

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 11, 1988**, 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 11, 1988**, 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 January 28, 1988.

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 amendment to the Zoning Ordinance, Section 23-306.5.E, concerning day care screening provisions, and set a public hearing for February 25, 1988 at 9:00 a.m.
 - b. Consider on first reading - an amendment to the Zoning Ordinance, Sections 23-317 and 23-363 concerning accessory buildings, and set a public hearing for February 25, 1988 at 9:00 a.m.
 - c. Resolution approving validation of lease of Central Tax Authority of Taylor County.
 - d. Consider Resolution authorizing execution of new contract with Hawley Water Supply Corporation.
 - e. Consider Resolution requesting assistance in acquiring an armored tank battalion.

5. **Award of Bid:**
- a. Annual contract for oil products for Equipment Services Division, **Bid #228.**
 - b. Replace roof at Northeast Treatment Plant and adjacent chlorine building , **Bid #221.**
 - c. Annual weed mowing contract for Fire Department, **Bid #226.**
 - d. Two agricultural tractors for Equipment Services Division, **Bid #232.**

REGULAR AGENDA

6. **Ordinances & Resolutions:**
- a. **Public Hearing:** Consider on second and final reading - an ordinance amending Chapter 8, Construction, Article VI, 1985 Uniform Building Code, Section 302(c), concerning trenching.
7. **Other Business:**
- a. Update report on modifications to the building condemnation/rehabilitation program.
 - b. Pending and Contemplated Litigation (see Notice for Executive Session, Litigation for listing subjects).
 - c. Appointment and Evaluation of Public Officials (see Notice for Executive Session, Personnel for listing subjects).
 - d. Consider approving the 9-1-1 Emergency Communications District budget for FY 1987-88.

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

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PRE-COUNCIL WORK SESSION, THURSDAY
February 11, 1988, 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 11, 1988**, 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, City Secretary Patricia Hancock and various members of the City Staff.

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

REGULAR CITY COUNCIL MEETING
February 11, 1988, 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 February 11, 1988, at 9:00 a.m. in the City Council Chambers of City Hall.

Invocation was given by Councilman Tom Ceniglis.

There being no corrections, additions, or deletions to the minutes of the Pre-Council Work Session and Regular City Council Meeting held January 28, 1988, the minutes stand approved as presented.

Councilman Wheat moved approval of the consent agenda items, 4a, 4b, 4d, and 5a through 5d, as presented by the staff. Items 4c and 4e were removed from the consent agenda to be considered separately. 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.

4. **Ordinances & Resolutions:**

- a. Consider on first reading - an amendment to the Zoning Ordinance, Section 23-306.5, concerning day care screening provisions, and set a public hearing for February 25, 1988 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.
- b. Consider on first reading - an amendment to the Zoning Ordinance, Sections 23-317 and 23-363 concerning accessory buildings, and set a public hearing for February 25, 1988 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.
- c. Removed from consent agenda.
- d. Oral Resolution authorizing execution of new contract with Hawley Water Supply Corporation.
- e. Removed from consent agenda.

5. **Award of Bid:**

- a. Annual contract for oil products for Equipment Services Division, **Bid #228**. The bid was awarded to Abilene Oil Distributors for oils and lubricants, and Western Marketing for Super Hydraulic 46 Oil, as recommended by staff.
- b. Replace roof at Northeast Treatment Plant and adjacent chlorine building, **Bid #221**. The bid was awarded to Lydick-Hooks Roofing, as recommended by staff.
- c. Annual weed mowing contract for Fire Department, **Bid #226**. The bid was awarded to Ken Wallace as recommended by staff.
- d. Two agricultural tractors for Equipment Services Division, **Bid #232**. The bid was awarded to Case Equipment, Inc. of Abilene and Taylor County Ford Tractor as recommended by staff.

Paul Washburn, Jr., Central Tax Authority Board Member, was present and briefed the Council on a resolution approving validation of lease of the Central Tax Authority of Taylor County. He also briefed the Council on tax collections and delinquent tax collections. He explained that the Central Tax Authority is increasing their efforts in collection of delinquent taxes. Finally, he informed the Council that an audit was just conducted of the Central Tax Authority and the District appears to be in good financial condition. He requested the Council provide him feedback on the services of the CTA and continue to give him suggestions for improvement. Mr. Washburn commended the present staff at the CTA and reported that the Board will continue to search for and will be selecting a new Chief Appraiser. The Council expressed appreciation to Mr. Washburn for making this presentation.

Councilman McCaleb moved to approve the resolution to validate the lease of the Central tax Authority as recommended by staff and Mr. Washburn. 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.

The Resolution is numbered 3A-1988 and contains no caption.

Mayor Ferguson briefed the Council on a Resolution requesting assistance in acquiring an armored tank battalion.

Councilman Ceniglis moved to approve the resolution requesting support for the Battalion as recommended. The motion was seconded by Councilman Robinson and the motion carried.

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

NAYS: None.

The Resolution is numbered 4-1988 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, REQUESTING LEGISLATIVE SUPPORT FROM THE STATE IN ACQUIRING AN ARMORED TANK BATTALION.

Bob Fowler, Director of Housing and Inspection, briefed the Council on an ordinance considered on second and final reading, amending Chapter 8, Construction, Article VI, 1985 Uniform Building Code, Section 302(c), concerning trenching. The Board of Building Standards and staff recommend approval.

Mayor Ferguson opened a public hearing to consider the aforementioned request, and there being no one present and desiring to be heard, the public hearing was closed.

Councilman Nixon moved to approve the ordinance amending the Uniform Building Code concerning trenching, as recommended by staff. The motion was seconded by Councilman McCaleb and the motion carried.

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

The Ordinance is numbered 8-1988 and is captioned as follows:

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.

Bob Fowler, Director of Housing and Inspection, briefed the Council on modifications to the building condemnation/rehabilitation program. During the most recent Council Retreat, staff requested direction from the Council relative to changing the program to allow more alternatives to the property owner or to secure structures until some future time. Since that time, the City Council has provided additional input on the program in regard to the notification to property owner provisions. This report is intended to bring the Council up to date on the modifications that have taken place. The Board of Building Standards and City Manager's Office will continue to monitor the program. He thanked the Council for their input in the past and encouraged their continued input.

No action was necessary at this time.

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 in Executive Session.

Councilman Wheat moved to authorize submission of a Criminal Justice Department grant application for FY 1988/89. The motion was seconded by Councilman Robinson and the motion carried.

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

NAYS: None.

The Resolution is numbered 5-1988 and is captioned as follows:

A RESOLUTION APPROVING APPLICATION OF THE CITY OF ABILENE'S POLICE DEPARTMENT TO THE GOVERNOR'S CRIMINAL JUSTICE DIVISION FOR FUNDS TO IMPLEMENT THE PROPOSED "ABILENE MULTI-AGENCY PROPERTY CRIME AND ENFORCEMENT PROGRAM" FOR COMBATING CRIMINAL ACTIVITY IN THE AREA OF PROPERTY CRIMES.

Councilman Ceniglis moved to authorize the Airport Advisory Committee to continue their operation on a temporary basis. The motion was seconded by Councilman Robinson and the motion carried.

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

NAYS: Councilwoman Ray.

Councilman Nixon moved to approve the 9-1-1 Emergency Communications District budget for FY 1987-88 with the stipulation that funds for employee compensation be considered by the Council during the budget process. 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.

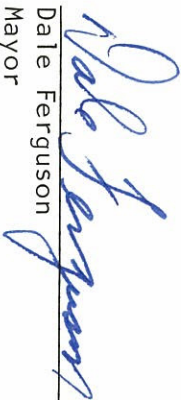
Councilman Ceniglis moved to reappoint Roy McDaniel and Patricia Hancock to the 9-1-1 Emergency Communications District Board of Managers for a two year term. The motion was seconded by Councilwoman Ray and the motion carried.

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

NAYS: None.

There being no further business, the meeting adjourned at 12:45 p.m.


Patricia Hancock
City Secretary


Dale Ferguson
Mayor