

CITY COUNCIL MEETING
November 7, 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 November 7, 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 Lynn Beard delivered the invocation.

Daniella and Ariacella Stokes, 5th graders from Ortiz Elementary led the Pledge of Allegiance to the Flag of the United States of America and the State of Texas Flag.

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS AND ANNOUNCEMENTS

- 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 & Rec
 - Jim Winward – 20 Years – Public Works

PRESENTATION OF CONSENT AGENDA

The Consent Agenda consisted of items 3-13. Item #13 was pulled from consideration prior to the meeting.

PUBLIC COMMENTS

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

- Derrick Stokes
- 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 3-12. Deputy Mayor Pro-tem Craver 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. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on October 17, 2024

4. Resolution: Receive a Report, Hold a Discussion and Take Action on Appointing Members to Various Boards and Commissions per the City Charter
[ASSIGNED RESOLUTION NO. 252-2024]

Board	Term End Date
<i>Abilene-Taylor County Venue District Board</i>	
Shane Woodard-Hall [Reappointment]	November 2026
<i>Abilene-Taylor County Public Health Advisory Board</i>	
Leslie Hutchins [Reappointment]	November 2026
Randy Williams [Reappointment]	November 2026
<i>Airport Development Board</i>	
Randy Williams [Reappointment]	November 2026
Mark Perkins [Reappointment]	November 2026
Cindy Ramsay [Reappointment]	November 2026
<i>Board of Adjustment</i>	
Shawnda Rixey [Regular] [Reappointment]	November 2026
Josh Radar [Regular] [New]	November 2026
Cliff Whitlock [Alternate] [Reappointment]	November 2026
<i>Board of Building Standards</i>	
Delbert Allred [Regular] [Reappointment]	November 2026
Al Grenillat [Alternate] [Reappointment]	November 2026
<i>Civil Service Commission</i>	
Blair Schroeder [Reappointment]	November 2027
<i>Landmarks Commission</i>	
Johanna Partain [Alternate] [Reappointment]	November 2027
Chadler Allen [Regular] [New]	November 2027
<i>Library Advisory Board</i>	
Vicki House [New]	November 2027
Karen Turner [New]	November 2027
<i>Mayor's Advisory Board for People with Disabilities</i>	
Debra Turner [Reappointment]	October 2026
Mary Catton [Reappointment]	October 2026
Rani Burke [New]	October 2026
<i>Visual Arts Jury</i>	
Stephen Jones [New]	N/A

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
[ASSIGNED RESOLUTION NO. 253-2024]
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
[ASSIGNED RESOLUTION NO. 254-2024]
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
[ASSIGNED RESOLUTION NO. 255-2024]
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
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

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
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
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

ITEMS PULLED FROM CONSIDERATION

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

[NOT CONSIDERED]

This item was pulled from consideration prior to the meeting.

REGULAR AGENDA

Mayor Hurt announced that Item #14 would be considered after Executive Session.

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
[ASSIGNED ORDINANCE NO. 49-2024]

Tim Littlejohn, Director of Planning & Development Services, presented the item. Adoption of the item would apply a Conditional Use Permit (CUP) to allow an antenna tower at the above referenced property.

Mayor Hurt opened the public comment period. The following spoke in support of the item:

- Bryan Sullivan

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

Councilmember Regan 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

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

[ASSIGNED ORDINANCE NO. 50-2024]

Tim Littlejohn, Director of Planning & Development Services, presented the item. Adoption of the item would abandon certain portions of the public right-of-way (ROW) at the above referenced location.

Mayor Hurt opened the public comment period. 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 (7): Mayor Hurt, Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard, Regan, and Yates

NAYS (0): None

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

[ASSIGNED ORDINANCE NO. 51-2024]

Tim Littlejohn, Director of Planning & Development Services, presented the item. Adoption of the item would rezone the above referenced property from Central Business District (CB) to Planned Development District 189 (PDD-189).

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

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

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

[ASSIGNED ORDINANCE NO. 52-2024]

Tim Littlejohn, Director of Planning & Development Services, presented the item. Adoption of the item would change the zoning of the above referenced property from Residential Single-Family (RS-6) to Heavy Commercial (HC).

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

Mayor Pro-tem McAlister 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

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
[ASSIGNED ORDINANCE NO. 53-2024]

Tim Littlejohn, Director of Planning & Development Services, presented the item. Adoption of the item would rezone the above referenced property from Multi-Family (MF) to Planned Development District 188 (PDD-188).

Mayor Hurt opened the public comment period. The following spoke in support of the item:

- Tal Fillingim

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

Councilmember Regan moved to approve the item as presented. Councilmember Price 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

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
[ASSIGNED ORDINANCE NO. 54-2024]

Robert Hanna, City Manager, presented the item. Adoption of the item would temporarily suspend the additional fluoridation of the City's water supply.

Mayor Hurt opened the public comment period. The following spoke in support of the item:

- Jennifer Bell
- Tammy Fogle
- Eric Bengs

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

Council indicated their desire to see staff move forward with removing the fluoride addition permanently at a later date.

Mayor Pro-tem McAlister 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

EXECUTIVE SESSION

Mayor Hurt recessed into Executive Session at 9:27 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:

21.A.551.071 (Consultation with Attorney)

1. Cause No 51572-A – Derek Craig Stokes v. Officers Campbell and Randall Farmer

2. Item #22 – AEL Contract

21.B.551.072 (Deliberations about Real Property)

1. Item #14 – Chapter 380 Agreement with Chick-fil-A

21.D.551.074 (Personnel Matters)

1. City Manager

The Executive Session ended at 10:21 a.m. and reconvened to Open Session. Mayor Hurt reported no votes or action were taken in Executive Session.

REGULAR AGENDA

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
[ASSIGNED RESOLUTION NO. 256-2024]

Earlier in the meeting, under Section 551.071 (Consultation with Attorney) of the Open Meetings Act, the item was discussed during the Executive Session, which started at 9:27 a.m., and ended at 10:21 a.m. No votes or actions were taken at that time.

Michael Rice, Assistant City Manager, presented the item. Adoption of the item would approve a contract with Abilene Environmental Landfill, Inc., for solid waste disposal services.

Mayor Hurt opened the public comment period. The following spoke in support of the item:

- Mike Perez

The following spoke in opposition to the item:

- Corey Matthews

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

Councilmember Regan moved to approve this agreement and may not be enforced by any third-party beneficiary whether intended or unintended 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

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
[ASSIGNED RESOLUTION NO. 257-2024]

Earlier in the meeting, under Section 551.072 (Deliberations about Real Property) of the Open Meetings Act, the item was discussed during the Executive Session, which started at 9:27 a.m., and ended at 10:21 a.m. No votes or actions were taken at that time.

Robert Hanna, City Manager, presented the item. Adoption of the item would approve a Chapter 380 Agreement with Chick-Fil-A, Inc., for construction of public improvements.

Mayor Hurt opened the public comment period. The following spoke on the item:

- Tammy Fogle

With no other 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 (6): Mayor Hurt, Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard, and Yates
NAYS (1): Councilmember Regan

ADJOURNMENT

There being no further business, the meeting adjourned at 10:35 a.m.



Shawna Atkinson
City Secretary



Weldon Hurt
Mayor

Minutes approved on: November 21, 2024

