grimes Evaluation
[ASSIGNED RESOLUTION NO. 221-2024]
17. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving a Professional Services Contract with Enprotec/Hibbs & Todd, Inc. for the Pine Street Water Line Replacement
[ASSIGNED RESOLUTION NO. 222-2024]
19. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving the Purchase of Risk Management Software from ClearRisk Using SHI Cooperative Pricing
[ASSIGNED RESOLUTION NO. 224-2024]
20. Resolution: Receive a Report, Hold a Discussion, and Take Action on Approving the Purchase of Cyber Liability for the City of Abilene through the Texas Municipal League Intergovernmental Risk Pool (TMLIRP) for Fiscal Year 2025
[ASSIGNED RESOLUTION NO. 225-2024]
22. Ordinance (First Reading) CUP-2024-07: Receive a Report, Hold a Discussion and Take Action on a Request from the Owner to Apply a Conditional Use Permit to the Property at 8302 Military Drive, to Allow a Concrete Batch Plant
23. Ordinance (First Reading) Z-2024-24: Receive a Report, Hold a Discussion and Take Action on a Request from the Owner, to Change the Zoning of Approximately 0.91 Acres from Mobile/Manufactured Home (MH) to Residential Multi-Family (MF), Located at 3141 Grape Street

ITEM PULLED FOR INDIVIDUAL CONSIDERATION

21. Resolution: Receive a Report, Hold a Discussion and Take Action on Amending Resolution 200-2019 Regarding Public Information Act Requests
[ASSIGNED RESOLUTION NO. 226-2024]

Having pulled the item, Councilmember Price wanted to clarify that these changes will only apply to city appointed boards, and not independent boards like the MPO Board and the Fireman's Board.

Mayor Hurt opened the public hearing. The following spoke in favor of the item:

- Tammy Fogle

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

Councilmember Price moved to approve the item as presented. Councilmember Beard seconded the motion. Motion carried.

AYES (7): Mayor Hurt, Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard, Regan, and Yates

NAYS (0): None

24. Ordinance (First Reading) Z-2024-25: Receive a Report, Hold a Discussion and Take Action on a Request from the Owner, to Change the Zoning of Approximately 0.47 Acres from Office (O) to Neighborhood Retail (NR), Located at 317 North Willis Street

Having pulled the item, Councilmember Regan stated he inadvertently pulled this item when he meant to abstain from it and pull item 18 instead.

Councilmember Regan had a conflict of interest on this item and left the room during deliberation and abstained from voting. A Conflict of Interest Affidavit was filled out before the meeting and filed with the City Secretary's office.

Mayor Hurt opened the public hearing. The following spoke in favor of the item:

- Karen Light

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

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

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

NAYS (0): None

ABSTAIN (1): Councilmember Regan

18. Resolution: Receive a Report, Hold a Discussion and Take Action on Authorizing the City Manager to Execute a Water Supply Agreement with Thompson Golf Group, LLC for the Purchase and Use of Reclaimed Water
[ASSIGNED RESOLUTION NO. 223-2024]

Due to incorrectly pulling the wrong item from Consent, Councilmember Regan moved to reconsider item 18 that was passed with the consent agenda. Councilmember Yates seconded the motion. Motion carried and the item was reconsidered.

AYES (7): Mayor Hurt, Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard, Regan, and Yates

NAYS (0): None

Having pulled the item, Councilmember Regan had concerns about the rate in the contract and thought it should be raised. Mr. Hanna clarified that this is the same deal we had with the previous owner, just transferring it to the new owner, and all the rates for effluent water are the same as this.

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 Yates seconded the motion. Motion carried.

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

NAYS (1): Councilmember Regan

REGULAR AGENDA

25. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, 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
[ASSIGNED ORDINANCE NO. 45-2024]

Tim Littlejohn, Director of Planning & Development Services, presented the item. Adoption of the item would amend the City Code to match the 2021 IBC Section 423.4 by removing this section and removing the 3/8" sheathing portion of the table.

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

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

AYES (7): Mayor Hurt, Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard, Regan, and Yates
NAYS (0): None

26. Presentation: Receive a Report, Hold a Discussion and Public Hearing Regarding Lead Service Line Inventory - Water Utilities Department

Rodney Taylor, Director of Water Utilities, presented the item. Mr. Taylor presented the rule that went into place on lead and copper in drinking water systems, the inventory they have done to determine which services lines are lead or galvanized, and then presented a demo on how citizens can find out if their service line is lead or galvanized and what they can do if so.

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

This item was for discussion only. No votes or action were taken.

EXECUTIVE SESSION

Mayor Hurt recessed into Executive Session at 9:31 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.A.551.071 (Consultation with Attorney)

1. Alton H Smith Jr. and Alicia Malorie Smith v. City of Abilene, Texas
2. Mary Lou Gonzalez v. City of Abilene, Board of Building Standards

19.D.551.074 (Personnel Matters)

1. City Secretary
2. Municipal Court Judge

The Executive Session ended at 10:44 a.m. and reconvened to Open Session. Mayor Hurt reported no votes or action were taken in Executive Session.

REGULAR AGENDA

28. Oral Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the Evaluation of the Municipal Court Judge
[ORAL RESOLUTION]

Earlier in the meeting, under Section 551.074 (Personnel Matters) of the Open Meetings Act, the item was discussed during the Executive Session, which started at 9:31 a.m., and ended at 10:44 a.m. No votes or actions were taken at that time.

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 Regan seconded the motion; motion carried.

AYES (7): Mayor Hurt, Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard, Regan, and Yates
NAYS (0): None

29. Oral Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the Evaluation of the City Secretary
[ORAL RESOLUTION]

Earlier in the meeting, under Section 551.074 (Personnel Matters) of the Open Meetings Act, the item was discussed during the Executive Session, which started at 9:31 a.m., and ended at 10:44 a.m. No votes or actions were taken at that time.

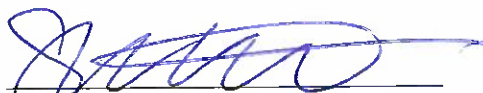
Mayor Hurt opened the public hearing. With no speakers coming forward, the public hearing was closed.

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

AYES (7): Mayor Hurt, Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard, Regan, and Yates
NAYS (0): None

ADJOURNMENT

There being no further business, the meeting adjourned at 10:46 a.m.


Shawna Atkinson
City Secretary


Weldon Hurt
Mayor

Minutes approved on: October 17, 2024