

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, **May 14, 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, **May 14, 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:** Councilwoman Betty Ray.
3. **Approval of Minutes:** Pre-Council Work Session and Regular City Council Meeting held April 23, 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. Consider on first reading - An ordinance amending Chapter 8, Construction Regulations, of the Abilene Municipal Code, to adopt amendments to Appendix Chapter 1 of the 1985 Uniform Building Code concerning existing high-rise buildings, and set a public hearing for May 28, 1987 at 9:00 a.m.
- b. Resolution to accept amendment #1 to FAA Grant Agreement for Project No. 3-48-0002-05, concerning Airport Runway improvements.
- c. Resolution authorizing Urban Mass Transportation Assistance (U.M.T.A.) operating assistance grant application for FY 1988.
- d. Consider on first reading - An ordinance amending Chapter 18, Traffic, of the Abilene Municipal Code, Sections 18-285, Speed Limits; 18-293, Parking Prohibited at All Times; and 18-299, Parking Time Limits.
- e. Consider on first reading - **Z-1587** - Request from David Durham, agent, Dale A. Scoggins, to rezone from AO (Agricultural Open Space) to RS-6 (Residential Multi-Family) district, located on Chimney Rock Road, and set a public hearing for May 28, 1987 at 9:00 a.m.

- f. Consider on first reading - **Z-1687** - Request from Moore/Southwest, agent, David Todd, to rezone from RM-3 (Residential Multi-Family) to PDR (Planned Development Residential) district, located at Champions and Pensacola Drives, and set a public hearing for May 28, 1987 at 9:00 a.m.
 - g. Consider on first reading - **Z-1787** - Request from Ann Y. Bond, agent, Patricia Blackwell; and Wade & Janet Armstrong, agent, Jennie Gerard, to rezone from GC (General Commercial) to RS-6 (Residential Single-Family) district, located at 7718 & 7726 Buffalo Gap Road, and set a public hearing for May 28, 1987 at 9:00 a.m.
 - h. Consider on first reading - **Z-0387** - Request from Lance Trigg, Jr. to rezone from A0 (Agricultural Open Space) to PDC (Planned Development Commercial) district, located at Hartford Street and Dub Wright Blvd., and set a public hearing for May 28, 1987, at 9:00 a.m.
 - i. Consider on first reading - an ordinance amending Chapter 22, Parks and Recreation, Section 22-11, prohibiting parking in City parks except in designated areas, and set a public hearing for May 28, 1987 at 9:00 a.m.
 - j. Consider on first reading - an amendment to the Zoning Ordinance, Section 23-360, Permitted Uses, concerning the sale of secondhand merchandise in Shopping Center (SC) zoning districts, and set a public hearing for May 28, 1987, at 9:00 a.m.
- 5. Award of Bid:**
- a. Chemicals for Water Utilities Department - **Bid #194.**
 - b. Resurface Airport Runway 17R-35L - **Bid #188.**
 - c. Hanger roof repair at the Abilene Municipal Airport - **Bid #189.**

REGULAR AGENDA

- 6. Special Considerations:**
- a. Canvass results of City Runoff Election held May 5, 1987.
 - b. Presentations.
 - c. Induction of Council.
 - d. Reception.
 - e. Election of Mayors Pro Tempore.
- 7. Ordinances & Resolutions:**
- a. **Public Hearing:** Oral Resolution approving Oil and Gas Drilling Permit #8701, being out of the S.W. portion of Section 46, Block 16, T&P Co. RR Survey, Jones County, Texas.
 - b. **Public Hearing:** - Consider on second and final reading - an ordinance amending Chapter 8, Construction, Article VI, Division 6, concerning adoption of the 1985 Uniform Housing Code subject to certain changes, additions, and deletions.

c. APPEALED ITEM:

- d. **Public Hearing:** - Consider on second and final reading - a 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.
- d. Oral Resolution in connection with the proposed refunding of West Central Texas Municipal Water District bonds.
- e. Oral Resolution to consider Street Use License request for 324 Mesquite Street from Quality Printing.
- f. Consider on first reading - an ordinance amending Chapter 18, Traffic, concerning Section 18-299, Parking Time Limits, in the 300 block of Mesquite.
- g. Oral Resolution authorizing construction plans for Abilene/Taylor County Law Enforcement Center.

8. Award of Bid:

- a. Apparatus for Fire Department - Bid #196.

9. 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

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 Halle v. City
9. Michael Mellen v. City
10. Patricia Partin v. City
11. Williams & Chambers v. City
12. Video Yue & 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
May 14, 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 May 14, 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, Welton Robinson, and Harold Nixon. Councilman A. E. Fogle was absent. 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.

Harvey Cargill, City Attorney, presented a suggested change to the Council concerning an amendment/correction to the minutes of April 23, 1987, to clarify the Council's intent when it adopted the smoking ordinance. Council took no action. 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
May 14, 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 May 14, 1987, at 9:00 a.m. in the City Council Chambers of City Hall.

Invocation was given by Councilwoman Betty Ray.

Councilman Nixon moved to approve the minutes of the Pre-Council Work Session and Regular City Council Meeting held April 23, 1987. The motion was seconded by Councilwoman Ray and the motion carried.

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

NAYS: None.

Councilman Wheat moved to remove from the table item 4h and approve the consent agenda items, being 4a through 5c as presented by the staff. The motion was seconded by Councilman Robinson and the motion carried.

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

4. **Ordinances & Resolutions:**

a. Consider on first reading - An ordinance amending Chapter 8, Construction Regulations, of the Abilene Municipal Code, to adopt amendments to Appendix Chapter 1 of the 1985 Uniform Building Code concerning existing high-rise buildings, and set a public hearing for May 28, 1987 at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 8, "CONSTRUCTION REGULATIONS," ARTICLE VI, "UNIFORM CODES AND OTHER REGULATIONS," DIVISION 2, "BUILDING CODE," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

b. Resolution to accept amendment #1 to FAA Grant Agreement for Project No. 3-48-0002-05, concerning Airport Runway Improvements.

The Resolution is numbered 23-1987 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING AMENDMENT TO GRANT AGREEMENT FROM THE FEDERAL AVIATION ADMINISTRATION FOR IMPROVEMENTS AT THE ABILENE MUNICIPAL AIRPORT.

c. Resolution authorizing Urban Mass Transportation Assistance (U.M.T.A.) operating assistance grant application for FY 1988.

The Resolution is numbered 24-1987 and is captioned as follows:

A RESOLUTION OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE FILING OF AN APPLICATION WITH THE DEPARTMENT OF TRANSPORTATION, UNITED STATES OF AMERICA, FOR A GRANT UNDER THE URBAN MASS TRANSPORTATION ACT OF 1964, AS AMENDED.

d. Consider on first reading - An ordinance amending Chapter 18, Traffic, of the Abilene Municipal Code, Sections 18-285, Speed Limits; 18-293, Parking Prohibited at All Times; and 18-299, Parking Time Limits.

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.

- e. Consider on first reading - Z-1587 - Request from David Durham, agent, Dale A. Scoggins, to rezone from A0 (Agricultural Open Space) to RS-6 (Residential Multi-Family) district, located on Chimney Rock Road, and set a public hearing for May 28, 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 - Z-1687 - Request from Moore/Southwest, agent, David Todd, to rezone from RM-3 (Residential Multi-Family) to PDR (Planned Development Residential) district, located at Champions and Pensacola Drives, and set a public hearing for May 28, 1987 at 9:00 a.m.
- AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "PLANNING AND COMMUNITY DEVELOPMENT," SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, CONCERNING PDD #49 PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.
- g. Consider on first reading - Z-1787 - Request from Ann Y. Bond, agent, Patricia Blackwell; and Wade & Janet Armstrong, agent, Jennie Gerard, to rezone from GC (General Commercial) to RS-6 (Residential Single-Family) district, located at 7718 & 7726 Buffalo Gap Road, and set a public hearing for May 28, 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 - Z-0387 - Request from Lance Trigg, Jr. to rezone from A0 (Agricultural Open Space) to PDC (Planned Development Commercial) district, located at Hartford Street and Dub Wright Blvd., and set a public hearing for May 28, 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 PDD #47 PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

- i. Consider on first reading - an ordinance amending Chapter 22, Parks and Recreation, Section 22-11, prohibiting parking in City parks except in designated areas, and set a public hearing for May 28, 1987 at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 22, "PARKS AND RECREATION," OF THE ABILENE CITY CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

- j. Consider on first reading - an amendment to the Zoning Ordinance, Section 23-360, Permitted Uses, concerning the sale of secondhand merchandise in Shopping Center (SC) zoning districts, and set a public hearing for May 28, 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. *

5. Award of Bid:

- a. Chemicals for Water Utilities Department - Bid #194.
The bid was awarded as follows: Items # 1 and 2 to Dixie Petro-Chem; Items 3 & 4 to Calgon Corporation; Item #5 to Van Water & Rogers; and Item #6, to Russ Chemical as recommended by staff.
- b. Resurface Airport Runway 17R-35L - Bid #188. The bid was awarded to Stephens-Martin Paving, Inc.
- c. Hangar Roof Repair at Abilene Municipal Airport - Bid #189. The bid was awarded to Lydick-Hooks Roofing 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.

Patricia Hancock, City Secretary, briefed the Council on a resolution canvassing the results of the City Runoff Election held May 5, 1987, declaring that Dale E. Ferguson fill the position of Mayor, Walter Wheat fill the position of Council Place III, and Tom Ceniglis fill the position of Council Place IV. Ballots were issued to each precinct as required by state law to be duly recorded.

Mayor Stubbeman received by mail a Ballot and Seal Certificate from each presiding Judge, duly signed by same and released to the City Secretary for filing in the official election records.

Councilwoman Ray moved to approve the resolution canvassing the returns and declaring the results of the City Runoff Election held May 5, 1987. The motion was seconded by Councilman McCaleb and the motion carried:

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

NAYS: None.

The Resolution is numbered 25-1987 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 RUNOFF ELECTION HELD IN THE CITY OF ABILENE ON MAY 5, 1987.

Patricia Hancock, City Secretary, disseminated to each member of the City Council their annual pay check of one (1.00) dollar.

Dale E. Ferguson, Mayor, Walter Wheat, Council Place III, and Tom Ceniglis, Council Place IV, were inducted into the office for a three-year term by Patricia Hancock, City Secretary. Presentations were given to Mayor Stubbeman and his wife for their three years of service by Patricia Hancock, City Secretary, on behalf of the City of Abilene; and by Colonel Dempsey, on behalf of Dyess Air Force Base. A reception followed.

Mayor Ferguson asked for nominations of members to serve as Mayor Pro Tempore. Dr. Gary McCaleb and Betty Ray were nominated. There being no other nominations, the nominations were closed.

Councilman Wheat moved to elect Gary McCaleb and Betty Ray as Co-Mayors Pro Tempore. The motion was seconded by Councilman Tom Ceniglis and the motion carried.

AYES: Councilman McCaleb, Councilwoman Ray, Councilmen Wheat, Ceniglis, Robinson, Nixon, and Mayor Ferguson.

NAYS: None.

Sandra Trosky, Land Agent, briefed the Council on an Oral Resolution approving Oil and Gas Drilling Permit #8701 to Schkade Brothers Operating Company on land being out of the S.W. portion of Section 46, Block 16, T&P Co. RR Survey, Jones County, Texas. Staff recommends approval of the request.

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

Councilman Nixon moved to approve the Resolution approving Oil & Gas Drilling Permit #8701. The motion was seconded by Councilwoman Ray and the motion carried.

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

Bob Fowler, Director of Building Inspection, briefed the Council on an Ordinance considered on second and final reading amending Chapter 8, Construction, Article VI, Division 6, concerning adoption of the 1985 Uniform Housing Code subject to certain changes, additions, and deletions. Staff recommends approval, as well as the Board of Building Standards.

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

Councilman Geniglis moved to approve the Ordinance amending Chapter 8, Construction, Article VI, Division 6, adopting the 1985 Uniform Housing Code as presented by staff. The motion was seconded by Councilman Robinson and the motion carried.

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

The Ordinance is numbered 22-1987 and is captioned as follows:

AN ORDINANCE AMENDING CHAPTER 8, "CONSTRUCTION REGULATIONS," ARTICLE VI, "UNIFORM CODES AND OTHER REGULATIONS," DIVISION 6, "HOUSING CODE," SECTION 8-551, OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

John Hancock, Principal Planner, briefed the Council on an ordinance considered on second and final reading - a zoning ordinance amendment to Section 23-312, Schedule of District Regulations, concerning the minimum lot size requirement in the A0 (Agricultural Open Space) zoning district. The Planning and Zoning Commission, Board of Adjustment, and staff recommend disapproval of the request.

Mayor Ferguson opened the meeting for public hearing, and the following individuals spoke in favor of the request:

- J. C. Haines, proponent.
- Marvin Smith, owner of some rural land in the same situation as Mr. Haines.
- Peggy Galbraith read aloud three letters in favor of the request from Ms. Lassiter, Mr. Lewis, and Mr. Eddie Chase.

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

Councilman Ceniglis moved to approve the request for a zoning ordinance amendment to Section 23-312, concerning the minimum lot size requirement in the A0 zoning district, as requested by the proponent. The motion was seconded by Councilman Robnison and the motion carried.

AYES: Councilmen Wheat, Ceniglis, Robnison, and Mayor Ferguson.

NAYS: Councilman McCaleb, Councilwoman Ray, Councilman Nixon.

The Ordinance is numbered 23-1987 and is captioned as follows:

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.

Roy McDaniel, Assistant City Manager, briefed the Council on an oral Resolution in connection with the proposed refunding of West Central Texas Municipal Water District bonds. He explained that contracts have been let for construction of the parallel pipeline to Hubbard Creek and the bids were substantially better than the engineer's original estimates. Therefore, both the City and Water District staff have been looking at the most prudent and economical manner of utilizing the excess funds that will be remaining after the pipeline is complete.

It is the staff's opinion that the best option would be an Advance Refunding of the bonds. Therefore, in order to move quickly when the opportunity arises, the staff is requesting City Council approval of an oral resolution asking the West Central Texas Municipal Water District Board to consider an Advance Refunding at the appropriate time.

Councilman Nixon moved to approve, by oral resolution, refunding the West Central Texas Municipal Water District bonds as recommended by staff. The motion was seconded by Councilman Wheat and the motion carried.

AYES: Councilman McCaleb, Councilwoman Ray, Councilmen Wheat, Ceniglis, Robnison, Nixon and Mayor Ferguson.

NAYS: None.

Marva Pritchett, Assistant Director of Public Works, briefed the Council on an oral Resolution to consider a Street Use License request for 324 Mesquite Street from Quality Printing. Staff recommends approval only, contingent upon the following conditions: (1) upon authorization of this agreement for use of the public right-of-way for parking spaces 1 through 6 as shown on the Exhibit "A" to the license, the owner install either a raised curb or wheel stops 6 1/2 feet from the face of the

building/property line prior to the execution of the Street Use License Agreement; (2) the traffic and Transportation Department stripe the six (6) spaces as shown on the Exhibit "A" of the license.

Mr. Benny Whitehead was present and requested the Council approve the Street Use License as he has requested.

Councilman Robinson moved to approve the request as requested by the proponent, without staff conditions. The motion was seconded by Councilman Wheat and the motion carried.

AYES: Councilman McCaleb, Councilwoman Ray, Councilmen Wheat, Ceniglis, Robinson, Nixon and Mayor Ferguson.

NAYS: None.

James Condry, Director of Traffic and Transportation, briefed the Council on an ordinance considered on first reading amending Chapter 18, Traffic, concerning Section 18-299, Parking Time Limits, in the 300 block of Mesquite. Staff Recommends disapproval of the request because of its impact on the overall Central Business District Parking Control Program.

Mr. Benny Whitehead, proponent, was present and requested favorable consideration of the ordinance.

Staff requested direction from the Council on whether or not the parking control officers will patrol this area, if the ordinance is approved.

Councilman McCaleb moved to approve the ordinance on first reading amending Chapter 18, Section 18-299, and direct that the parking control officers not patrol this area for enforcement but that the Police Department continue their normal enforcement of that area. The motion was seconded by Councilwoman Ray and the motion carried.

AYES: Councilman McCaleb, Councilwoman Ray,

Councilmen Wheat, Ceniglis, Robinson, Nixon and Mayor Ferguson.

NAYS: None.

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.

Rickey Childers, Assistant City Manager, briefed the Council on an oral Resolution authorizing construction plans for Abilene/Taylor County Law Enforcement Center. Staff recommends that the Council accept the construction plans as presented and authorize staff to initiate advertising the construction plans to prospective bidders.

Councilman McCaleb moved to approve the oral resolution authorizing construction plans for Abilene/Taylor County Law Enforcement Center as recommended by staff. The motion was seconded by Councilwoman Ray and the motion carried.

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

Roy McDaniel, Assistant City Manager, briefed the Council on an Award of Bid for Apparatus for the Fire Department - Bid #196. Staff recommends approval of the request.

Following a very detailed discussion on the purpose of the equipment and the rationale behind the purchase at this time, Councilman McCaleb moved to approve the request as recommended by staff for apparatus for the Fire Department. The motion was seconded by Councilwoman Ray.


AYES: Councilman McCaleb, Councilwoman Ray. and Councilman Nixon.
NAYS: Councilmen Wheat, Ceniglis, Robinson, and Mayor Ferguson.

The motion **FAILED** and, therefore, was **DENIED**.

Mayor Ferguson 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.

There being no further business, the meeting was adjourned at 1:00 p.m.


Patricia Hancock
City Secretary


Dale Ferguson
Mayor