

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 23, 1992, 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 23, 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 Jack Grable.
3. **Approval of Minutes:** Pre-Council Session and Regular City Council Meeting held April 9, 1992.
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. **Ordinances and Resolutions:**
 - a. Consider on second and final 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 second and final reading - Ordinance amending Chapter 9, "Courts", of the Abilene Municipal Code, Section 9-1, Purpose.
 - c. Consider on first reading - An Ordinance adopting the 1991 Uniform Housing Code with local amendments, and set a public hearing for May 14, 1992 at 9:00 a.m.
 - d. Consider on first reading - An Ordinance adopting the 1991 Uniform Code for Abatement of Dangerous buildings with local amendments, and set a public hearing for May 14, 1992 at 9:00 a.m.
 - e. Consider on first reading - An Ordinance adopting the 1991 Uniform Mechanical Code with local amendments, and set a public hearing for May 14, 1992 at 9:00 a.m.
 - f. Consider on first reading - An Ordinance amending Chapter 1, "General Provisions", of the Abilene Municipal Code, regarding general penalties.
 - g. Consider on first reading - An Ordinance amending Chapter 32, "Utilities", of the Abilene Municipal Code, regarding penalties for violations.
 - h. Resolution approving grant renewal application for funding of Criminal Justice Education Officer at Cooper High School.

- i. Oral Resolution approving sanitary sewer waiver for Lot 1, Block A, Section 2, 707 Addition.
- j. Oral Resolution increasing Baker & Taylor lease plan for the Abilene Public Library.
- k. Oral Resolution approving loan request to Civic Abilene, Inc.
- l. Resolution approving extending Depository Contract with First National Bank.

7. **Award of Bid:**

- a. Laboratory equipment for Water Utilities Department, Bid #CB2039.
- b. Water treatment chemicals for Water Utilities Department, Bid #CB2040.
- c. Southwest Drive extension, Bid #CB2049.
- d. Asphalt products, cement, and concrete for Street Services Division, Bid #CB2038.
- e. Enamel paint and primer for Refuse Collection Division, Bid #CB2032.

REGULAR AGENDA

8. **Ordinances & Resolutions:**

- a. **Public Hearing:** Consider on second and final reading - An - 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.
- b. **APPEALED ITEM:**
Public Hearing: Consider on second and final reading - An - 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.
- c. **Public Hearing:** Consider on second and final reading - Ordinance adopting 1991 Uniform Fire Code with local amendments.
- d. Oral Resolution approving agreement between the City of Abilene, Taylor County, and Cultural Affairs Council of the Abilene Chamber of Commerce governing disbursement of City and County matching funding for National Endowment of the Arts local grant program, authorizing City Manager to execute agreement on behalf of the City.

9. **Other Business:**

- a. Proposed review of Stormwater Management Ordinance by citizens committee.
- 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

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 17 day of April, 1992, at 5:00 (a.m./p.m.)


CITY SECRETARY

**PRE-COUNCIL WORK SESSION, THURSDAY
April 23, 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 23, 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.

The Council briefly discussed various consent and regular agenda items. Corrected agenda item pages 8c-3 and 8c-4 pertaining to the 1991 Uniform Fire Code, and Bid item #CB-2049 (agenda item 7c) were submitted to the City Council. There being no further discussion, the meeting was recessed until 9:00 a.m. for the regular Council Meeting.

**REGULAR CITY COUNCIL MEETING
April 23, 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 April 23, 1992, at 9:00 a.m. in the Council Chambers of City Hall.

Invocation was given by Councilman Jack Grable.

Councilman Grable noted corrections to page 3-3, changing "Mayor McCaleb" to "Mayor Pro Tempore Liz Herrera" of the minutes of the Pre-Council Session and Regular City Council Meeting held April 9, 1992. There being no further corrections, additions or deletions, Councilwoman Ray moved to approve the minutes with noted corrections. 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.

Mayor McCaleb welcomed the Leadership Abilene members in attendance.

Mayor McCaleb presented a Certificate of Appreciation to Theresa Nguyen, 1992 Texas Teen USA National Miss.

Alison Benton of Abilene Clean and Proud, assisted Mayor McCaleb in presenting Special Recognition certificates as follows:

Beautification and Landscaping - First National Bank
Litter Control - WalMart
Recycling efforts - Dyess AFB

Mayor McCaleb presented the following proclamations:
May as Better Speech and Hearing Month,
April 27-May 1 as Sexual Assault Awareness Week; and
April 26-May 2 as Big Brothers/Big Sisters Appreciation Week.

Councilman Grable moved to approve consent agenda items 6h through 6l and 7a through 7e, first reading of items 6c through 6g, and second and final reading of items 6a and 6b as recommended by the staff. 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.

6. Ordinances and Resolutions:

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

The Ordinance is numbered 13-1992 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.

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

The Ordinance is numbered 14-1992 and is captioned as follows:

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

- c. Approval of first reading - An Ordinance adopting the 1991 Uniform Housing Code with local amendments, and set a public hearing for May 14, 1992 at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 8, "CONSTRUCTION REGULATIONS", ARTICLE VI, "UNIFORM CODES AND OTHER REGULATIONS," DIVISION 6, "HOUSING CODE," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

- d. Approval of first reading - An Ordinance adopting the 1991 Uniform Code for Abatement of Dangerous buildings with local amendments, and set a public hearing for May 14, 1992 at 9:00 a.m.

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.

- e. Approval of first reading - An Ordinance adopting the 1991 Uniform Mechanical Code with local amendments, and set a public hearing for May 14, 1992 at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 8, "CONSTRUCTION REGULATIONS", ARTICLE VI, "UNIFORM CODES AND OTHER REGULATIONS," DIVISION 5, "MECHANICAL CODE," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

- f. Approval of first reading - An Ordinance amending Chapter 1, "General Provisions", of the Abilene Municipal Code, regarding general penalties.

AN ORDINANCE AMENDING CHAPTER 1, "GENERAL PROVISIONS", OF THE ABILENE CITY CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

- g. Approval of first reading - An Ordinance amending Chapter 32, "Utilities", of the Abilene Municipal Code, regarding penalties for violations.

AN ORDINANCE AMENDING CHAPTER 32, "UTILITIES", OF THE ABILENE CITY CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

- h. Resolution approving grant renewal application for funding of Criminal Justice Education Officer at Cooper High School.

The Resolution is numbered 20-1992 and is captioned as follows:

A RESOLUTION PROVIDING FOR APPROVAL OF APPLICATION FOR GRANT FUNDS FROM THE CRIMINAL JUSTICE DIVISION OF THE OFFICE OF THE GOVERNOR OF THE STATE OF TEXAS.

- i. Resolution approving sanitary sewer waiver for Lot 1, Block A, Section 2, 707 Addition.

The Resolution is numbered 21-1992 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 2, SECTION 2, 707 ADDITION, ABILENE, TAYLOR COUNTY, TEXAS, LOCATED ON FM 707 IN ABILENE, TAYLOR COUNTY, TEXAS.

- j. Oral Resolution increasing Baker & Taylor lease plan for the Abilene Public Library from a monthly quota of 40 books per month to 100 books per month, retroactive to October, 1991 (for an increase from 6,624 annually to 16,560 this fiscal year.

- k. Oral Resolution approving loan request to Civic Abilene, Inc. in the amount of \$15,000 to be paid in full within a two year period.

- l. Resolution approving extending Depository Contract with First National Bank for a period of two years.

The Resolution is numbered 22-1992 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, EXTENDING THE CONTRACT WITH FIRST NATIONAL BANK, ABILENE, FOR PRIMARY DEPOSITORY SERVICES.

7. Award of Bid:

- a. Laboratory equipment for Water Utilities Department, **Bid #CB2039**. The bid was awarded to CETAC Technologies, Inc. of Omaha, Nebraska, the low bidder in the amount of \$16,400.00 as recommended by staff.
- b. Water treatment chemicals for Water Utilities Department, **Bid #CB2040**. The bid was awarded as follows: Chlorine gas, anhydrous ammonia to DPC Industries; Liquid aluminum sulfate to PVS Chemicals, Inc.; sodium hydroxide to Khempak; Pebble quicklime to APG Lime Corp., liquid cationic polymer to Calgon Corporation; and Sodium hexametaphosphate to Magnatrade Corp.; all as recommended by staff.
- c. Southwest Drive extension, **Bid #CB2049**. Alternate bid #1, including pavement markers, was awarded to the lowest responsible bidder, Contract Paving Company, in the amount of \$418,567.56 as recommended by staff.
- d. Asphalt products, cement, and concrete for Street Services Division, **Bid #CB2038**. The bid was awarded as follows: Item 1, AC-5 asphalt and Item 2, AC-10 asphalt to Wright Asphalt; Item 3, MC-30 asphalt and Item 4, MS-2 emulsion to Fina Oil & Chemical; Item 5, rock asphalt, Item 8, hot mix asphalt, and Item 10, crushed limestone aggregate to Vulcan Materials; Item 6, portland cement type I to Abilene Lumber; Item 7, 7a, 7b, and 7c, ready-mix concrete to Morris Ready Mix; and Item 9, 9a, 9b, 9c, chip seal stone to R. E. Janes; all as recommended by staff.
- e. Enamel paint and primer for Refuse Collection Division, **Bid #CB2032**. The bid was awarded to the Paint Center of Abilene in the amount of \$15,300 as recommended by staff.

8. Ordinances and Resolutions:

- a. Mindy Manson, 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-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. 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 Vasquez moved to approve the ordinance changing zoning district boundaries from Residential Single Family to Residential Multi-Family district at 1701 Poplar as recommended by staff. The motion was seconded by Councilman Terry and the motion carried.

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

Nays: None.

The Ordinance is numbered 15-1992 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.

b. Mindy Manson, 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-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. The Planning and Zoning Commission recommends denial.

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

- . Eddie Chase, agent for the proponent, stated that although the original request was for General Commercial zoning, his client is now requesting the change be made to Office zoning.
- . Bob Jones, Winston Drilling Co., leases property from Mr. Kimbrough. Mr. Jones does not feel the additional time for Office zoning to be considered would cause any problems.
- . Wayne Thompson, resident in area opposes zoning.
- . Syd Niblo, property owner, concerned with change in zone not being in the best interest of the adjacent property owners.

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

Mayor McCaleb stated the following three points for clarification purposes: 1) It is important that the City Council act on clear recommendation from Planning and Zoning; 2) In this incident, the amount of space and the location have changed from the original request; and 3) the 3-3 vote by Planning and Zoning Commission is not a clear message.

Councilman Vasquez moved to refer the item back to the Planning and Zoning Commission for possible Office zoning designation. The motion was seconded by Councilwoman Herrera and the motion carried.

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

Nays: None.

c. Charlie Poe, Assistant Fire Chief, briefed the Council on an Ordinance considered on second and final reading adopting the 1991 Uniform Fire Code with local amendments. The Board of Building Standards 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 adopting the 1991 Uniform Fire Code with local amendments, as recommended by staff. 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 16-1992 and is captioned as follows:

AN ORDINANCE AMENDING CHAPTER 10, FIRE PROTECTION AND PREVENTION, BY AMENDING AND ADDING CERTAIN SECTIONS OF THE 1991 UNIFORM FIRE CODE; DELETING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

d. Vicky Brown, Downtown Manager, briefed the Council on an Oral Resolution approving an agreement between the City of Abilene, Taylor County, and the Cultural Affairs Council of the Abilene Chamber of Commerce governing disbursement of City and County matching funding for the National Endowment of the Arts local grant program, and authorizing the City Manager to execute an agreement on behalf of the City. Ms. Brown introduced Billye Proctor-Shaw, President of the Cultural Affairs Council, who spoke in favor of the request. The Board of the Abilene Reinvestment Zone Number One and staff recommend approval.

Councilman Grable moved to approve the Oral Resolution approving an agreement between the City of Abilene, Taylor County, and the Cultural Affairs Council of the Abilene Chamber of Commerce governing disbursement of City and County matching funding for the National Endowment of the Arts local grant program, and authorizing the City Manager to execute an agreement on behalf of the City. The motion was seconded by Councilwoman Herrera and the motion carried.

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

Nays: None.

9. Other Business:

a. Debra Guerra, Assistant to the City Manager, briefed the Council on a proposed review of the Stormwater Management Ordinance by the citizens committee. Ms. Guerra presented a list of the committee members, and recommended the City Council direct the citizen review and approve the objective of the review.

Councilwoman Herrera moved to approve the objectives of the citizen review committee and for the committee to proceed in their study of the Stormwater Management Ordinance. 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 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.

Councilman Vasquez moved to reappoint Fred Lee Hughes, Fred C. Sandlin, and Jim Garrison to the West Central Texas Municipal Water District, with terms effective 6/92 and expiring 5/94; and to appoint the Sister Cities Committee as follows:

Steering Committee:

Billye Proctor-Shaw, Chair
David Scott, Vice-Chair, WTU
Nolan Kelley, AISD
Barbara Breier, HSU
Jimmy Tittle, Abilene Chamber of Commerce
Bob Maguire, retired military
Sandy Herrera, Humana Hospital

Rio Cuarto, Argentina

Bill Wright, Chair
Charles Passel
Roma Frye
Major Dewey Alderson, Salvation Army

Corinth, Greece

Janet Parkey, AISD, Chair
Angello Malefakis
Anstassia Malefakis
Joanna Bens
Bill Humble, ACU
Bernadine Graham, Abilene National Intercultural Theater of Arts
B. B. Trotter

Arusha, Tanzania


Morris Baker, McMurry, Chair
Sam Waldrop, Waldrop's Furniture
Brenda Van Dunk, ACU
Diana Freeman, Valley View Elementary
Don Ashmore, Davis, Kinard & Co.

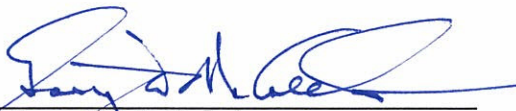
The motion was seconded by Councilman Grable and the motion carried.

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

Nays: None.

There being no further business, the meeting was adjourned at 11:00 a.m.


Jo Moore
City Secretary


Gary D. McCaleb
Mayor