

- c. Consider on first reading - An Ordinance changing zoning district boundaries - Z-00591 - Request from Norman Lindley; agent D. H Miller to rezone from O (Office) to LC (Limited Commercial) district located in the 1700 block of S. Clack, and set a public hearing for April 25, 1991 at 9:00 a.m.
- d. Consider on first reading - An Ordinance amending Chapter 20, "Offenses", Article V, "Burglar Alarms", and set a public hearing for April 25, 1991 at 9:00 a.m.
- e. Consider on second and final reading - An Ordinance amending Chapter 18, "Motor Vehicles and Traffic", Sections 18-285 and 18-293.
- f. Oral Resolution authorizing City Manager to execute contract with Texas Historical Commission to participate in Texas Main Street Project.

7. Award of Bid:

- a. Asphalt for Street Services Division, Bid #CB1034.
- b. Prison Lift Station, Bid #CB1033.
- c. Lake Kirby Park Irrigation, Bid #CB1037.
- d. Fencing for Lake Kirby Park Project, Bid #CB1036.

REGULAR AGENDA

8. Ordinances & Resolutions:

- a. Consider on second and final reading - An Ordinance amending Chapter 8, "Construction Regulations", Article V, "Advisory Boards", Division 3, and Chapter 29.5, "Swimming Pools and Spas," Article II, Sec. 29.5-11, "Board of Appeals" to establish a new advisory board.

9. 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 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. Bechtel, et al v. City
3. Michael Morris & Rawleigh Webster v. City
4. Pam Martin et al v. City and General Beverage
5. City v. Leo & Shirley Riley
6. Allan Fountain v. City
7. Brenda Parker v. City
8. James Richardson v City
9. G. C. Lockley, Jr., et al v. City of Abilene
10. Randy Villa Pedroza v. Edward Michael Hobbs & Dr. Fox
11. Midwestern Life Insurance v Westchester Financial, Catclaw & City
12. I11a Roberts v. City
13. Dahlia Hawley v. City
28. Leonard Glenn Taylor v. City
15. DeHoyos v. City
16. Thines v. City
17. City Water Permit Applications
18. Lone Star Gas Gate Rate
19. Southwestern Bell Rate Case
20. West Texas Utilities Rate Case
21. Aoki v. City
22. Burns v. City

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 2/22/91

PRE-COUNCIL WORK SESSION, THURSDAY
April 11, 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 April 11, 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 City Manager Jim C. Blagg, 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 was absent.

James Condry, Assistant Director of Planning and Development Services for Public Works, previewed with the Council the Catclaw Creek at River Oaks beautification project. The Council briefly discussed various consent and regular agenda items, and there being no further discussion, the meeting was recessed to the City Council Chambers until 9:00 a.m. for the regular Council Meeting.

REGULAR CITY COUNCIL MEETING
April 11, 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 April 11, 1991, at 9:00 a.m. in the City Council Chambers of City Hall.

Mayor McCaleb welcomed the third grade students and student Mayors in attendance from College Heights Elementary School.

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 March 28, 1991, Councilwoman Ray 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, Councilwoman Herrera, and Mayor McCaleb.

NAYS: None.

Mayor McCaleb invited the student mayors to join him in presenting Certificates of Appreciation to their individual teachers as follows: Vivica Rodriguez presented a certificate to Mrs. Garza; Daniel Arispe to Mrs. Fleming; Cameron Almandarez to Mrs. Mahaffey; Ezelle Murray to Mr. Johnson; Vinicia Fuller to Mrs. Rawlins; and Veronica Flores to Miss Wooten.

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

35 Years	Curtis F. Caffey	Construction Inspector
		Engineering Division

00051

25 Years	Samuel L. Kay	Fire Medic
		Fire Department
25 Years	Spencer H. Taylor	Fire Lieutenant
		Fire Department

Debra Guerra, Assistant to the City Manager, assisted Mayor McCaleb in the presentation of the April Employee of the Month Award to Kathy Cheatham, Special Programs Supervisor for the Health Department.

Robby Neill, Risk Manager, assisted Mayor McCaleb in the presentation of two safety awards; one to the Equipment Services Division and the other to Flood Control Division.

Mayor McCaleb presented proclamations as follows:

April 21-27, Professional Secretaries Week; received by Jo An Sczech, Certified Professional Secretary employed in the Planning Department, on behalf of all secretaries employed by the City as well as all secretaries in the City of Abilene.

The month of April as Occupational Therapy Career Month.

Item 6d, Ordinance amendment regarding burglar alarms, was removed from the consent agenda to be considered separately at the request of Mr. Bob Harkness of Thorne Electronics.

Councilman Terry moved to approve consent agenda item 6f, and 7a through 7d, approval of first reading agenda items 6a through 6c; and approval of second and final reading agenda item 6e as recommended by the 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.

ABSTAIN: Councilman Vasquez on item 6a only.

Following Mr. Harkness' comments, Councilman Grable moved to approve on first reading item 6d, Ordinance amending Chapter 20, "Offenses", Article V, "Burglar Alarms", and set a public hearing for April 25, 1991 at 9:00 a.m. as recommended by 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.

AN ORDINANCE AMENDING CHAPTER 20, "OFFENSES", OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

6. Ordinances and Resolutions:

- a. Approval of first reading subject to conditions proposed by the Plat Review Committee - An Ordinance for thoroughfare abandonment - **TC-00791** - Request from Hendrick Medical Center; agent, Gary Pullin, for a thoroughfare abandonment located at North 21st Street from Hickory Street to the right of way line between Hickory and Cedar Streets, and set a public hearing for April 25, 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.

- b. Approval of first reading - An Ordinance for thoroughfare abandonment - TC-00691 - Request from Joe Canada for a thoroughfare abandonment located at China Street, north of S. 11th Street, and set a public hearing for April 25, 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.

- c. Approval of first reading - An Ordinance changing zoning district boundaries - Z-00591 - Request from Norman Lindley; agent D. H Miller to rezone from O (office) to LC (Limited Commercial) district located in the 1700 block of S. Clack, and set a public hearing for April 25, 1991 at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 23, "PLANNING AND COMMUNITY DEVELOPMENT," SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, BY CHANGING ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES, AS DESCRIBED BELOW; DECLARING A PENALTY, AND CALLING A PUBLIC HEARING.

- d. Removed from consent agenda to be considered separately.
- e. Approval of second and final reading - An Ordinance amending Chapter 18, "Motor Vehicles and Traffic", Sections 18-285 and 18-293.

The Ordinance is numbered 12-1991 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.

- f. Oral Resolution authorizing City Manager to execute contract with Texas Historical Commission to participate in Texas Main Street Project.

7.

Award of Bid:

- a. Asphalt for Street Services Division, Bid #CB1034. The bid was awarded as follows: AC-5 Asphalt, AC-10 Asphalt, MC-30 Asphalt, MS-2 Emulsified Asphalt to Fina Oil and Chemicals; Rock Asphalt, Hot Mix Asphalt, and Crushed Limestone to Vulcan Materials; Sack Cement to Payless Cashways; Ready-Mix Concrete to Morris Ready Mix; and Chip Seal Stone to R. E. Janes Gravel; all as recommended by staff.

- b. Prison Lift Station, Bid #CB1033. The bid was awarded by Oral Resolution to E. P. Brady, Inc. of Houston in the amount of \$308,659.75 as the most advantageous for the City, and the City Manager was authorized to execute a contract on behalf of the City of Abilene; as recommended by staff.

- c. Lake Kirby Park Irrigation, Bid #CB1037. The bid was awarded to Big Country Irrigation in the amount of \$12,750.00, as recommended by staff.
- d. Fencing for Lake Kirby Park Project, Bid #CB1036. The bid was awarded to Frontier Fence Company, the low bidder in the amount of \$12,054.00 as recommended by staff.

8. Ordinances & Resolutions:

- a. Cassie Hughes, Housing & Inspection Services Administrator, briefed the Council on an Ordinance considered on second and final reading amending Chapter 8, "Construction Regulations", Article V, "Advisory Boards", Division 3, and Chapter 29.5, "Swimming Pools and Spas," Article II, Sec. 29.5-11, "Board of Appeals" to establish a new advisory board.

Mayor McCaleb opened a public hearing on the item, and there being one present and desiring to be heard, the public hearing was closed.

Councilman Vasquez moved to approve the ordinance amending Chapter 8, "Construction Regulations", Article V, "Advisory Boards", Division 3, and Chapter 29.5, "Swimming Pools and Spas," Article II, Sec. 29.5-11, "Board of Appeals" to establish a new advisory board, as recommended by staff. The motion was seconded by Councilwoman Ray and the motion carried.

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

The Ordinance is numbered 13-1991 and is captioned as follows:

AN ORDINANCE AMENDING CHAPTER 8, "CONSTRUCTION REGULATIONS," ARTICLE V, "ADVISORY BOARDS," DIVISION 3, AND CHAPTER 29.5, "SWIMMING POOLS AND SPAS," ARTICLE II, SEC. 29.5-11, "BOARD OF APPEALS" OF THE ABILENE MUNICIPAL CODE AS SET OUT BELOW:

- 9. 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.

Councilwoman Ray moved to appoint the following individuals to the Mechanical, Plumbing, Electrical and Swimming Pool Board of Appeals: Richard Rogers, James Bardin, Tom Willis, Earle McMillan, David Ratliff (Alternate), Bobby Bunch (Alternate), Jerry Johnson (Alternate), and David Haile (Alternate), 2 year terms; and, Charles Clark, Mike Hudman, Tom Hawkins, Grady Cozby (Alternate), Loyd Turner (Alternate), and Dennis Watson (Alternate), 3 year terms. Also appointed to the Electrical Subcommittee were Steve Letz, Paul Moore and Joe Rounsaville, 3 year terms; and Terry Bunkley and Tim Williams, 2 year terms. 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.

There being no further business, the meeting was adjourned at 10:50 a.m.


Jo Moore
City Secretary


Gary D. McCalieb
Mayor