

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, March 9, 1989, 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, March 9, 1989, 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 February 9, 1989 and February 16, 1989.

4. Employee Service Awards:

30 Years	James W. Holinds	Equipment Operator I Refuse Collection
20 Years	Edward L. Gilliam	Heavy Equipment Operator I Street Division
20 Years	Audrey M. Perry	Senior Secretary Civic Center
20 Years	Melvin R. Martin	Lieutenant Police Department
20 Years	Timothy I. Burns	Officer 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. Hargesheimer Consider oral resolution authorizing City Manager to execute Engineering Professional Services Contract for Wastewater Collection System design.
- b. Wright Consider oral resolution authorizing Mayor to execute a contract for architectural professional services for Airport Fire Station project.

6. Award of Bid:
- D. Hargesheimer a. Controller Instrumentation for Water Utilities Department, Proposal # CB9026.
  - D. Hargesheimer b. Oral resolution awarding bid for painting of NE Water Treatment Plant Clarifier, Bid # CB9032 and authorizing City Manager to execute contract.
  - D. Hargesheimer c. Oral resolution awarding bid for Willis Street Sewer Line Rehabilitation, Bid # CB9028 and authorizing City Manager to execute contract.
  - D. Wright d. Two (2) Vibratory Rollers for Street Division, Bid # CB9024.
  - D. Wright e. One (1) Backhoe Loader for Water Utilities Department, Bid # CB9025.
  - D. Wright f. One (1) Six-Inch Draining Pump for Water Utilities Department, Bid # CB9023.
  - M. Hall g. Oral resolution awarding bid for Floating Dock System, Bid # CB9031.

REGULAR AGENDA

7. Ordinances and Resolutions
- M. Manson a. Public Hearing: Consider on second and final reading - an ordinance amending Chapter 23, Planning and Community Development, Subpart E, Zoning, of the Abilene Municipal Code, concerning accessory structures in residential district.
  - M. Morrison b. Public Hearing: Discussion of possible designation of property at 3550 Maple, Abilene, Texas on Tax Abatement Reinvestment Zone Number One, and consider resolution approving creation of Tax Abatement Reinvestment Zone Number One for purpose of granting tax abatement to Texas Aerospace, Inc.
  - J. Blagg c. Oral resolution authorizing the City to accept Strader Clinic from Humana Hospital to pay utilities on the building, use in-kind services to help prepare building as Indigent Health Care Facility, to authorize staff to seek funding from State Health Department for primary care grant from State of Texas.
  - D. Hargesheimer d. Consider oral resolution to renew Abilene Bass Club Lake Lease at Ft. Phantom Lake.

8. Other Business:
- a. Discussion of possible problems resulting from use of public highways by skateboarders.
  - 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.

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(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 Slaughtner 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 & JamesN. 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.

PRE-COUNCIL WORK SESSION, THURSDAY  
March 9, 1989, 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 March 9, 1989, at 8:30 A.M. in the Basement Conference Room of City Hall. Mayor Dale E. Ferguson was present and presiding with Councilman Gary D. McCalieb, 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 Car-gill, City Secretary Jo Moore and various members of the City Staff.

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

REGULAR CITY COUNCIL MEETING  
March 9, 1989, 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 March 9, 1989, at 9:00 a.m. in the City Council Chambers of City Hall.

Invocation was given by Councilman Harold Nixon.

Corrections were requested to the Regular City Council Meeting of February 9, 1989 on page 3-19, paragraph 5, changing the word from "reasonable" to "resolution"; and on page 3-20, paragraph 4, adding the words "...enough information." With the aforementioned corrections to the February 9, 1989 minutes; and there being no corrections, additions, or deletions to the minutes of the Pre-Council Session and Regular City Council Meeting held February 16, 1989, the minutes stand approved.

Mayor Ferguson presented Employee Service Awards to the following individuals for their tenure of service to the City of Abilene:

20 Years	Edward L. GILLIAM	Heavy Equipment Operator I Street Division
20 Years	Audrey M. Perry	Senior Secretary Civic Center
20 Years	Melvin R. Martin	Lieutenant Police Department
20 Years	Timothy I. Burns	Officer Police Department

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Councilman Wheat moved approval of the consent agenda items, 5a and 5b, and 6a through 6g, as presented by the 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.

**5. Ordinances & Resolutions:**

- a. Oral resolution authorizing City Manager to execute Engineering Professional Services Contract for Wastewater Collection System design.
- b. Oral resolution authorizing Mayor to execute a contract for architectural professional services for Airport Fire Station project.

**6. Award of Bid:**

- a. Controller Instrumentation for Water Utilities Department, Bid #CB9026. The bid was awarded to Bristol Babcock for the low bid of \$61,103.00, as recommended by staff.
- b. Oral resolution awarding bid for painting of NE Water Treatment Plant Clarifier, Bid # CB9032, and authorizing City Manager to execute contract. The bid contract was awarded by D. W. Drywall & Paint, as recommended by staff.
- c. Oral resolution awarding bid for Willis Street Sewer Line Rehabilitation, Bid # CB9028, and authorizing City Manager to execute contract. The bid contract was awarded to Institutuform Texark, Inc. for the low bid of \$333,950 and the add alternate bid of \$154,000, as recommended by staff.
- d. Two (2) Vibratory Rollers for Street Division, Bid # CB9024. The bid was awarded to Grace Equipment Co. for the low bid of \$14,900, as recommended by staff.
- e. One (1) Backhoe Loader for Water Utilities Department, Bid # CB9025. The bid was awarded to Taylor County Ford Tractor of Abilene for the low bid of \$17,249, as recommended by staff.
- f. One (1) Six-Inch Draining Pump for Water Utilities Department, Bid # CB9023. The bid was awarded to Chancey Equipment Co. for the low bid of \$10,396.00 with trade-in, as recommended by staff.
- g. Floating Dock System at Lake Fort Phantom Hill, Bid #CB-9031. The bid was awarded to Superdeck Marketing for the low bid of \$35,996.00 as recommended by staff.

**7. Ordinances and Resolutions:**

- a. Mindy Manson, Principal Planner, briefed the Council on an ordinance considered on second and final reading amending Chapter 23, Planning and Community Development, Subpart E, Zoning, of the Abilene Municipal Code, concerning accessory structures in residential district.

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

Councilman Ceniglis moved to approve the Ordinance amending Chapter 23 concerning accessory structures in residential district, with the following amendment to allow a maximum of ten feet (10') in height, one foot from the property line, then following the "stair step" method of setback to a maximum of eighteen feet. The motion was seconded by Councilman McCaleb and the motion carried.

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

NAYS: Mayor Ferguson.

The Ordinance is numbered 7-1989 and is captioned as follows:

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. Mike Morrison, Director of Community & Economic Development, briefed the Council on discussion of possible designation of property at 3550 Maple, Abilene, Texas on Tax Abatement Reinvestment Zone Number One, and consider resolution approving creation of Tax Abatement Reinvestment Zone Number One for purpose of granting tax abatement to Texas Aerospace, Inc. He stated if approved, a contract will be brought before the Council at the next meeting.

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

Councilman Wheat moved to approve the resolution approving creation of Tax Abatement Reinvestment Zone number One, as recommended by 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.

The Resolution is numbered 12-1989 and is captioned as follows:

A RESOLUTION ESTABLISHING TAX ABATEMENT REINVESTMENT ZONE NUMBER ONE IN ACCORDANCE WITH THE TEXAS PROPERTY REDEVELOPMENT AND TAX ABATEMENT ACT.

c. Jim Blagg, City Manager, briefed the Council regarding an Oral resolution authorizing the City to accept Strader Clinic from Humana Hospital to pay utilities on the building, use in-kind services to help prepare building as Indigent Health Care Facility, to authorize staff to seek funding from State Health Department for primary care grant from State of Texas.

Councilwoman Ray moved to approve the oral resolution authorizing the City to accept Strader Clinic from Humana Hospital to pay utilities on the building, use in-kind services to help prepare the building as an Indigent Health Care facility, and to authorize staff to seek funding from the State Health Department for a primary care grant; as recommended by staff. The motion was seconded by Councilman Nixon and the motion carried.

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

NAYS: None.

d. Dwayne Hargesheimer, Director of Water Administration, briefed the Council on an oral resolution to renew Abilene Bass Club Lake Lease at Ft. Phantom Lake.

Councilman Robinson moved to authorize the renewal of the Abilene Bass Club Lease for a period of 15 years and to provide in-kind services, through the Abilene Parks Department, for the cleaning and repair of the ponds. The motion was seconded by Councilman Ceniglis and the motion carried.

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

8. Other Business:  
a. Jim Blagg, City Manager, introduced to the Council discussion regarding possible problems resulting from use of public highways by skateboarders.

Mayor Ferguson voiced his concern, and requested the Police Department to investigate and/or conduct a study to see how other cities handle the problem, and bring it back to Council.

City Manager Blagg stated the present ordinance addresses "coasters", which includes skateboards, and that Police can issue citations. He also stated juveniles are handled differently than adults.

Rickey Childers, Assistant City Manager, briefed the Council on a few cities that have been contacted and what they do. Answers ranged from citations being issued to no restrictions.

Councilman McCaleb stated it was good the City is addressing the issue before there is an accident. He favors approaching with education.

Councilman Ceniglis agreed on education, asked media present to promote a public service announcement on awareness.

Councilman Nixon echoed Councilman Ceniglis' request to the media.

Councilman McCaleb expressed his appreciation to Assistant City Manager Rickey Childers for his service and dedication, and wished him the best in his new position; all Councilmembers were in agreement.

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 Ceniglis moved to appoint Sara A. Fauls to the position of Assistant City Attorney, as recommended by staff. 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 13-1989 and is captioned as follows:

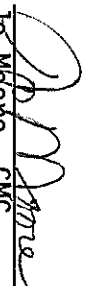
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING THE APPOINTMENT OF AN ASSISTANT CITY ATTORNEY FOR THE CITY OF ABILENE.


Councilman Nixon moved to appoint Frank Ward to the Planning and Zoning Commission to fill a vacancy left by Debby Flores, with a term expiring 11/1990. 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.

There being no further business, the meeting adjourned at 11:10 a.m.

  
Jo Moore, CMC  
City Secretary

  
Dale E. Ferguson  
Mayor