

Regular Meeting of the Mayor and City Council of the City of Abilene, Texas, to be held in the Council Chambers of the City Hall on Thursday, April 26, 1984, at 9:00 a.m.

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

1. Call to Order.
2. **INVOCATION:** Councilman Harold Nixon
3. **APPROVAL OF MINUTES:** Regular Council Meeting held April 12, 1984.
4. **AWARDS:**
Employee Service:

Dan P. Ortiz	Refuse Collection	35 Years
I. P. Lopez	Parks Division	25 Years

Appreciation:
Volunteer Clearing House of Abilene, Inc.
Vice Chairman, Paige Norman
Executive Director, Kay Dillard

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.

5. **Resolutions**
 - a. Resolution - Authorize application for Inter-Library Loan Grant.
 - b. Street Use License Request at Corner of Locust & South 5th.
6. **Award of Bid**
 - a. Golf carts.
 - b. Ballfield bleachers.
 - c. Chain link fence for abandoned car compound.
7. **Request to Advertise**
 - a. Library postal meter.
 - b. Library film inspection machine.

REGULAR AGENDA

8. **Ordinances and Resolutions**
 - a. **Yabled Item:**
Public Hearing - consider on second and final reading - thoroughfare abandonment being a 20' X 100' alley, C. B. Webb Subd., located between Poplar & Butternut Streets.
 - b. **Appealed Item:**
Public Hearing - consider on second and final reading - street name change being Poverty Point Circle to Phantom Circle, Thunderbird Point, or Kickapoo Circle.
 - c. Public Hearing - consider on second and final reading - reclassification request from AO (Agricultural Open Space) to HC (Heavy Commercial) district, located at I-20 & Newman Road.
 - d. Public Hearing - consider on second and final reading - reclassification request from LI (Light Industrial) to GC (General Commercial) district, located at I-20 & Hwy 351.
 - e. Public Hearing - consider on second and final reading - reclassification request from RM-3 (Residential Multi-Family) to GC (General Commercial) district, located at 120 Maxwell Drive.
 - f. Public Hearing - consider on second and final reading - reclassification request from O (Office) to LC (Limited Commercial) district, located in the 2600 block S. Clack.

- g. Public Hearing - consider on second and final reading - reclassification request from AO & LI (Agricultural Open Space & Light Industrial) to HI (Heavy Industrial) district, located at 300 T & P Lane.
- h. Public Hearing - consider on second and final reading - reclassification request from RS-6, RM-2 & AO (Residential Single Family, Residential Multi-Family & Agricultural Open Space) to PDC (Planned Development Commercial) district, located on Martin Drive.
- i. Public Hearing - consider on second and final reading - reclassification request from RM-2 (Residential Multi-Family) to GC (General Commercial) district, located at Southwest & Catclaw Drives.
- j. Public Hearing - to consider oil & gas drilling permit #8404 and #8405.
- k. Tabled Item:
 1. Resolution - authorizing sewer line assignment to Ken Musgrave.

9. Award of Bid

- a. Batwing mower for Airport.
- b. Flatbed truck and body for Street Division.

10. Other Business

- a. Pending and Contemplated Litigation.
- b. Appointment and evaluation of Public Officials.

ADJOURN

REGULAR CITY COUNCIL MEETING
THURSDAY, APRIL 26, 1984

CITY COUNCIL OF THE CITY OF ABILENE,
TEXAS, CITY COUNCIL CHAMBERS

The City Council of the City of Abilene, Texas, met in Regular Session, April 26, 1984, at 9:00 a.m. in the City Council Chambers of City Hall. Mayor David Stubbeman was present and presiding with Councilman Julian Bridges, Councilwoman Proctor-Shaw, Councilmen Carlos Rodriguez, Welton Robinson and Harold Nixon. Councilman A. E. Fogle was absent.

Invocation: Councilman Harold Nixon.

There being no corrections or additions to the minutes of the Regular City Council Meeting held April 12, 1984, the minutes stand approved.

The following City employees were presented awards for their tenure of service to the City of Abilene:

AWARDS-Employee
service

Dan P. Ortiz	Refuse Collection	35 Years
I. P. Lopez	Parks Division	25 Years

Paige Norman, Vice Chairman, and Executive Director Kay Dillard of the Volunteer Clearing House of Abilene, Inc., presented the Council with Certificates of Appreciation for their contribution to the community.

AWARDS-Cert. of
Appreciation to
Council

Councilman Bridges moved approval of the consent agenda items as shown below and as presented by the staff with the exception of 6a which was removed from the consent agenda to be considered separately. The motion was seconded by Councilman Rodriguez and the motion carried.

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

NAYS: None.

Oral Resolutions:

Authorized City Manager to sign grant application for Interlibrary Loan to Texas State Library and Archives Commission for funding period September 1, 1984 through August 31, 1985.

LIBRARY-grant
app: approved
FY 84-85
Oral

Authorize Street Use License to Rogar Manufacturing Corporation for parking lot purposes, located on South 5th Street.

STR. USE LICENSE
Rogar Mfg. Corp.
Oral

Award of Bids:

Ballfield Bleachers and Chain Link Fence for abandoned car compound.

AWARD BID-various

Request to Advertise:

Library postal meter and Library film inspection machine.

REQ. TO ADV-
various

After some discussion regarding trade-in value and proposed revenue for the lease of golf carts, Councilman Nixon moved approval of the award of bid to lease ten (10) golf carts from E-Z-Go Southwest for three years. The motion was seconded by Councilman Robinson and the motion carried.

AWARD BID-golf
cart lease/3 yrs
E-Z-Go Southwest
Approved

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

NAYS: None.

Councilwoman Proctor-Shaw moved to remove from the table a thoroughfare abandonment request, located between Poplar & Butternut Streets. The motion was seconded by Councilman Bridges and the motion carried.

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

Brad Stone, Principal Planner, briefed the Council on a thoroughfare abandonment being a 20' by 100' alley, C. B. Webb Subd., located between Poplar and Butternut Streets. The request was tabled by the Council on March 22, 1984, pending a decision from the Planning and

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Commission to close the remaining portions of the alley. The case to close the remaining portions of the alley was denied by the Planning and Zoning Commission. Therefore, the question of whether to close the 100' section in the center of the alley must now be considered.

Mayor Stubbeman opened a public hearing for the purpose of considering the aforementioned item and the following persons spoke in favor of the closure with no one speaking in opposition.

IN FAVOR:

Captain Turner, Salvation Army;
Maxine Perini, 725 Rivercrest, Board of Directors Salvation Army and designer of the facilities.
Both spoke in regard to having access for the children to commute across the alley from each facility.

No one else present and desiring to be heard, the public hearing was closed.

Councilman Nixon moved to approve the ordinance granting the thoroughfare closure being a 20' by 100' alley, located between Poplar and Butternut Streets, and retaining utility easements. The motion was seconded by Councilwoman Proctor-Shaw and the motion carried.

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

NAYS: None.

The ordinance is numbered 39-1984 and is captioned as follows:

AN ORDINANCE PROVIDING FOR THE ABANDONMENT OF A PORTION OF PUBLIC RIGHT OF WAY; PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH ABANDONMENT, AND CALLING A PUBLIC HEARING.

Councilman Robinson left the meeting.

Brad Stone, Principal Planner, briefed the Council on a street name change being Poverty Point Circle to Phantom Circle, Thunderbird Point, or Kickapoo Circle. The Planning and Zoning Commission denied the request and the proponents have appealed the decision to the Council. Staff has no opposition to the proposed street name change. A petition in favor of the change was received containing 215 signatures, with 21 of those residing on Poverty Point. A petition in opposition to the change was received containing 390 signatures, with 22 of those residing on Poverty Point.

Mayor Stubbeman opened a public hearing for the purpose of considering the aforementioned street name change and the following persons spoke in opposition of the change with no one speaking in favor.

IN OPPOSITION:

Jack Bryant, attorney representing Mr. & Mrs. Burnside, residents of Poverty Point Circle;
Jeanette Carpenter, 49 Poverty Point Circle, submitted to the Council a petition containing 23 signatures in opposition.

No one else present and desiring to be heard, the public hearing was closed.

Councilwoman Proctor-Shaw moved to deny the street name change of Poverty Point Circle. The motion was seconded by Councilman Nixon and the motion carried.

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Rodriguez, Nixon and Mayor Stubbeman.

Councilman Robinson returned to the meeting.

THOR. ABAND-20'x
100' alley, C.B.
Webb Subd./btw.
Poplar & Butternut
2nd read, approv
39-1984

STR NAME CHANGE-
Poverty Point Cr
2nd read,
DENIED

After being briefed by Principal Planner Brad Stone on a reclassification request from A0 (Agricultural Open Space) to HC (Heavy Commercial) district, located at I-20 and Newman Road, Mayor Stubbeman opened a public hearing for the purpose of considering the request. Planning and Zoning Commission as well as the staff recommend approval.

No one present and desiring to be heard, the public hearing was closed. Councilman Bridges moved approval on second and final reading of the rezone request from A0 to HC, located at I-20 and Newman Road. The motion was seconded by Councilman Rodriguez and the motion carried.

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

NAYS: None.

ZONING RE-A0 to HC
I-20 & Newman Rd.,
2nd read, approved
40-1984

The ordinance is numbered 40-1984 and is captioned as follows:

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.

After being briefed by Principal Planner Brad Stone on a reclassification request from LI (Light Industrial) to GC (General Commercial) district, located at I-20 and Highway 351, Mayor Stubbeman opened a public hearing for the purpose of considering the request. Planning and Zoning Commission, as well as the staff, recommend approval.

No one present and desiring to be heard, the public hearing was closed. Councilman Rodriguez moved approval on second and final reading of the rezone request from LI to GC, located at I-20 and Highway 351. The motion was seconded by Councilman Robinson and the motion carried.

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

NAYS: None.

ZONING RE-LI to GC
I-20 & Hwy 351,
2nd read, approved
41-1984

The ordinance is numbered 41-1984 and is captioned as follows:

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.

After being briefed by Principal Planner Brad Stone on a reclassification request from RM-3 (Residential Multi-Family) to GC (General Commercial) district, located at 120 Maxwell Drive, Mayor Stubbeman opened a public hearing for the purpose of considering the request. Planning and Zoning Commission, as well as the staff, recommend approval.

No one present and desiring to be heard, the public hearing was closed. Councilman Bridges moved approval on second and final reading of the rezone request from LI to GC, located at 120 Maxwell Drive. The motion was seconded by Councilwoman Proctor-Shaw and the motion carried.

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

NAYS: None.

ZONING RE-LI to GC
120 Maxwell Dr.,
2nd read, approved
42-1984

The ordinance is numbered 42-1984 and is captioned as follows:

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.

After being briefed by Principal Planner Brad Stone on a reclassification request from O (Office) to LC (Limited Commercial) district, located in the 2600 block of South Clack Street, Mayor Stubbeman opened a public hearing for the purpose of considering the request. Planning and Zoning Commission as well as the staff recommend approval.

No one present and desiring to be heard, the public hearing was closed. Councilman Nixon moved approval on second and final reading of the rezone request from O to LC district, located in the 2600 block of South Clack Street. The motion was seconded by Councilman Rodriguez and the motion carried.

ZONING RE-O to LC/
2600 blk S. Clack,
2nd read, approved
43-1984

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

NAYS: None.

The ordinance is numbered 43-1984 and is captioned as follows:

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.

After being briefed by Principal Planner Brad Stone on a reclassification request from AO (Agricultural Open Space) & LI (Light Industrial) to HI (Heavy Industrial) district, located at 300 T & P Lane, Mayor Stubbeman opened a public hearing for the purpose of considering the request. Planning and Zoning Commission, as well as the staff, recommend approval.

IN FAVOR:

Burl Nash, representing proponent Delta Solvents.

No one else present and desiring to be heard, the public hearing was closed. Councilman Rodriguez moved approval on second and final reading the rezone request from AO & LI to HI, located at 300 T & P Lane. The motion was seconded by Councilman Nixon and the motion carried.

ZONING RE-AO & LI
to HI/300 T&P Lane
2nd read, approved
44-1984

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

NAYS: None.

The ordinance is numbered 44-1984 and is captioned as follows:

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.

After being briefed by Principal Planner Brad Stone on a reclassification request from RS-6, RM-2 and AO (Residential Single Family, Residential Multi-Family and Agricultural Open Space) to PDC (Planned Development Commercial) district, located on Martin Drive, Mayor Stubbeman opened a public hearing for the purpose of considering the request. Planning and Zoning Commission, as well as the staff, recommend approval.

IN FAVOR:

Olen Fraizer, property owner.

No one else present and desiring to be heard, the public hearing was closed. Councilman Bridges moved approval on second and final reading of the rezone request from RS-6, RM-2 and AO, to PDC, located on Martin Drive. The motion was seconded by Councilman Robinson and the motion carried.

ZONING RE-RS-6,
RM-2 & AO to PDC/
Martin Drive
2nd read, approved
45-1984

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

NAYS: None.

The ordinance is numbered 45-1984 and is captioned as follows:

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, ZONING, OF THE ABILENE MUNICIPAL CODE, CONCERNING MARTIN PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

After being briefed by Principal Planner Brad Stone on a reclassification request from RM-2 (Residential Multi-Family) to GC (General Commercial) district, located at Southwest and Catclaw Drives, Mayor

Stubbeman opened a public hearing for the purpose of considering the request. Planning and Zoning Commission, as well as the staff, recommend approval.

IN FAVOR:

Mike McClure, property owner, he also briefed the Council on the proposed use of the property.

No one else present and desiring to be heard, the public hearing was closed. Councilman Nixon moved approval on second and final reading of the rezone request from RM-2 to GC, located at Southwest and Catclaw Drives. The motion was seconded by Councilman Robinson and the motion carried.

ZONING RE-RM-2 to SW & Catclaw Drs., 2nd read, approved 46-1984

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

NAYS: None.

The ordinance is numbered 46-1984 and is captioned as follows:

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.

Diane Foresman, Assistant Land Agent, briefed the Council on a request from F. W. Burger & Joe C. Richardson, Jr. for two oil well drilling permits numbered 8404 and 8405. The property is located within the City Limits and on private property and are located within 900 feet of the south runway of the Municipal Airport. Therefore, the Airport Manager and the FAA Air Space Specialist have reviewed the permits and recommend aviation red obstruction rig lights be required during the drilling operations. Staff concurs with their recommendation, as well as recommending approval of the two permits.

Mayor Stubbeman opened a public hearing for the purpose of considering the aforementioned oil well drilling permits. No one present and desiring to be heard, the public hearing was closed. Councilman Bridges moved approval of the oil well permits #8404 and #8405 to F. W. Burger and Joe C. Richardson, Jr. with the special provision of aviation red obstruction rig lights during drilling operations. The motion was seconded by Councilman Robinson and the motion carried.

OIL & GAS-well drill. permits #8404 & #8405 approved to FW Burger & Joe C. Richardson, Jr. Oral

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

NAYS: None.

Councilman Rodriguez moved to remove from the table the annexation request by Ron Craft. The motion was seconded by Councilman Nixon and the motion carried.

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

NAYS: None.

Director of Planning and Development Lee Roy George briefed the Council on a request for annexation from Ron Craft, located on F.M. 18. The item was tabled by the Council during the April 12th Council meeting to allow for the staff to make a recommendation with regard to this request as well as the feasibility of annexation of a larger area surrounding the request. Mr. George began his presentation with a history recap of this area and stated during the 1980 F.M. 18 study, staff recommended annexation for a large portion of this area. He reviewed with the Council the different annexation procedures, maps depicting property owners in the area, and current water and sewer services to the area. The City currently has a non-annexation agreement with Bandag, Inc. which expires in October 1984 and had previously held an agreement with Martin, Sprocket and Gear for non-annexation, but that agreement has since expired. Four options available to the Council were presented as follows:

1. Refuse to do any additional annexation in the area.
2. Annex only Mr. Craft's property as he has requested, using short form annexation procedures under Art. 974g V.A.T.C.S.
3. Annex Mr. Craft's property as requested, using short form annexation and institute long form annexation of larger area under Art. 970a V.A.T.C.S.
4. Institute the long form annexation proceedings on Mr. Craft's property and, if chosen by Council, on a larger area as well.

Presented to the Council were an ordinance and resolution allowing for the different options available in making a decision on annexation for either Mr. Craft's property and/or a larger area and the Legal staff reviewed both with the Council.

Mr. Lynn Kitchens, representing Ron Craft, was present and approached the Council. He requested that Council annex Mr. Craft's property by means of the shortest method possible and stated no opposition to Mr. Craft's property being annexed together with additional property if the Council so desires.

At this time, the Council must act on Mr. Craft's petition for annexation and in doing so, may include any additional area for annexation if desired.

Councilman Robinson moved to grant the petition as submitted by Ron Craft for annexation of his property on F.M. 18. The motion failed for lack of a second.

Councilman Bridges moved to institute the long form annexation proceedings on Mr. Craft's property and approve the resolution directing the preparation of a service plan for an annexation request on F.M. 18. The motion failed for lack of a second.

Councilman Rodriguez moved to refuse to conduct any additional annexation in the area. The motion was seconded by Councilman Nixon and the motion FAILED as follows:

AYES: Councilman Rodriguez and Nixon.

NAYS: Councilman Bridges, Councilwoman Proctor-Shaw, Councilman Robinson and Mayor Stubbeman.

Councilwoman Proctor-Shaw directed the staff to prepare service planning information and return it to the Council at a convenient time to consider possible annexation for the area. After much discussion, Councilwoman Proctor-Shaw withdrew her request.

Councilman Bridges moved to adopt a resolution directing the the preparation of a service plan for an annexation request on F.M. 18 with the understanding that the process may cease at any point so desired by the Council. The motion was seconded by Councilwoman Proctor-Shaw and the motion FAILED for lack of a majority.

AYES: Councilman Bridges, Councilwoman Proctor-Shaw and Mayor Stubbeman.

NAYS: Councilman Rodriguez, Robinson and Nixon.

Councilman Nixon moved to initiate a study plan for F.M. 18 area prior to possible annexation; additionally, the plan should include all other areas where water and sewer services are provided outside the City Limits. The motion was seconded by Councilman Rodriguez and the motion carried:

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

NAYS: None.

Therefore, to clarify the record, Mr. Craft's annexation request was not granted.

ANNEXATION-initiat
study plan for
F.M. 18 area; inclu
all other areas
serviced w/water
& sewer outside
City Limits.

Director of Public Works Bob Whitehead briefed the Council on a request from Missouri-Pacific Railroad Company to clarify their records pertaining to an assignment agreement between Missouri-Pacific RR Co., and Kenneth L. Musgrave relative to Pipeline License No. CA 85121, covering a 10" sanitary sewer line at Mile Post 404.38, in Taylor County. The agreement was for the purpose of Mr. Musgrave extending sanitary sewer to his development (Cantebury Trales) and now that the development is complete and the sanitary sewer has been accepted, the City is responsible for the maintenance of that 10' sanitary sewer. At this time, Missouri-Pacific RR Co. is requesting a written resolution authorizing the City Manager to sign the Assignment Agreement.

Councilman Nixon moved approval of the resolution authorizing the transfer of a Railroad Pipeline License to the City. The motion was seconded by Councilwoman Proctor-Shaw and the motion carried.

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

NAYS: None.

PIPELINE LIC-auth.
Mgr. to sign
assign. agree
btw. M-P RR Co. &
Ken Musgrave
27-1984

The resolution is numbered 27-1984 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,
AUTHORIZING THE TRANSFER OF A RAILROAD PIPELINE LICENSE TO
THE CITY.

Bob Whitehead, Director of Public Works, briefed the Council on an award of bid for a batwing mower for the Airport. Equipment Services Supervisor Bill Brewer provided an explanation of certain details about the machinery. Staff explained that of the four bids received, two did not meet specifications and the lowest bidder, Tri-Country Maintenance, did not meet specifications. Therefore, staff recommends the bid be awarded to Taylor County Ford Tractor of Abilene. Mr. Whitehead further explained why the low bidder did not meet specifications. Council was concerned with the staff loading the specifications for a particular piece of machinery with such stringent specifications that would preclude vendors from bidding on the equipment. Staff responded that the specifications are only written to allow for bids on the equipment best designed to get a certain job accomplished and staff feels the equipment of Taylor County Ford Tractor of Abilene is the best for that job.

Mr. Don Joy, 717 Debra, representing Tri-Country Maintenance, was present and approached the Council. He feels his company can provide the equipment to do the job and feels that the specifications were written to eliminate all but one vendor.

Councilman Nixon moved to approve the award of bid to Taylor County Ford Tractor of Abilene, as presented by the staff. The motion was seconded by Councilman Rodriguez and the motion carried.

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Rodriguez, Nixon and Mayor Stubbeman.

NAYS: Councilman Robinson.

AWARD BID-batwing
mower for Airport/
Taylor County Fd.
Tractor, approved
Oral

Director of Public Works Bob Whitehead briefed the Council on an award of bid for a flatbed truck and body for the Street Division. Equipment Services Supervisor Bill Brewer provided input on the details. Nine bid invitations were sent out and two bids were received due to this being the model changeover time of year for the manufacturing industry. Most dealers are not able to respond to bids for 1984 models as specified. The low bidder, Cee Gray Chevrolet, did not meet specifications however, staff feels it is not a major problem and recommends the bid be awarded to Cee Gray Chevrolet of Abilene. Also, the second bidder bid a diesel engine rather than a gasoline engine as specified. Council had a concern with making an exception to the specifications to award a bid and feels the specifications should be rewritten.

Councilwoman Proctor-Shaw moved to reject all bids and authorize staff to rebid the item. The motion was seconded by Councilman Robinson and the motion carried.

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

NAYS: None.

AWARD BID-flatbed
truck & body, Stre
Div./bids rejected
auth. to rebid.

00227

Council questioned the City Manager on the status of the bidding procedures that are being prepared for Council review. Staff responded those procedures will be brought to the Council either prior to the Council Retreat or during the Retreat.

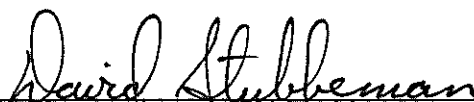
Mayor Stubbeman recessed the Council into executive session in accordance with law to consider pending and contemplated litigation and the appointment and evaluation of public officials.

The Council reconvened into session and reported no action from executive session.

There being no further business, the meeting was adjourned at 1:15 p.m.



Patricia Patton
City Secretary



David Stubbeman
Mayor