



## City of Abilene City Council Agenda

Weldon Hurt, Mayor Pro-tem  
Shane Price, Council Member  
Jack Rentz, Council Member  
Robert Hanna, City Manager

Anthony Williams, Mayor

Donna Albus, Council Member  
Kyle McAlister, Council Member  
Travis Craver, 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 Thursday, the 17th day of October, 2019, at 4:30 p.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**

1. **Executive Session** - City Council will convene into Executive Session at 4:30 p.m.  
**Reconvene** - City Council will reconvene into open session at 5:30 p.m.

### **INVOCATION**

2. Mayor Anthony Williams

### **PLEDGE TO THE UNITED STATES FLAG AND THE TEXAS FLAG**

### **PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS AND ANNOUNCEMENTS**

3. **Proclamations:**  
White Cane Day  
National Physical Therapy Month  
National Chiropractic Health Month

### **CONSENT AGENDA**

All consent agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember or Citizen so requests, in which event the item will be removed from the Consent Agenda and considered separately.

4. **Minutes:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Minutes from the Regular Meeting Held on October 3, 2019 **(Shawna Atkinson)**
5. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing a Contract for HVAC System and Air Duct Cleaning for City Hall with Clearfork Enterprises, Inc. dba Servpro **(Michael Rice)**
6. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing a Professional Services Contract with Enprotec/Hibbs & Todd, Inc. for Design of Huckleberry Lane Lift Station Improvements **(Rodney Taylor)**
7. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Professional Services Contract Awarded to Jacob & Martin for Design of Pavement Roadway & Drainage Improvements for Griffith Road **(Greg McCaffery)**
8. **Ordinance (First Reading) Z-2019-25:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Bryan Pope, John Michael Clark, Jerold Armstrong and Abilene Auto Glass; agent C.J. Chaney, to rezone seven tracts of land from a Heavy Industrial (HI) to a Heavy Commercial (HC) District. Proposed HC zoning includes all except the south 139 feet of the east 130 feet of city block bounded by South Treadaway Boulevard; Dimmitt, Cherry and South 14th Streets, plus Lots 4 thru 6 in Block B of John Touy's Subdivision of Lot Numbers 3 and 4 in Block 208, Original Town of Abilene and located at northwest corner of Cherry and South 14th Streets **(Mike Warrix)**
9. **Ordinance (First Reading) Z-2019-26:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Lytle Creek Golf Links LLC; agent David Todd of Enprotec/Hibbs & Todd, to amend Planned Development District Number 70 (a.k.a. PD 70) to include revised building setback standards for patio homes constructed therein located at 3669 thru 3963 National Drive, which said street projects north from 1500 block of East Industrial Boulevard in southeast Abilene **(Mike Warrix)**

#### **REGULAR AGENDA - ORDINANCES AND PUBLIC HEARINGS - RESOLUTIONS**

10. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on an Appeal of a Denial of a Sidewalk Waiver for Funeral Directors Life Insurance Company Building Addition Located at 6550 Directors Parkway **(Mike Warrix)**
11. **Ordinance (Final Reading) Z-2019-20:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from the City of Abilene to rezone property from Medium Density Residential (MD)/Historic Overlay (H) zoning to Medium Density Residential (MD) located at 782 Palm Street, on the north side of South 9th between Elmwood Drive and Grover Street **(Mike Warrix)**

12. **Ordinance (Final Reading) Z-2019-21:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Tim Smith, agents Pat and Mitchel Harris, to rezone from Central Business (CB) to a Planned Development District (PDD) located at 833 South 1<sup>st</sup> Street **(Mike Warrix)**
13. **Ordinance (Final Reading) Z-2019-22:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Houses for Healing, Inc. to rezone from Single Family Residential (RS-6) to Medium Density Residential (MD) zoning located at 3065 Hickory Street **(Mike Warrix)**
14. **Ordinance (Final Reading) Z-2019-23:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Judy Proctor, agent Paul Johnson, to rezone two (2) properties from General Retail (GR) to General Commercial (GC) zoning located at 5001 and 5009 Hwy 277 South **(Mike Warrix)**
15. **Ordinance (Final Reading) Z-2019-24:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Eduardo Garza to rezone from General Commercial (GC) to Multi-Family Residential (MF) zoning located at 126 Merchant Street **(Mike Warrix)**
16. **Ordinance (Final Reading) CUP-2019-07 (142 & 202 Vine Street):** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from BCFS, agent Alana Jeter, for a Conditional Use Permit to allow the expansion of an 'Institutional Dwelling' in Medium Density Residential (MD) zoning located at 142 & 202 Vine Street **(Mike Warrix)**
17. **Ordinance (Final Reading) TC-2019-03:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action a request from the Texas Department of Public Safety to abandon six (6) segments of street and alley rights-of-way (ROW). Each segment is less than 1000 square feet in size and adjoins a consistently 120-ft-wide ROW on Buffalo Gap Road. All ROW's were formally dedicated for public use by subdivision plats. **(Mike Warrix)**
18. **Ordinance (Final Reading) SNC-2019-03:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Iziar Lankford to change the name of San Jacinto Drive to Claudie C. Royals Drive as it extends east to west from Fair Drive to N. Judge Ely Boulevard approx. 3,993 feet **(Mike Warrix)**
19. **Resolution (Final Reading) SNC-2019-04:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Minda Street Church of Christ for an honorary street name change of Minda Street to Dr. Tony Roach Street as it extends east to west from T&P Lane to S. Judge Ely Boulevard approx. 2,139 feet **(Mike Warrix)**
20. **Ordinance (Final Reading):** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on an ordinance of the City Council of the City of Abilene, Texas, amending the Tax Increment Reinvestment Zone No. 2 Project Plan **(Mike Warrix)**

## **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, Texas v. Aurora Bumgarner; 104th Judicial District Court, Taylor County, Texas; filed November 17, 2011
2. Chad Carter v. City of Abilene, Texas; Cause No. 10138-D, In the 350th Judicial District Court, Taylor County, Texas, filed June 17, 2014
3. Susan Lewis King & Austin King MD vs Ken Paxton, Attorney General of Texas and the City of Abilene, Cause No. D-1-GN-16-001160, filed March 16, 2016
4. Ruby Flores and Cory Almanza v. Jesus Verastegui, Alfredo Verastegui, Rosalva Verastegui, and City of Abilene, Cause No. 49368-A, 42nd District Court, Abilene, Taylor County, Texas, filed April 13, 2016
5. Robert Steven Reitz v. City of Abilene, Texas, et al., Case No. 1:16-cv-00181-BL; In the U.S. District Court, Northern District of Texas, Abilene Division, filed October 10, 2016
6. Officer Patrick Sumrall and City of Abilene, Case No. 01-18-000-8653; Appeal of Indefinite Suspension to Arbitration, filed February 6, 2018
7. Tracy Kennedy and Richard Kennedy v. Katie Snell, Richard Perez, Thomas Bryant, John Doe 1, and John Doe 2; Case No. 1:18-cv-162, In the United States District Court, Northern District of Texas, Abilene Division, filed October 16, 2018
8. Alfredo Valencia v. Corey Davis and City of Abilene; Case No. 1:19-cv-00017-C; In the United States District Court, Northern District of Texas, Abilene Division, filed February 4, 2019.
9. City of Abilene v. Patrick Sumrall; Cause No. 27,733-B, In the 104th Judicial District Court, Taylor County, Texas, filed May 28, 2019
10. Ovation Services, LLC v. Blanca Cortez, et al.; Case No. 11875-D; In the 350th Judicial District Court, Taylor County, Texas; filed July 15, 2019
11. City of Abilene v. 3118 South 22nd Street, Abilene, Texas, et al., In the District Court, Taylor County, Texas, filed October 11, 2019.

**B. 551.072 (Deliberations about Real Property)**

1. Clyde Water
2. Use of Eminent Domain for Cedar Creek Waterway

**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)**

1. Abilene Convention Center Hotel Project
2. 1166 N 2nd Street

## RECONVENE

## REGULAR AGENDA

22. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Appointing Members to Various Boards and Commissions per the City Charter **(Shawna Atkinson)**

- Abilene Housing Authority Board
- Abilene-Taylor County Venue District Board
- Board of Building Standards
- Jones County Central Appraisal District Board of Directors Nomination
- Street Maintenance Advisory and Appeals Board
- Taylor County Central Appraisal District Board of Directors
- Tax Increment Reinvestment Zone (TIRZ) Board - Appointment of Chair

## PUBLIC COMMENTS

There will be no votes or any formal actions taken on subjects presented during public comment. The public comment period will only allow members of the public to present ideas and information to city officials and staff.

## 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 11th day of October, 2019, at 2:30 p.m.*

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*Shawna Atkinson, City Secretary*