

CITY COUNCIL MEETING
November 21, 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 21, 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, and Brian Yates. Councilmember Blaise Regan was absent. Also present were Deputy City Manager Mindy Patterson, City Attorney Stanley Smith, and City Secretary Shawna Atkinson.

Councilmember Shane Price delivered the invocation.

Isadora Kugle, fourth grader from Martinez 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

- Proclamation & Presentation:
 - Designating the City of Abilene a Purple Heart City

PRESENTATION OF CONSENT AGENDA

The Consent Agenda consisted of items 3-23. No items were pulled for individual consideration.

PUBLIC COMMENTS

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

- Tammy Fogle

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

CONSENT AGENDA

Councilmember Price moved to approve the consent agenda consisting of 3-23. 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 (0): None
ABSENT (1): Councilmember Regan

Mayor Pro-tem McAlister had a conflict of interest on item 4 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 4 alone was:

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

Councilmember Yates had a conflict of interest on item 5 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 5 alone was:

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

Councilmember Beard had a conflict of interest on items 9, 10 and 12 and abstained from voting on those items. A Conflict of Interest Affidavit was filled out before the meeting and filed with the City Secretary's office. The vote for items 9, 10 and 12 alone was:

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

3. Resolution: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on November 7, 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. 258-2024]

Board	Term End Date
Abilene-Taylor County Child Advocacy Center Board	
Aubri Ward [Reappointment]	December 2027
Kerni Barber [New]	December 2025
Alanna Brennan [New]	December 2025
Heather Hadlock [New]	December 2026
Abilene Housing Authority	
Celestine Daugherty [Reappointment]	November 2026
Macy McMillian [Reappointment]	November 2026
Matthew Dodd [New]	November 2026
Board of Adjustment	
Laura Donaway [Alternate] [New]	November 2026
Board of Building Standards	
Jesse Wyatt [Reappointment]	November 2026
Sean McNiell [Reappointment]	November 2026
Neighborhood Services Advisory Board	
Laura Donaway [New]	November 2026
Terry Cagle [Reappointment]	November 2026
Julia Wilson [Reappointment]	November 2026
Planning and Zoning Commission	
Gary House [New]	November 2026

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
[ASSIGNED RESOLUTION NO. 259-2024]

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
[ASSIGNED RESOLUTION NO. 260-2024]
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
[ASSIGNED RESOLUTION NO. 261-2024]
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
[ASSIGNED RESOLUTION NO. 262-2024]
9. Resolution: Receive a Report, Hold a Discussion, and Take Action to Approve the Lease with Abilene Aero for Hangar One
[ASSIGNED RESOLUTION NO. 263-2024]
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.
[ASSIGNED RESOLUTION NO. 264-2024]
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
[ASSIGNED RESOLUTION NO. 265-2024]
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)
13. Resolution: Receive a Report, Hold a Discussion and Take Action on Amending Resolution 192-2023 to Clarify Home Builder Association Membership Minimum Requirement
[ASSIGNED RESOLUTION NO. 266-2024]
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
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.
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

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.
[ASSIGNED RESOLUTION NO. 267-2024]
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
[ASSIGNED RESOLUTION NO. 268-2024]
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
[ASSIGNED RESOLUTION NO. 269-2024]
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.(
[ASSIGNED RESOLUTION NO. 270-2024]
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
[ASSIGNED RESOLUTION NO. 271-2024]
22. Resolution: Receive a Report, Hold a Discussion and Take Action to Approve the Abilene-Taylor County Public Health District's Charity Care Program
[ASSIGNED RESOLUTION NO. 272-2024]
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
[ASSIGNED RESOLUTION NO. 273-2024]

REGULAR AGENDA

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
[ASSIGNED ORDINANCE NO. 55-2024]

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

Marjorie Knight, Director of Finance, and George Williford with Hilltop Securities, presented the item. Adoption of the item would authorize the issuance of certificates of obligation up to \$8,300,000 for public safety and airport projects.

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

- Doug Williamson
- Phil Crowley
- Pearl Merritt
- Brad Birchum
- Cameron Wiley
- Ricky Bishop

The following spoke in opposition to the item:

- Tammy Fogle

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

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

AYES (5): Mayor Hurt, Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Craver, and Councilmembers Price and Yates

NAYS (0): None

ABSTAIN (1): Councilmember Beard

ABSENT (1): Councilmember Regan

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 [ASSIGNED RESOLUTION NO. 274-2024]

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

Don Green, Director of Transportation, presented the item. Adoption of the item would approve a contract with Webber Construction to build an air tanker ramp for the Texas A&M Forest Service at the Abilene Regional Airport, in order to support wildland fire fighting operations around the state.

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

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

AYES (5): Mayor Hurt, Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Craver, and Councilmembers Price and Yates

NAYS (0): None

ABSTAIN (1): Councilmember Beard

ABSENT (1): Councilmember Regan

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
[ASSIGNED RESOLUTION NO. 275-2024]

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

Don Green, Director of Transportation, presented the item. Adoption of the item would approve a task order with Garver to perform construction phase services for the air tanker ramp at the Abilene Regional Airport.

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. Mayor Pro-tem McAlister seconded the motion; motion carried.

AYES (5): Mayor Hurt, Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Craver, and Councilmembers Price and Yates

NAYS (0): None

ABSTAIN (1): Councilmember Beard

ABSENT (1): Councilmember Regan

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
[ASSIGNED ORDINANCE NO. 56-2024]

Max Johnson, Director of Public Works, presented the item. Adoption of the item would enforce a one-way-only street during certain times of the day on S. 13th in front of Crockett Early HeadStart, in order to support safe traffic and pedestrian movement.

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

Councilmember Beard 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, Beard, and Yates

NAYS (0): None

ABSENT (1): Councilmember Regan

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
[ASSIGNED ORDINANCE NO. 57-2024]

Michael Rice, Assistant City Manager, presented the item. Adoption of the item would annex the above referenced property into the City limits of Abilene.

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

NAYS (0): None

ABSENT (1): Councilmember Regan

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
[ASSIGNED ORDINANCE NO. 58-2024]

Michael Rice, Assistant City Manager, presented the item. Adoption of the item would annex the above referenced property into the City limits of Abilene.

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

Councilmember Beard 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 (0): None

ABSENT (1): Councilmember Regan

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
[ASSIGNED ORDINANCE NO. 59-2024]

Michael Rice, Assistant City Manager, presented the item. Adoption of the item would annex the above referenced property into the City limits of Abilene.

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

NAYS (0): None

ABSENT (1): Councilmember Regan

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
[ASSIGNED ORDINANCE NO. 60-2024]

Michael Rice, Assistant City Manager, presented the item. Adoption of the item would annex the above referenced property into the City limits of Abilene.

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

- 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, Beard, and Yates

NAYS (0): None

ABSENT (1): Councilmember Regan

EXECUTIVE SESSION

Mayor Hurt recessed into Executive Session at 9:29 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:

- 32.A.551.071 (Consultation with Attorney)
 - 1. PFAS Litigation
 - 2. Landfill Disposal Agreements
- 32.B.551.072 (Deliberations about Real Property)
 - 1. Eminent Domain, Alley & Drainage Easement, 3472 Santa Monica
- 32.C.551.073 (Deliberations about Gifts and Donations)
 - 1. Consideration of Gifts and Donations for Storybook Garden 2
- 32.D.551.074 (Personnel Matters)
 - 1. City Boards & Commissions (re)Appointments

The Executive Session ended at 9:59 a.m. and reconvened to Open Session. Mayor Hurt reported no votes or action were taken in Executive Session.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:59 a.m.


Shawna Atkinson
City Secretary


Weldon Hurt
Mayor

Minutes approved on: December 5, 2024

