

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, January 10, 1991, 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, January 10, 1991, 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:** Councilwoman Betty Ray.
3. **Approval of Minutes:** Pre-Council Session and Regular City Council Meeting held December 20, 1990.

4. **Awards:**

Employee Service Awards

35 Years	Lloyd W. Skiles	Lieutenant Police Department
25 Years	James R. Grant	Superintendent Communications Services
20 Years	Carlene Edmondson	Executive Secretary Legal Division
20 Years	Floyd W. Jones	Senior Custodian Airport
20 Years	Billy W. Adams	Route Supervisor Refuse Division

Employee of the Month Award

Results of Lights of Abilene Contest

Certificates of Appreciation Honoring Abilene High Cheerleaders

5. **Proclamations**

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.

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6. **Ordinances and Resolutions:**
- a. Consider on second and final 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.
 - b. Consider on second and final reading - An Ordinance amending Chapter 18, "Motor Vehicles and Traffic", Sections 18-289.1, 18-293, and 18-299 of the Abilene Municipal Code.
 - c. Consider on second and final 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.
 - d. Consider on first reading - An Ordinance amending Chapter 8, "Construction Regulations" to amend the 1990 Electrical Code, and set a public hearing for January 24, 1991 at 9:00 a.m.
 - e. Oral Resolution authorizing City Manager to execute contract of sale for Ivie Reservoir Right of Way acquisition.
 - f. Resolution approving a lease agreement with the Abilene Preservation League for the use of the Elk's Lodge building.
 - g. Consider on first reading - An Ordinance for Thoroughfare Closure - TC-00191 - Request from Rodger Dean Ferrell for thoroughfare abandonment located in the 200 block of Ruidosa Avenue, and set a public hearing for January 24, 1991 at 9:00 a.m.
 - h. Consider on first reading - An Ordinance amending Chapter 23, "Planning and Community Development" of the Abilene Municipal Code concerning allowing College-Universities in SC (Shopping Center) zoning districts, and set a public hearing for January 24, 1991 at 9:00 a.m.
 - i. Resolution ordering City Council Election for Places 1 and 2, to be set for May 4, 1991.

REGULAR AGENDA

7. **Ordinances & Resolutions:**
- a. Presentation of status report from Entryway Study Advisory Committee, and Oral Resolution approving goal, objectives, and policies.
 - b. Street Use License request from Sears Memorial Methodist Center located on S. 32nd St. and S. Willis St.

8. **Other Business:**
- a. Discussion and possible action regarding Santa Monica Drive drainage situation.
 - 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.

ADJOURN

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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. Randy Pedroza v. Edward Michael Hobbs & Dr. Fox
3. James Hudson & ABC Airlines v. City
4. Bechtel, et al v. City
5. Allied Steel v. City and Meals on Wheels
6. City Water Permit Applications
7. City of Abilene v. Riley
8. Don Hobbs v. City
9. Christine Kunschik v. City et al
10. Rodgers v. City
11. Parker v. City
12. General Electric Co. v. City
13. Michael Morris & Webster v. City
14. Pam Martin for Patricia Martin v. City and General Beverage
15. Lone Star Gas Gate Rate
16. Fountain v. City & Board of Building Standards
17. Southwestern Bell Rate Case
18. West Texas Utilities Rate Case
19. Midwestern Life v. Westchester Financial, Catclaw & City of Abilene
20. James Richardson v City of Abilene, Jim Blagg & Dwayne Har-
gesheimer
21. Shelton v. City of Abilene
22. G. C. Lockley, Jr., et al v. City of Abilene

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 10/05/90

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**PRE-COUNCIL WORK SESSION, THURSDAY
January 10, 1991, 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 January 10, 1991, 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, and Councilwoman Liz Herrera. Also present were Assistant City Manager Roy L. McDaniel, City Attorney Harvey Cargill, Jr., City Secretary Jo Moore, Assistant to the City Manager Debra Guerra, and various members of the City staff. Councilman Jimmy McNeil and City Manager Jim C. Blagg were absent.

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

**REGULAR CITY COUNCIL MEETING
January 10, 1991, 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 January 10, 1991, at 9:00 a.m. in the City Council Chambers of City Hall.

Invocation was given by Councilwoman Betty Ray.

There being no corrections, additions, or deletions to the minutes of the Pre-Council Session and Regular City Council Meeting held December 20, 1990, Councilman Vasquez moved to approve the minutes. The motion was seconded by Councilman Grable and the motion carried.

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

NAYS: None.

Mayor McCaleb presented Employee Service Awards to the following individuals for their years of service:

35 Years	Lloyd W. Skiles	Lieutenant Police Department
25 Years	James R. Grant	Superintendent Communications Services
20 Years	Carlene Edmondson	Executive Secretary Legal Division
20 Years	Floyd W. Jones	Senior Custodian Airport
20 Years	BITTY W. Adams	Route Supervisor Refuse Division

Debra Guerra, Assistant to the City Manager, assisted Mayor McCaleb in the presentation of the January Employee of the Month Award to Linda Smith, Executive Secretary in the Finance Department.

City Secretary Jo Moore assisted Mayor McCaleb in the presentation Certificates to the winners in the Lights of Abilene Contest and the Abilene High School Cheerleaders for placing third in the nation in competition.

Councilman Terry moved to approve consent agenda items 6e, 6f, and 6i; approval of first reading of consent agenda items 6d, 6g, and 6h; and approval of second and final reading of consent agenda items 6a through 6c as recommended by the staff. The motion was seconded by Councilwoman Herrera and the motion carried.

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

NAYS: None.

6. Ordinances and Resolutions:

a. Approval of second and final 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.

The Ordinance is numbered 1-1991 and is captioned as follows:

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.

b. Approval of second and final reading - An Ordinance amending Chapter 18, "Motor Vehicles and Traffic", Sections 18-289.1, 18-293, and 18-299 of the Abilene Municipal Code.

The Ordinance is numbered 2-1991 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.

c. Approval of second and final 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.

The Ordinance is numbered 3-1991 and is captioned as follows:

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

- d. Approval of first reading - An Ordinance amending Chapter 8, "Construction Regulations" to amend the 1990 Electrical Code, and set a public hearing for January 24, 1991 at 9:00 a.m.
- 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.
- e. Oral Resolution authorizing City Manager to execute contract of sale for Ivie Reservoir Right of Way acquisition; and authorize payment of \$115,000 for fee title purchase of available right of way.
- f. Oral Resolution approving a lease agreement with the Abilene Preservation League for the use of the Elk's Lodge building.
- g. Approval of first reading - An Ordinance for Thoroughfare Closure - TC-00191 - Request from Rodger Dean Ferrell for thoroughfare abandonment located in the 200 block of Ruidosa Avenue, and set a public hearing for January 24, 1991 at 9:00 a.m.
- AN ORDINANCE PROVIDING FOR THE ABANDONMENT OF A PORTION OF PUBLIC RIGHT OF WAY; PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH ABANDONMENT, AND CALLING A PUBLIC HEARING.
- h. Approval of first reading - An Ordinance amending Chapter 23, "Planning and Community Development" of the Abilene Municipal Code concerning allowing College-Universities in SC (Shopping Center) zoning districts, and set a public hearing for January 24, 1991 at 9:00 a.m.
- AN ORDINANCE AMENDING CHAPTER 23, "PLANNING AND COMMUNITY DEVELOPMENT," SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS, AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY, AND CALLING A PUBLIC HEARING.
- i. Resolution ordering City Council Election for Places 1 and 2, to be set for May 4, 1991.
- The Resolution is numbered 1-1991 and is captioned as follows:
- A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, ORDERING AN ELECTION TO BE HELD IN SAID CITY ON MAY 4, 1991; PROVIDING FOR THE ELECTION OF PERSONS TO SERVE IN PLACES 1 AND 2 ON THE CITY COUNCIL OF THE CITY OF ABILENE; PROVIDING METHOD OF APPLICATION FOR PLACEMENT OF CANDIDATE'S NAME ON BALLOT; PROVIDING A FILING DEADLINE FOR ALL CANDIDATES; AND PROVIDING FOR A PROCLAMATION NOTICE AND PUBLICATION OF NOTICE OF SAID ELECTIONS.

7. **Ordinances & Resolutions:**

a. Varsha Bhawe, Senior Planner, gave a presentation of the status report from the Entryway Study Advisory Committee; then introduced Jerry Love, member of the Committee, who outlined goals, objectives, and policies. Charles Barr, member of the Planning and Zoning Commission, stressed unanimous acceptance of the recommendations by the Commission. Gary Vest, Director of the Industrial Foundation and Barbara Walker, realtor, spoke in favor of the request.

Councilman Vasquez moved to accept the goals, objectives, and policies outlined in the status report of the Entryway Study Advisory Committee, as recommended. The motion was seconded by Councilwoman Ray and the motion carried.

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

NAYS: None.

b. James Condry, Assistant Director of Planning & Development Services for Public Works, briefed the Council on a Street Use License request from Sears Memorial Methodist Center located on S. 32nd St. and S. Willis St. Mr. Condry stated the the request has two parts and recommended Council make two separate motions.

The first request is for construction of a fire lane on the northwest right-of-way of South Willis Street. Staff recommends approval of this request, subject to the condition that the licensee constructs a curb or similar permanent type barrier on the street side of the fire lane to prevent encroachment of vehicles into the remaining strip of parkway.

The second request is for construction of head-in parking along the south right-of-way of S. 32nd Street. Staff recommends denial based on the potential safety hazard; however, if Council chooses to include the head in parking in the Street Use License, then staff recommends the following conditions: 1) The parking spaces are to be angled for entry from the west; 2) The maximum angle is to be 60 degrees. At that angle, the recessed area is to be at least 20 feet. If an angle of 45 degrees is used, then the recessed area must be at least 18.5 feet; 3) The ends of the recessed area are to be constructed at the angle of parking and the parking spaces are to be striped at that angle; 4) Construction of the recessed area is to include removal of existing curb and gutter and replacement with a new gutter section (instead of just breaking off the existing curb); curbing along the sides of the recessed area; paving of the recessed area; and construction of a sidewalk (four foot minimum width) around the perimeter of the parking area.

Keith Perry, Executive Director of Sears Memorial Methodist Center, distributed reduced site plan maps to the City Council. Mr. Perry explained some of the problems he faced with the staff alternative recommendations on the head-in parking requirements. Mr. Perry also stated that there are options he has not studied and would be glad to review these with staff.

Councilwoman Herrera moved to approve part one of the Street Use License request from Sears Memorial Methodist Center for construction of a fire lane on the northwest right-of-way of South Willis Street, subject to the condition that the licensee constructs a curb or similar permanent type barrier on the street side of the fire lane to prevent encroachment of vehicles into the remaining strip of parkway, as recommended by staff. The motion was seconded by Councilman Grable and the motion carried.

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

NAYS: None.

After some discussion, Councilwoman Herrera moved to table part two of the Street Use License request from Sears Memorial Methodist Center for construction of head-in parking along the south right-of-way of S. 32nd Street until the January 24, 1991 City Council meeting in order to allow staff and Sears personnel additional time to study other options. The motion was seconded by Councilman Vasquez and the motion carried.

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

NAYS: None.

8. Other Business:

a. Marva Pritchett, Director of Planning and Development Services, and James Condry, Assistant Director of Planning and Development Services for Public Works, briefed the Council on the Santa Monica Drive drainage situation, indicating that bond financing would be needed for major options and major engineering work to determine the benefits. Staff recommends construction of additional storm sewer capacity to provide some relief at a reasonable cost, which will not solve the local drainage problem, but will provide some relief for the residents during the smaller storms.

Residents of the area speaking on the matter were: Lewis Chase, 3450 Santa Monica; Paul Cline, 3468 Santa Monica; and David Morris, 3417 Santa Monica.

Councilwoman Ray moved to approve construction of additional storm sewer capacity as recommended by staff, subject to availability of easements. The motion was seconded by Councilwoman Herrera and the motion carried.


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

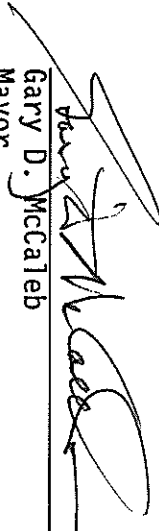
NAYS: None.

8.b. Mayor McCaleb 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 11:50 a.m.


Jo Moore
City Secretary


Gary D. McCaleb
Mayor