



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 November 21, 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 Shane Price

PLEDGE TO THE UNITED STATES FLAG AND THE TEXAS FLAG

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS AND ANNOUNCEMENTS

2. **Proclamation:**

- Designating Abilene a Purple Heart City

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 November 7, 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 Child Advocacy Center Board
 - Abilene Housing Authority
 - Board of Adjustment
 - Board of Building Standards
 - Neighborhood Services Advisory Board
 - Planning & Zoning Commission
5. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Approving a Professional Services Contract with Enprotec/Hibbs & Todd, Inc. for the Possum Kingdom Raw Water Roughing Facility Commissioning and Start Up **(Rodney Taylor)**
6. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Approving a Professional Services Contract With Jacob & Martin, LLC. for the Interstate Highway 20 Utility Relocates – Phase 1 Preliminary Engineering **(Rodney Taylor)**
7. **Resolution:** Receive a Report, Hold a Discussion and Take Action Authorizing the Purchase of 21 L3Harris Mobile, XL-85M Radios through Daily & Wells' HGAC Buy Contract. **(Don Green)**
8. **Resolution:** Receive a Report, Hold a Discussion, and Take Action on the purchase of one (1) 2024 Komatsu WA200-8 Wheel Loader with Rake Grapple and Standard Bucket through Kirby Smith Machinery of Abilene Texas Using Buy Board Cooperative Contract # 685-22 for Solid Waste Services **(Don Green)**
9. **Resolution:** Receive a Report, Hold a Discussion, and Take Action to Approve the Lease with Abilene Aero for Hangar One **(Don Green)**
10. **Resolution:** Receive a Report, Hold a Discussion, and Take Action to Approve the Reassignment of Various Leases with Abilene Aero to Freeman Holdings, Inc. **(Don Green)**
11. **Resolution:** Receive a Report, Hold a Discussion, and Take Action on the Purchase of One (1) Caterpillar 120 JY Motor Grader for Street Services, through Sourcewell Contract # 011723-CAT from Warren Cat of Abilene **(Don Green)**
12. **Ordinance (First Reading) OAM-2024-01:** Receive a Report, Hold a Discussion and Take Action on a Request from the City of Abilene to Amend the Land Development Code to Adopt a New Airport Zoning Ordinance (AZO) **(Don Green)**
13. **Resolution:** Receive a Report, Hold a Discussion and Take Action on Amending Resolution 192-2023 to Clarify Home Builder Association Membership Minimum Requirement **(Tim Littlejohn)**
14. **Ordinance (First Reading) CUP-2024-10:** Receive a Report, Hold a Discussion and Take Action on A Request from the Owner, to Apply a Conditional Use Permit to Approximately 0.32

Acres Zoned General Retail (GR) to Allow for a Freight Container. Located at 1350 Grape Street. (Tim Littlejohn)

15. **Ordinance (First Reading) Z-2024-31:** Receive a Report, Hold a Discussion and Take Action on a Request from the Owner, to Change the Zoning of Approximately 0.44 Acres from Heavy Commercial (HC) to Office (O). Located at 1234, 1232, 1226 & 1218 N Treadaway Blvd. (Tim Littlejohn)
16. **Ordinance (First Reading) Z-2024-33:** Receive a Report, Hold a Discussion and Take Action on a Request from the Owner, Amend the Terms and Conditions of Planned Development District (PDD-181) Specifically to Add Approximately 5.9 Acres of Land Zoned Agricultural Open (AO) to be Added to Lot One to Allow Heavy Industrial Uses and Light Industrial Uses as Specified in the PDD. Located At 617 F.M. 2404. (Tim Littlejohn)
17. **Resolution:** Receive a Report, Hold a Discussion and Take Action on entering into an economic development agreement with Thornton Homes for 5533, 5525, 5517, 5509, 5501, 5547, 5549 N 10th St and 2725 Roberts St. (Tim Littlejohn)
18. **Resolution:** Receive a Report, Hold a Discussion and Take Action on entering into an economic development agreement with Sanford Construction LLC for 894, 898, 902, 906, 910, 914, 918, 922, 926, and 930 Minda St. (Tim Littlejohn)
19. **Resolution:** Receive a Report, Hold a Discussion and Take Action on entering into an economic development agreement with Abilene Custom Homes for 2569, 2565, 2563, 2571, 2561, 2557, 2573, 2553, 2577 Bel Air Dr (Tim Littlejohn)
20. **Resolution:** Receive a Report, Hold a Discussion and Take Action on entering into an economic development agreement with Mayhem Solutions for 2733 and 2741 Orange St. (Tim Littlejohn)
21. **Resolution:** Receive a Report, Hold a Discussion and Take Action on entering into an economic development agreement with Kris Gay Homes for 1349 Peach St (Tim Littlejohn)
22. **Resolution:** Receive a Report, Hold a Discussion and Take Action to Approve the Abilene-Taylor County Public Health District's Charity Care Program. (Annette Lerma)
23. **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 (Lesli Andrews)

REGULAR AGENDA - ORDINANCES AND PUBLIC HEARINGS - RESOLUTIONS

24. **Ordinance (Final Reading):** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing The Issuance Of City Of Abilene, Texas, Combination Tax And Limited Surplus Revenue Certificates Of Obligation; Establishing Procedures And Delegating Authority For The Sale And Delivery Of The Certificates; Providing An Effective Date; And Enacting Other Provisions Relating To The Subject (Marjorie Knight)
25. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action to Approve a Contract with Webber Construction to Build the Air Tanker Ramp at Abilene Regional Airport (Don Green)
26. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action to Approve a Task Order with Garver to Perform Construction Phase Services for the Air Tanker Ramp (Don Green)
27. **Ordinance (Final Reading):** Receive a Report, Hold a Discussion and Public Hearing, 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*)

28. **Ordinance (Final Reading):** Receive a Report, Hold a Discussion and Public Hearing, 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*)
29. **Ordinance (Final Reading):** Receive a Report, Hold a Discussion and Public Hearing, 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*)
30. **Ordinance (Final Reading):** Receive a Report, Hold a Discussion and Public Hearing, 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*)
31. **Ordinance (Final Reading):** Receive a Report, Hold a Discussion and Public Hearing, 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*)

EXECUTIVE SESSION

32. **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

13. Landfill disposal agreements

B. 551.072 (Deliberations about Real Property)

1. Eminent Domain, alley and drainage easement, 3472 Santa Monica Drive

C. 551.073 (Deliberations about Gifts and Donations)

1. Consideration of gifts and donations for Storybook Garden 2

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

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 15th day of November, 2024, at 2:30 p.m.

Kaitlin Richardson, TRMC
Deputy City Secretary