

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, February 8, 1990, 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, February 8, 1990, 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:** Pre-Council Session, Regular City Council Meeting, and Financial Workshop held January 25, 1990.
4. Employee of the Month Award

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. Oral Resolution approving additional engineering compensation for wastewater treatment plant expansion.
 - b. Oral Resolution authorizing emergency repairs to Northeast Water Treatment Plant and payment for repair.
 - c. Resolution authorizing City Manager to sign a contract agreement with DATATRON, Inc. for computer software.
 - d. Consider on first reading - an Ordinance amending "Swimming Pools and Spas" Ordinance; Chapter 29.5, Article IV, Section 29.5-41, "Regulations", Item 15, "Decks and Walkways", of the Abilene Municipal Code, and set a public hearing for February 22, 1990 at 9:00 a.m.
 - e. Consider ratification of contract amendment for Underground Storage Program fees.
 - f. Consider on first reading - an Ordinance changing zoning district boundaries - Z-00290 - Request from Eric R. Wallace to rezone from RM-3 (Residential Multi-Family) to O (Office) district, located at 1317 Orange, and set a public hearing for February 22, 1990.

REGULAR AGENDA

6. **Ordinances & Resolutions:**
- a. **Public Hearing:** Consider on second and final reading - an ordinance amending Chapter 8, "Construction Regulations", Article VI, "Uniform Codes and Other Regulations", Division 4, "Plumbing", of the Abilene Municipal Code; and approval of Resolution establishing fees.
 - b. **Public Hearing:** Consider on second and final reading - an ordinance amending Chapter 8, "Construction Regulations", Article VI, "Uniform Codes and Other Regulations", Division 5, "Mechanical Code", of the Abilene Municipal Code.

7. **Other Business:**
- a. Presentation of status report from Entryway Study Committee and authorization from City Council to begin pilot projects on two entryways.
 - b. Presentation of Final ACT-Now! Report by Chairman Frank Puckett.
 - c. Pending and Contemplated Litigation (see notice for Executive Session, Litigation for listing subjects), possible action.
 - d. 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 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 & ABC Airlines v. City
5. Bechtel, et al 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. City and Marietta Proctor
12. City of Abilene v. Riley
13. Don Hobbs v. City
14. Christine Kunschik v. City et al
15. Donald J. & Gwendolyn Collins v. City & James N. Van Allen
16. Rodgers v. City
17. Parker 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
23. Southwestern Bell Rate Case
24. West Texas Utilities Rate Case

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 11/30/89

00019

**PRE-COUNCIL WORK SESSION, THURSDAY
February 8, 1990, 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 February 8, 1990, 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 Tom Ceniglis, Walter E. Wheat, Jimmy McNeil, and Councilwoman Liz Herrera. Also present were City Manager Jim C. Blagg, Assistant City Manager Roy L. McDaniel, City Attorney Harvey Cargill, Jr., City Secretary Jo Moore, Staff Coordinator Debra Guerra, and various members of the City staff.

The Council briefly discussed various consent and regular agenda items.

**REGULAR CITY COUNCIL MEETING
February 8, 1990, 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 February 8, 1990, 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 Pre-Council Session, Regular City Council Meeting, and Financial Workshop held January 25, 1990, the minutes stand approved as printed.

Debra Guerra, Staff Coordinator, assisted Mayor Ferguson in the presentation of the February Employee of the Month Award to Gail Martinez, Custodial Services Supervisor.

Councilman Ceniglis moved to approve consent agenda items 5a through 5c and 5e, as recommended by the staff, and approval of first reading of consent agenda items 5d and 5f. The motion was seconded by Councilwoman Ray and the motion carried.

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

NAYS: None.

5. Ordinances and Resolutions:

- a. Oral Resolution approving additional engineering compensation to Freese & Nichols, Inc. for wastewater treatment plant expansion in the amount of \$30,050.
- b. Oral Resolution authorizing emergency repairs to Northeast Water Treatment Plant and payment for repair in the amount of \$16,806 to BJ-Titan Services Company.
- c. Oral Resolution authorizing City Manager to sign a contract agreement in the amount of \$15,000 with DATATRON, Inc. for computer software.

d. Approval of first reading - an Ordinance amending "Swimming Pools and Spas" Ordinance; Chapter 29.5, Article IV, Section 29.5-41, "Regulations", Item 15, "Decks and Walkways", of the Abilene Municipal Code, and set a public hearing for February 22, 1990 at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 29.5, "SWIMMING POOLS AND SPAS," ARTICLE IV, "DESIGN, CONSTRUCTION AND OPERATION OF PUBLIC AND PRIVATE RESIDENTIAL SWIMMING POOLS AND SPAS," SECTION 29.5-41, "REGULATIONS," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

e. Approval of ratification of contract amendment with Tank Management, Inc. for Underground Storage Program fees; and to expand the scope of work to include contamination assessment efforts.

f. Approval of first reading - an Ordinance changing zoning district boundaries - **Z-00290** - Request from Eric R. Wallace to rezone from RM-3 (Residential Multi-Family) to O (Office) district, located at 1317 Orange, and set a public hearing for February 22, 1990.

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.

7. Other Business:

b. Council requested the Presentation of the Final ACT-Now! Report by Chairman Frank Puckett be pulled from the Regular Agenda and considered at this time. Mr. Puckett's presentation of the ACT Now! report also focused on the objectives and action plans designated by the various sub-committees.

Councilwoman Ray moved to accept the ACT-Now! final report and approve the recommendations. She stated appreciation to the Committee for its efforts. The motion was seconded by Councilman McNeil and the motion carried.

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

NAYS: None.

6. Ordinances & Resolutions:

a. Bob Fowler, Director of Housing & Inspection Services, briefed the Council on an ordinance considered on second and final reading, amending Chapter 8, "Construction Regulations", Article VI, "Uniform Codes and Other Regulations", Division 4, "Plumbing", of the Abilene Municipal Code; and approval of Resolution establishing fees. Staff recommends approval.

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 Ordinance adopting the 1988 Uniform Plumbing Code with noted deletions and exceptions; and the Resolution establishing a fee schedule for certain inspection fees, as recommended by staff. The motion was seconded by Councilman McCaleb and the motion carried.

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

The Ordinance is numbered 4-1990 and is captioned as follows:

AN ORDINANCE AMENDING CHAPTER 8, "CONSTRUCTION REGULATIONS," ARTICLE VI, "UNIFORM CODES AND OTHER REGULATIONS," DIVISION 4, "PLUMBING," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

The Resolution is numbered 4-1990 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING A FEE SCHEDULE FOR CERTAIN PLUMBING INSPECTION FEES, AND ESTABLISHING AN EFFECTIVE DATE.

b. Bob Fowler, Director of Housing & Inspection Services, briefed the Council on an ordinance considered on second and final reading, amending Chapter 8, "Construction Regulations", Article VI, "Uniform Codes and Other Regulations", Division 5, "Mechanical Code", of the Abilene Municipal Code.

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 McCaleb moved to approve the Ordinance adopting the 1988 Uniform Mechanical Code with amendments as recommended by staff. The motion was seconded by Councilman Ceniglis and the motion carried.

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

The Ordinance is numbered 5-1990 and is captioned as follows:

AN ORDINANCE AMENDING CHAPTER 8, "CONSTRUCTION REGULATIONS," ARTICLE VI, "UNIFORM CODES AND OTHER REGULATIONS," DIVISION 5, "MECHANICAL CODE," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

7. Other Business:

a. Lee Roy George, Director of Planning and Development, briefed the Council on a status report from Entryway Study Committee, and introduced Larry Abring, Assistant Director of Planning. Mr. Abring gave a definition of an entryway corridor, and a gateway, then reviewed the locations of the entryways into the City, and requested on behalf of the Entryway Study Committee, authorization from the City Council to begin pilot projects on two entryways (East Highway 80 and West Highway 84). Jerry Love, committee member, briefed the Council on the basis of the committee recommendations for the two entryways.

Councilman McCaleb moved approval and acceptance of the recommendations, and encouraged the continuation of these studies, specifically on East Highway 80 & West Highway 84. The motion was seconded by Councilwoman Ray and the motion carried.

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

c. Mayor Ferguson 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.


d. Councilman Wheat moved to appoint Rachel Valdez to serve as an alternate on the Landmarks Commission, term expiring 11/91; and to move Camille Parrish from alternate to primary at-large to replace Ted Paup, term expiring 11/91. The motion was seconded by Councilman McNeil and the motion carried.

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

Nays: None.

There being no further business, the meeting was adjourned at 10:30 a.m.


Jo Moore
City Secretary


Dale E. Ferguson
Mayor