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, July 28, 1988, at 8:30 a.m. to consider the following:

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, July 28, 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 Harold Nixon.
- 3. Approval of Minutes: Pre Council Session and Regular City Council Meeting held July 28, 1988; and City Council Budget Sessions held July 18 and 19, 1988.
- 4. Employee Service Awards:

35	Years	James H. Davis	Water Distribution
30	Years	Huston B. Jones	Wastewater Treatment
20	Years	Charles Jones	Refuse Collection
20	Years	Bernie R. Summers	Equipment Services
20	Years	George W. Chatfield	Water Treatment
20	Years	Rose M. Stubbs	Health Department
20	Years	Bobby R. Drake	Police Department

## 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.

- 5. Ordinances and Resolutions:
  - a. Oral Resolution to consider street use license request from Olshan Demolition Company, Inc. for temporary use of a portion of North Fourth Street east of Cypress Street.

- Ω Auction Company to resolution conduct authorizing annual selection City auction. of Kincaid
- Ģ Oral Resolution to consider a plan for participation in the Community Development plan for Block citizens Grant
- Q. Resolution endorsing the "Good Roads" amendment to Texas Constitution. the
- **0** Consider on first reading - an ordinance a Chapter 18, "Traffic", of the Abilene Municipal concerning traffic code schedules. amending Code,
- H Consider on seco concerning food and food handlers. second and ter 11 of final reading the Abilene Municipal ordinance
- <u>.</u> Award of Bid:
- Division, Bid #272
- Two (2) Tractor/Mowers for Parks
  Traffic Signal Heads for Traffic Department, Bid #271.

## REGULAR

- .7 Ordinances & Resolutions:
- telephone amending on secon solicitations, second  $\frac{\text{and}}{28}$ exceptions, and final reading - Solicitations, application. an concerning ordinance
- р. APPEALED ITEM:
- RM-3 (Residential Commercial) distri Public Hearing: **Z1288** ordinance rcial) district, 20th & Highland Request changing Consider Consider on second and final reading nanging zoning district boundaries from Robert B. Choate to rezone fi Streets. Multi-Family) located at the northwest ç rezone LC (Li (Limited corner
- Ω of S. 20th & Highland Str Public Hearing: Consider an ordinance amending Sec the Abilene Municipal and Section 23-306.5.E (Office) zoning districts. <u>der on second and final reading - Section 23-306.4, Permitted Uses, Educational and Religious Use of</u> Code, ţ allow driving schools uț jo
- Ω. Public Hearing: Consider on second and final reading an ordinance amending Section 23-306.4, Permitted Us of the Abilene Municipal Code, to allow a Mobile House Commercial) districts. (permanent security residence) ιί G G (General Home Uses
- $\boldsymbol{\omega}$ Staffing Modification. ordinance second and final reading - an nance #71-1985, concerning Fire Department ordinance

- ω Other
- a Business: Corps of Engineers presentation: findings of reconnaissance study flood control alternatives for Elm and Catclaw Creek.

  Pending and Contemplated Litigation (see Notice for Executive Session, Litigation for listing subjects), possible action.

  Appointment and Evaluation of Public Officials (see Notice for Executive Session, Personnel for listing subjects), possible action.
  - Ω,
- ç

ADJOURN

(Personnel)

city and Commissions are on file Board reassignment, The City Council may consider the appointment, employingnment, duties, discipline, or dismissal of the City Man Attorney, Municipal Court Judge, City Secretary, and the and Commission Members. A complete list of the City 1 city in the City Secretary's Office. city employment Manager, the City Boards

executive Council Appointees session, any final action or discussion and of the the Board appointment and vote Commission and taken will evaluation bе members, in public 0f the

(Litigation)

The City Cou litigation subjects. Council The may consi consider subjects pending may bе and discussed: contemplated

- Velasquez city
- Maria Slaughter v. city, Jim Blagg, Harvey Cargill
- Alicia Garcia v. city
- James Hudson & AB Airlines v. city
- Lois Williams & Matthew Chambers v. city
- 7654821 Patricia Partin v. City Virginia Martin v. City city
- Frieda Hintz v. city
- 10.
- 12. Thornton v. City
  Christopher Grant Carlson v. City
  Martha Gillette v. Marietta Proctor
  City of Abilene v. Board of Adjustment & Video
- Don Hobbs v. City
- Wormsley v. & Tim Burns
- 13. 14. Donald J. London Ray I Donald J. & Wormsley v. Jorge Solis & Tim Bu Gwendolyn Collins v. City & Jam lene v. Starlite Inn Motor Hotel City & James N. Van Allen
- 16. City of Abilene v.
- Cynthia Haile v. city
- General Electric Co. v. City

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

subject bе held. personnel issues matter of this City Council Meeting, or litigation issues an arise executive as to the session

6/14/88

July PRE-COUNCIL WORK SESSION, 28, 1988, 8:30 A.M. THURSDAY

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

Councilwoman Betty Ray, Councilmen Walter E. Wheat, Townser Jim C. Blagg, Assistant City Managers Roy L. Rickey Childers, City Attorney Harvey Cargill, Secretary Patricia Hancock and wall. Mayor Dale I Rickey Childers, City Attorney Harvey Cargill, Staff. The City Council of the City of Abilene, Texas, in the Pre-Council Work Session on July 28, 1988, at 8:30 A.M. in the Basement Conference Room of City Hall. Mayor Dale E. Ferguson Care City Hall. Mayor Dale E. Ferguson Care City Hall. Wheat, Tom Ceniglis, L. McDaniel and of the were City city city

Engineers R agenda items. Fire Chief regarding the proposed change Whiteheld, Director of Publ regular Council Meeting. The the proposed change to the Fire Manning Ordinance.

Director of Public Works, explained the Corp.

presentation and its purpose. There being no furply the meeting was recessed until 9:00 a.m. for Council briefly discussed various consent Richard Knopf answered and Corps questions regular further Вор of.

July 28, REGULAR CITY COUNCIL MEETING 1988, 9:00 A M

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

Abilene, Texas, into Regular Session July in the City Council Chambers of City Hall. Mayor Texas, Ferguson reconvened the City Council of the of City Hall. 28, 1988, at 9:00 city a.m. of

Invocation was given by Councilman Harold Nixon.

Meeting July 18 minutes There of the Pre Council Session and held July 28, 1988; and City Councand 19, 1988; the minutes stand app being no corrections, 1988; and City Council Budget the minutes stand approved as additions, or deletions to stand approved as Regular city Sessions presented. Council held the

following Abilene: individuals Ferguson presented Employee Service for their years O F service ç Awards the to City the 0f

20 Years	20 Years	20 Years	30 Years	35 Years
Rose M. Stubbs	Bernie R. Summers	Charles Jones	Huston B. Jones	James H. Davis
Health Department	Equipment Services	Refuse Collection	Wastewater Treatment	Water Distribution

being staff. motion Councilman Ceniglis moved to approve 5a through 5f, and 6a through 6b, carried. The motion was seconded by Councilman the consent agenda 3 2 3 recommended McCaleb by and items, the

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

None.

## ហ Ordinances and Resolutions:

- D Olshan Demolition Company, Inc Resolution approving Inc., þ east street for temporary use of of Cypress use license Street ρ
- Ď, Auction Service resolution authorizing the on Service to conduct 1988 ( city selection auction. O F Kincaid
- ū Plan Plan for the Community and Programs under the Oral Resolution approving the Texas Community Development Development Block Grant Program, Citizens Participation Act
- Q. Resolution endorsing the "Good Roads" Texas Constitution. amendment ţ the

follows: The Resolution Ľ. numbered 32-1988 and ĽS. captioned 20

AND SUPPORTING THE PROPOSED GOOD ROADS TEXAS CONSTITUTION. AMENDMENT TO THE TEXAS ENDORSING

O the Chapter schedules. Consider Abilene 18, 9 first reading - an ordinand "Traffic", Sections 18-293 and Municipal Code, concerning to ordinance traffic 18-299 amending code O Hi

SEVERABILITY CLAUSE; AND DECLARING A PENALTY. TRAFFIC", ORDINANCE SECTIONS ΗO AMENDING CHAPTER 18, THE ABILENE MUNICIPAL CODE, "MOTOR VEHICLES PROVIDING ВУ AMENDING A

Ħ <u>Consider</u> amending and Milk Abilene Chapter
Municipal
Products a second and final reading - an oter 11 "Food and Food Handlers" ipal code, by deleting Article cts and Article V, Frozen Food. IV, ordinance O.F. Milk the

follows: Ordinance ը. Տ numbered 33-1988 and L. captioned S

SEVERABILITY CLAUSE; AND HANDLERS," CERTAIN ORDINANCE " OF THE SECTIONS AMENDING ASABILENE SET OUT 1 CHAPTER CITY 11, "FOY CODE, BELOW; A PENALTY. "FOOD PROVIDING ВУ AND AMENDING FOOD

- 6. Award of Bid:
- ð The Two recommended (2) <sup>1</sup> bid Tractor/Mowers ractor/Mowers for Parks Division, was awarded to Godsey Equipment by staff. Bid #272. Company, a S
- ₽. staff. Department, Bid #271. The Consolidated Traffic Controls, Three-section aluminum Traffic Bid The Inc., Signal Heads pid as recommended Was awarded for Traffic Åq ç

received no opposition. meeting, discussed approximately exceptions, reducing ordinance Patricia Hancock, City Secretary, briefed the Council Solicitations, concerning ons, and application. On Ju the the considered on second and final reading amending at 20 length. Several concerns were possibility of fraud; but overall, existing local non-profit organizat ordinance and Staff recommends approval. y 22, the City staff met with organizations. During the telephone proposed expressed amendment the solicitations, amendment Chapter about were

Chapter Councilwoman uncilwoman Ray mo moved to a S recommended by staff. approve the ordinance amending

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

follows: The Ordinance ۲. numbered 34-1988 and ۲. captioned as

BELOW; PENALTY. ABILENE ORDINANCE PROVIDING CITY AMENDING CHAPTER 28, "SOLICITATIONS," CODE, BY AMENDING CERTAIN SECTIONS AS DING A SEVERABILITY CLAUSE; AND DECI DECLARING SET TUO THE

ordinance charfrom northwest corner of S. 20th & Highland Stree Zoning Commission and staff recommend 2. David changing zoning Lawrence, Planem considered Planner district boundaries - Z1288 - R rezone from RM-3 (Residential ommercial) district, located & Highland Streets. The Planr II, briefer second and briefed disapproval. the The Council Planning at Request Multi-9 being and the an

the following individuals Mayor Ferguson opened a spoke public hearing in regard ţ the g the item, request: and

FOR:

- Robert Choate, proponent.
- build used ტ O Choate, വ noate, proponent, presented proposed plans residential-looking structure which will sell square-dancing supplies and materials. plans ţο ьe

AGAINST:

- Mr. the Heilhecker, Council in opposition. 1965 Highland, presented מ petition to
- David McEntee, 1966 Highland
- John Harper, 1974 Highland, owner o f þ vacant house

the There being no one else public hearing was closed. being no one else present and desiring ξ 9g heard,

motion carried.
AYES: Co Councilman Nixon moved to deny RM-3 to LC, as recommended by staff Commission. The motion was seconded the and by Councilwoman request the Plar Planning Ray and rezone and Zoning the

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

The request and ordinance were DENIED.

Zoning orms 23-306.5.E, Education Coffice) Commission and staff ordinance David Lawrence, considered Educational ce, Planner II, briefed the Conred on second and final reading a Section 23-306.4, Permitted Uses, to a tional and Religious Use, to a recommend approval. zoning districts. The Planning and Council allow amending and driving Section Zoning the

the Mayor Ferguson opened a following individual spoke public hearing on in favor of the re request: the item, and

Charles McClure, property owner of lot in question

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

Section to allo to allow driving screecommended by staff. Councilman ncilman Wheat moved approval of 23-306.4 and Section 23-306.5.E ow driving schools in Office and the motion carried. The motion was of the Zoning the seconded zoning ordinance districts, Λq Councilman Ordinance amending

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

follows: The Ordinance Ω Hnumbered 35-1988 and Ω ۲. captioned SB

CODE, PROVIDING A SEVERABILITY CLAUSE; AND DECLARING DEVELOPMENT," SUBPART E, "ZOI CODE, BY AMENDING CERTAIN ORDINANCE AMENDING CHAPTER 23, "PI SUBPART E, "ZONING," OF SECTIONS "PLANNING THE AS ABILENE SET AND A PENALTY TUO MUNICIPAL COMMUNITY BELOW;

and Zoning Commission and staff recommend approval. residence) Zoning ordinance David Ordinance, ce) in GC amending Lawrence, to allow a Mobile Home (per (General Commercial) districts. Section Planner r II, brie 23-306.4, briefed Permitted the (permanent Council The Uses Planning security O fi g the

hearing was Mayor being no closed. Ferguson guson opened a public hearing on the one present and desiring to be heard, the item, n, and public

motion was Section Wheat, General Commercial Districts, as recor on was seconded by Councilman McCaleb NAYS: None. Councilman Ceniglis, 23-306.4 of the Councilman Ceniglis Robinson, Nixon, McCaleb, moved approval of the ordinance amending Zoning Ordinance to allow a Mobile Home and Mayor Ferguson. as recommended by Councilwoman Ray, and the motion carried. staff. Councilmen

follows: The Ordinance ıs 1 numbered 36-1988 and ıs. captioned 30

SEVERABILITY DEVELOPMENT," AMENDING ORDINANCE E AMENDING CHAPTER 23, "PLANNING AND "SUBPART E, "ZONING," OF THE ABILENE CERTAIN SECTIONS AS SET OUT BELOW; PI CLAUSE; AND PROVIDING × OUT BELOW; PROVIDING PENALTY. CITY CODE,

and concluded expensive. staffing proposal considered on second and final reading amending Ordinance #71-1985, concerning Fire Department Staffing Modification, by giving the history of the Ordinance. In 1983 the staffing of equipment firefighters population. firefighters conducted approved. changed firefighters Fire level Chief Richard Knopf briefed the Council by 1 that to per 1,000 population was per vehicle, not the number Following the conclusion of tamend the initiative ord: internally. The the manning Ľ. per Ordinance Department. optimum, piece should not the number conclusion of the Staffing Students ordinance requiring In 1985, (71-1985)of to Basically, bе has front-line based a Fire the staffing of equiprime Staffing Study presented specifies staffing at proven nodn the equipment. firefighters ç Staffing the numb on an ordinance the study,
1. number equipment extremely Council Study per four Was of.

rne current ordinance has proven to be inflexible. proposed amendment allows for a workable staffing compromise specifying a numerical range of on-duty personnel (42-46). I allows some flexibility in scheduling problems that may order to recommend the staffing problems that may order to recommend the staffing problems that may order to recommend the staffing problems that may or during vacancies and the staffing problems that may or during vacancies and the staffing problems that may or during the staffing compromise specifically in the staffing problems that may or during the staffing problems the staffing problems that may or during the staffing problems the staffing problems the staffing problems that may or during the staffing during vacand Additionally, reduce some flexibility in scheduling problems that may vacancies due to sick leave, injury, retirements, nally, this amendment, by allowing such flexibility, the costs for overtime, yet provide high quality occur will fire etc This The γd

professionalism. ordinance Beaumont Mayor Ferguson read aloud a letter for Collective Bargaining. Department concerning City Attorney Harvey Cargill reported on a cerning the Council repealing an initia i E favor of. Beaumont won on appeal. from Chief seven chief officers Knopf initiative and case hi

on t opposition to the ಕ Mayor Ferguson stated that speak item. the proposal: on the item However, ted that a public hearing is not re he asked if anyone in the audience and the following individuals spoke required would

- J. D. Denn firefighter. Dennis, Abilene Firefighters Assoc. and Ø
- efforts Mike Parker, and feels 674 Forrest. this proposal He favors would эd Fire very prevention costly.

the be transferred fire personnel that have been transferred to suppression ansferred back to Fire Prevention. Chief Knopf added that the ordinance amendment will allow ç

Nixon recommended Ordinance Councilman and the #71-1985, Уd motion carried. McCaleb moved to approve staff. concerning The motion was Fire Department seconded the ordinance γd Staffing, Councilman amending

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

follows: The Ordinance Ω Hnumbered 37-1988 and ïs captioned S

ABILENE ORDINANCE FIRE DEPARTMENT MANNING ORDINANCE NO.  $_{\mathrm{F}}$ THE CITY OF ABILENE, TEXAS TO AME: 71-1985. AMEND

Catclaw request Catclaw was reconnaissance Bob Whitehead, funding Creek by Mayor Ferguson in determined by the Corps of Engineers, Fort for Creek assistance and authority are available Уď study flood control the Army Corps of Director of Public Army Corps e for flood a letter dated July 15, alternatives for Works, briefed the Council Engineers. ф restudy Worth, dy this Following Creek Elm 1987, that and and

November, 1987, the Corps of Engineers Scrivner introduced Weldon Scrivner from the Fort Worth District, Tributaries, Estate Jerry McCrory, Chief Corps of Engineers, who presented their findings. wher introduced his colleagues who were also in atten Mike Mocek, Chief of Fort Worth District Planning Div Jerry McCrory, Chief of Basin Planning; Meredith Dixon, 1987. Division; The Texas the and Judy Reconnaissance e results at this C Study and New Mexico, Marsicano, Authority Council meeting. Mr. of which are study which was Public to the for Affairs. be presented by Abilene funded Whitehead attendance: H River Division; began ₽. Fiscal then the

public The Corps input. purpose 0 The Engineers to O Fi fineers to present their findings following individuals spoke on the placing this item on the agenda is the and subject: ç receive

- town, and how would Wolpert, become the of homeowners in the residing south study will affect property value. of floodplain south 707, inquired what 0f
- problem at challenged Robinson, the source, at the the Corps residing 0 engineers to ne spillway at south of affected Lake Abilene. attack
- affected area, city limits. John Dearing, suggested owner of veterinary corrections be clinic made within Ľ. the the
- project. requested John Harris, property time fram frame owner for in implementation the affected O Fo area, f the
- 50's Abilene, not that Bridwell, fs and 60's t the prim primary ot <u>to</u> the lç lç former member of for the City, focus SPM Was ţ under Flood get Committee the water impression through Ľ
- Christine McDonald, property owner in suggested cleaning out Elm Creek from ç town. Lake affected Fort Phantom
- would like Choate, 1. land e it developer, expedited. s L for the project and
- very Winston limbo" conscientious uT regarding a Olhausen, the study, ear-ling a timetable, questioned expressed concern making a decision. and urged accuracy 0f Council 0f being ncil to being эd

Council Council year it, v participate the Lake). Improvement; which will City; however, The Elm Feasibility projects plan to Session require Reconnaissance Creek in ţο <u>ω</u> ţ the conduct % 50% , the next step in the se Study which, if Council 50% local participation. ç Elm Creek Detention include determine whether or not the Feasibility Study and direct the include therein prior to September etention Dam; 2) Catclaw Creel Study has þ workshop Channel in the sequence involves at Improvement its August H ultimately (Pine recommended 11, the Creek impact 1988 City authorizes Street 1, Corps Channel 1988: will that Pretwog

No action was necessary.

the litigation officials. accordance Open Mayor Meetings A and the With State law, Artic State law, Article Jackings Act, to consider appointment ed the Council into execut.
Article 5262-17, Sections
to consider pending and
ointment and evaluation evaluation executive ections 2e 2e and 2g of contemplated of public session

og action The Council taken. reconvened from executive session and reported

at 12:10 There p.m. being no further business, the meeting was adjourned

Patricia Hancock City Secretary

Dale Ferguson

Mayor