



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

AMENDED

Notice is hereby given of a meeting of the City Council of City of Abilene to be held on November 7, 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. Councilmember Lynn Beard

PLEDGE TO THE UNITED STATES FLAG AND THE TEXAS FLAG

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS AND ANNOUNCEMENTS

2. **Service Awards:**

- Derrick Franklin - 25 Years - Police Department
- Eric Katona - 25 Years - Police Department
- Steven Valentine - 25 Years - Police Department
- Danny Tollison - 25 Years - Police Department
- Kelly McCoy - 25 Years - Parks & Recreation
- Jim Winward - 20 Years - Public Works

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.

3. **Minutes:** Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on October 17, 2024 **(Shawna Atkinson)**
4. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Appointing Members to Various Boards and Commissions per the City Charter **(Shawna Atkinson)**
 - Abilene-Taylor County Events Venue District Board
 - Abilene-Taylor County Public Health Board
 - Airport Development Board
 - Board of Adjustment
 - Board of Building Standards
 - Civil Service Commission
 - Landmarks Commission
 - Library Board
 - Mayor's Advisory Board for People with Disabilities
 - Visual Arts Jury
5. **Resolution:** Receive a Report, Hold a Discussion, and Take Action on Casting a Vote to Nominate a Member to the Taylor County Appraisal District Board of Directors **(Shawna Atkinson)**
6. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Approving the City Manager to Accept a Hazard Mitigation Grant for the Purchase of Facility Generators for Identified City Facilities **(Vincent Cantu)**.
7. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Approving a Professional Services Contract with Jacob and Martin, LLC for the Zoo Dam Safety Plan **(Rodney Taylor)**
8. **Ordinance (First Reading):** Receive a Report, Hold a Discussion and Take Action on an Ordinance of the City of Abilene, Texas, and Providing for the Extension of the Boundary Limits of the City of Abilene, Texas, and for the Annexation of Certain Territory - 7.8 acres - Lying Adjacent and Contiguous to the Present Boundary Limits of the City of Abilene, and Granting to All the Inhabitants of Territory, all the Rights and Privileges of other Citizens and Binding the Inhabitants by All of the Acts, Ordinances, Resolutions and Regulations of the City of Abilene; and Adopting a Service Plan Agreement **(Michael Rice)**
9. **Ordinance (First Reading):** Receive a Report, Hold a Discussion and Take Action on an Ordinance of the City of Abilene, Texas, and Providing for the Extension of the Boundary Limits of the City of Abilene, Texas, and for the Annexation of Certain Territory - 1.777 acres - Lying Adjacent and Contiguous to the Present Boundary Limits of the City of Abilene, and Granting to All the Inhabitants of Territory, all the Rights and Privileges of other Citizens and Binding the Inhabitants by All of the Acts, Ordinances, Resolutions and Regulations of the City

of Abilene; and Adopting a Service Plan Agreement (Michael Rice)

10. **Ordinance (First Reading):** Receive a Report, Hold a Discussion and Take Action on an Ordinance of the City of Abilene, Texas, and Providing for the Extension of the Boundary Limits of the City of Abilene, Texas, and for the Annexation of Certain Territory - 1802.91 acres - Lying Adjacent and Contiguous to the Present Boundary Limits of the City of Abilene, and Granting to All the Inhabitants of Territory, all the Rights and Privileges of other Citizens and Binding the Inhabitants by All of the Acts, Ordinances, Resolutions and Regulations of the City of Abilene; and Adopting a Service Plan Agreement (Michael Rice)
11. **Ordinance (First Reading):** Receive a Report, Hold a Discussion and Take Action on an Ordinance of the City of Abilene, Texas, and Providing for the Extension of the Boundary Limits of the City of Abilene, Texas, and for the Annexation of Certain Territory - 5.9 acres - Lying Adjacent and Contiguous to the Present Boundary Limits of the City of Abilene, and Granting to All the Inhabitants of Territory, all the Rights and Privileges of other Citizens and Binding the Inhabitants by All of the Acts, Ordinances, Resolutions and Regulations of the City of Abilene; and Adopting a Service Plan Agreement (Michael Rice)
12. **Ordinance (First Reading):** Receive a Report, Hold a Discussion and Take Action on Amending Chapter 18, "Motor Vehicles And Traffic," Article XIII, "Schedules," Section 18-289.1, "One-Way Streets-Certain Times," of the Abilene Municipal Code to Change Traffic Restrictions at Crockett Early Head Start Facility (Max Johnson)
13. **Ordinance (First Reading) CUP-2024-08:** Receive a Report, Hold a Discussion, and Take Action on a Request from the Owner, to Apply a Conditional Use Permit to Allow Re-Construction of a 120' Tall Monopole Within General Retail (GR), Located at 920X Westview Drive (Tim Littlejohn)

REGULAR AGENDA - ORDINANCES AND PUBLIC HEARINGS - RESOLUTIONS

14. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving a Contract with Abilene Environmental Landfill, Inc. for Solid Waste Disposal Services (Michael Rice)
15. **Ordinance (Final Reading) CUP-2024-09:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from the Owner to Apply a Conditional Use Permit to Allow an Antenna Tower – Commercial at 2588 East Lake Road (Tim Littlejohn)
16. **Ordinance (Final Reading) TC-2024-02:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from the City of Abilene to Abandon Certain Portions of Right-of-Way (ROW) along Oldham Lane. Specifically, 10 Feet of ROW Adjacent to the Following Lots: Lots 1-4, Block A, Oldham Farms Addition, Section 1; Lot 1, Block A, Oldham Farms Addition, Section 2; Lots 203, 2, and 101, Oldham Farms Addition, Section 3; Lot 1, Block A, Don Fite Addition; Lots 201 and 202, Block A, Oldham Lane Church of Christ Addition and; Lot 35, Block A, Bunny Run Addition, Section 2, Abilene, Taylor County, Texas (Tim Littlejohn)
17. **Ordinance (Final Reading) Z-2024-27:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from the Owner, Represented by Law Firm of Chaile Allen, PLLC, to Change the Zoning of Approximately 0.49 Acres from Central Business to Planned Development District 189 to Allow the Outdoor Storage of Freight Containers, Located At 633 and 641 Pecan Street, Abilene, Texas (Tim Littlejohn)
18. **Ordinance (Final Reading) Z-2024-28:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from the Owner, to Change the Zoning of Approximately 0.30 Acres from Residential Single-Family (RS-6) to Heavy Commercial (HC), Located at 602 & 610 N 16th Street (Tim Littlejohn)
19. **Ordinance (Final Reading) Z-2024-29:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from the Owner, to Change the Zoning of

Approximately 4.78 Acres from Multi-Family (MF) to a Planned Development District (PDD-188) that Proposes Townhomes with a Maximum of Two Dwelling Units, and Duplexes. Located at 898-991 Minda Street (Tim Littlejohn)

20. **Ordinance (Final Reading):** Receive a Report, Hold a Discussion, Public Hearing and Take Action on Temporarily Suspending the Fluoridation of the City of Abilene's Water Supply, and **Discussion Only** regarding a Permanent Termination of Fluoridation of the City's Water Supply (Robert Hanna)

EXECUTIVE SESSION

21. **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)

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

22. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Adopting a Chapter 380 Agreement with Chick-Fil-A, Inc. for Construction of Public Improvements **(Robert Hanna)**

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 Amended meeting notice was posted on the bulletin board at the City Hall of the City of Abilene, Texas, on the 4th day of November, 2024, at 8:15 a.m.

Shawna Atkinson, TRMC, CMC
City Secretary