

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, December 20, 1990 at 8:30 a.m. to consider the following:

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, December 20, 1990, at 9:00 a.m.

CITY COUNCIL: Mayor Gary D. McCaleb; Council - Paul R. Vasquez, Betty Ray, Jack Grable, Bill Terry, Jimmy McNeil and Liz Herrera.

1. **Call to Order.**
2. **INVOCATION:** Councilman Paul R. Vasquez.
3. **Approval of Minutes:** Pre-Council Session and Regular City Council Meeting held December 6, 1990.
4. **Proclamations**
5. **Employee Wellness Recognition**

CONSENT AGENDA

All items listed below are considered 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 requests, in which event the item will be removed from the general order of business and considered in its normal sequence.

6. Ordinances and Resolutions:

- a. Oral Resolution authorizing staff to advertise for Oil & Gas Lease at Hamby Sewer Farm south of prison site.
- b. Oral Resolution approving and funding two change orders at the Abilene Regional Business and Education Center.
- c. Consider on first reading - An Ordinance amending Chapter 21, "Oil and Gas", Section 21-23 of the Abilene Municipal Code concerning performance bond requirements for Oil & Gas well permits and Section 21-58 of the Abilene Municipal Code concerning insurance requirements for Oil & Gas production.
- d. Consider on first reading - An Ordinance amending Chapter 18, "Motor Vehicles and Traffic", Sections 18-289, 18-293, and 18-299 of the Abilene Municipal Code.
- e. Consider on first reading - An Ordinance requiring the disclosure of the purchase price of gas transported by Lone Star Gas Company providing a penalty and an effective date.
- f. Consider on first reading - An Ordinance amending Chapter 8, "Construction Regulations" to amend the 1990 Electrical Code.
- g. Oral Resolution authorizing contract with Abilene Library Consortium.

7. **Award of Bid:**
- a. Pickups for Various Divisions, Bid #CB1012.
 - b. Floodlights for Civic Center, Bid #CB1014.

REGULAR AGENDA

8. **Ordinances & Resolutions:**
- a. **Public Hearing:** Consider on second and final reading - An Ordinance amending PDD #49 (Planned Development District) to allow a replat located at #2 Winners Circle.
 - b. **Public Hearing:** Consider on second and final reading - An ordinance changing zoning district boundaries - Z-2190 - Request from H. E. Butt Grocery Company; agent, Randy L. Wright, to rezone from RM-3 & RS-6 (Residential Multi-Family and Residential Single Family) to LC (Limited Commercial) district, located on South 13th between Barrow and Matador.

9. **Other Business:**
- a. Replacement buses for Abilene Transit System.
 - b. Widening of Ridgemont Drive from Clack Street to Rebecca Lane.
 - c. Present Draft Strategic Management Plan and review of Strategic Planning process, possible action to accept and approve continuation of the process.
 - d. Pending and Contemplated Litigation (see notice for Executive Session, Litigation for listing subjects), possible action.
 - e. 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 & 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.

**PRE-COUNCIL WORK SESSION, THURSDAY
December 20, 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 December 20, 1990, at 8:30 A.M. in the Basement Conference Room of City Hall. Mayor Gary D. McCaleb was present and presiding with Councilman Paul R. Vasquez, Councilwoman Betty Ray, Councilmen Jack Grable, Bill Terry, Jimmy McNeil, and Councilwoman Liz Herrera. Also present were City Manager Jim C. Blagg, Assistant City Manager Roy L. McDaniel, City Attorney Harvey Cargill, Assistant to the City Manager Debra Guerra, City Secretary Jo Moore, and various members of the City staff.

The Council briefly discussed various consent and regular agenda items. There being no further discussion, the meeting was recessed until 9:00 a.m. for the regular Council Meeting.

**REGULAR CITY COUNCIL MEETING
December 20, 1990, 9:00 A.M.**

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

Mayor McCaleb reconvened the City Council of the City of Abilene, Texas, into Regular Session December 20, 1990, at 9:00 a.m. in the Council Chambers of City Hall.

Invocation was given by Councilman Paul R. Vasquez.

There being no corrections, additions, or deletions to the minutes of the Pre-Council Session and Regular City Council Meeting held December 6, 1990, Councilman McNeil moved to approve the minutes as printed. The motion was seconded by Councilman Vasquez and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen Grable, Terry, McNeil, Councilwoman Herrera, and Mayor McCaleb.

NAYS: None.

Debra Guerra, Assistant to the City Manager, assisted the Mayor in presenting Employee Wellness Recognition certificates to 45 employees participating in the Wellness walking program.

Councilwoman Ray moved to approve consent agenda items 6a, 6b, 6g, 7a and 7b, as recommended by the staff; and approval of first reading of consent agenda items 6c through 6f. The motion was seconded by Councilwoman Herrera and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen Grable, Terry, McNeil, Councilwoman Herrera, and Mayor McCaleb.

NAYS: None.

6. **Ordinances and Resolutions:**

- a. Resolution authorizing staff to advertise for Oil & Gas Lease at Hamby Sewer Farm south of prison site.

The Resolution is numbered 46-1990 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, GIVING NOTICE OF INTENTION TO LEASE CITY OWNED MINERAL RIGHTS FOR OIL AND GAS PURPOSES AND CALLING A PUBLIC HEARING.

- b. Oral Resolution approving and funding two change orders at the Abilene Regional Business and Education Center.

- c. Approval of first reading - An Ordinance amending Chapter 21, "Oil and Gas", Section 21-23 of the Abilene Municipal Code concerning performance bond requirements for Oil & Gas well permits and Section 21-58 of the Abilene Municipal Code concerning insurance requirements for Oil & Gas production.

AN ORDINANCE AMENDING CHAPTER 21, "OIL AND GAS", BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING PERMITTEE TO OBTAIN A BOND OR LETTER OF CREDIT; TO HAVE BOND OR LETTER OF CREDIT FILED WITH LAND AGENT; AND PROVIDING INSURANCE CERTIFICATES TO BE FILED WITH LAND AGENT.

- d. Approval of first reading - An Ordinance amending Chapter 18, "Motor Vehicles and Traffic", Sections 18-289.1, 18-293, and 18-299 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.

- e. Approval of first reading - An Ordinance requiring the disclosure of the purchase price of gas transported by Lone Star Gas Company providing a penalty and an effective date.

AN ORDINANCE REQUIRING THE DISCLOSURE OF THE PURCHASE PRICE OF GAS TRANSPORTED BY LONE STAR GAS COMPANY; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

- f. Approval of first reading - An Ordinance amending Chapter 8, "Construction Regulations" to amend the 1990 Electrical Code.

AN ORDINANCE AMENDING CHAPTER 8, "CONSTRUCTION REGULATIONS", ARTICLE IV "UNIFORM CODES AND OTHER REGULATIONS," DIVISION 3, "ELECTRICAL CODE," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

- g. Oral Resolution authorizing contract with Abilene Library Consortium.

7. Award of Bid:

- a. Pickups for Various Divisions, Bid #CB1012. Items 1A and 1C were awarded to Lawrence Hall Chevrolet and Items 1B and 2 were awarded to Max Murrell Chevrolet representing the low responsible bidders for a total amount of \$281,590.82 as recommended by staff.
- b. Floodlights for Civic Center, Bid #CB1014. The bid was awarded to Stone Spotlight in the amount of \$13,200.00, as recommended by staff.

8. Ordinances and Resolutions:

- a. Mindy Manson, Senior Planner, briefed the Council on an Ordinance considered on second and final reading amending PDD #49 (Planned Development District) to allow a replat located at #2 Winners Circle.

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

Councilman Grable moved to approve the ordinance amending Planned Development District #49 to allow a replat located at #2 Winners Circle, as recommended by staff. The motion was seconded by Councilman Terry and the motion carried.

AVES: Councilman Vasquez, Councilwoman Ray, Councilmen Grable, Terry, McNeil, Councilwoman Herrera, and Mayor McCaleb.

Nays: None.

The Ordinance is numbered 46-1990 and is captioned as follows:

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, ZONING, OF THE ABILENE MUNICIPAL CODE, CONCERNING PDD #49 PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

- b. Mindy Manson, Senior Planner, briefed the Council on an ordinance considered on second and final reading changing zoning district boundaries - Z-2190 - Request from H. E. Butt Grocery Company; agent, Randy L. Wright, to rezone from RM-3 & RS-6 (Residential Multi-Family and Residential Single Family) to LC (Limited Commercial) district, located on South 13th between Barrow and Matador.

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

- . Jim Sloan, 646 S. Main St., San Antonio, representing proponent.

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

Councilwoman Ray moved to approve the ordinance changing zoning district boundaries from Residential Multi-Family and Residential Single Family to Limited Commercial district, located on South 13th between Barrow and Matador, as recommended by staff. The motion was seconded by Councilman McNeil and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen Grable, Terry, McNeil, and Mayor McCaleb.

Nays: None.

ABSTAIN: Councilwoman Herrera, due to property owned in the area.

The Ordinance is numbered 47-1990 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.

9. Other Business:

a. James Condry, Assistant Director of Planning and Development Services for Public Works, briefed the Council concerning replacement buses for Abilene Transit System. Mr. Condry stated a decision was needed on the type of vehicles to purchase before the bid specifications could be developed; and suggested a small purpose-built medium duty bus.

Councilwoman Herrera moved to authorize the recommendation to develop bid specifications for purchase of a small purpose-built medium duty bus as recommended by staff. The motion was seconded by Councilman Grable and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen Grable, Terry, McNeil, Councilwoman Herrera, and Mayor McCaleb.

Nays: None.

b. Marva Pritchett, Director of Planning and Development Services, presented a report on proposed widening of Ridgemont Drive from Clack Street to Rebecca Lane. Ms. Pritchett indicated possible funding might come from the unobligated general fund balance or the 1/2% sales tax for economic development. She also suggested getting property owners to participate in the funding, as they would benefit from it.

After a brief discussion, Councilman Vasquez moved to proceed with study of widening of Ridgemont Drive from Clack to Rebecca Lane and continue negotiations with property owners in the area for right of way. The motion was seconded by Councilman Grable and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen Grable, Terry, McNeil, Councilwoman Herrera, and Mayor McCaleb.

Nays: None.

c. Debra Guerra, Assistant to the City Manager and Linda Simpson, Assistant to the Director of Water Administration, presented a Draft Strategic Management Plan and a review of the Strategic Planning process; and requested Council accept and approve continuation of the process.

Councilman Vasquez moved to accept the draft of the strategic management plan and approve continuation of the strategic planning process, as recommended by staff. The motion was seconded by Councilman Terry and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen Grable, Terry, McNeil, Councilwoman Herrera, and Mayor McCaleb.
Nays: None.

Mayor McCaleb recessed the Council into executive session pursuant to Sections 2e and 2g of the Open Meetings Act, and to consider the appointment and evaluation of public officers.

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


Councilman Grable moved to appoint Bob Eagle to serve on the Long Range Community Needs Planning Committee. The motion was seconded by Councilman Vasquez and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen Grable, Terry, McNeil, Councilwoman Herrera, and Mayor McCaleb.
Nays: None.

Mayor McCaleb thanked the media for fair, factual, and objective reporting. He noted their importance in communicating to the citizens. He stated his appreciation for their work and wished them a Merry Christmas.

There being no further business, the meeting was adjourned at 10:35 a.m.


Jo Moore
City Secretary


Gary D. McCaleb
Mayor