

**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, **April 9, 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, **April 9, 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 March 19, 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 and Resolutions:**

- a. Oral resolution to consider Engineering proposal for Wastewater Treatment Plant.
- b. Resolution to consider Change Order #8 on construction contract to Gracon for Wastewater Treatment Plant.
- c. Consider on first reading - an ordinance changing zoning district boundaries - **Z-0787** - Request from Bank of Commerce, agent, Frederick B. Jones, to rezone from AO (Agricultural Open Space) to LI (Light Industrial) district, located in the 3700 block of Maple Street, and set a public hearing for April 23, 1987, at 9:00 a.m.
- d. Consider on first reading - an ordinance changing zoning district boundaries - **Z-0887** - Request from John A. Wright to add H (Historic Overlay) to underlying RS-12 (Residential Single Family) district, located at 1102 Sayles, and set a public hearing for April 23, 1987, at 9:00 a.m.

- e. Consider on first reading - an ordinance changing zoning district boundaries - **Z-0987** - Request from Joe Reid to add MX (Mixed Use overlay) to underlying RM-3 (Residential Multi-Family) district, located at 701-709 Grape Street, and set a public hearing for April 23, 1987, at 9:00 a.m.
- f. Consider on first reading - an ordinance changing zoning district boundaries - **Z-1087** - Request from John Herod/Abtex Transfer and City of Abilene, to rezone from RM-3 (Residential Multi-Family) to HC (Heavy Commercial) district, located in the 1100 block of Locust Street, and set a public hearing for April 23, 1987, at 9:00 a.m.
- g. Consider on first reading - an ordinance changing zoning district boundaries - **Z-1187** - Request from L. D. Wall, agent, Mike Milano, to rezone from AO (Agricultural Open Space) to PDR Planned Development Residential) district, located on U. S. Hwy. 277, and set a public hearing for April 23, 1987, at 9:00 a.m.
- h. Consider on first reading - an ordinance changing zoning district boundaries - **Z-1287** - Request from A. David May, Jr., agent, M. B. Eitelman, to rezone from O (Office) to LC (Limited Commercial) district, located at S. 27th St. & Buffalo Gap Road, and set a public hearing for April 23, 1987, at 9:00 a.m.
- i. Consider on first reading - an ordinance changing street names - **SNC-1387** - Request from Abilene Zoological Gardens, agent, Melissa Owen, to change Wise Street to Zoo Lane, and set a public hearing for April 23, 1987, at 9:00 a.m.
- j. Consider on first reading - an ordinance changing zoning district boundaries - **Z-1487** - Request from Dale L. Parson to rezone from SC (Shopping Center) to GC (General Commercial) district, located at North 6th & Forrest Streets, and set a public hearing for April 23, 1987, at 9:00 a.m.
- k. Consider on first reading - an ordinance amending Sections 23-252, Definitions, and 23-262, Conventional Design Standards - Streets, of Subdivision Regulations of the Abilene Municipal Code concerning Medians, and set a public hearing for April 23, 1987, at 9:00 a.m.
- l. Consider on first reading - an zoning ordinance amendment to Section 23-312, Schedule of District Regulations, concerning the minimum lot size requirement in the AO (Agricultural Open Space) zoning district, and set a public hearing for April 23, 1987, at 9:00 a.m.

**5. Award of Bid:**

- a. Dumptrucks for Street Division - **Bid #186.**
- b. Backhoe/Loader for Water Distribution Division - **Bid #182.**
- c. Frontloader Refuse Body for Refuse Division - **Bid #181.**
- d. Mowers for Parks Division - **Bid #187.**
- e. All Terrain Rubber Tired Vehicle for Flood Control - **Bid #183.**

**REGULAR AGENDA**

6. **Ordinances & Resolutions:**
  - a. **Public Hearing:** Consider on second and final reading - an ordinance amending Chapter 18, Traffic, Section 18-293, **Parking Prohibited at all Times**, located on Buttonwillow Avenue.
7. **Special Considerations:**
  - a. Canvass results of General City Election held April 4, 1987.
  - b. Presentations.
  - c. Induction of Council.
  - d. Reception.
  - e. Election of Mayors Pro Tempore.
8. **Ordinances & Resolutions:**
  - a. **Public Hearing:** Consider on second and final reading - an ordinance regulating smoking in public meetings and in public places.
  - b. **11:00 - Bid Opening:** Consider ordinance authorizing issuance of \$3,235,000 General Obligation Bonds.
  - c. **Public Hearing:** Consider on second and final reading - an ordinance amending Chapter 18, Traffic, Section 18-299, **Parking Time Limited**, for portions of Pine Street; and 18-293, **Parking Prohibited at all Times**, for portions of Oak and North 10th Streets.
9. **Award of Bid:**
  - a. **Public Hearing:** Oil & Gas Lease #1987-01 - Being the west 100 acres of the R. Champion survey, Jones County, Texas.
  - b. **Public Hearing:** Oil & Gas Lease #1987-02 - Being 321.41 acres of the new sewer farm in Jones County, Texas.
10. **Other Business:**
  - a. Pending and Contemplated Litigation (see Notice for Executive Session, Litigation for listing subjects).
  - b. Appointment and Evaluation of Public Officials (see Notice for Executive Session, Personnel for listing subjects).

**ADJOURN**

**ADDENDUM**

**CITY COUNCIL AGENDA**

City Council Chamber  
APRIL 9, 1987  
9:00 a.m.

8. Ordinances and Resolutions
- a-1. Consider an ordinance regulating smoking in public meetings, public places, and places of employment.

**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 6 day of April, 1987, at 3:30 p.m.

  
Assistant City Secretary

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## 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 Slaughtor v. City
5. Leonard Glenn Taylor v. City
6. Hudson & ABC Airlines v. City
7. State of Texas v. City
8. Cynthia Halle v. City
9. Michael Mallen 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

CITY COUNCIL WORK SESSION, THURSDAY  
April 9, 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 April 9, 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  
April 9, 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 April 9, 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 March 19, 1987 stand approved.

Mayor Stubbeman removed from the agenda the following items, based upon the decision of the Planning and Zoning Commission: 5d, 5j, 5k, and 5l.

Councilwoman Ray moved to approve the consent agenda items, being 4a through 4c; 4e through 4i; and 5a through 5e as presented by the staff. 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.

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4. Ordinances & Resolutions:

- a. Oral resolution to consider Engineering proposal for Wastewater Treatment Plant. The Council authorized the City Manager to execute a contract with Freese & Nichols, Inc., to proceed with evaluations and recommendation.
- b. Resolution to consider Change Order #8 on construction contract to Gracon Construction Company, Inc., for Wastewater Treatment Plant. The Resolution is numbered 15-1987 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING CHANGE ORDER NO EIGHT (8) ON THE CONTRACT WITH GRACON CONSTRUCTION COMPANY, INC. FOR THE RENOVATION OF THE WASTEWATER RECLAMATION PLANT.
- c. Consider on first reading - an ordinance changing zoning district boundaries - **Z-0787** - Request from Bank of Commerce, agent, Frederick B. Jones, to rezone from A0 (Agricultural Open Space) to L1 (Light Industrial) district, located in the 3700 block of Maple Street, and set a public hearing for April 23, 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. Removed from Agenda.
- e. Consider on first reading - an ordinance changing zoning district boundaries - **Z-0987** - Request from Joe Reid to add MX (Mixed Use overlay) to underlying RM-3 (Residential Multi-Family) district, located at 701-709 Grape Street, and set a public hearing for April 23, 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.
- f. Consider on first reading - an ordinance changing zoning district boundaries - **Z-1087** - Request from John Herod/Abtex Transfer and City of Abilene, to rezone from RM-3 (Residential Multi-Family) to HC (Heavy Commercial) district, located in the 1100 block of Locust Street, and set a public hearing for April 23, 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.

- g. Consider on first reading - an ordinance changing zoning district boundaries - **Z-1187** - Request from L. D. Wall, agent, Mike Milano, to rezone from A0 (Agricultural Open Space) to PDR Planned Development Residential) district, located on U. S. Hwy. 277, and set a public hearing for April 23, 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.

- h. Consider on first reading - an ordinance changing zoning district boundaries - **Z-1287** - Request from A. David May, Jr., agent, M. B. Eitelman, to rezone from O (Office) to LC (Limited Commercial) district, located at S. 27th St. & Buffalo Gap Road, and set a public hearing for April 23, 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.

- i. Consider on first reading - an ordinance changing street names - **SNC-1387** - Request from Abilene Zoological Gardens, agent, Melissa Owen, to change Wise Street to Zoo Lane, and set a public hearing for April 23, 1987, at 9:00 a.m.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, CHANGING THE NAME OF WISE STREET.

- j. Removed from agenda.  
k. Removed from Agenda.  
l. Removed from agenda.

5. **Award of Bid:**

- a. Dumptrucks for Street Division - **Bid #186**. The bid was awarded to R. L. Anderson, as recommended by staff.  
b. Backhoe/Loader for Water Distribution Division - **BID #182**. The bid was awarded to Case Construction Equipment.



- c. Frontloader Refuse Body for Refuse Division - Bid #181. The bid was awarded to Davis Truck and Equipment Company.
- d. Mowers for Parks Division - Bid #187. The bid was awarded as follows: Item 1, Goldthwaite's of Texas; Item 2, Godsey Equipment Company; and Item 3, Taylor County Ford Tractor.

- e. All Terrain Rubber Tired Vehicle for Flood Control -Bid #183. The bid was awarded to West Texas Equipment.

James Condry, Director of Traffic and Transportation, briefed the Council on an ordinance considered on second and final reading, amending Chapter 18, Traffic, Section 18-293, Parking Prohibited at all Times, located on Buttonwillow Avenue. Staff recommends that the current prohibition of on-street parking be retained.

Mayor Stubbeman opened the meeting for public hearing, and there being no one present and desiring to be heard, the public hearing was closed.

Councilman Robinson moved to approve the Ordinance amending Chapter 18, Traffic, Section 18-293, prohibiting parking on portions of Buttonwillow Avenue. 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 Ordinance is numbered 12-1987 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.

Patricia Hancock, City Secretary, briefed the Council on a Resolution canvassing the results of the General City Election held April 4, 1987. Councilman McCaleb moved to approve the resolution canvassing the results of the election, as recommended by staff. The motion was seconded by Councilman Robinson and the motion carried.

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

The Resolution is numbered 16-1987 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, CANVASSING THE RETURNS AND DECLARING THE RESULTS OF A GENERAL ELECTION HELD IN THE CITY OF ABILENE ON APRIL 4, 1987.

Harvey Cargill, City Attorney, briefed the Council on an ordinance considered on second and final reading regulating smoking in public meetings and in public places; and an amended ordinance regulating smoking in public meetings, public places, and places of employment. A public hearing was advertised for the smoking ordinance.

Mr. Cargill explained that if the Council chooses to act on the amended ordinance, an additional public hearing is recommended to be held at a future date to allow input from business owners.

Mayor Stubbeman opened the meeting for public hearing, and the following individuals spoke in regard to the proposed ordinance:

For:

- Sterling Brooks, Member C.A.T.S., presented a video tape which contained 12 individuals who were not able to be present at this hearing, but who wished to express their concerns against smoking. Those individuals are listed under the public hearing and are identified with an asterisk. (\*)
- Dr. Thomas Cotney\*
- Dr. A. P. Shringer\*
- Dr. Austin King\*
- Dr. Roger Haglund\*
- Larry Hurst, Restaurant Owner\*
- Lynn Anderson, minister\*
- Edward Coates, PhD, Therapist\*
- Dr. Steven Arthur\*
- Tom Headstream, MD\*
- Dr. George Dawson, speaking on behalf of the Taylor-Jones-Haskell Society of Medical Doctors)\*
- Dr. Elliot Mendenhall, Jr.\*
- Helene Berry, RN, small business owner\*
- Curzon C. Ferris, 2250 Windsor Rd.
- Dollie Walsh, 610 Harwell.
- John S. Walke, MD, 1235 CedarCrest.

- Dan Mohnig, 3526 Brookhollow.
  - Pug Parris, 2309 Glenwood.
  - Sterling Brooks, P. O. Box 1991, Member C.A.T.S., presented petition of 235 citizens against smoking.
  - Robert Prock, 774 Chanticleer.
  - Charles Gibson, 2350 Old Orchard.
  - Betty White, 3134 Countryside.
  - Karl Atteberry, 754 Marsalis, concerned with the enforcement of the ordinance.
  - Vera Wilkins, 21 Cypress Point.
  - LuGene Lewis, 3150 Valley Forge Road.
  - Roy Lewis, 3150 Valley Forge Road.
  - Joseph W. Darlak, Order of Nazirities, Box 5643, Abilene.
  - Richard L. Berry, MD; #10 Fairway Oaks.
  - E. L. Batko, 1400 Willow Pond Rd.
  - Teresa Sedinak, American Lung Association, 3250 Executive Cnt. Dr., Suite G100.
  - Marvin Smith, 925 N. Molk, small business owner.
  - Col. James Alderman, 4333 Caprock Rd.
  - Kitty Carroll, 1364 Cedar #1.
  - Rosina Duckworth, 24 Pinehurst.
  - Eddie Shays, 849 Kenwood.
  - Barbara Haltom, Rt. 8, Box 889.
  - Sam Britten, 1325 EN 16th St.
  - Dottie Baer, 866 Ross Avenue.
  - Glee Tate, 2434 Campus Court.
  - Dennis White, 4125 Harttford.
- AGAINST:
- Linda Sheppard, 4625 Royal Ct.

- Beth B. Doan, 4918 Hialeah Dr.
- Donna Mayfield, 1517 Matador.
- Charles Shue, 2601 S. 28th.

There being no one else present and desiring to be heard, the public hearing hearing was closed.

Following the Public Hearing, Councilman Nixon moved to adopt the ordinance prohibiting smoking in public places, public meetings, and places of employment, and set a public hearing for April 23rd 1987 at 9:00 a.m. The motion was seconded by Councilman Fogle. The Council then shared their feelings on the issue. The motion carried as follows:

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

AN ORDINANCE OF THE CITY CODE OF THE CITY OF ABILENE, TEXAS, REGULATING SMOKING IN PUBLIC MEETINGS, PUBLIC PLACES, AND PLACES OF EMPLOYMENT, PROVIDING A PENALTY AND AN EFFECTIVE DATE.

At 11:00 a.m. Mayor Stubbeman accepted receipt of all bids on the City's \$3,235,000 General Obligation Bond Sale and declared the bidding closed. Joe Smith, Financial Advisor, opened the received bids for the Bond Sale which are as follows:

	<u>Premium</u>	<u>Name &amp; Interest Cost</u>	<u>Effective &amp; Rate</u>
-0-		Clayton Brown & Assoc. 2,300,119.90	6.82216%
-0-		First National Bank of Chicago 2,320,888.54	6.88376%
196.80		First Southwest Company & Assoc. gross 2,238,225.00 net 2,238,028.20	6.637997%
109.85		InterFirst Bank Dallas, N. A. et al gross 2,284,050.83 net 2,283,940.98	6.7741%
-0-		Prudential Bache Security & Assoc. 2,277,207.92	6.7542%
-0-		Underwood Neuhaus & Co., Inc. et al 2,227,962.09	6.608410%
-0-		RepublicBank Dallas, N. A. & Assoc. 2,226,994.79	6.605271%

-0- Shearson Lehman Bros. Inc. & Assoc. 6.719907%

2,265,644.81

-0- MBank Capitol Mkts. & Assoc. 6.892436%

2,323,813.54

It appearing that RepublicBank Dallas N.A. & Associates being the low bidder, staff recommends the bid be awarded to Republic National Bank.

Councilman Wheat moved to award the bid to Republic National Bank Dallas & Associates and approve teh ordinance authorizing issuance of \$3,235,000 General Obligation bonds. The motion was seconded by Councilman Fogle and the motion carried.

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

The Ordinance is numbered 13-1987 and has no caption.

James Condry, Director of Traffic and Transportation, briefed the Council on an ordinance considered on second and final reading, amending Chapter 18, Traffic, of the Abilene Municipal Code, Section 18-299, Parking Time Limited, for portions of Pine Street; and 18-293, Parking Prohibited at all Times, for portions of Oak and North 10th Streets. Staff recommends approval of the ordinance.

Mayor Stubbeman opened the meeting for public hearing, and there being no one present and desiring to be heard, the public hearing hearing was closed.

Councilman McCaleb moved to approve the ordinance amending Chapter 18, Sections 18-299 and 18-293, 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 Ordinance is numbered 14-1987 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.

Sandra Trosky, Land Agent, briefed the Council on Oil & Gas Lease #1987-01 - Being the west 100 acres of the R. Champion survey, Jones County, Texas. Staff recommends the lease be

awarded to Schkade Brothers Operating Company and recommends the City Council authorize the Mayor to execute said lease subject to the Special Provisions for Drilling and Producing Wells around City Lakes.

Councilman McCaleb moved to approve Oil & Gas Lease #1987-01 as recommended by staff. The motion was seconded by Councilman Fogle and the motion carried.

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

Sandra Trosky, Land Agent, briefed the Council on Oil & Gas Lease #1987-02 - Being 321.41 acres of the new sewer farm in Jones County, Texas. Staff recommends the lease be awarded to Schkade Brothers Operating Company and recommends the City Council authorize the Mayor to execute said lease subject to the Special Provisions for Drilling and Producing Wells around City's Sewer Farms.

Councilwoman Ray moved to approve Oil & Gas Lease #1987-02 as recommended by staff. The motion was seconded by Councilman Robinson 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.

Councilman McCaleb moved to approve a resolution appointing Debra Lynn Weinberger Assistant City Attorney. 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.

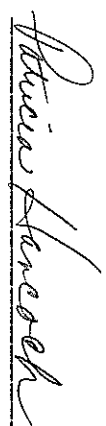
The Resolution is numbered 17-1987 and is captioned as follows:

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.

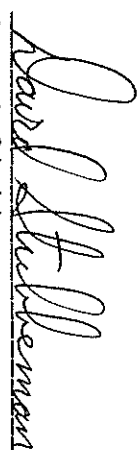
Councilman Wheat moved to appoint Jackie Ramsey Cox to the Wastewater Research Project - Public Advisory Committee. The motion was seconded by Councilman Nixon and the motion carried.

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

There being no further business, the meeting was adjourned  
at 2:30 p.m.

  
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Patricia Hancock  
City Secretary

  
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David Stubbeman  
Mayor