

Regular Meeting of the Mayor and City Council of the City of Abilene, Texas, to be held in the Council Chamber of the City Hall on Thursday, July 14, 1983, at 9:00 a.m.

CITY COUNCIL: Mayor Elbert E. Hall; Council - Dr. Julian Bridges, Billye Proctor-Shaw, Juan C. Rodriguez, A. E. Fogle, Jr., Welton Robinson and Harold D. Nixon.

1. Call to Order.
2. INVOCATION: Councilman Julian Bridges.
3. APPROVAL OF MINUTES: Minutes of Regular Meeting held June 23, 1983, and Council Retreat held June 14, 15 & 16.

CONSENT AGENDA

All items listed below are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of items unless a Council Member or citizen so requests, in which event the item will be removed from the general order of business and considered in its normal sequence.

4. Ordinances
 - a. Consider on second and final reading - Fire Code Ordinance Revision.
 - b. Consider on first reading - reclassification request from RM-3 (Residential Multi-Family) to LC (Limited Commercial) District, located at 2802 Buffalo Gap Road & set a public hearing for July 28, 1983, at 9:00 a.m.
 - c. Consider on first reading - reclassification request from RS-8 (Residential Single Family) to RM-3 (Residential Multi-Family) District, located at Lincoln & Bacon Drives & set a public hearing for July 28, 1983, at 9:00 a.m.
 - d. Consider on first reading - reclassification request from O (Office) to LC (Limited Commercial) District, located at 1646 N. 6th Street & set a public hearing for July 28, 1983, at 9:00 a.m.
 - e. Consider on first reading - reclassification request from GC (General Commercial) to LI (Light Industrial) District, located in the 200 Block of ES 11th & set a public hearing for July 28, 1983, at 9:00 a.m.
 - f. Consider on first reading - reclassification request from AO (Agricultural Open Space) to LC (Limited Commercial) District, located at N. 10th & Clack Streets & set a public hearing for July 28, 1983, at 9:00 a.m.
 - g. Consider on first reading - reclassification request from RS-6 (Residential Single Family) to GC (General Commercial) District, located at N. 10th & Clack Streets & set a public hearing for July 28, 1983, at 9:00 a.m.
 - h. Consider on first reading - reclassification request from AO & RS-6 (Agricultural Open Space & Residential Single Family) to MH (Mobile Home) District, located on N. 10th Street west of Plaza Street & set a public hearing for July 28, 1983, at 9:00 a.m.
 - i. Consider on first reading - Consider a street name change from Harwick Road to Harwick Road & set a public hearing for July 28, 1983, at 9:00 a.m.
 - j. Consider on first reading - amending Section 32-9.2 of the Zoning Ordinance to permit microwave communication towers as a right of use in CB (Central Business) zones & set a public hearing for July 28, 1983, at 9:00 a.m.
 - k. Consider on first reading - amending Chapter 21, "Oil & Gas" & set a public hearing for July 28, 1983, at 9:00 a.m.
 1. Consider on first reading - annual adjustment to Pro Rata Charges.
5. Resolutions
 - a. Consider easement release being a 10' utility easement & 40' access easement on Antilley Road.
 - b. Consider easement release being 4 1/2' of a 10' utility easement located on Baylor Drive.
 - c. Consider easement release being 3' street light easements located on Westheimer Road.
 - d. Consider lease of City property on S. 3rd at Willis Street.
 - e. Consider lease of Hangar #3 to Confederate Air Force.

6. Award of Bid
 - a. Diesel for Transit System.
 - b. Pumper Trucks for Fire Department.
 - c. D-6 Caterpillar Parts for Street Division.
7. Request to Advertise
 - a. Proposed paving and bridge construction program.
 - b. Proposed Fall 1983 Assessment Paving Program.
 - c. Furniture for Conference Room.
 - d. Overhead Street Name Signs for Traffic Division.

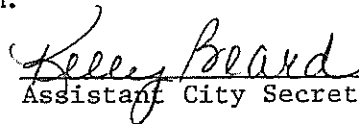
REGULAR AGENDA

8. Ordinances & Resolutions
 - a. Public Hearing - Consider on second and final reading - (Appealed) - reclassification request from RS-6 (Residential Single Family) to PH (Patio Home Overlay) District, located at Hunt & Sewell Streets.
 - b. Resolution - Proposed Abilene Bikeway Plan & Design Manual.
 - c. Resolution - Reprogramming of 1983 Community Development funds for smoke detectors.
 - d. Resolution - request for proposals for Energy Conservation Studies.
 - e. Public Hearing - Consider on second and final reading - annexation request of Gordon Ashbury.
9. Award of Bid
 - a. Four Wheel Loaders for Street & Water Divisions.
10. Other Business
 - a. Update on Flood Control Program.
 - b. Appointment & Evaluation of Public Officers.
 - c. Pending & Contemplated Litigation.
 - d. Rate Increase - 1983 Southwestern Bell request.
 - e. Consider acquisition of land in Southwest Abilene.

ADJOURN

CERTIFICATE

I hereby certify that the above notice of meeting was posted on the bulletin board at the City Hall of the City of Abilene, Texas, on the 11th day of July, 1983, at 9:00 a.m.


Assistant City Secretary

THE CITY COUNCIL OF THE CITY OF ABILENE
THE CITY COUNCIL CHAMBERS OF CITY HALL

The City Council of the City of Abilene, Texas, met in Regular Session, Thursday, July 14, 1983, at 9:00 a.m., in the City Council Chambers of City Hall. Mayor Elbert E. Hall was present and presiding with Councilman Julian Bridges, Councilwoman Billye Proctor-Shaw, Councilmen Juan C. Rodriguez, A. E. Fogle, Jr., Welton Robinson and Harold D. Nixon. Also present were City Manager, Ed Seegmiller, City Attorney, Harvey Cargill, Jr., and Assistant City Secretary, Kelly Beard.

Councilman Julian Bridges led the invocation.

Councilman Bridges moved approval of the minutes for the last Regular Meeting held on June 23, 1983, with corrections on pages 302, 308, 310, 312, and 319. Councilman Fogle seconded the motion. The motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle, Robinson, Nixon and Mayor Hall.

NAYS: None.

Councilman Nixon moved approval of the consent agenda items with the exception of items 5d and 6a to be considered separately. Councilman Rodriguez seconded the motion. The motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle, Robinson, Nixon and Mayor Hall.

NAYS: None.

4. Ordinances

a. Consider on second and final reading - Fire Code Ordinance Revision

AN ORDINANCE AMENDING CHAPTER 10, FIRE PROTECTION AND PREVENTION, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

FIRE - FIRE
CODE ORD. REV
ISION. 2ND &
FINAL. APPR.
7/19/83

b. Consider on first reading - reclassification request from RM-3 (Residential Multi-Family) to LC (Limited Commercial) District, located at 2802 Buffalo Gap Road & set a public hearing for July 28, 1983, at 9:00 a.m. Denied by P&Z & has not been appealed.

AN ORDINANCE AMENDING CHAPTER 23, PLANNING AND COMMUNITY DEVELOPMENT, SUBPART E, ZONING, OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES, AS DESCRIBED BELOW; DECLARING A PENALTY AND CALLING A PUBLIC HEARING.

c. Consider on first reading - reclassification request from RS-8 (Residential Single Family) to RM-3 (Residential Multi-Family) District, located at Lincoln & Bacon Drives & set a public hearing for July 28, 1983, at 9:00 a.m.

ZONING RE-
RS-8 TO RM-3
AT LINCOLN &
BACON DRIVES
1ST READING
APPROVED

AN ORDINANCE AMENDING CHAPTER 23, PLANNING AND COMMUNITY DEVELOPMENT, SUBPART E, ZONING, OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES, AS DESCRIBED BELOW; DECLARING A PENALTY, AND CALLING A PUBLIC HEARING.

d. Consider on first reading - reclassification request from O (Office) to LC (Limited Commercial) District, located at 1646 N. 6th Street & set a public hearing for July 28, 1983, at 9:00 a.m.

ZONING RE-
O TO LC AT
1646 N. 6TH
1ST READING.
APPROVED

AN ORDINANCE AMENDING CHAPTER 23, PLANNING AND COMMUNITY DEVELOPMENT, SUBPART E, ZONING, OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES, AS DESCRIBED BELOW; DECLARING A PENALTY, AND CALLING A PUBLIC HEARING.

e. Consider on first reading - reclassification request from GC (General Commercial) to LI (Light Industrial) District, located in the 200 Block of ES 11th & set a public hearing for July 28, 1983, at 9:00 a.m. Denied by P&Z & has not been appealed.

AN ORDINANCE AMENDING CHAPTER 23, PLANNING AND COMMUNITY DEVELOPMENT, SUBPART E, ZONING, OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES, AS DESCRIBED BELOW; DECLARING A PENALTY, AND CALLING A PUBLIC HEARING.

- f. Consider on first reading - reclassification request from AO (Agricultural Open Space) to LC (Limited Commercial) District, located at Industrial Boulevard & Oldham Lane (FM 1750).

AN ORDINANCE AMENDING CHAPTER 23, PLANNING AND COMMUNITY DEVELOPMENT, SUBPART E, ZONING, OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES, AS DESCRIBED BELOW; DECLARING A PENALTY, AND CALLING A PUBLIC HEARING.

ZONING RE-
AO TO LC AT
INDUSTRIAL I
& OLDHAM LA
(FM 1750) 1S
READING. API

- g. Consider on first reading - reclassification request from RS-6 (Residential Single Family) to GC (General Commercial) District, located at N. 10th & Clack Streets & set a public hearing for July 28, 1983, at 9:00 a.m. Denied by P&Z & has not been appealed.

AN ORDINANCE AMENDING CHAPTER 23, PLANNING AND COMMUNITY DEVELOPMENT, SUBPART E, ZONING, OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES, AS DESCRIBED BELOW; DECLARING A PENALTY, AND CALLING A PUBLIC HEARING.

- h. Consider on first reading - reclassification request from AO & RS-6 (Agricultural Open Space & Residential Single Family) to MH (Mobile Home) District, located on N. 10th Street west of Plaza Street & set a public hearing on July 28, 1983, at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 23, PLANNING AND COMMUNITY DEVELOPMENT, SUBPART E, ZONING, OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES, AS DESCRIBED BELOW; DECLARING A PENALTY, AND CALLING A PUBLIC HEARING.

ZONING RE-
AO & RS-6 TO
N. 10TH WEST
PLAZA ST. 1S
READING. API

- i. Consider on first reading - street name change of Harwick Road to Hardwick Road & set a public hearing for July 28, 1983, at 9:00 a.m.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, CHANGING THE NAME OF HARWICK ROAD TO HARDWICK ROAD.

STREET NAME
CHANGE - FI
HARWICK ROAI
TO HARDWICK
1ST READING
APPROVED

- j. Consider on first reading - amending Section 32-9.2 of the Zoning Ordinance to permit microwave communication towers as a right of use in CB (Central Business) zones & set a public hearing for July 28, 1983, at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 23, PLANNING AND COMMUNITY DEVELOPMENT, SUBPART E, ZONING, OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES, AS DESCRIBED BELOW; DECLARING A PENALTY, AND CALLING A PUBLIC HEARING.

ZONING AMENI
PERMIT MICRO
WAVE TOWERS
CB ZONES. 1S
READING. API

- k. Consider on first reading - amending Chapter 21, "Oil & Gas", & set a public hearing for July 28, 1983, at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 21, OIL AND GAS, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

OIL & GAS -
AMENDMENT. 1
READING. API

- l. Consider on first reading - annual adjustment to Pro Rata Charges.

AN ORDINANCE AMENDING CHAPTER 32, UTILITIES, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

WATER -
PRO RATA -
ANNUAL ADJUS
MENT OF CHAR
1ST READING
APPROVED

5. Resolutions

- a. Consider easement release being a 10' utility easement & 40' access easement on Antilley Road.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE THE ATTACHED EASEMENT RELEASE.

EASEMENT REI
10" UTILITY
& 40' ACCESS
ACROSS AN-
TILLEY ROAD.
APPROVED 52

- b. Consider easement release being 4 1/2' of a 10' utility easement located on Baylor Drive.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE THE ATTACHED EASEMENT RELEASE.

EASEMENT REI
10' UTILITY
ON BAYLOR DI
APPROVED. 53

- c. Consider easement release being 3' street light easements located on Westheimer Road.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE THE ATTACHED EASEMENT RELEASE.

EASEMENT RE
3' STREET I
ON WESTHEIM
RD. APPROVE
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d. Consider lease of City property on S. 3rd & Willis.

Mr. Bob Whitehead, Director of Public Works, said the reason the property is being leased is to maintain ownership in the event the property would ever be needed for a change in the street.

Mayor Hall moved approval of the lease of City owned property at S. 3rd & Willis. Councilman Fogle seconded the motion. The motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle, Robinson, Nixon and Mayor Hall.

NAYS: None.

LEASE - CITY PROPERTY AT S. 3RD & WILLI APPROVED

e. Consider lease of Hangar #3 to Confederate Air Force.

AIRPORT - LEASE OF HAN #3 TO CONFEDERATE AIR FORCE. APPE

6. Award of Bid

a. Diesel for Transit System.

Mr. Bernard Huett, Purchasing Agent, answered questions from the Council concerning the award of bid to ICC Products for the diesel for the Transit System.

Councilman Rodriguez moved approval of the award of bid to ICC Products. Councilman Fogle seconded the motion. The motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle, Robinson, Nixon, and Mayor Hall.

NAYS: None.

AWARD OF BID DIESEL FOR TRANSIT SYST PUMPER TRUCK FOR FIRE DEI D-6 PARTS FC STREET.

b. Pumper Trucks for Fire Department.

c. D-6 Caterpillar Parts for Street Division.

7. Request to Advertise

a. Proposed paving and bridge construction program.

b. Proposed Fall 1983 Assessment Paving Program.

c. Furniture for Conference Room.

d. Overhead Street Name Signs for Traffic Division.

REQ. TO ADV. PAVING & BRI PROG; FALL 1 ASSESS. PAVI PROG; FURN. FOR CONF. RO SIGNS FOR TRAFFIC DIV.

Mr. Ron Hansen, Assistant Zoning Administrator, presented the reclassification request from RS-6 (Residential Single Family) to PH (Patio Home Overlay) District, located at Hunt & Sewell Streets. The Planning & Zoning Commission denied the request, but the Staff recommended approval. Mr. Brad Jones, developer, appealed the request.

Mayor Hall opened public hearing on the request.

Mr. Brad Jones, developer, told the Council how the property would be used. He said three homes would be built on the property and would be homes that would benefit the neighborhood and would help to provide infill to vacant areas in Abilene.

Mr. Charles Morris, 1709 Sewell, said he did not want Mr. Jones to build three homes on the property because there was no alley access to them and the garbage trucks would have to make a special pick up for those homes. He said he would not mind one or two homes built there, only three.

Mr. Herbert Crimpin, property owner in the area, also objected to the number of homes to be built.

Mr. Jones said two homes could be built there, but it would not change the fact that an extra garbage pick up would have to be made or the access to the alley.

Mayor Hall closed the public hearing.

Councilwoman Proctor-Shaw moved approval of the reclassification request from RS-6 (Residential Single Family) to PH (Patio Home Overlay) District, located at Hunt & Sewell. Councilman Nixon seconded the motion. The motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle, Robinson, Nixon and Mayor Hall.

NAYS: None.

ZONING RE - RS-6 TO PH / HUNT & SEWEL 2ND & FINAL APPROVED

AN ORDINANCE AMENDING CHAPTER 23, PLANNING AND COMMUNITY DEVELOPMENT, SUBPART E, ZONING, OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES, AS DESCRIBED BELOW; DECLARING A PENALTY, AND CALLING A PUBLIC HEARING.

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Ms. Barbara Bloomberg, Principal Planner, explained to the Council how the Bikeways Planning Committee and the City Staff collaborated to come up with goals and alternatives for a Bikeways Plan for Abilene.

Ms. Connie Baker, Chairman for the Bikeways Planning Committee, explained how the Committee tried to formulate ideas for recreation, transportation and safety for bicycle enthusiasts. She said the plan proposed three types of facilities: 1) bicycle paths; 2) bicycle lanes; and 3) bicycle routes.

Ms. Bloomberg said the State will fund 80 percent of the plan and the City will have to provide the remaining 20 percent.

Councilman Bridges moved approval of the proposed Bikeways Plan. Councilwoman Proctor-Shaw seconded the motion. The motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle, Robinson, Nixon and Mayor Hall.

NAYS: None.

A RESOLUTION OF THE CITY OF ABILENE, TAYLOR COUNTY TEXAS, ADOPTING THE ABILENE BIKEWAY PLAN AND THE ABILENE BIKEWAY PLAN DESIGN MANUAL.

Chief Richard Knopf, Fire Chief, presented the proposal to reprogram 1982 Community Development funds for smoke detectors. He said the smoke detectors would be installed by Fire Department personnel to elderly, handicapped or otherwise indigent citizens. Also, replacement batteries would be made available and may possibly be installed by Fire Department personnel also.

Mayor Hall expressed his concern that the Fire Department may be going beyond the call of duty by furnishing and installing batteries. However, he did feel the use of CD funds for smoke detectors was a very good idea.

Councilman Nixon moved approval of the proposed use of 1982 CD funds for smoke detectors. Councilman Robinson seconded the motion. The motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle, Robinson, Nixon and Mayor Hall.

NAYS: None.

FIRE - USING
CD FUNDS FOR
SMOKE DETECTORS
APPROVED

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING THE USE OF FY 1982 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR THE PURCHASE AND PROVISION OF SMOKE DETECTORS.

Ms. Pennie Boyett, Energy Coordinator, presented a report to the Council that various Council Members requested in May. The report consisted of energy conservation measures in City buildings. Ms. Boyett said the grant requested by her Division in May is still needed. TENRAC will furnish \$22,775 in grant money and the City would furnish in-kind services for the engineering study.

Mr. Gene Cook, Resource Services, said the engineering study was needed because even though the City Staff knew some of the things that should be done to keep City buildings energy efficient, they did not have the expertise to know how to do some of those things. The engineering study would provide that expertise.

Councilman Nixon still felt that the \$22,775 grant money would be a waste of taxpayers' money of Abilene and the entire State to fund a program which would only tell City Staff what the City Staff already knows.

Councilman Robinson moved to terminate the contract for the program and not go through with the contract that was awarded in March and not grant the seeking of the proposal. Councilman Nixon seconded the motion. The motion failed as follows:

AYES: Councilmen Robinson and Nixon.

NAYS: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle, and Mayor Hall.

Councilman Fogle moved approval to authorize the proposal for the energy conservation study. Councilman Bridges seconded the motion. The motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle, and Mayor Hall.

NAYS: Councilmen Robinson and Nixon.

ENERGY - PRO
POSALS FOR
ENERGY CONSERVATION
STUDY
APPROVED.

Mr. Lee Roy George, Director of Planning & Community Development, presented the final hearing on the short version of the annexation request of Gordon Asbury, Jr., under Article 974g. The Staff recommended the annexation request be approved on second and final hearing with the effective date either December 31, 1983, or January 2, 1984. Mr. George pointed out that Mr. Asbury's request also included a small portion of land to the north that is owned by Mr. Foster Cox.

Mayor Hall opened public hearing on the annexation request. Mr. Gordon Asbury, Jr., spoke in favor of the request and said he would have no problem with a future effective date that would not interfere with the proposed bond election, but he asked that City water and sewer service be available to him prior to that effective date. Also, he asked that the Council would allow him to go through the zoning process during the interim period. Mr. Cargill felt those two requests could be made possible without binding the Council or the Planning & Zoning Commission to a favorable vote on the eventual zoning.

Col. Walton, Commander of Dyess Air Force Base, said the annexation of the property so near to Dyess would bring up security, safety and encroachment of approach and departure lanes questions. He did think the development of homes would be beneficial to the Air Base because of the current housing shortage.

Mr. Floyd Ball, engineer for Dyess, said the noise level of the planes would be concentrated along a channel of which a part of that channel will be over the proposed annexation site. But, he said he did not know whether the development would affect the channel.

Mr. Asbury said he planned to cooperate with Dyess Air Force Base as much as possible because they would be his best potential customer and he would be willing to work out the final plat with the Base people.

Mayor Hall closed the public hearing.

Councilman Fogle moved approval of the annexation request on second and final reading with an effective date of December 31, 1983. Councilman Nixon seconded the motion. The motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle, Robinson, Nixon and Mayor Hall.
NAYS: None.

ANNEXATION -
GORDON ASBURY
REQUEST NEAR
DYESS. 2ND &
FINAL. APPR

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, PROVIDING FOR THE EXTENSION OF THE BOUNDARY LIMITS OF THE CITY OF ABILENE, TEXAS, AND THE ANNEXATION OF CERTAIN TERRITORY LYING ADJACENT TO AND CONTIGUOUS TO THE PRESENT BOUNDARY LIMITS OF THE CITY OF ABILENE.

Mr. Gene Cook, Resource Services, presented the background material and history of the problems the Staff had trying to buy four front end loaders. After going over that material with the Council members, the Staff recommended the award of bid to go to Treanor Equipment Company for the Total Cost Bid without the trade-in, and to sell the used equipment to the highest bidder. The total outlay for the City will be \$263,093.

Councilman Nixon recommended to the Staff that anytime the City uses the total cost process to buy equipment in the future, the Staff should go with the total cost bid with trade-in or total cost bid without trade-in. He said he saw nothing fair about how much the equipment brings on a sealed bid because it could change the outcome of the initial bid.

Councilman Nixon moved to award the bid to Treanor Equipment Company for the total cost bid without trade-in for \$320,603, and sell the used equipment of \$57,510 to the highest bidder. Councilman Bridges seconded the motion. The motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle, Robinson, Nixon and Mayor Hall.
NAYS: None.

AWARD OF BID
FOUR FRONT E
LOADERS FOR
WATER & STRE
APPROVED

Mr. Whitehead presented the proposal for updating the Floodwater Control Division. The Division needs four additional personnel to operate the Swamp Dozer and Crane/Winch that was just recently purchased for the clean out of the City's creeks. The four positions from Landfill or the Refuse Collection Division will be transferred to the Floodwater Control Division. Employees from those two Divisions will also be transferred to the Floodwater Control Division. Therefore, it will not mean an increase in the total employee complement to the City, just switching positions and employees within the City.

Councilman Fogle moved approval of the transfer of the four personnel to the Floodwater Control Division. Councilman Bridges seconded the motion. FLOODWATER - TRANSFERRING FOUR PERSONN TO FLOODWATE CONTROL DIV. APPROVED.
The motion carried as follows:
AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle, Robinson, Nixon and Mayor Hall.
NAYS: None.

Mayor Hall recessed the Council to consider appointment and evaluation of public officers, pending and contemplated litigation, and acquisition of land in southwest Abilene during an executive session.

The Council reconvened with no action taken during the executive session.

Mr. Cargill recommended to the Council the motion to intervene in the Southwestern Bell rate increase request, and the resolution which provides that the City of Abilene would join with the other cities and the City Attorney is authorized to represent the other Texas Municipal League cities.

Councilman Bridges moved approval of the intervention and the resolution to join in the rate case and authorize the City Attorney to represent other TML cities. Councilman Nixon seconded the motion. The motion carried as follows: *FRANCHISE*
AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle, Robinson, Nixon, and Mayor Hall. SOUTHWESTERN BELL RATE INCREASE REQ INTERVENTION ATTORNEY TO REPRESENT TM CITIES. APPR
NAYS: None.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE CITY'S PARTICIPATION IN THE SOUTHWESTERN BELL TELEPHONE RATE CASE AND APPROPRIATING FUNDS FOR THE CITY'S PRO-RATA SHARE.

Mr. Cargill also recommended the Council approve the hiring of Mr. Jonathan Graham as the Assistant City Attorney effective July 25, 1983.

Councilwoman Proctor-Shaw moved approval of the hiring of Mr. Jonathan Graham as Assistant City Attorney. Councilman Fogle seconded the motion. APPOINTMENT ASSISTANT CI ATTORNEY - JOHN GRAHAM APPROVED
The motion carried as follows:
AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle, Robinson, Nixon and Mayor Hall.
NAYS: None.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING THE APPOINTMENT OF AN ASSISTANT CITY ATTORNEY FOR THE CITY OF ABILENE.

Mayor Hall adjourned the meeting at 2:00 p.m.

Patricia Patton
Assistant City Secretary

John Hall
Mayor