

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, April 25, 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, April 25, 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:** Councilman Jack Grable.
3. **Approval of Minutes:** Pre-Council Session and Regular City Council Meeting held April 11, 1991.
4. **Proclamations**
5. **Awards:**
Special Recognition - Abilene Clean & Proud

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 Councilmember or citizen requests, in which event the item will be removed from the general order of business and considered in its normal sequence.

6. **Award of Bid:**
 - a. Digital Computer Hardware for Information Services Division, RFP #CB1041.
 - b. Platform Dumptrucks for Street Services Division, Bid #CB1040.
 - c. Paratransit Vans for Abilene Transit, CB071.

REGULAR AGENDA

7. **Ordinances & Resolutions:**
 - a. **Public Hearing:** Consider on second and final reading - 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.
 - b. **Public Hearing:** Consider on second and final 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.

- c. **Public Hearing:** Consider on second and final 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.
 - d. **Public Hearing:** Consider on second and final reading - An Ordinance amending Chapter 20, "Offenses", Article V, "Burglar Alarms".
 - e. Resolution creating the City of Abilene Youth Advisory Council.
- 8. 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

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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. 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. Irla Roberts v. City
13. Dahlia Hawley v. City
28. Leonard Glenn Taylor v. City
15. Delloyos v. City
16. Thimmos 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

00058

PRE-COUNCIL WORK SESSION, THURSDAY
April 25, 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 25, 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, Jimmy McNeil, and Councilwoman Liz Herrera. Also present were City Manager Jim C. Biagy, 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. Councilman Bill Terry was absent.

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
April 25, 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 25, 1991, at 9:00 a.m. in the Council Chambers of City Hall.

Invocation was given by Councilman Jack Grable.

There being no corrections, additions, or deletions to the minutes of the Pre-Council Session and Regular City Council Meeting held April 11, 1991, Councilwoman Ray moved to approve the minutes as printed. The motion was seconded by Councilman McNeil and the motion carried.

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

NAYS: None.

Mayor McCaleb presented the following proclamations:

May as Better Speech and Hearing Month,
May 2, 1991 as Special Education Day;
April 21-27 as National Volunteer Week; and
April 21-27 as National Boys and Girls Club Week.

Micki Wright, Chairman of Abilene Clean and Proud, assisted Mayor McCaleb in presenting Special Recognition certificates as follows:

Recycling efforts - Abilene Independent School District
Litter Control - Texas Instruments
Beautification and Landscaping - Skinny's #66

Councilman Vasquez moved to approve consent agenda items 6a through 6c, as recommended by the staff. The motion was seconded by Councilman Grable and the motion carried.

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

NAYS: None.

6. Award of Bid:
- a. Digital Computer Hardware for Information Services Division, RFP #CB1041. The request for proposal was awarded to Midwest Systems Inc., the low responder, in the amount of \$33,400.00 as recommended by staff.
 - b. Platform Dumptrucks for Street Services Division, Bid #CB1040. The bid was awarded to R. L. Anderson International, the low responsible bidder, in the amount of \$79,081.02 as recommended by staff.
 - c. Two (2) Paratransit Vans for Abilene Transit, CB071. The bid was awarded to the lowest responsible bidder, Lasseter Bus Company, at \$51,895.00 each as recommended by staff.

7. Ordinances and Resolutions:

- a. Mindy Manson, Senior Planner, briefed the Council on an Ordinance considered on second and final reading for thoroughfare abandonment from Hendrick Medical Center located at North 21st Street from Hickory Street to the right of way line between Hickory and Cedar Streets. The Plat Review Committee, Planning and Zoning Commission and staff recommend approval subject to retention of utility and drainage easements and a turn-around to alleviate the creation of a dead-end street.

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

. Gary Pullin, proponent.

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

Councilman Grable moved to approve the ordinance for thoroughfare abandonment from Hendrick Medical Center located at North 21st Street from Hickory Street to the right of way line between Hickory and Cedar Streets with proposed conditions as recommended by staff. The motion was seconded by Councilwoman Herrera and the motion carried.

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

Nays: None.

Abstain: Councilman Vasquez, due to his employment with Hendrick.

The Ordinance is numbered 14-1991 and is captioned as follows:

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. Mindy Manson, Senior Planner, briefed the Council on an Ordinance considered on second and final reading for thoroughfare abandonment - TC-00691 - Request from Joe Canada for a thoroughfare abandonment located at China Street, north of S. 11th Street. The Plat Review Committee, Planning and Zoning Commission and staff recommend approval.

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

. Joe Canada, proponent.

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

Councilman Vasquez moved to approve the Ordinance for a thoroughfare abandonment located at China Street, north of S. 11th Street. The motion was seconded by Councilwoman Herrera and the motion carried.

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

The Ordinance is numbered 15-1991 and is captioned as follows:

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. Mindy Manson, Senior Planner, briefed the Council on an Ordinance considered on second and final reading 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. The Planning and Zoning Commission and staff recommend approval.

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

. Norman Lindley, proponent.

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

Councilwoman Ray moved to approve the Ordinance to rezone from Office to Limited Commercial District located in the 1700 block of S. Clack as recommended by staff. The motion was seconded by Councilwoman Herrera and the motion carried.

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

The Ordinance is numbered 16-1991 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.

d. Ron Harris, Deputy Police Chief, briefed the Council on an Ordinance considered on second and final reading amending Chapter 20, "Offenses", Article V, "Burglar Alarms". Councilwoman Ray submitted and read to the Council an alternate provision for permit renewal fee Section 20-71, Permit Application; Issuance.

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

Bob Harkness, Thorne Electronics, commended the City Council on the alternate provision and stated his restored confidence in the Council.

An unidentified man questioned the number of permits required per building.

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

Councilwoman Ray moved to approve the Ordinance concerning burglar alarms including the alternate provision for permit renewal fee in Section 20-71, Permit Application, Issuance. The motion was seconded by Councilman McNeil and the motion carried.

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

The Ordinance is numbered 17-1991 and is captioned as follows:

AN ORDINANCE AMENDING CHAPTER 20, ARTICLE V, "BURGLAR ALARMS," BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; CLARIFYING DEFINITIONS; PROVIDING FOR YEARLY PERMIT RENEWAL AND FEE; AND CLARIFYING FALSE ALARM STANDARDS.

e. Debra Guerra, Assistant to the City Manager, briefed the Council on a Resolution creating the City of Abilene Youth Advisory Council and noted changes to the Bylaws. Ms. Guerra introduced Earnest Merritt of Leadership Abilene, and Joel Loya, At-Risk Coordinator for the Abilene Independent School District. Mr. Merritt and Mr. Loya spoke briefly to the City Council on the merits of the Youth Advisory Council.

Councilwoman Herrera moved to approve the Resolution creating the City of Abilene Youth Advisory Council and the Bylaws with noted changes, as recommended by staff. The motion was seconded by Councilman McNeil and the motion carried.

The Resolution is numbered 10-1991 and is captioned as follows:

A RESOLUTION PROVIDING FOR THE CREATION OF THE CITY OF ABILENE ADVISORY YOUTH COUNCIL OF ABILENE, TEXAS.

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.


8. Other Business:

Councilman Vasquez moved to appoint Bill Minter to fill an unexpired position on the Library Board, with a term expiring 11/92. The motion was seconded by Councilman Grable and the motion carried.

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

There being no further business, the meeting was adjourned at 10:37 a.m.


Jo Mobre
City Secretary


Gary D. McCaleb
Mayor