

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, March 26, 1992, at 8:30 a.m. to consider the following:

1. Update on Quality Service Program.
2. 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, March 26, 1992, 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 March 12, 1992.
4. Proclamations

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.

5. Ordinances and Resolutions:
 - a. Oral Resolution allowing employees to participate in the United States Conference of Mayors deferred compensation program.
 - b. Consider street use license request from First Christian Church, First Central Presbyterian Church, First Baptist Church, and St. Paul United Methodist Church for a "Holy Week Journey" event.
 - c. Resolution authorizing sanitary sewer waiver request for Lot 1, Block A, O'Dell Subdivision.
 - d. Resolution appointing Election Officials for May 2, 1992 Joint General Election, and fixing their rate of compensation.
 - e. Oral Resolution approving Abilene Reinvestment Zone #1 funding of Day Nursery of Abilene for public improvement at Cedar and North 6th Streets.
 - f. Consider on first reading - An Ordinance amending the Abilene Municipal Code concerning parking prohibited at all times, and set a public hearing for April 9, 1992 at 9:00 a.m.
6. Award of Bid:
 - a. Securement of Windsor Hotel building, 401 Pine.

REGULAR AGENDA

7. Ordinances and Resolutions:

- a. Oral Resolution authorizing Mayor to enter into an agreement with Abilene Motor Sports, Inc. to conduct a spectator event in conjunction with the Sports Car Club of America auto races at the Abilene Regional Airport on April 10-12, 1992.
- b. **Public Hearing: Consider on second and final reading** - An Ordinance changing zoning district boundaries - **Z-00392** - Request from Furr's Properties, Inc.; agent, Bob J. Surovik, to amend a PDD (Planned Development) district ordinance to allow the retail sale of gasoline (with and including automobile services) located at S. 27th St. & Buffalo Gap Road.
- c. **Public Hearing: Consider on second and final reading** - An Ordinance changing zoning district boundaries - **Z-00992** - Request from I. S. Gathright; agent, Eddie Chase, to rezone from RM-2 (Residential Multi-Family) to O (Office) district located in the 3200 block of Curry Lane.
- d. **Public Hearing: Consider on second and final reading** - An Ordinance adopting the 1991 Uniform Building Code with amendments.

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.

Strategic Management Workshop 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, March 26, 1992, immediately following the Regular City Council meeting.

1. Receive draft of City of Abilene Strategic Management Plan and briefing on departmental issues.

ADJOURN

NOTICE

Persons with disabilities who would like special assistance or need special accommodations to participate in this meeting should contact Jo Moore, City Secretary, 676-6202 at least forty-eight (48) hours in advance of this meeting. Telecommunication device for the deaf is 676-6568.

CERTIFICATE

I hereby certify that the above notice of meeting was posted on the bulletin board at the City Hall of the City of Abilene, Texas, on the 20 day of March, 1992, at 5:00 (a.m./p.m.)


CITY SECRETARY

00043

(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. Bechtel, et al v. City
2. City v. Leo & Shirley Riley
3. James Richardson v. City
4. Pam Martin et al v. City and General Beverage
5. Thinnes v. City
6. DeHoyos v. City
7. Lois Woods v. City & Charles Wayne Parker
8. Randy Villa Pedroza v. Edward Michael Hobbs & Dr. Fox
9. Kenneth Brown v. City
10. Pamela Susan Combs v. Dillard's & Mall of Abilene & City
11. Kim Maynard v. City & Charles Kimbel Vickers
12. Leroy Hammond v. City
13. Ybarra v. City & Midnight Rodeo & Gannaway
14. E. E. Whitworth, d/b/a WBS v. City
15. Heritage Parks Community Association v. City & taxing entities
16. Allied Steel v. City, et al
17. Creel v. City
18. City Water Permit Applications
19. Lone Star Gas Gate Rate
20. Southwestern Bell Rate Case
21. 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 11/11/91

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**PRE-COUNCIL WORK SESSION, THURSDAY
March 26, 1992, 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 March 26, 1992, 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.

Linda Simpson, Assistant to the Director of Water Utilities, gave an update on the Quality Service Program. 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
March 26, 1992, 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 March 26, 1992, at 9:00 a.m. in the Council Chambers of City Hall.

Mayor McCaleb recognized the Eula fifth grade class and introduced those students serving as honorary council members.

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 March 12, 1992, 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, McNeil, Councilwoman Herrera, and Mayor McCaleb.

NAYS: None.

Mayor McCaleb thanked the fifth grade class from Eula for attending the Council meeting; then presented the following proclamations:

April as Alcohol Awareness month;
March 30, 1992 as Doctors' Day; and
April as Child Abuse Prevention Month.

Mayor McCaleb commented on the importance of recognizing the contributions made by all our citizens; and presented Certificates of Appreciation to library volunteers.

Councilman Terry moved to approve consent agenda items 5a through 5e, and 6a as recommended by the staff; and approval of first reading of consent agenda item 5f. 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.

5. Ordinances and Resolutions:

- a. Oral Resolution authorizing the City Manager to sign the contract which would allow the City to offer payroll deduction for the United States Conference of Mayors deferred compensation plan.
- b. Approval of street use license request from First Christian Church, First Central Presbyterian Church, First Baptist Church, and St. Paul United Methodist Church for a "Holy Week Journey" event.
- c. Resolution authorizing sanitary sewer waiver request for Lot 1, Block A, O'Dell Subdivision.

The Resolution is numbered 17-1992 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS WAIVING SEWER IMPROVEMENTS REQUIRED BY THE SUBDIVISION ORDINANCE FOR LOT 1, BLOCK A, O'DELL SUBDIVISION, ABILENE, TAYLOR COUNTY, TEXAS, LOCATED ON FM 707 IN ABILENE, TAYLOR COUNTY, TEXAS.

- d. Resolution appointing Election Officials for May 2, 1992 Joint General Election, and fixing their rate of compensation.

The Resolution is numbered 18-1992 and is captioned as follows:

A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AND THE BOARD OF TRUSTEES, ABILENE INDEPENDENT SCHOOL DISTRICT; APPOINTING VARIOUS ELECTION OFFICIALS FOR THE JOINT CITY/SCHOOL ELECTION FOR THE MAY 7 AND MAY 30, 1992 ELECTIONS.

- e. Oral Resolution approving Abilene Reinvestment Zone #1 funding of Day Nursery of Abilene for public improvement at Cedar and North 6th Streets in the amount of \$51,000.00.
- f. Approval of first reading - An Ordinance amending the Abilene Municipal Code concerning parking prohibited at all times, and set a public hearing for April 9, 1992 at 9:00 a.m.

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.

6. Award of Bid:

- a. Securement of Windsor Hotel building, 401 Pine. The bid was awarded to Edge-Gemco, the low bidder, in the amount of \$12,400.00 as recommended by staff.

7. Ordinances and Resolutions:

- a. James Condry, Assistant Director of Planning and Development for Public Works, presented to the Council an Oral Resolution authorizing the Mayor to enter into an agreement with Abilene Motor Sports, Inc. to conduct a spectator event in conjunction with the Sports Car Club of America auto races at the Abilene Regional Airport on April 10-12, 1992. Mr. Condry introduced Mike Dohrse, chairman, and Paul Lenker, member of the Airport Development Board. Mr. Dohrse and Mr. Lenker encouraged the City Council to approve the request.

Councilman Grable moved to approve by Oral Resolution an agreement with Abilene Motor Sports, Inc. to conduct a spectator event in conjunction with the Sports Car Club of America auto races at the Abilene Regional Airport on April 10-12, 1992, as recommended by staff. The motion was seconded by Councilman Vasquez and the motion carried.

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

Nays: None.

ABSTAIN: Councilman Terry.

- b. Mindy Manson, Acting Assistant Director of Planning and Development Services for Planning, briefed the Council on an Ordinance considered on second and final reading changing zoning district boundaries - Z-00392 - Request from Furr's Properties, Inc.; agent, Bob J. Surovik, to amend a PDD (Planned Development) district ordinance to allow the retail sale of gasoline (with and including automobile services) located at S. 27th St. & Buffalo Gap Road. The Planning and Zoning Commission and staff recommend denial.

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

FOR:

- . Bob Surovik, agent for the proponent, stated it would be an opportunity to develop the area and would provide more tax base. In 1989, a change was made which permitted an auto service center. The results would be additional development.
- . Gary Vest, 3625 Brookhollow; good commercial location, would allow for an increase in jobs and a tax roll increase.

AGAINST:

- . Hank McMann, 2333 S. 27th, stated there are already traffic problems, should be left the way it was planned.
- . Charles Price, 2341 S. 27th, stated there are currently at least 10 retail businesses in the area and mentioned the traffic problems.

- . Marie Barnett, corner of S. 27th & Ross, stated it should be left the way it was zoned.
- . Rusty Beard, 1901 River Oaks Rd., represents some land owners in the area. 75-89% oppose change and feel it is a breach of trust, Furr's is just attempting to liquidate their property, and there is no guarantee the tax base will increase.
- . Martin Pryor, stated there is a moral obligation to leave the property as originally zoned.

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

Following a brief discussion, Councilman Vasquez moved to deny the Ordinance changing zoning district boundaries to amend a Planned Development district ordinance to allow the retail sale of gasoline (with and including automobile services) located at S. 27th St. & Buffalo Gap Road, as recommended. The motion was seconded by Councilwoman Ray and the motion carried.

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

Nays: None.

The request was DENIED.

c. Mindy Manson, Acting Assistant Director of Planning and Development Services for Planning, briefed the Council on an Ordinance considered on second and final reading changing zoning district boundaries - Z-00992 - Request from I. S. Gathright; agent, Eddie Chase, to rezone from RM-2 (Residential Multi-Family) to O (Office) district located in the 3200 block of Curry Lane. The Planning and Zoning Commission and staff recommend approval.

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 Terry moved to approve the Ordinance changing zoning district boundaries to rezone from Residential Multi-Family to Office district located in the 3200 block of Curry Lane, as recommended. The motion was seconded by Councilman McNeil and the motion carried.

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

Nays: None.

The Ordinance is numbered 9-1992 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.

Mayor McCaleb left the meeting at 10:50; Councilman McNeil filled in as Mayor Pro Tempore until the Mayor's return at 11:00 a.m.

d. Bob Fowler, Building Official, briefed the Council on an Ordinance considered on second and final reading adopting the 1991 Uniform Building Code with amendments.

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

AGAINST:

- . Lois Stewart, inquired as to whether this included a second barrier, stated statistics, and asked for at least further study.

Mr. Fowler responded to Mrs. Stewart's question, stating that appendage chapters usually are not needed in all cities and since they have not been tried before, it is unsure if the second barrier requirements would provide the expected protection. The City's review committee on a split vote recommended not to include it. The Board of Building Standards held a public hearing and no additional information was supplied, therefore the Board unanimously approved it as submitted to the City Council.

- . Jerry Horton, Southwest Pool, fully supports protecting children, but barriers do not insure protection.

.FOR:

- . Marlene Preston, 2510 Crestline, questioned if chain fencing and alarms are both required.

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

Following discussion among the Council and staff, Councilwoman Herrera moved to approve the adoption of the 1991 Uniform Building Code with amendments, as recommended; and for staff to continue study on the barriers for swimming pools, spas and hot tubs for future Council consideration. 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.

The Ordinance is numbered 10-1992 and is captioned as follows:

AN ORDINANCE AMENDING CHAPTER 8, "CONSTRUCTION REGULATIONS," ARTICLE VI, "UNIFORM CODES AND OTHER REGULATIONS," DIVISION 2, "BUILDING CODE," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

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.

Councilwoman Ray left after executive session.

Following the executive session, Mayor McCaleb recessed the Council to the basement conference room for a Strategic Management Workshop to receive a draft of the City of Abilene Strategic Management Plan and briefings on departmental issues. Upon convening in the Strategic Management Workshop, the Mayor reported no action was taken in executive session.

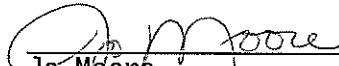
City Manager Jim Blagg gave a brief overview of the City's Strategic Plan and then explained that the directors would be presenting goals and objectives for their departments.

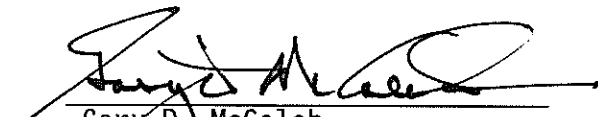
Departmental goals and objectives were presented as follows:

Financial "Snapshot"	David Wright
Administrative Services	Pam Collins
Finance	David Wright
Planning and Development	Marva Pritchett
Community Services	Mike Hall
Fire	Chief Dee Edwards
Police	Chief Dwain Pyburn
Water	Dwayne Hargesheimer
Economic Development	Mike Morrison
General Government/Summary	Jim C. Blagg

No action was taken.

There being no further business, the meeting was adjourned at 1:45 p.m.


Jo Moore
City Secretary


Gary D. McCaleb
Mayor