

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, September 8, 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, September 8, 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 Walter Wheat.
3. Approval of Minutes: Pre Council Session and Regular City Council Meeting held August 25, 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.

5. Ordinances and Resolutions:
  - a. Oral Resolution approving five-year extension on lease with FAA for storage and generator site at Airport.
  - b. Resolution accepting FAA Grant #3-48-0002-07 for lighting and sign improvements and security fencing at the Abilene Municipal Airport.
  - c. Oral resolution approving amendment to the User Fee Study concerning Mixed Use Zoning Overlay application fees.
  - d. Oral resolution approving amendment to the Permanent Sign application fees.
  - e. Consider a Resolution authorizing the City Manager to sign a lease agreement with the U. S. Immigration and Naturalization Service (Border Patrol) for lease of space in City Hall.
  - f. Consider a Resolution expressing City of Abilene's support of the National Forum for Black Public Administrators and the Executive Leadership Institute.

9. Consider on first reading - an ordinance changing zoning district boundaries - Z-1488 - Request from Phyllis E. Clark to rezone from RM-3 (Residential Multi-Family) to GC (General Commercial) district, located at 123 Meander Street, and set a public hearing for September 25, 1988.
- h. Consider on first reading - an ordinance changing zoning district boundaries - Z-1588- Request from Bruse Dubose to rezone property from MH (Mobile Home) to AO (Agricultural Open Space) district, located at Hwy. 277 and Twylight Trail, and set a public hearing for September 25, 1988.
- i. Consider on first reading an ordinance amending Chapter 23, Subpart C, Signs and Billboards, of the Abilene Municipal Code, concerning construction time limitations for permanent signs, and set a public hearing for September 25, 1988.
- j. Consider on first reading - An ordinance amending Section 23-356.4.H of the Zoning Ordinance concerning application fees for Mixed Use Overlay Zone Change applications, and set a public hearing for September 25, 1988.
6. Award of Bid:
  - a. Zoo Security, Bid #283.

REGULAR AGENDA

7. Ordinances & Resolutions:
  - a. Public Hearing: To receive input on the Community Development Program for the Abilene Industrial District, in accordance with the Texas Community Development Act.
8. Other Business:
  - a. Discussion and possible action on the Abilene Neighborhood Improvement Program.
  - 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

(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

00182

PRE-COUNCIL WORK SESSION, THURSDAY  
September 8, 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 September 8, 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 Councilman Harold Nixon. Also present were City Manager Jim C. Blaggy, 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 the following items: amendment to the Permanent Sign application fees; lease agreement with the U. S. Immigration and Naturalization Service (Border Patrol) for lease of space in City Hall; and the Community Development Program for the Abilene Industrial District. There being no further questions, the meeting was recessed to the City Council Chambers for the Regular Council Meeting.

REGULAR CITY COUNCIL MEETING  
September 8, 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 September 8, 1988, at 9:00 a.m. in the City Council Chambers of City Hall.

Invocation was given by Councilman Walter Wheat.

There being no corrections, additions, or deletions to the minutes of the Pre-Council Work Session and Regular City Council meeting held August 25, 1988, the minutes stand approved.

Councilman Wheat moved approval of the consent agenda items, 5a through 5c, 5e through 5j, and 6a as presented by the staff. Item 5d was removed from the consent agenda to be considered separately. 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.

4. Ordinances & Resolutions:
  - a. Oral Resolution approving five-year extension on lease with FAA for storage and generator site at Airport.

b. Resolution accepting FAA Grant #3-48-0002-07 for lighting and sign improvements and security fencing at the Abilene Municipal Airport.

The Resolution is numbered 38-1988 and is captioned as follows:

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

c. Oral resolution approving amendment to the User Fee Study concerning Mixed Use Zoning Overlay application fees.

d. Removed from Consent Agenda.

e. Oral resolution authorizing the City Manager to sign a lease agreement with the U. S. Immigration and Naturalization Service (Border Patrol) for lease of space in City Hall.

f. Resolution expressing City of Abilene's support of the National Forum for Black Public Administrators and the Executive Leadership Institute.

The Resolution is numbered 39-1988 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS COMMENDING THE CITY'S SUPPORT OF THE NATIONAL FORUM FOR BLACK PUBLIC ADMINISTRATORS AND THE 1988 EXECUTIVE LEADERSHIP INSTITUTE.

g. Consider on first reading - an ordinance changing zoning district boundaries - Z-1488 - Request from Phyllis E. Clark to rezone from RM-3 (Residential Multi-Family) to GC (General Commercial) district, located at 123 Meander Street, and set a public hearing for September 25, 1988.

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 - an ordinance changing zoning district boundaries - Z-1588- Request from Bruce Dubose to rezone property from MH (Mobile Home) to AO (Agricultural Open Space) district, located at Hwy. 277 and Twylight Trail, and set a public hearing for September 25, 1988.

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.

i. Consider on first reading an ordinance amending Chapter 23, Subpart C, Signs and Billboards, of the Abilene Municipal Code, concerning construction time limitations for permanent signs, and set a public hearing for September 25, 1988.

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

j. Consider on first reading - An ordinance amending Section 23-356.4.H of the Zoning Ordinance concerning application fees for Mixed Use Overlay Zone Change applications, and set a public hearing for September 25, 1988.

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. Zoo Security, Bid #283. The bid was awarded to Abilene Security Patrol, as recommended by staff.

Lee Roy George, Director of Planning, briefed the Council on an oral resolution approving an amendment to the Permanent Sign application fees. Mr. George informed the Council that the recommended fee amount has been changed. Staff initially recommended \$100.00 minimum. However, during the Planning and Zoning meeting, staff negotiated the amount downward with the Planning and Zoning Commission, which felt \$100.00 was excessive. Staff presently recommends a fee of \$20.00 minimum or a maximum of 1% of sign value. The Planning and Zoning Commission recommends \$15.00 minimum or a maximum of 1% of the sign value, whichever is greater.

Councilman Robinson moved to approve the oral resolution approving an amendment to the Permanent Sign application fees at \$20.00 or 1% of sign value, as recommended by staff. 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.

Mike Morrison, Director of Community and Economic Development, reviewed with the Council input on the Community Development Program for the Abilene Industrial District, in accordance with the Texas Community Development Act. Mr. Morrison stated this public hearing today is one of two which will be held by the Council. After the second public hearing, the Council will be asked to take action on a resolution approving the Community Development program for the Industrial District. No formal action by the Council is necessary today.

Mayor Ferguson opened a public hearing on the item, and the following individual spoke:

- Mike Waters, representing the Chamber of Commerce's Industrial Foundation, encouraged approval of the program.

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

No action was necessary.

Lee Roy George, Director of Planning, briefed the Council on the Abilene Neighborhood Improvement Program. Mr. George briefly reviewed the proposed program. Staff requests some type of oral commitment from the Council to direct the staff to begin developing the program. Once the staff identifies areas of concern, a list will be brought to the Council for further consideration.

The Council questioned the City's participation in pursuing legal channels for those individuals who do not comply. Staff responded that the City's role, in a majority of the situations, will be to assist property owners in neighborhoods to involve themselves in assisting the City to get volunteer compliance from violators, rather than to pursue legal avenues. Staff anticipates a 90% volunteer compliance rate. The City will provide a service to neighborhoods by helping owners become more familiar with current ordinances and assisting in receiving volunteer compliance from violators.

Mayor Ferguson reiterated his concern that the staff implement this program in a positive manner, reflecting assistance and help to citizens, versus a "big brother", government intervention, and threats of legal action attitude.

Staff acknowledged Council's concerns and pledged that only as a last resort, will any legal avenues be pursued.

No formal action was necessary. However, it was the consensus of the Council to direct the staff to begin pursuing the program in one area and begin a pilot project.

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 adopt a resolution creating a Human Relations Committee. 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.

The Resolution is numbered 40-1988 and is captioned as follows:

A RESOLUTION PROVIDING FOR THE CREATION OF THE ABILENE HUMAN RELATIONS COMMITTEE; PROVIDING FOR THE APPOINTMENT OF MEMBERS OF THE COMMITTEE BY THE CITY COUNCIL; DESIGNATING THEIR TERMS OF OFFICE; DESCRIBING THE DUTIES AND POWERS OF THE COMMITTEE; AUTHORIZING THE COMMITTEE TO ELECT OFFICERS AND ADOPT REGULATIONS TO GOVERN ITS OWN PROCEEDINGS; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilman Wheat moved to appoint members to the newly created Human Relations Committee, as outlined on the attached Exhibit A to these minutes. 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.

Councilman Ceniglis moved to appoint Mrs. Jo Moore as City Secretary effective October 3, 1988. 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.

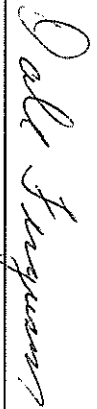


The Resolution is numbered 41-1988 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPOINTING MRS. JO MOORE AS CITY SECRETARY OF THE CITY OF ABILENE.

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

  
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Patricia Hancock  
City Secretary

  
\_\_\_\_\_  
Dale Ferguson  
Mayor

HUMAN RELATIONS COMMITTEE  
15 Members

Hispanics (6)

Mr. Joe Leal (3 yr)  
Little Joe Movers  
Mr. Phillip Rodriguez (1 yr)  
W. T. U.  
Mr. Jaime Limas ((2 yr)  
Retired U.S.A.F.  
Mrs. Sara Hudman (1 yr)  
Realtor  
Mr. Remy Silva (2 yr)  
Silvas Body Shop  
Mr. Jesse Flores (3 yr)  
Allied Roofing

Blacks (5)

Mr. Earl Williams (3 yr)  
The Bootery  
Rev. C. C. Hines (2 yr)  
King Solomon Baptist Ch  
Anthony Roach (1 yr)  
W. C. T. C. O G.  
Mrs. Kathy Merrill (2 yr)  
Dept. Human Resources  
Mrs. Piney Scott (3 yr)  
Counselor, Project Pass

Anglo (3)

Dr. Julian Bridges (1 yr)  
Prof. H-SU  
Dr. Tim Temple (2 yr)  
Abilene Bible Church  
Rev. Russell Kinser (3 yr)  
Zion Lutheran Church

Oriental (1)

Mr. Matthew Regala (1 yr)  
Eng. U.S. Brass

Designated Chairman: Earl Williams

Vice Chair: Jesse Flores

Secretary: Piney Scott

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