

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 9, 1992, at 8:30 a.m. to consider the following:

1. Briefing on Local Stormwater Regulations.
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, April 9, 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:** Councilwoman Betty Ray.
3. **Approval of Minutes:** Pre-Council Session and Regular City Council Meeting held March 26, 1992.
4. **Awards:**  

<b>Employee Service Awards</b>		
25 Years	Gray Wooten, Jr.	Senior Parts/Warehouse Worker
		Equipment Services
25 Years	Garland R. Wade	Sergeant
		Police Department

  
**Employee of the Month Award**  
**Teen of the Month Award**
5. **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.

6. **Ordinances and Resolutions:**
  - a. Consider on first reading - Ordinance amending Chapter 18, "Motor Vehicles and Traffic" of the Abilene Municipal Code, Section 18-294, Parking Prohibited During Certain Hours.
  - b. Consider on first reading - Ordinance amending Chapter 9, "Courts", of the Abilene Municipal Code, Section 9-1, Purpose.
  - c. Consider on first reading - Ordinance changing zoning district boundaries - Z-00692 - Request from Herman Schaffer; agent, Bill Senter, to rezone from RM-3 (Residential Multi-Family) to SC (Shopping Center) district, in the 2900 block of S. 27th Street, and set a public hearing for April 23, 1992 at 9:00 a.m.
  - d. Consider on first reading - Ordinance changing zoning district boundaries - Z-01092 - Request from City of Abilene to rezone from LI (Light Industrial) to PDD (Planned Development) district, on U.S.

- Hwy. 83 West (West Hwy. 80), and set a public hearing for April 23, 1992 at 9:00 a.m.
- e. Consider on first reading - Ordinance changing zoning district boundaries - Z-01192 - Request from Jerry Marks to rezone from AO (Agricultural Open Space) to MH (Mobile Home) district on Shirley Rd. and set a public hearing for April 23, 1992 at 9:00 a.m.
  - f. Consider on first reading - Ordinance changing zoning district boundaries - Z-01392 - Request from The Salvation Army; agent, Major Dewey Alderson, to rezone from RS-6 (Residential Single Family) to RM-2 (Residential Multi-Family) district at 1701 Poplar, and set a public hearing for April 23, 1992 at 9:00 a.m.
  - g. Consider on first reading - Ordinance changing zoning district boundaries - Z-01492 - Request from Bob Kimbrough; agent, Eddie Chase, to rezone from AO (Agricultural Open Space) to GC (General Commercial) district on FM 707, 672' east of U. S. Hwy. 83/84, and set a public hearing for April 23, 1992 at 9:00 a.m.
  - h. Consider on first reading - Ordinance adopting 1991 Uniform Fire Code, and set a public hearing for April 23, 1992 at 9:00 a.m.
  - i. Resolution establishing CityLink ADA Advisory Board.
  - j. Oral Resolution authorizing City Manager to sign lease-purchase agreement on computer hardware upgrade.
7. **Award of Bid:**
- a. Water system improvements, Bid #CB2034.

#### REGULAR AGENDA

8. **Ordinances & Resolutions:**
- a. **Public Hearing:** Consider on second and final reading - An Ordinance amending Chapter 18, "Motor Vehicles and Traffic", of the Abilene Municipal Code concerning parking prohibited at all times.
  - b. **Bid Opening: 11:00 a.m.**  
Award of Bid; Consider ordinance authorizing the issuance of City of Abilene, Texas, Combination Tax and Revenue Certificates of Obligation, Series 1992, in the amount of \$870,000.
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.

#### 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 3 day of April, 1992, at 6:00 (a.m./p.m.)

  
CITY SECRETARY

(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

**PRE-COUNCIL WORK SESSION, THURSDAY  
April 9, 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 April 9, 1992, at 8:30 A.M. in the Basement Conference Room of City Hall. Mayor Pro Tempore Liz Herrera was present and presiding with Councilman Paul R. Vasquez, Councilwoman Betty Ray, Councilmen Jack Grable, Bill Terry, and Jimmy McNeil. 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. Mayor Gary D. McCaleb was absent.

Debra Guerra, Assistant to the City Manager, and James Condry, Assistant Director of Planning and Development Services for Public Works, previewed with the Council the Local Stormwater Regulations. The Council was informed that a committee will be formed to review the existing Ordinance. 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 9, 1992, 9:00 A.M.**

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

Mayor Pro Tempore Herrera reconvened the City Council of the City of Abilene, Texas, into Regular Session April 9, 1992, 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 March 26, 1992, the minutes were approved as printed.

Mayor Pro Tempore Herrera presented Employee Service Awards to the following individuals for their years of service:

25 Years	Gray Wooten, Jr.	Senior Parts/Warehouse Worker Equipment Services
25 Years	Garland R. Wade	Sergeant Police Department

Debra Guerra, Assistant to the City Manager, assisted Mayor Pro Tempore in the presentation of the April Employee of the Month Award to Paul Martinez, Custodian for the Civic Center.

Mayor Pro Tempore Herrera presented proclamations as follows:  
The month of April as Parliamentary Emphasis Month;  
The month of April as Keep America Beautiful Month;  
April 6 - 12 as Abilene Sunburn Grand Prix Week;  
April 6 - 12 as Altrusa International Week;  
April 12 - 18 as Abilene Neighborhood Improvement Week '92.

Councilman Terry moved to approve consent agenda item 6i, 6j and 7a, and approval of first reading agenda items 6a and 6b, and 6e through 6h. Items 6c and 6d were removed from the agenda. The motion was seconded by Councilman Grable and the motion carried.

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

NAYS: None.

**6. Ordinances and Resolutions:**

- a. Approval of first reading - Ordinance amending Chapter 18, "Motor Vehicles and Traffic" of the Abilene Municipal Code, Section 18-294, Parking Prohibited During Certain Hours.

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.

- b. Approval of first reading - Ordinance amending Chapter 9, "Courts", of the Abilene Municipal Code, Section 9-1, Purpose.

AN ORDINANCE AMENDING CHAPTER 9, "COURTS," OF THE ABILENE CITY CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE.

- c. Removed from Agenda.

- d. Removed from Agenda.

- e. Approval of first reading - An Ordinance changing zoning district boundaries - Z-01192 - Request from Jerry Marks to rezone from AO (Agricultural Open Space) to MH (Mobile Home) district on Shirley Rd. and set a public hearing for April 23, 1992 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.

- f. Approval of first reading - Ordinance changing zoning district boundaries - Z-01392 - Request from The Salvation Army; agent, Major Dewey Alderson, to rezone from RS-6 (Residential Single Family) to RM-2 (Residential Multi-Family) district at 1701 Poplar, and set a public hearing for April 23, 1992 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.

- g. Approval of first reading - Ordinance changing zoning district boundaries - Z-01492 - Request from Bob Kimbrough; agent, Eddie Chase, to rezone from AO (Agricultural Open Space) to GC (General Commercial) district on FM 707, 672' east of U. S. Hwy. 83/84, and set a public hearing for April 23, 1992 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.

- h. Approval of first reading - Ordinance adopting 1991 Uniform Fire Code, and set a public hearing for April 23, 1992 at 9:00 a.m.

AN ORDINANCE ADOPTING THE 1991 UNIFORM FIRE CODE INTO THE ABILENE MUNICIPAL CODE, BY AMENDING AND ADDING CERTAIN SECTIONS AS SET OUT BELOW; DELETING CERTAIN SECTIONS AS SET OUT BELOW; AND PROVIDING A SEVERABILITY CLAUSE.

- i. Resolution establishing CityLink ADA Advisory Board.

The Resolution is numbered 19-1992 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, ESTABLISHING A CITYLINK ADA ADVISORY BOARD.

- j. Oral Resolution authorizing City Manager to sign lease-purchase agreement with Digital Equipment Corp. to upgrade computer hardware.

7. **Award of Bid:**

- a. Water system improvements, Bid #CB2034. The bid was awarded to Decker Construction Company, Inc. in the amount of \$148,000 as the most advantageous to the City; and the City Manager was authorized to execute a contract on behalf of the City of Abilene; all as recommended by staff.

8. **Ordinances & Resolutions:**

- a. James Condry, Assistant Manager of Planning and Development Services for Public Works, briefed the Council on an Ordinance considered on second and final reading amending Chapter 18, "Motor Vehicles and Traffic", of the Abilene Municipal Code concerning parking prohibited at all times. Staff recommends approval.

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

- . Mike Lanier, owner of Abilene Tent & Awning, N. 18th & Walnut.

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

Councilwoman Ray moved to approve the ordinance amending Chapter 18, "Motor Vehicles and Traffic", of the Abilene Municipal Code concerning parking prohibited at all times, as recommended by staff. The motion was seconded by Councilman Vasquez and the motion carried.

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

NAYS: None.

The Ordinance is numbered 11-1992 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.

Mayor Pro Tempore Herrera recessed the meeting until 10:45 a.m.

Mayor Pro Tempore Herrera reconvened the meeting, then 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 CityLink ADA Advisory Board; Bertha Azcarate, David Barnhill, and James McBryde, 1 year terms; Alice Caughfield, Gloria Schnieder and Cindy Theriault, 2 year terms; and Stephanie Anderson, Dr. Lewis Lemmond, and Ann Youngstrom, 3 year terms. The motion was seconded by Councilman Grable and the motion carried.

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

NAYS: None.

**8b. Bid Opening: 11:00 a.m.** David Wright, Director of Finance, briefed the Council on an Award of Bid to consider an ordinance authorizing the issuance of City of Abilene, Texas, Combination Tax and Revenue Certificates of Obligation, Series 1992, in the amount of \$870,000. Mr. Wright distributed tab sheets to the Council and introduced Mr. George Williford, who read a total of 9 bids. Mr. Wright asked for additional bids and there were none.

Councilman Grable moved to accept the low bid of \$459,562.50 with an effective interest rate of 6.1071 effective rate from Edward D. Jones & Co. as recommended by staff. The motion was seconded by Councilman Vasquez and the motion carried.

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

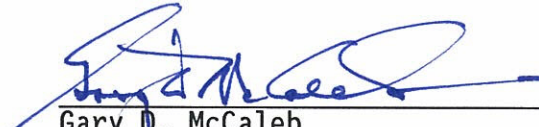
NAYS: None.

The Ordinance is numbered 12-1992 and is captioned as follows:

AUTHORIZING THE ISSUANCE OF CITY OF ABILENE, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 1992, IN THE AMOUNT OF \$870,000.00

There being no further business, the meeting was adjourned at 11:17 a.m.

  
Jo Moore  
City Secretary

  
Gary D. McCaleb  
Mayor

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