

Pre-Council Work Session of the Mayor and City Council of the City of Abilene, Texas, to be held in the Basement Conference Room of City Hall on Thursday, February 12, 1987, at 8:30 a.m. to consider the following:

1. Discuss consent and/or regular agenda items.

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, February 12, 1987, at 9:00 a.m.

CITY COUNCIL: Mayor David Stubbeman; Council - Gary D. McCaleb, Betty Ray, Walter E. Wheat, A. E. Fogle, Jr., Welton Robinson and Harold Nixon.

1. Call to Order.
2. INVOCATION: Councilman Harold Nixon.
3. Approval of Minutes: Pre-Council Work Session and Regular City Council Meeting held January 22, 1987.

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 & Resolutions:**
 - a. Consider on first reading - an ordinance changing zoning district boundaries - Z-9686 - Request from Belco Manufacturing to rezone from HC (Heavy Commercial) to LI (Light Industrial) district, located at 1400 Overland Trail, and set a public hearing for February 26, 1987, at 9:00 a.m.
 - b. Consider on first reading - an ordinance changing zoning district boundaries - Z-0387 - Request from Lance Trigg, Jr. to rezone from AO (Agricultural Open Space) to PDC (Planned Development Commercial) district, located at Hartford Street and Dub Wright Blvd., and set a public hearing for February 26, 1987, at 9:00 a.m.
 - c. Consider on first reading - an ordinance changing zoning district boundaries - Z-0487 - Request from Tennial Oliver to rezone from RS-6 (Residential Single Family) to HC (Heavy Commercial) district, located at Clinton & Jefferies Streets, and set a public hearing for February 26, 1987, at 9:00 a.m.
 - d. Consider on first reading - a Zoning Ordinance amendment of Section 23-306.5.b.(3) concerning Fences, Walls and Hedges, and set a public hearing for February 26, 1987, at 9:00 a.m.

- e. Consider on first reading - an ordinance amending the Subdivision Regulations, Section 23-264, concerning Stormwater Management and related policies, and set a public hearing for February 26, 1987 at 9:00 a.m.
 - f. Consider on second and final reading - an ordinance amending the Traffic Code, Sections 18-286 and 18-299, concerning time limited parking and reduced speed zones.
 - g. Consider on first reading - an ordinance adopting 1985 Uniform Fire Code.
 - h. Resolution supporting the Mayor of Dallas' Criminal Justice Task Force recommendations for fighting crime in Texas.
 - i. Resolution authorizing appointment of assistant Municipal Court Judges.
 - j. Resolution to consider approval of contract with the Abilene Community Development Company, Inc. for administration of the grant loan program.
5. **Award of Bid:**
- a. Pickups and Vans for Equipment Services - Bid #170.
 - b. Police Sedans - Bid #173.
 - c. Construction of Elevated Water Storage Tank - Bid #164.
 - d. Trailer mounted asphalt patching machine - Bid #161.
6. **Request to Advertise:**
- a. Oil & Gas lease #1987-02 being 321.41 acres of the new sewer farm in Jones County, Texas.

REGULAR AGENDA

7. **Ordinances & Resolutions:**
- a. Resolution to consider new contract with Abilene Economic Development Company, Inc., for disbursement of CDBG funds.
8. **Other Business:**
- a. Discuss report on Regional Detention Plan.
 - b. Discuss no smoking ordinance.
 - c. Pending and Contemplated Litigation (see Notice for Executive Session, Litigation for listing subjects).
 - d. Appointment and Evaluation of Public Officials (see Notice for Executive Session, Personnel for listing subjects).

WORK SESSION

1. Review First Quarter Financial Status from FY 1986-87

ADJOURN

EXECUTIVE SESSION

(Personnel)

The City Council may consider the appointment, employment, reassignment, duties, discipline, or dismissal of the City Manager, City Attorney, Municipal Court Judge, City Secretary, and the City Board and Commission Members. A complete list of the City Boards and Commissions are on file in the City Secretary's Office.

After discussion of the appointment and evaluation of the Council Appointees and the Board and Commission members, in executive session, any final action or vote taken will be in public.

(Litigation)

The City Council may consider pending and contemplated litigation subjects. The following subjects may be discussed:

1. Taylor v. City
2. Velasquez v. City
3. Smithwick-Wheeler v. City
4. Maria Slaughter v. City
5. Leonard Glenn Taylor v. City
6. Hudson & ABC Airlines v. City
7. State of Texas v. City
8. Cynthia Haile v. City
9. Michael Mellen v. City
10. Patricia Partin v. City
11. Williams & Chambers v. City
12. Video Vue & American Video

Litigation is, by its nature, an on-going process, and questions may arise as to trial tactics which need to be explained to the City Council. Upon occasion, the City Council may need information from the City Attorney as to the status of the pending or contemplated litigation subjects set out above. After discussion of the pending and contemplated litigation subjects, in executive session, any final action, or vote taken, will be in public.

HC 1/15/87

PRE-COUNCIL WORK SESSION, THURSDAY
February 12, 1987, 8:30 A.M.

CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,
BASEMENT CONFERENCE ROOM, CITY HALL

The City Council of the City of Abilene, Texas, met in a Pre-Council Work Session on **February 12, 1987**, at 8:30 A.M. in the Basement Conference Room of City Hall. Mayor David Stubbeman was present and presiding with Councilman Gary D. McCaleb, Councilwoman Betty Ray, Councilmen Walter Wheat, A. E. Fogle, Welton Robinson, and Harold Nixon. Also present were City Manager Jim C. Blagg, Assistant City Managers Rickey Childers and Roy L. McDaniel, City Attorney Harvey Cargill, Jr., City Secretary Patricia Hancock and various members of the City Staff.

The Council briefly discussed various consent and regular agenda items. There being no further questions, the meeting was recessed to the City Council Chambers for the Regular Council Meeting.

REGULAR CITY COUNCIL MEETING
February 12, 1987, 9:00 A.M.

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

Mayor Stubbeman reconvened the City Council of the City of Abilene, Texas, into Regular Session February 12, 1987, at 9:00 a.m. in the City Council Chambers of City Hall.

Invocation was given by Councilman Harold Nixon.

The minutes of the Pre-Council Work Session and Regular City Council Meeting held January 22, 1987 stand approved.

Mayor Stubbeman removed from the agenda item 4a, Z-9686, denied by the Planning and Zoning Commission and not appealed at the present time; and 4j, Contract with Abilene Community Development Company, to be considered at a later date.

Councilman McCaleb moved to approve the consent agenda items, being 4b through 4i, and 5a through 6a, as presented by the staff. The motion was seconded by Councilman Wheat and the motion carried.

AYES: Councilman McCaleb, Councilwoman Ray, Councilmen Wheat, Fogle, Robinson, Nixon, and Mayor Stubbeman.

NAYS: None.

4. Ordinances & Resolutions:
 - a. Removed from Agenda.

- b. Consider on first reading - an ordinance changing zoning district boundaries - Z-0387 - Request from Lance Trigg, Jr. to rezone from AO (Agricultural Open Space) to PDC (Planned Development Commercial) district, located at Hartford Street and Dub Wright Blvd., and set a public hearing for March 19, 1987, at 9:00 a.m.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, CONCERNING PDC-47 PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

- c. Consider on first reading - an ordinance changing zoning district boundaries - Z-0487 - Request from Tennial Oliver to rezone from RS-6 (Residential Single Family) to HC (Heavy Commercial) district, located at Clinton & Jefferies Streets, and set a public hearing for February 26, 1987, 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.

- d. Consider on first reading - a Zoning Ordinance amendment of Section 23-306.5.b.(3) concerning Fences, Walls and Hedges, and set a public hearing for February 26, 1987, at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 23, "PLANNING AND COMMUNITY DEVELOPMENT, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS, AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY AND CALLING A PUBLIC HEARING.

- e. Consider on first reading - an ordinance amending the Subdivision Regulations, Section 23-264, concerning Stormwater Management and related policies, and set a public hearing for February 26, 1987 at 9:00 a.m.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART D, SECTION 264, OF THE CODE OF THE CITY OF ABILENE BY REPEALING SUCH SECTION AND SUBSTITUTING THEREFORE THE FOLLOWING RULES AND REGULATIONS RELATING TO STORMWATER MANAGEMENT REQUIREMENTS THE PUBLIC HEALTH, SAFETY AND WELFARE, WHICH RULES AND REGULATIONS SHALL BE APPLICABLE TO THE MAXIMUM EXTENT ALLOWED BY LAW BOTH WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF ABILENE AND WITHIN ITS EXTRATERRITORIAL JURISDICTION.

f. Consider on second and final reading - an ordinance amending the Traffic Code, Sections 18-286 and 18-299, concerning time limited parking and reduced speed zones.

The Ordinance is numbered 4-1987 and is captioned as follows:

AN ORDINANCE AMENDING CHAPTER 18, "MOTOR VEHICLES AND TRAFFIC", OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

g. Consider on first reading - an ordinance adopting 1985 Uniform Fire Code.

AN ORDINANCE ADOPTING THE 1985 UNIFORM FIRE CODE INTO THE ABILENE MUNICIPAL CODE, BY AMENDING AND ADDING CERTAIN SECTIONS AS SET OUT BELOW; DELETING CERTAIN SECTIONS AS SET OUT BELOW; AND PROVIDING A SEVERABILITY CLAUSE.

h. Resolution supporting the Mayor of Dallas' Criminal Justice Task Force recommendations for fighting crime in Texas.

The Resolution is numbered 5-1987 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF ABILENE, TEXAS ENDORSING THE MAYOR OF DALLAS' CRIMINAL JUSTICE TASK FORCE LEGISLATIVE PACKAGE.

i. Resolution authorizing appointment of assistant Municipal Court Judges.

The Resolution is numbered 6-1987 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF ABILENE, TEXAS APPOINTING A PANEL OF ASSISTANT JUDGES TO ACT IN THE ABSENCE OR UNAVAILABILITY OF THE JUDGE OF THE MUNICIPAL COURT.

j. Removed from agenda.

5. Award of Bid:

a. Pickups and Vans for Equipment Services - Bid #170.

The bid was awarded to Max Murrell Chevrolet; Rocket Oldsmobile, and Arrow Ford as specified and designated by staff recommendation.

b. Police Sedans - Bid #173. The bid was awarded to Arrow Ford as recommended by staff.

- c. Construction of Elevated Water Storage Tank - Bid #164. The bid was awarded to Landmark Structures, Inc.
- d. Trailer mounted asphalt patching machine - Bid #161. The bid was awarded to Waukeshia Pearce.

6. Request to Advertise:

- a. 011 & Gas lease #1987-02 being 321.41 acres of the new sewer farm in Jones County, Texas.

Mike Morrison, Housing and Community Development Administrator, briefed the Council on a resolution to consider a new contract with Abilene Economic Development Company, Inc., for disbursement of CDBG funds.

Since Council last considered this item on January 26, 1987, the AEDC Board of Directors has met with the City staff and made some minor revisions to the contract, all satisfactory to both parties.

Councilman Fogle moved to approve the new contract with Abilene Economic Development Company, Inc., as recommended by staff. The motion was seconded by Councilwoman Ray and the motion carried.

AYES: Councilman McCaleb, Councilwoman Ray, Councilmen Wheat, Fogle, Robinson, Nixon and Mayor Stubbeman.
NAYS: None.

The Resolution is numbered 7-1987 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING A NEW CONTRACT FOR THE DISBURSEMENT OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS WITH THE ABILENE ECONOMIC DEVELOPMENT COMPANY, INC.

Bob Whitehead, Director of Public Works, briefed the Council on a report on the Regional Detention Plan concept. It is recommended Council authorize the staff to utilize \$170,000, previously collected from developers for detention facilities, to hire engineering services to complete a Regional Detention Plan. The Engineering services would be coupled with City engineering staff expertise to expedite the development of the Regional Detention Plan.

Councilman Nixon moved to approve the use of funds, not to exceed the present collections and including letters of credit, contingent upon the outcome of the public hearing on February 26, concerning the ordinance amendment on Stormwater Management policies and guidelines. The motion was seconded by Councilwoman Ray and the motion carried.

AYES: Councilman McCaleb, Councilwoman Ray, Councilmen Wheat, Fogle, Robinson, Nixon and Mayor Stubbeman.
NAYS: None.

harvey Cargill, City Attorney, briefed the Council on the discussion of a no smoking ordinance. Council discussed how extensive and restrictive the ordinance should be. The business community should be included in the decision to survey their input. Additionally, staff should review and provide direction to Council concerning how restrictive the Council can be in regard to public and private places. It was suggested to keep the ordinance simple and start with an ordinance prohibiting smoking in public places within city owned buildings.

Mayor Stubbeman moved to direct the staff to draft a no smoking ordinance prohibiting smoking in public places within City-owned buildings (not to include private offices). The motion was seconded by Councilman Wheat.

Councilman McCaleb moved to make an amendment to the Mayor's motion to direct the staff to look at additional areas to which a smoking ordinance may apply. The motion was seconded by Councilwoman Ray and the motion carried.

AYES: Councilman McCaleb, Councilwoman Ray, Councilmen Fogle, Robinson, Nixon and Mayor Stubbeman.

NAYS: Councilman Wheat.

Therefore, the motion before the Council is to direct the staff to: (1) draft a no smoking ordinance prohibiting smoking in public places within City-owned buildings (not to include private offices), and (2) look at additional areas to which a smoking ordinance may apply. The motion was seconded by Councilman Wheat and the motion carried.

AYES: Councilman McCaleb, Councilwoman Ray, Councilmen Wheat, Fogle, Robinson, Nixon and Mayor Stubbeman.

NAYS: None.

Mayor Stubbeman recessed the Council into executive session in accordance with State law, Sections 2e and 2g of the Open Meetings Act, to consider pending and contemplated litigation and the appointment and evaluation of public officials.

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

Councilwoman Ray moved to appoint Jane Varner Beard to fill a vacated term on the Civil Service Commission, scheduled to expire November, 1987. The motion was seconded by Councilman McCaleb and the motion carried.

AYES: Councilman McCaleb, Councilwoman Ray, Councilmen Wheat, Fogle, Robinson, Nixon and Mayor Stubbeman.

NAYS: None.

Councilman Fogle moved to appoint Roy McDaniel and Patricia Hancock to serve on the 9-1-1 Board as representatives of all participating cities in Taylor County. The motion was seconded by Councilman Nixon and the motion carried.

AYES: Councilman McCaleb, Councilwoman Ray, Councilmen Wheat, Fogle, Robinson, Nixon and Mayor Stubbeman.

NAYS: None.

The City Council recessed to the Basement Conference Room of City Hall to review the current status of the 1986-87 budget. David Wright, Director of Finance, distributed and reviewed with the Council a booklet containing several charts depicting revenue projections. In summary, he concluded that based on the available information, current projections for revenues would fall approximately \$1.36 million short of budget estimates, and could go as high as \$1.65 million below our budget estimates.

Jim Blagg, City Manager, further discussed the situation with Council members by stating that the city staff has already reduced budgeted expenditures by \$600,000 and, based on additional reductions made earlier this week, it now appears that the FY 1986-87 budgeted expenditures can be reduced by a total of approximately \$875,000. The ending deficit in the current budget could range from between \$525,000 and \$875,000.

Mr. Blagg recommended the City Council authorize the utilization of the undesignated fund balance to cover the anticipated shortfall in the FY 86-87 budget. He believes that this recommendation is consistent with the City Council's adopted financial policies regarding the use of the undesignated fund balance. The policy states that a fund balance equivalent to three months operating costs of the general operating budget should be maintained in order to provide financing for necessary projects and meet unanticipated contingencies such as lawsuits, tax roll tieups, and severe fluctuation in sales of city owned utilities. It is his belief that the current economic situation constitutes an unanticipated contingency of the same magnitude as those described in the policy. This will reduce the undesignated fund balance from a 2.8 month reserve to a 2.5 month reserve. He outlined specific steps that will be taken to hold down expenses as follows:

1. Review all city vehicles that are currently being taken home overnight to ensure that those are necessary to respond to emergency situations.
2. The City will cease hiring for current vacancies except for those which meet one of the following criteria:
 - a. The position is one which requires specialized skills which makes recruiting and hiring difficult.
 - b. Positions that have significant impact on the health and safety of our citizens.
 - c. Positions which present unique difficulties in recruiting.
3. The staff will cease all travel and outside training except where required to retain mandatory

certifications, travel which is essential to continued current operations, and travel or training that is necessary due to unforeseen circumstances.

4. The staff will continue to evaluate our organization for changes that streamline operations and improve service delivery.
5. We will increase our emphasis on safety in order to decrease the potential for payment of liability claims.

As we continue to make these changes and continue to reduce expenditures, we must be cognizant of the long term effects of the short term fixes that we are recommending. The delay in capital purchases and delay in certain kinds of maintenance will have significant long term effects on the city's infrastructure and the city's ability to respond to increased demand for services. In order to understand the impact of the reductions that we have made over the last two years requires that we be able to predict, to some degree of accuracy, how long the effects of the downturn in the economy will be felt in city revenues, and at what point we can anticipate some stabilization in those effects. He believes quite frankly that our ability to predict those sorts of things with any degree of accuracy is limited; therefore, we must anticipate the preparation of the 1987-88 budget with some trepidation.

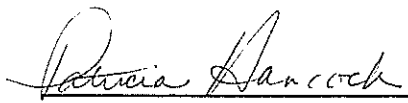
Council expressed appreciation to the staff for the attention to the situation and the prompt action taken.

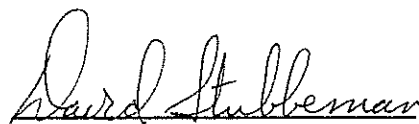
Councilman Nixon moved to authorize the utilization of the undesignated fund balance to cover the anticipated shortfall in the FY 1986-87 budget. The motion was seconded by Councilman McCaleb and the motion carried.

AYES: Councilman McCaleb, Councilwoman Ray, Councilmen Wheat, Fogle, Robinson, Nixon and Mayor Stubbeman.

NAYS: None.

There being no further business, the meeting was adjourned at 12:15 p.m.


Patricia Hancock
City Secretary


David Stubbeman
Mayor