

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 10, 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, August 10, 1989, at 9:00 a.m.

CITY COUNCIL: Mayor Dale Ferguson; Council - Gary D. McCaleb, Betty Ray, Walter E. Wheat, Tom Ceniglis, Jimmy McNeil and Liz Herrera.

1. Call to Order.
2. **INVOCATION:** Councilman Tom Ceniglis.
3. **Approval of Minutes:** Budget Worksessions held July 24, 25, and 26, 1989; and Pre-Council Session and Regular City Council Meeting held July 27, 1989.
4. **Employee Service Awards:**

20 Years	Charles O. Webb	Park Worker Community Services
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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 Councilmember 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. Consider on second and final reading - an Ordinance amending Sections 18-293 and 18-299 of the Abilene Municipal Code, concerning Traffic Code Schedules.
 - b. Consider on second and final reading - Gross Receipts Bingo Tax Ordinance.
 - c. Consider on first reading - an ordinance changing zoning district boundaries - Z-01289 - Request from Alfredo Verastequi to rezone from RS-6 (Residential Single Family) to GC (General Commercial) district, located at 3772 Hickory Street, and set a public hearing for August 24, 1989 at 9:00 a.m.
 - d. Consider on first reading - An ordinance amending Chapter 8, "Construction Regulations", Article VI, "Uniform Codes and Other Regulations", Division 2, "Building Code", of the Abilene Municipal Code; and set a public hearing for August 24, 1989 at 9:00 a.m.
 - e. Consider on first reading - An ordinance amending Sections 18-299, Parking Time Limited; and 18-304, Parking Designated for the Disabled; of the Abilene Municipal Code.

6. **Award of Bid:**
 - a. Microcomputers for Abilene Public Library, Bid #CB9069.
 - b. Automated Film Booking System for Abilene Public Library, RFP #CB9064.

REGULAR AGENDA

7. **Ordinances & Resolutions:**
 - a. **Public Hearing:** Resolution amending City's projected use of Community Development Block Grant Funds for the program year starting October 1, 1988, and the adoption of the City's proposed Statement of Community Development needs objectives and projected use of Community Development Block Grant Funds for the program year starting October 1, 1989.
 - b. **Public Hearing:** Resolution nominating two areas as enterprise zones pursuant to the Texas Enterprise Zone Act, and designating a liaison to act as the City's authorized representative.
 - c. Resolution approving the use of a portion of the Abilene Regional Airport for auto races by the Texas Region of the Sports Car Club of America, tentatively scheduled for one weekend in the late fall of 1989, and authorizing City Manager to execute contract.
 - d. Resolution supporting National Drug Policy

8. **Other Business:**
 - a. Pending and Contemplated Litigation (see notice for Executive Session, Litigation for listing subjects), possible action.
 - b. 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. Bechtel v. City
6. Allied Steel v. City and Meals on Wheels
7. Virginia Martin v. City
8. City Water Permit Applications
9. Thornton v. City
10. Christopher Grant Carlson v. City
11. Martha Gillette v. Marietta Proctor
12. City of Abilene v. Riley
13. Don Hobbs v. City
14. Christine Kunschile 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. Lone Star Gas Gate Rate
22. Fountain v. City & Board of Building Standards

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 8/4/89

00157

PRE-COUNCIL WORK SESSION, THURSDAY
August 10, 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 August 10, 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. McCaleb, Councilwoman Betty Ray, Councilmen Walter Wheat, Tom Ceniglis, Jimmy McNeil, and Councilwoman Liz Herrera. Also present were City Manager Jim C. Blagg, Assistant City Manager Roy L. McDaniel, Staff Coordinator Debra Guerra, City Attorney Harvey Cargill, City Secretary Jo Moore and various members of the City Staff.

The Council briefly discussed various consent and regular items, 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
August 10, 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 August 10, 1989, at 9:00 a.m. in the City Council Chambers of City Hall.

Invocation was given by Councilman Tom Ceniglis.

There being no corrections, additions, or deletions to the minutes of the Budget Worksessions held July 24, 25, and 26, 1989; and Pre-Council Session and Regular City Council Meeting held July 27, 1989, the minutes stand approved as printed.

Councilwoman Ray moved approval of the consent agenda items, 5a through 5e and 6a and 6b, as recommended by the staff. The motion was seconded by Councilman Wheat and the motion carried.

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

NAYS: None.

5. Ordinances & Resolutions:

- a. Consider on second and final reading - an Ordinance amending Sections 18-293 and 18-299 of the Abilene Municipal Code, concerning Traffic Code Schedules.

The Ordinance is numbered 30-1989 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.

b. Consider on second and final reading - Gross Receipts Bingo Tax Ordinance.

The Ordinance is numbered 31-1989 and is captioned as follows:

ORDINANCE IMPOSING A TWO PER CENT GROSS RECEIPTS TAX ON THE CONDUCT OF BINGO GAMES WITHIN THE CITY OF ABILENE.

c. Consider on first reading - an ordinance changing zoning district boundaries - Z-01289 - Request from Alfredo Verastegui to rezone from RS-6 (Residential Single Family) to GC (General Commercial) district, located at 3772 Hickory Street, and set a public hearing for August 24, 1989 at 9:00 a.m.

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.

d. Consider on first reading - An ordinance amending Chapter 8, "Construction Regulations", Article VI, "Uniform Codes and Other Regulations", Division 2, "Building Code", of the Abilene Municipal Code; and set a public hearing for August 24, 1989 at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 8, "CONSTRUCTION REGULATIONS," ARTICLE VI, "UNIFORM CODES AND OTHER REGULATIONS," DIVISION 2, "BUILDING CODE," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

e. Consider on first reading - An ordinance amending Sections 18-299, Parking Time Limited; and 18-304, Parking Designated for the Disabled; of the Abilene Municipal Code.

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.

6. **Award of Bid:**

a. Microcomputers for Abilene Public Library, Bid #CB9069. The bid was awarded to Wylie Computers, with a low bid of \$10,465.00, as recommended by staff.

b. Automated Film Booking System for Abilene Public Library, RFP #CB9064. The bid was awarded to Tek Data Systems Company as the only one of three proposals meeting all of the technical specifications at a cost within the grant budget, as recommended by staff.

7. **Ordinances & Resolutions:**

a. Mike Morrison, Director of Community & Economic Development, briefed the Council on a Resolution amending City's projected use of Community Development Block Grant Funds for the program year starting October 1, 1988, and the

adoption of the City's proposed Statement of Community Development needs objectives and projected use of Community Development Block Grant Funds for the program year starting October 1, 1989.

Mayor Ferguson opened a public hearing on the request, and the following individuals spoke in favor:

- . Cindy Love, C. H. Love & Company.
- . Pat Frosh, Executive Director of Mend-A-Child.

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

Councilman Ceniglis moved to approve the Resolution amending City's projected use of Community Development Block Grant Funds for the program year starting October 1, 1988, and the adoption of the City's proposed Statement of Community Development needs objectives and projected use of Community Development Block Grant Funds for the program year starting October 1, 1989, as recommended by staff. The motion was seconded by Councilwoman Herrera and the motion carried.

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

NAYS: None.

The Resolution is numbered 42-1989 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 1989-90 AND APPROVING AN AMENDMENT TO THE CITY'S FY 1988-89 CDBG PROGRAM.

b. Mike Morrison, Director of Community & Economic Development, explained to the Council that legislation requires a public hearing be opened on a Resolution nominating two areas as enterprise zones pursuant to the Texas Enterprise Zone Act, and designating a liaison to act as the City's authorized representative prior to staff presentation. All discussion and presentations would need to take place during the public hearing. Mr. Morrison introduced Loan Analyst Stephanie Dugan, who would be making the presentation.

Mayor Ferguson opened the public hearing on the request and Ms. Dugan made the presentation.

Mayor Ferguson asked for comments from the public, and the following individual spoke in favor:

- . Cindy Love, C. H. Love & Company, stated that businesses not eligible for tax abatement could possibly find an incentive in this.

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

Councilman Wheat moved to approve the Resolution nominating two areas as enterprise zones pursuant to the Texas Enterprise Zone Act, and designating a liaison to act as the City's authorized representative, as recommended by staff. The motion was seconded by Councilwoman Ray and the motion carried.

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

The Resolution is numbered 43-1989 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, NOMINATING TWO AREAS AS ENTERPRISE ZONES PURSUANT TO THE TEXAS ENTERPRISE ZONE ACT (TEX. REV. CIV. STAT. ANN. ART. 5190.7); PROVIDING TAX INCENTIVES; AND DESIGNATING A LIAISON TO ACT AS THE CITY'S AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S NOMINATION OF AREAS AS ENTERPRISE ZONES AND TO DESIGNATION AS SUCH BY THE TEXAS DEPARTMENT OF COMMERCE.

c. Debra Guerra, Staff Coordinator, briefed the Council regarding a Resolution approving the use of a portion of the Abilene Regional Airport for auto races by the Texas Region of the Sports Car Club of America, tentatively scheduled for one weekend in the late fall of 1989, and authorizing City Manager to execute contract.

Mike Dohrse, Chairman of the Airport Development Board, indicated that this would be a way to utilize an un-utilized facility, and to generate income.

Sterling Robertson, Sports Car Club of America member, briefed the Council on the organization, and indicated they would possibly request that events of this nature be allowed in the future.

Douglas Miller, 3132 Woodridge Dr., Bedford, Texas, president of the Texas Regional Sports Club Car Organization was present and stated his willingness to answer any questions that Council might have.

Following a discussion and answering period, councilman Ceniglis moved to approve the Resolution approving the use of a portion of the Abilene Regional Airport for auto races by the Texas Region of the Sports Car Club of America, tentatively scheduled for one weekend in the late fall of 1989, and authorizing City Manager to execute contract, as recommended by staff. The motion was seconded by Councilman McNeil and the motion carried.

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

The Resolution is numbered 44-1989 and is captioned as follows:

A RESOLUTION OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER AN AGREEMENT WITH THE TEXAS REGION OF THE SPORTS CAR CLUB OF AMERICA FOR AUTO RACES AT THE ABILENE REGIONAL AIRPORT.

d. Jim Blagg, City Manager, briefed the Council on a Resolution supporting National Drug Policy. Staff recommends approval.

Councilwoman Ray moved to approve the Resolution supporting National Drug Policy, as recommended by staff. The motion was seconded by Councilman McNeil and the motion carried.

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

The Resolution is numbered 45-1989 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, REGARDING A STRONG NATIONAL DRUG POLICY.

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 Wheat moved to appoint Dean Walter Adams to fill a vacancy on Abilene Clean and Proud, with a term expiring 11/90. The motion was seconded by Councilman McCaleb and the motion carried.

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

NAYS: None.

There being no further business, the meeting adjourned at 11:20 a.m.



Jo Moore, CMC
City Secretary



Dale E. Ferguson
Mayor

NOTICE OF SPECIAL MEETING

A SPECIAL CALLED MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, WILL BE HELD ON **FRIDAY, AUGUST 18, 1989 AT 8:30 A.M.; IN THE COUNCIL CHAMBERS, SECOND FLOOR OF CITY HALL** FOR THE PURPOSE OF CANVASSING THE RESULTS OF THE AUGUST 12, 1989 SPECIAL CITY ELECTION.

AGENDA

1. Call to Order.
2. Invocation.
3. Resolution canvassing the results of the August 12, 1989 Special City Election on Proposition No. 1, "The adoption of an additional one-half of one percent sales and use tax within the city to be used to reduce the property tax rate."
4. Resolution canvassing the results of the August 12, 1989 Special City Election on Proposition No. 2, "The adoption of an additional one-half of one percent sales and use tax within the city to be used for improving and promoting economic and industrial development."
5. Other Business:
 - a. Pending and Contemplated Litigation (see notice for Executive Session, Litigation for listing subjects), possible action.
 - b. Appointment and Evaluation of Public Officials (see Notice for Executive Session, Personnel for listing subjects), possible action.

ADJOURN

CERTIFICATE

I hereby certify that the above notice of meeting was posted on the bulletin board at City Hall of the City of Abilene, Texas, on the 15th day of August, 1989, at 8:30 a.m..


City Secretary

(Personnel)

The City Council may consider the appointment, employment, reassignment, duties, discipline, or dismissal of public officer or employee, the City Manager, City Attorney, Municipal Court Judge, City Secretary, and 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. City Water Permit Applications
9. Thornton v. City
10. Christopher Grant Carlson v. City
11. Martha Gillette v. Marietta Proctor
12. City of Abilene v. Riley
13. Don Hobbs v. City
14. Christine Kunschille 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. Lone Star Gas Gate Rate
22. Fountain v. City & Board of Building Standards

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 8/15/89

00164

SPECIAL COUNCIL MEETING
FRIDAY, August 18, 1989
8:30 A.M.

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

The City Council of the City of Abilene, Texas, met for a Special Council Meeting on August 18, 1989 at 8:30 a.m. in the City Council Chambers of City Hall for the purpose of canvassing the results of the August 12, 1989 special city election. Mayor Dale E. Ferguson was present and presiding with Councilman Gary D. McCaleb, Councilwoman Betty Ray, Councilmen Walter E. Wheat, Tom Ceniglis, Jimmy McNeil, and Councilwoman Liz Herrera. Also present were City Manager Jim C. Blagg, Assistant City Manager Roy L. McDaniel, City Attorney Harvey Cargill, and City Secretary Jo Moore.

Invocation was given by Councilman Gary McCaleb.

Jo Moore, City Secretary, briefed the Council on two Resolutions canvassing the returns of the Special City Election held August 12, 1989; one for each proposition presented before the voters.

Councilman Wheat moved to approve the Resolution canvassing the results of the August 12, 1989 Special City Election on Proposition No. 1, "The adoption of an additional one-half of one percent sales and use tax within the City to be used to reduce the property tax rate." The motion was seconded by Councilman Ceniglis and the motion carried.

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

NAYS: None.

The Resolution is numbered 46-1989 and is captioned as follows:

RESOLUTION CANVASSING ELECTION RETURNS

Councilwoman Ray moved to approve the Resolution canvassing the results of the August 12, 1989 Special City Election on Proposition No. 2, "The adoption of an additional one-half of one percent sales and use tax within the City to be used for improving and promoting economic and industrial development." The motion was seconded by Councilwoman Herrera and the motion carried.

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

NAYS: None.

The Resolution is numbered 47-1989 and is captioned as follows:

RESOLUTION CANVASSING ELECTION RETURNS

Mayor Ferguson then recessed the Council into executive session pursuant to Sections 2e and 2g of the Open Meetings Act, and to seek the advice of the City Attorney with respect to pending and contemplated litigation, and to consider the appointment and evaluation of public officers.

The Council reconvened from executive session and reported no action taken.

There being no further business, the meeting was adjourned at 8:55 a.m.



Jo Mopre
City Secretary



Dale E. Ferguson
Mayor