

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 23, 1989, at 5:30 p.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 23, 1989, at 6:00 p.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 D. McCaleb.
3. **Approval of Minutes:** Pre-Council Session and Regular City Council Meeting held March 9, 1989.

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 authorizing Bridge Load Posting agreement with the State.
5. **Award of Bid:**
 - a. Minibuses for Senior Citizens Division, Bid # CB9022.

REGULAR AGENDA

6. **Ordinances and Resolutions**
 - a. Oral Resolution authorizing Mayor to execute letter of agreement with ACU for reconstruction of Judge Ely Blvd.
 - b. Resolution accepting State Department of Highways and Public Transportation Commission provisions for reconstruction of Judge Ely Blvd.
7. **Other Business:**
 - a. Review status of bills before State Legislature.
 - 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.
 - d. Resolution appointing election officials and fixing rate of compensation.

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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 Slaughter v. City, Jim Blagg, Harvey Cargill
3. Alicia Garcia v. City
4. James Hudson & AB Airlines v. City
5. Bechtel v. City
6. Allied Steel v. City and Meals on Wheels
7. Virginia Martin v. City
8. Frieda Hintz v. City
9. Thornton v. City
10. Christopher Grant Carlson v. City
11. Martha Gillelte v. Marietta Proctor
12. City of Abilene v. Board of Adjustment & Video Vue
13. Don Hobbs v. City
14. Christine Kunschle v. City and McDonald Transit
15. Donald J. & Gwendolyn Collins v. City & James N. Van Allen
16. Ron Kervin v. City and Harvey Cargill
17. Cynthia Haile v. City
18. General Electric Co. v. City
19. Michael Morris & Webster v. City
20. Pam Martin for Patricia Martin v. City and General Beverage
21. Krohn Brothers 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 23, 1989, 5:30 P.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 23, 1989, at 5:30 P.M. in the Basement Conference Room of City Hall. Mayor Dale E. Ferguson was present and presiding with Councilman Gary D. McCaleb, Councilwoman Betty Ray, Councilmen Walter E. Wheat, Tom Ceniglis, and Welton Robinson. Also present were City Manager Jim C. Blagy, Assistant City Manager Roy L. McDaniel, City Attorney Harvey Cargill, Jr., City Secretary Jo Moore and various members of the City staff. Councilman Harold Nixon was absent.

The Council briefly discussed various consent and regular agenda items. There being no further discussion, the meeting was recessed until 6:00 p.m. for the regular Council Meeting.

REGULAR CITY COUNCIL MEETING
March 23, 1989, 6:00 P.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 23, 1989, at 6:00 p.m. in the City Council Chambers of City Hall.

Invocation was given by Councilman Gary D. McCaleb.

There being no corrections, additions, or deletions to the minutes of the Pre-Council Session and Regular City Council Meeting held March 9, 1989, the minutes stand approved as printed.

Councilman Ceniglis moved to approve the consent agenda items, being 4a and 5a as recommended by the staff. The motion was seconded by Councilman Wheat and the motion carried.

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

NAYS: None.

4. **Ordinances and Resolutions:**

- a. Resolution authorizing Bridge Load Posting agreement with the State.

The Resolution is numbered 14-1989 and is captioned as follows:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE
AUTHORIZING THE EXECUTION OF A BRIDGE LOAD POSTING
AGREEMENT WITH THE STATE OF TEXAS.

5. **Award of Bid:**
a. Minibuses for Senior Citizens Division, Bid # CB9022.
The bid was awarded to E. M. C. of Dallas for the low
bid amount of \$138,496.00 as recommended by staff.

REGULAR AGENDA

6. **Ordinances and Resolutions**

- a. Bob Whitehead, Director of Public Works, briefed the Council on an Oral Resolution authorizing the Mayor to execute a letter of agreement with ACU for reconstruction of Judge Ely Blvd.

Councilman Wheat moved to approve the oral resolution authorizing the Mayor to execute a letter of agreement with ACU for reconstruction of Judge Ely Blvd., as recommended by staff. The motion was seconded by Councilman Robinson, and the motion carried.

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

NAYS: None.

ABSTAIN: Councilman McCaleb.

- b. Bob Whitehead, Director of Public Works, briefed the Council on a Resolution accepting State Department of Highways and Public Transportation Commission provision for reconstruction of Judge Ely Blvd.; and oral Resolution to execute agreement with State of Texas for transfer of funds.

Councilman Wheat moved to approve the Resolution accepting State Department of Highways and Public Transportation Commission provisions for reconstruction of Judge Ely Blvd., as recommended by staff. The motion was seconded by Councilman Ceniglis, and the motion carried.

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

NAYS: None.

ABSTAIN: Councilman McCaleb.

The Resolution is numbered 15-1989 and is captioned as follows:

RESOLUTION ACCEPTING THE PROVISIONS OF STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION COMMISSION MINUTE ORDER

Councilwoman Ray moved to approve the oral Resolution to execute an agreement with the State of Texas for transfer of funds. The motion was seconded by Councilman Ceniglis, and the motion carried.

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

NAYS: None.

ABSTAIN: Councilman McCaleb.

7. Other Business:

a. Roy McDaniel, Assistant City Manager, reviewed the status of bills before State Legislature. No action was necessary.

Mayor Ferguson recessed the Council into executive session in accordance with State law, Article 5262-17, 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.

Mayor Ferguson thanked the Boy Scouts for attending the City Council meeting, along with the City Council candidates.

Councilman McCaleb moved to approve the Resolution appointing election officials and fixing their rate of compensation. The motion was seconded by Councilman Ceniglis, and the motion carried.

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

NAYS: None.

The Resolution is numbered 16-1989 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING SECTION 4 OF RESOLUTION #11-1989 AND APPOINTING VARIOUS ELECTION OFFICIALS AND FIXING THEIR RATE OF COMPENSATION.

There being no further business, the meeting was adjourned at 7:39 p.m.


Jo Moore
City Secretary


Dale E. Ferguson
Mayor