

**PRE-COUNCIL WORK SESSION, THURSDAY
May 14, 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 May 14, 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, and Councilmen Bill Terry and Ray Ferguson. 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 Jack Grable was absent; Councilwoman Liz Herrera was absent for the Pre-Council Worksession, but was present for the regular City Council meeting.

City Manager Jim Blagg informed the Council that agenda item 8a would be pulled from the Regular Agenda to be considered at a later date. 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
May 14, 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 May 14, 1992, at 9:00 a.m. in the City Council Chambers of City Hall.

Invocation was given by Councilman Paul Vasquez.

There being no corrections, additions, or deletions to the minutes of the Pre-Council Session and Regular City Council Meeting held April 23, 1992 and Special City Council Meeting held May 5, 1992, Councilman Terry moved to approve the minutes as printed. The motion was seconded by Councilwoman Ray and the motion carried.

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

NAYS: None.

City Secretary Jo Moore assisted Mayor McCaleb in the presentation Employee Service Awards to the following individuals for their years of service:

20 Years	Anselmo Camacho, Jr.	Park Worker Community Services
20 Years	Serapio V. Nieto	Park Worker Community Services

Debra Guerra, Assistant to the City Manager, assisted Mayor McCaleb in the presentation of the May Employee of the Month Award to Cindy Vandiver, Secretary in the Water Distribution Division.

Mayor McCaleb presented the following proclamation:
May 16-23, Spring Clean for Abilene Week;

Mayor McCaleb presented Certificates of Appreciation as follows:

Participants in the Abilene Railroad Festival:

John Hoekstra, Stephanie Waters, and Jeremy Dickinson of Cooper High School; and Chris Buckner from Jefferson Middle School.

Certificate of Appreciation to Dale Hall, firefighter, for rescuing two people from drowning.

Certificate of Achievement to Bobby J. Densman, Fire Department.

Certificate of Appreciation for Spring Clean Logo Contest to Chase Hagin.

Mayor McCaleb recognized Bob Fowler, Building Official, for being designated Building Official of the Year by the International Conference of Building Officials; and to Earnest Merritt, Special Assistant to the City Manager for Youth Services, for receiving the Liberty Bell Award from the Young Lawyers Association.

Mayor McCaleb, assisted by Earnest Merritt, presented the Teen of the Month Award to Nyki George of Cooper High School.

Councilman Vasquez moved to approve consent agenda items 6f thru 6k, and 7a thru 7d, and approval of first reading agenda items 6a through 6e as recommended by the staff. The motion was seconded by Councilman Terry and the motion carried.

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

NAYS: None.

6. Ordinances and Resolutions:

- a. Approval of first reading - An Ordinance amending Chapter 23, Section 23-306.4 of the Abilene Municipal Code regarding Permitted Uses to allow banking services in O (Office) zoning districts; and set a public hearing for May 28, 1992 at 9:00 a.m.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, CONCERNING PDD #51 PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

- b. Approval of first reading - An Ordinance changing zoning district boundaries - Z-00692 - Request from Herman Schaffer; agent, Bill Senter, to rezone from RM-3 (Residential Multi Family) to O (Office) district, located in the 2900 block of S. 27th St., and set a public hearing for May 28, 1992.

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.

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- c. Approval of first reading - An Ordinance changing zoning district boundaries - Z-01092 - Request from the City of Abilene to rezone from LI (Light Industrial) to PDD (Planned Development) district, located on U. S. Highway 84 West (West Hwy. 80) and set a public hearing for May 28, 1992.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, CONCERNING PDD #51 PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

- d. Approval of first reading - An Ordinance changing zoning district boundaries - Z-01492 - Request from Bob Kimbrough; agent, Eddie Chase, to rezone from AO (Agricultural Open Space) to O (Office) district, located on FM 707, 672' east of U. S. Hwy. 83/84, and set a public hearing for May 28, 1992.

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.

- e. APPEALED ITEM:
Approval of first reading - An Ordinance changing zoning district boundaries - Z-01792 - Request from I. S. Gathright; agent, David Hail, to rezone from AO (Agricultural Open Space) to RS-12 (Residential Single Family) district, located north of The Fairways Addition and east of Woodlake Addition, and set a public hearing for May 28, 1992.

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 second and final reading - An Ordinance amending Chapter 1, "General Provisions", of the Abilene Municipal Code, regarding general penalties.

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

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 second and final reading - An Ordinance amending Chapter 32, "Utilities", of the Abilene Municipal Code, regarding penalties for violations.

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

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.

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- h. Oral Resolution approving street use license request from G & H Construction, Inc. to install groundwater monitoring wells at N. 11th & Pine.
- i. Oral Resolution approving street use license request from Enprotec, Inc. to install groundwater monitoring wells at S. 14th & Barrow.
- j. Oral Resolution approving lease agreement with Abilene Community Theatre for use of Abilene Fine Arts Museum.
- k. Oral Resolution approving contract extension until June, 1993 with Martin's Uniforms for Uniforms for Fire Department.

7. Award of Bid:

- a. Rough terrain forklifts for Refuse Collection and Water Distribution Divisions, Bid CB2042. The bid was awarded to Case Equipment, Inc., the low responsible bidder in the amount of \$53,936.00, as recommended by staff.
- b. Track loader for Streets Division, Bid #CB2043. The bid was awarded to Texas Equipment Co., the low responsible bidder in the amount of \$120,089.00, as recommended by staff.
- c. Low profile utility tractors for Parks Division, Bid #CB2044. The bid was awarded to Abilene Ag Ford, the low responsible bidder in the amount of \$36,237.00, as recommended by staff.
- d. Industrial Blvd. widening, Bid #CB2051. The bid was awarded to Norris & Norris, Inc., the low responsible bidder in the amount of \$371,933.80, as recommended by staff.

8. Ordinances & Resolutions:

a. Jim C. Blagg, City Manager, stated to the Council the Resolution authorizing issuance of Abilene Health Facilities Development Corporation hospital revenue bonds (Series 1992) for Hendrick Medical Center for hospital and health related projects in an amount not to exceed \$23,950,000 would be pulled from the agenda to be considered at a later date.

b. Bob Fowler, Assistant Director of Planning and Development Services for Housing & Inspection, briefed the Council regarding an Ordinance considered on second and final reading adopting the 1991 Uniform Housing 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.

Councilwoman Ray moved to approve the Ordinance adopting the 1991 Uniform Housing Code with local amendments, as recommended by staff. The motion was seconded by Councilwoman Herrera and the motion carried.

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

NAYS: None.

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

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.

c. Bob Fowler, Assistant Director of Planning and Development Services for Housing & Inspection, briefed the Council regarding an Ordinance considered on second and final reading adopting the 1991 Uniform Code for Abatement of Dangerous buildings 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 Code for Abatement of Dangerous buildings with local amendments as recommended by staff. The motion was seconded by Councilman Ferguson and the motion carried.

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

NAYS: None.

The Ordinance is numbered 20-1992 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.

d. Bob Fowler, Assistant Director of Planning and Development Services for Housing & Inspection, briefed the Council regarding an Ordinance considered on second and final reading adopting the 1991 Uniform Mechanical 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 Vasquez moved to approve the Ordinance considered on second and final reading adopting the 1991 Uniform Mechanical Code with local amendments, as recommended by staff. The motion was seconded by Councilwoman Ray and the motion carried.

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

NAYS: None.

The Ordinance is numbered 21-1992 and is captioned as follows:

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.

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9. Other Business:

a. City Manager Jim Blagg reviewed with the Council a Resolution naming bridge at E. Hwy. 80 and Cedar Creek the "Dr. Martin Luther King, Jr. Memorial Bridge", and requesting Texas Department of Transportation allow memorial marker and plaque to be placed on State Highway right-of-way.

Rev. Leo Scott, 1309 Canterbury Dr., on behalf of the community committee involved with naming the bridge formally requested that the City Council officially designate the bridge as the Dr. Martin Luther King Memorial Bridge.

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

- . Wayne Roy, #10 Zachry Cove, Abilene Chamber of Commerce, in favor.
- . Rufus Johnson, 1502 Bridge St., Abilene Black Chamber of Commerce, in favor.
- . Myrtle Lee McGee, opposes a bridge being named for Dr. King and does not approve of the location; she prefers a black community.

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

Councilman Vasquez moved to approve the Resolution naming the bridge at E. Hwy. 80 and Cedar Creek the "Dr. Martin Luther King, Jr. Memorial Bridge", and requesting Texas Department of Transportation allow a memorial marker and plaque to be placed on the State Highway right-of-way as recommended by staff. The motion was seconded by Councilman Terry and the motion carried.

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

NAYS: None.

The Resolution is numbered 24-1992 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, NAMING THE BRIDGE AT EAST HIGHWAY 80 AND CEDAR CREEK THE "DR. MARTIN LUTHER KING, JR. MEMORIAL BRIDGE" AND REQUESTING THAT THE TEXAS DEPARTMENT OF TRANSPORTATION ALLOW A MEMORIAL MARKER AND PLAQUE TO BE PLACED ON STATE HIGHWAY RIGHT-OF-WAY.

b. Celia Davis and Nancy Smith, Abilene Education Council, presented the Six National Goals included in President Bush's America 2000 Education Plan, and requested the City's endorsement, indicating there will be a Citywide kick off May 21 at 4:00 p.m. at the Civic Center.

Councilman Terry moved to approve by Oral Resolution the request by the Abilene Education Council for the City's endorsement of the America 2000 Education Plan and for the correction of one misspelled word in the America 2000 document. The motion was seconded by Councilman Vasquez and the motion carried.

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

NAYS: None.

c. Mayor McCaleb asked for nominations of members to serve as Mayors Pro Tempore. Councilwoman Ray moved to nominate Bill Terry and Jack Grable, the motion was seconded by Councilman Vasquez and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilman Ferguson, Councilwoman Herrera, and Mayor McCaleb.


NAYS: None.

ABSTAIN: Councilman Terry.

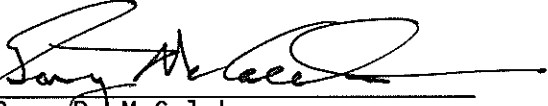
Mayor McCaleb recessed the Council into executive session pursuant to Sections 2e and 2g of the Open Meetings Act, and to seek the advice of the City Attorney with respect to pending and contemplated litigation and to consider the appointment and evaluation of public officers.

The Council reconvened from executive session and reported no action taken.

There being no further business, the meeting was adjourned at 10:45 a.m.



Jo Modre
City Secretary



Gary D. McCaleb
Mayor