

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 22, 1990 at 8:30 a.m. to consider the following:

1. Discuss Consent and/or Regular Agenda Items.
2. Report on Abilene Substance Abuse Commission

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 22, 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 Jimmy McNeil.
3. **Approval of Minutes:** Pre-Council Session and Regular City Council Meeting held February 8, 1990.
4. **Awards:**
Recognition of citizens with special contributions to the Neighborhood Improvement Program (NIP).

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 authorizing Mayor to execute a lease agreement with Mr. Minot Piper for the old weather balloon building at the Abilene Regional Airport.
 - b. Oral Resolution approving option to extend fuel contracts for one year with L & L Inc., C & W Enterprises, and Abilene Oil Company.
 - c. Consider on first reading - An ordinance amending the Subdivision Regulations concerning Stormwater Management, and set a public hearing for March 8, 1990 at 9:00 a.m.
 - d. Oral Resolution authorizing amendments to Abilene Economic Development Company, Inc. Bylaws, permitting Loan Committee to meet in Executive Session.
 - e. Oral Resolution authorizing contract with Abilene Improvement Corporation to hire downtown manager.
 - f. Oral Resolution approving amendment to City travel policy.
6. **Award of Bid:**
 - a. Modular furniture for Data Processing Division, Bid #CB025.
 - b. Enamel paint (primer) for Refuse Division, Bid #CB026.
 - c. Breathing apparatus for Fire Department, Bid #CB027.

REGULAR AGENDA

7. **Ordinances and Resolutions:**
- a. **Public Hearing:** Consider on second and final 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.
 - b. **Public Hearing:** Consider on second and final 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.
 - c. **Public Hearing:** Consider on second and final reading - an Ordinance changing zoning district boundaries - Z-02589 - Request from J. P. Crenshaw to rezone from AO (Agricultural Open Space) to MH (Mobile Home) district, located on F. M. 1082.

8. **Other Business:**
- a. Review and discuss adjustments to salary schedule.
 - 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 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

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PRE-COUNCIL WORK SESSION, THURSDAY
February 22, 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 22, 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, Assistant City Attorney Claudia Clinton, 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. Fire Chief Richard Knopf gave a brief report on "Drug Clean Abilene", stating goals and distributing an organizational chart. There being no further discussion, the meeting was recessed until 9:00 a.m. for the regular Council Meeting.

REGULAR CITY COUNCIL MEETING
February 22, 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 22, 1990, at 9:00 a.m. in the City Council Chambers of City Hall.

Invocation was given by Councilman Jimmy McNeil.

There being no corrections, additions, or deletions to the minutes of the Pre-Council Session and Regular City Council Meeting held February 8, 1990, the minutes stand approved as printed.

Councilwoman Ray moved to approve consent agenda items 5a and 5b, 5d through 5f, and 6a through 6c as recommended by the staff; and approval of first reading of consent agenda item 5c. The motion was seconded by Councilman Wheat and the motion carried.

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

NAYS: None.

4. Awards:

Debra Guerra, Staff Coordinator, and Mayor Ferguson presented Certificates of Appreciation in recognition of special contributions to the Neighborhood Improvement Program (NIP). Receiving the award on behalf of Jane Long Elementary School PTA was PTA President Mrs. Pat Carroll; and on behalf of the Big Country Soccer Association was the Association's Vice President, Mr. John Stearns.

5. Ordinances and Resolutions:

- a. Oral Resolution authorizing Mayor to execute a lease agreement with Mr. Minot Piper for the old weather balloon building at the Abilene Regional Airport.
- b. Oral Resolution approving option to extend fuel contracts for one year with L & L Inc., C & W Enterprises, and Abilene Oil Company.
- c. Approval of first reading - An ordinance amending the Subdivision Regulations concerning Stormwater Management, and set a public hearing for March 8, 1990 at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 23, "PLANNING AND COMMUNITY DEVELOPMENT," SUBPART D, "SUBDIVISION REGULATIONS," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.
- d. Oral Resolution authorizing amendments to Abilene Economic Development Company, Inc. Bylaws, permitting the Loan Committee to meet in Executive Session.
- e. Oral Resolution authorizing a contract with the Abilene Improvement Corporation to hire a downtown manager.
- f. Oral Resolution adopting update to City travel policy.

6. Award of Bid:

- a. Modular furniture for Data Processing Division, Bid #CB025. The bid was awarded to Barnhill Office Equipment in the amount of \$12,726.65, as recommended by staff.
- b. Enamel paint (primer) for Refuse Division, Bid #CB026. The bid was awarded to the Paint Center of Abilene in the amount of \$12,385.75; as recommended by staff.
- c. Breathing apparatus for Fire Department, Bid #CB027. The bid was awarded to Riggs Fist Line Equipment, low bidder, in the amount of \$15,580; as recommended by staff.

7. Ordinances and Resolutions:

- a. Cassie Hughes, Building Inspection Administrator, briefed the Council on an Ordinance considered on second and final reading amending Chapter 29.5, "Swimming Pools and Spas", Article IV, Section 29.5-41, "Regulations", Item 15, "Decks and Walkways", of the Abilene Municipal Code. The Mechanical and Swimming Pool Board of Appeals and staff recommend approval.

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

Councilman McNeil moved to approve the Ordinance amending Chapter 29.5, Section 29.5-41 referencing Decks and Walkways of the Abilene Municipal Code, as recommended. The motion was seconded by Councilwoman Herrera and the motion carried.

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

The Ordinance is numbered 6-1990 and is captioned as follows:

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.

b. Mindy Manson, Principal Planner, briefed the Council on an ordinance considered on second and final reading changing zoning district boundaries - **Z-00290** - Request from Eric R. Wallace to rezone from RM-3 (Residential Multi-Family) to 0 (Office) district, located at 1317 Orange. The Planning and Zoning Commission recommends approval; staff recommends disapproval.

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

. Eric Wallace, 1317 Orange, proponent.

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

Councilman Ceniglis moved to approve the request for zone change at 1317 Orange. The motion was seconded by Councilman Wheat and the motion carried.

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

The Ordinance is numbered **7-1990** and is captioned as follows:

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.

c. Mindy Manson, Planner II, briefed the Council on an Ordinance considered on second and final reading changing zoning district boundaries - **Z-02589** - Request from J. P. Crenshaw to rezone from AO (Agricultural Open Space) to MH (Mobile Home) district, located on F. M. 1082. The Planning and Zoning Commission and staff recommend approval.

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

. Eddy Black, 6 Dawn Court, Meadow Ridge Mobile Home Park, potential buyer.

. Dana Mills, friend of the Blacks, lives by the property and feels it would be a great addition to the neighborhood.

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

Councilman Wheat moved to approve the request to change zoning district boundaries from AO to MH district, being 1.9 acres located on FM 1082, as recommended. The motion was seconded by Councilman McCaleb and the motion carried.

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

The Ordinance is numbered **8-1990** and is captioned as follows:

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.

8. Other Business:

a. Jim Blagg, City Manager, distributed a memo regarding his proposal for salary adjustments pertaining to FY-90 budgeted funds. Following a discussion by the Council, Mr. Blagg recommended the Council authorize staff to adjust salary ranges within the pay plan on those positions in salary ranges 40 and above by an aggregate 5%. This represents approximately 125 employees, with adjustments to be made effective in March, 1990.

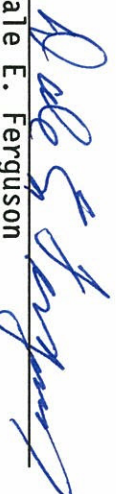
No motion or vote was needed.

b. 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.

There being no further business, the meeting was adjourned at 9:58 a.m.


Jo Modre
City Secretary


Dale E. Ferguson
Mayor