

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, **October 15, 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, **October 15, 1987**, at 9:00 a.m.

CITY COUNCIL: Mayor Dale Ferguson; Council - Gary D. McCaleb, Betty Ray, Walter E. Wheat, Tom Ceniglis, Welton Robinson and Harold Nixon.

1. Call to Order.
2. **INVOCATION:** Councilman Tom Ceniglis.
3. **Approval of Minutes:** Pre-Council Work Session and Regular City Council Meeting held September 24, 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 for thoroughfare abandonment - **TC-4787** - Request from The Midwest Company, located between South 4th and 5th Streets, and calling a public hearing for October 22, 1987 at 9:00 a.m.
 - b. Consider on first reading - an ordinance for street name change - **SNC-4887** - Request from City of Abilene, for an unnamed street to be named Butterfield Trail for the east-west segment and Stewart Road for the north-south segment, located west of Dub Wright Blvd. and north of Highway 277, and calling a public hearing for October 22, 1987 at 9:00 a.m.
 - c. Consider on first reading - an ordinance changing zoning district boundaries - **Z-4487** - Request from Doyce Clouse to rezone from RS-6 (Residential Single Family) to LI (Light Industrial) district, located in the 3000 block of Elm Street, and calling a public hearing for October 22, 1987 at 9:00 a.m.

- d. Consider on first reading - an ordinance amending zoning district boundaries - **Z-4587** - Request from The Kroenke Group; agent, Ray Scott, to amend a PDMX (Planned Development Mixed Use) district concerning signs, located at N. Judge Ely Blvd. and San Jacinto Drive, and calling a public hearing for October 22, 1987 at 9:00 a.m.
- e. Consider on first reading - an ordinance changing zoning district boundaries - **Z-4687** - Request from Greg Boyd to add H (Historic Overlay) to underlying LI (Light Industrial) district, located at 2083 N. 2nd Street, and calling a public hearing for October 22, 1987 at 9:00 a.m.
- f. Consider on first reading - an ordinance changing zoning district boundaries - **Z-4987** - Request from SDC Limited; agent, Dale A. Scoggins, to rezone from RM-2 (Residential Multi-Family) to O (Office) district, located in the 3400 block of South 27th Street, and calling a public hearing for October 22, 1987 at 9:00 a.m.
- g. Consider on first reading an ordinance authorizing 10% "Updated Service Credits" in the Texas Municipal Retirement System and adopting the provisions of the Act as amended by the 70th Legislature.
- h. Oral resolution approving a 1988 Historical Grant; and authorizing City Manager to sign an agreement with the Abilene Preservation League.
- i. Resolution consenting to the use by McMurry College, an institution of higher education located within the boundaries of this City, of proceeds of educational facilities revenue bonds issued by the Texas Higher Education Authority, Inc.

5. Award of Bid:

- a. Three (3) Frontloader Refuse Trucks for Refuse Department, **Bid #212.**
- b. Security Service for Zoo, **Bid #215.**

REGULAR AGENDA

6. 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. Stanley V. Taylor v. City
2. Velasquez v. City
3. Smithwick-Wheeler v. City
4. Maria Slaughter v. City
5. Leonard Glenn Taylor v. City
6. James Hudson & AB Airlines v. City
7. State of Texas v. City
8. Ramsey v. City
9. Michael Mellen v. City
10. Patricia Partin v. City
11. Williams & Chambers v. City
12. Video Vue & American Video
13. McNutt v. City
14. Welch v. City
15. J. C. Haines v. City
16. City of Abilene v. Northeastern Software
17. Abilene Zoological Society v. Pinkerton's
18. Guadalupe Diaz v. City
19. Alicia Garcia v. City
20. Virginia Martin v. City
21. Frieda Hintz v. City
22. WTU Rate Request
23. City v. Board of Adjustment

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 9/18/87

PRE-COUNCIL WORK SESSION, THURSDAY
October 15, 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 **October 15, 1987**, at 8:30 A.M. in the Basement Conference Room of City Hall. Mayor Dale Ferguson was present and presiding with Councilman Gary D. McCaleb, Councilwoman Betty Ray, Councilmen Walter Wheat, Tom Ceniglis, 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, Assistant City Secretary Debbie Hurley 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
October 15, 1987, 9:00 A.M.

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

Mayor Ferguson reconvened the City Council of the City of Abilene, Texas, into Regular Session October 15, 1987, at 9:00 a.m. in the City Council Chambers of City Hall.

Invocation was given by Councilman Tom Ceniglis.

There being no additions or corrections to the minutes of the Pre-Council Work Session and Regular City Council Meeting held September 24, 1987, the minutes stand approved.

Councilman Wheat moved approval of the consent agenda items, 4a through 5b, as presented by the 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.

4. Ordinances & Resolutions:

- a. Consider on first reading - an ordinance for thoroughfare abandonment - **TC-4787** - Request from The Midwest Company, located between South 4th and 5th Streets, and calling a public hearing for October 22, 1987 at 9:00 a.m.

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.

- b. Consider on first reading - an ordinance for street name change - **SNC-4887** - Request from City of Abilene, for an unnamed street to be named Butterfield Trail for the east-west segment and Stewart Road for the north-south segment, located west of Dub Wright Blvd. and north of Highway 277, and calling a public hearing for October 22, 1987 at 9:00 a.m.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, TO UNNAMED STREETS TO BUTTERFIELD TRAIL AND STEWART ROAD.

- c. **APPEALED ITEM:** Consider on first reading - an ordinance changing zoning district boundaries - **Z-4487** - Request from Doyce Clouse to rezone from RS-6 (Residential Single Family) to LI (Light Industrial) district, located in the 3000 block of Elm Street, and calling a public hearing for October 22, 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 - an ordinance amending zoning district boundaries - **Z-4587** - Request from The Kroenke Group; agent, Ray Scott, authorizing amendment #2 to Ordinance #23-1986, concerning the Judge Ely North PDMX (Planned Development Mixed Use) district, concerning signs located at N. Judge Ely Blvd. and San Jacinto Drive, and calling a public hearing for October 22, 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.

- e. Consider on first reading - an ordinance changing zoning district boundaries - **Z-4687** - Request from Greg Boyd to add H (Historic Overlay) to underlying LI (Light Industrial) district, located at 2083 N. 2nd Street, and calling a public hearing for October 22, 1987 at 9:00 a.m.

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- f. Consider on first reading - an ordinance changing zoning district boundaries - **Z-4987** - Request from SDC Limited; agent, Dale A. Scoggins, to rezone from RM-2 (Residential Multi-Family) to O (Office) district, located in the 3400 block of South 27th Street, and calling a public hearing for October 22, 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 authorizing 10% "Updated Service Credits" in the Texas Municipal Retirement System and adopting the provisions of the Act as amended by the 70th Legislature.

AN ORDINANCE AUTHORIZING AND ALLOWING, UNDER THE ACT GOVERNING THE TEXAS MUNICIPAL RETIREMENT SYSTEM, "UPDATED SERVICE CREDITS" FOR SERVICE PERFORMED BY QUALIFYING MEMBERS OF SUCH SYSTEM WHO PRESENTLY ARE IN THE EMPLOYMENT OF THE CITY OF ABILENE; AND GRANTING THE ADDITIONAL RIGHTS, CREDITS AND BENEFITS AUTHORIZED BY THE 70TH LEGISLATURE; AND PRESCRIBING THE EFFECTIVE DATE OF THIS ORDINANCE.

- h. Oral resolution approving a 1988 Historical Grant; and authorizing City Manager to sign an agreement with the Abilene Preservation League.
- i. Resolution requesting Texas Higher Education Authority to act on behalf of the City to make funds available to McMurry College for financing educational facilities.

The Resolution is numbered 56-1987 and is captioned as follows:

A RESOLUTION REQUESTING TEXAS HIGHER EDUCATION AUTHORITY, INC., TO ACT ON BEHALF OF THIS CITY, AND AS ITS DULY CONSTITUTED AUTHORITY AND INSTRUMENTALITY IN MAKING FUNDS AVAILABLE TO FINANCE EDUCATIONAL FACILITIES FOR MCMURRY COLLEGE, AN INSTITUTION OF HIGHER EDUCATION LOCATED WITHIN THE BOUNDARIES OF THIS CITY, AND REQUESTING THE CITY OF UNIVERSITY PARK, TEXAS TO REPRESENT THE CITY IN APPOINTING DIRECTORS OF THE TEXAS HIGHER EDUCATION AUTHORITY, INC.

5. **Award of Bid:**

- a. Three (3) Frontloader Refuse Trucks for Refuse Department, **Bid #212.**
Awarded to Lone Star Peterbilt.
- b. Security Service for Zoo, **Bid #215.** The bid was awarded to Supreme Alarm Contractors.

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.

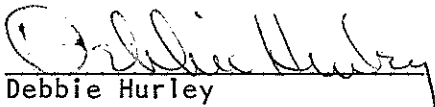
The Council reconvened from executive session and reported no action taken.

Councilman Robinson moved to appoint individuals, as shown on the attached Exhibit "A" to these minutes, to the Overall Economic Development Planning Committee. The motion was seconded by Councilman Ceniglis and the motion carried.

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

NAYS: None.

There being no further business, the meeting adjourned at 10:00 a.m.


Debbie Hurley
Assistant City Secretary


Dale Ferguson
Mayor

Exhibit "A"

ABILENE-TAYLOR COUNTY
OVERALL ECONOMIC DEVELOPMENT PLANNING COMMITTEE

AEDC BOARD MEMBERS:

Leon Petty, President
Leon J. Petty Insurance

Jerry Harris
Ray & Company

Floyd Miller
2102 Oakwood Lane

Carlos Rodriguez
1401 N. Jefferson

Mary Island
Ab. Independent School Dist.

Andrew Noel
First Republic Bank

Dr. Cindy H. Love
C.H. Love & Company

Neomia Banks
State Farm Insurance

Becky Joy
Rhino Battery

Joseph Lopez
Brokerage House Realtors

David Wagner
Attorney

Barry Tyler
Hardin-Simmons University

Wilton Turnerhill
Turnerhill Barbeque

OTHER MEMBERS:

Gary Vest
Industrial Foundation

Don Altman, Professor
ACU; SBDC Director

Judd Jones
Texas Instruments

Karen Brittain
Brittain's Furniture

James Parker
J.M. Parker & Assoc.

Jerry Schwalb
Texas State Technical Institute

Fern Barnsley
Barnsley Realtors

James Rose
United Bank

C.C. (Buck) Elliott
Lone Star Gas

David Scott
West Texas Utilities

Tommy Moore
Broker

Bob Prock, TX A&M Ext. Serv.
Private Industry Council

Marilyn Roberts
Media Management

Pete Ybarra
Community Action Program

Joe Wilson
County Extension Agent

OTHER MEMBERS CONTINUED:

8
Dr. Manuel Flores
Hardin Simmons University

Chris Herrera
Casa Herrera Restaurant

Dr. Morris Baker
McMurry College

Downing A. Bolls, Sr.
County Commissioner, Prec 1

Jack Pecchioni
SCORE Chairman

Morris Burns
West Texas Oil & Gas

Joe Leal
Littlejoe Movers

Effren Villanueva
2017 Clinton St.

Father Jim Lynes
St. Vincent's Church

Raymundo Silva
Silva's Body Shop

Jack Gilreath
Randolph Gilreath & Assoc.

CITY COUNCIL MEMBERS:

Tom Ceniglis
Council Member

Dr. Gary McCaleb
Council Member