

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, August 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, August 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 Gary McCaleb.
3. Approval of Minutes: Pre Council Session and Regular City Council Meeting held July 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. Resolution approving participation in the U. S. Department of Housing and Urban Development's (HUD) Section 312 rehabilitation program.
 - b. Oral Resolution to consider agreement with Orcutt Associates for professional services for closed loop signal system.
 - c. Consider on first reading - an ordinance amending Chapter 18, "Traffic", Section 18-299, Parking Time Limited, of the Abilene Municipal Code, concerning traffic code schedules.
 - d. Consider on first reading - an ordinance amending Chapter 1, "General Provisions", of the Abilene Municipal Code, concerning fines and penalties.
 - e. Oral Resolution to consider authorizing the City Manager to enter into an agreement with an architect for the Abilene Civic Center Expansion Project.

- f. Consider on first reading an ordinance changing zoning district boundaries - 2-1388 - Request from Wendell Leach, Trustee; agent, Dennis Waxler, to rezone from AO (Agricultural Open Space) to RS-6 (Residential Single Family) district, located at Chimney Rock Road and Pamela Drive, and set a public hearing for August 25, 1988 at 9:00 a.m.
- g. Consider on first reading an ordinance amending Sections 23-306.4, 23-306.5.H and 23-363 of the Zoning Ordinance concerning Restaurant, Fast Food (drive through only), and set a public hearing for August 25, 1988 at 9:00 a.m.
- h. Consider on first reading an ordinance amending Subdivision Regulations concerning extraterritorial jurisdiction requirements, and set a public hearing for August 25, 1988 at 9:00 a.m.
- i. Consider on second and final reading - an ordinance amending Chapter 18, "Traffic", Sections 18-293 and 18-299 of the Abilene Municipal code, concerning traffic code schedules.

- 5. Award of Bid:
 - a. Office furniture for Law Enforcement Facility, Bid #278.

REGULAR AGENDA

- 6. Ordinances & Resolutions:
 - a. Public Hearing on Community Development Needs, and consider Resolution approving a proposed statement of Community Development Objectives and Projected Use of Funds.
- 7. Other Business:
 - a. Worksession with Corps of Engineers: Discussion and possible action on the Reconnaissance Study of Elm Creek Watershed.
 - b. Pending and Contemplated Litigation (see Notice for Executive Session, Litigation for listing subjects), possible action.
 - c. Appointment and Evaluation of Public Officials (see Notice for Executive Session, Personnel for listing subjects), possible action.

ADJOURN

00162

(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. Velasquez v. City
2. Maria Slaughter v. City, Jim Blagg, Harvey Cargill
3. Alicia Garcia v. City
4. James Hudson & AB Airlines v. City
5. Lois Williams & Matthew Chambers v. City
6. Patricia Partin v. City
7. Virginia Martin v. City
8. Frieda Hintz v. City
9. Thornton v. City
10. Christopher Grant Carlson v. City
11. Martha Gillette v. Marietta Proctor
12. City of Abilene v. Board of Adjustment & Video Vue
13. Don Hobbs v. City
14. London Ray Wormsley v. Jorge Solis & Tim Burns
15. Donald J. & Gwendolyn Collins v. City & James N. Van Allen
16. City of Abilene v. Starlite Inn Motor Hotel
17. Cynthia Haile v. City
18. General Electric Co. v. City

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.

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

HC 6/14/88

PRE-COUNCIL WORK SESSION, THURSDAY
August 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 August 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, and Councilman 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. Councilmen Walter Wheat, Tom Ceniglis, and Welton Robinson were absent.

The Council briefly discussed the following items: participation in the HUD Section 312 rehabilitation program; amending the City Code concerning fines and penalties; architect's agreement for the Civic Center Expansion Project; and the bid award of office furniture for the Law Enforcement Facility. There being no further questions, the meeting was recessed to the City Council Chambers for the Regular Council Meeting.

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

Invocation was given by Councilman Gary McCaleb.

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

Councilwoman Ray moved approval of the consent agenda items, 4a through 4i, and 5a as presented by the staff. The motion was seconded by Councilman Ceniglis and the motion carried.

AYES: Councilman McCaleb, Councilwoman Ray, Councilman Nixon, and Mayor Ferguson.

NAYS: None.

4. Ordinances & Resolutions:

- a. Resolution approving participation in the U. S. Department of Housing and Urban Development's (HUD) Section 312 rehabilitation program.

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The Resolution is numbered 33-1988 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING THE PARTICIPATION OF THE CITY IN THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S (HUD) SECTION 312 REHABILITATION PROGRAM.

b. Oral Resolution to consider agreement with Orcutt Associates for professional services for closed loop signal system, and authorize the Mayor to execute the agreement.

c. Consider on first reading - an ordinance amending Chapter 18, "Traffic", Section 18-299, Parking Time limited, of the Abilene Municipal Code, concerning traffic code schedules.

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.

d. Consider on first reading - an ordinance amending Chapter 1, "General Provisions", of the Abilene Municipal Code, concerning fines and penalties.

AN ORDINANCE AMENDING CHAPTER 1, "GENERAL PROVISIONS," OF THE ABILENE CITY CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY AND CALLING A PUBLIC HEARING.

e. Oral Resolution authorizing the City Manager to enter into an agreement with Tippet and Gee, Inc. for the Abilene Civic Center Expansion Project.

f. Consider on first reading an ordinance changing zoning district boundaries - Z-1388 - Request from Wendell Leach, Trustee; agent, Dennis Waxler, to rezone from AO (Agricultural Open Space) to RS-6 (Residential Single Family) district, located at Chimney Rock Road and Pamela Drive, and set a public hearing for August 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.

g. Consider on first reading an ordinance amending Sections 23-306.4, 23-306.5.H and 23-363 of the Zoning Ordinance concerning Restaurant, Fast Food (drive

through only), and set a public hearing for August 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.

h. Consider on first reading an ordinance amending Subdivision Regulations concerning extraterritorial jurisdiction requirements, and set a public hearing for August 25, 1988 at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 23, "PLANNING AND COMMUNITY DEVELOPMENT," SUBPART D, "SUBDIVISION REGULATIONS," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

i. Consider on second and final reading - an ordinance amending Chapter 18, "Traffic", Sections 18-293 and 18-299 of the Abilene Municipal code, concerning traffic code schedules.

The Ordinance is numbered 38-1988 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.

5. Award of Bid:

a. Office furniture for Law Enforcement Facility, Bid #278. The bid was awarded as follows: Items 1 through 6, and 13 (all desks, bookcases, credenzas and cube table) to TCI; Items 8 through 12, 14 through 16, 20, and 21 (all executive chairs, guest chairs, steno chairs and stools, file cabinets, and coat racks) to Pender Company; and Items 17 through 19, and 22 (all utility tables, folding tables, folding chairs and conference table) to O'Kelley Office Supply; all as recommended by staff.

Mike Morrison, Director of Community and Economic Development, reviewed with the Council a list of proposed programs to be funded by Community Development funds. He recommended the Council consider a Resolution approving a proposed statement of Community Development Objectives and Projected Use of Funds.

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

Councilman Nixon moved to approve the resolution approving the proposed statement of Community Development Objectives and Projected Use of Funds, as recommended by staff. The motion was seconded by Councilman McCaleb and the motion carried.

AYES: Councilman McCaleb, Councilwoman Ray, Councilman Nixon, and Mayor Ferguson.
NAYS: None.

The Resolution is numbered 34-1988 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING A PROPOSED STATEMENT OF COMMUNITY DEVELOPMENT OBJECTIVES AND PROJECTED USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR FISCAL YEAR 1988.

Bob Whitehead, Director of Public Works, briefed the Council on a Worksession with Corps of Engineers involving Discussion and possible action on the Reconnaissance study of the Elm Creek Watershed.

Mayor Ferguson requested the Council hear the information today, but since three members of the Council are absent, that no final votes be taken on the item today. The Council will consider taking final action at its August 25 meeting.

Mr. Whitehead reviewed what the next steps will be to complete the Reconnaissance report:

1. Approve Plan
2. Designate a Local Sponsor
3. Draft cost sharing agreement
4. Letter Of Concurrence
5. Final Cost Sharing Agreement

Total proposed cost of study over a two-year period is \$400,000. The first year the City would participate in a 50-50 share with approximately \$50,000 provided by the City in in-kind services and \$50,000 in cash. The Texas Water Development Board may approve a grant of \$25,000 for participation. The second year is identical in the funding arrangement.

Mr. Whitehead next showed a proposed timetable of events. The most critical date is September 1, 1988. The Corps of Engineers would like the Council to make some decision regarding participation no later than September 1, 1988.

Mr. Whitehead responded to several questions from the Council.

No action was taken.

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.


Councilwoman Ray moved to direct the City Manager to prepare the appropriate documents for Council to consider in regard to creating a Human Relations Committee. The motion was seconded by Councilman McCaleb and the motion carried.

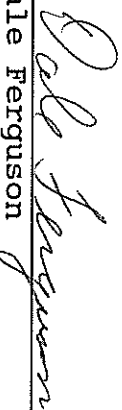
AYES: Councilman McCaleb, Councilwoman Ray, Councilman Nixon, and Mayor Ferguson.
NAYS: None.

Councilman Nixon moved to appoint Gary Vest to fill a vacated position on the Abilene Economic Development Company, Inc. The motion was seconded by Councilwoman Ray and the motion carried.

AYES: Councilman McCaleb, Councilwoman Ray, Councilman Nixon, and Mayor Ferguson.
NAYS: None.

There being no further business, the meeting adjourned at 10:45 a.m.


Patricia Hancock
City Secretary


Dale Ferguson
Mayor