

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, **September 10, 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, **September 10, 1992**, at 9:00 a.m.

CITY COUNCIL: Mayor Gary D. McCaleb; Council - Paul R. Vasquez, Betty Ray, Jack Grable, Bill Terry, Ray Ferguson and Liz Herrera.

1. **CALL TO ORDER.**
2. **INVOCATION:** Councilwoman Liz Herrera.
3. **APPROVAL OF MINUTES:** Pre-Council Session and Regular City Council Meeting held August 27, 1992.
4. **AWARDS:**
Employee Service Awards

| | | |
|----------|--------------------|----------------------------|
| 25 Years | Billy R. Stovall | Police Lieutenant |
| | | Police Department |
| 25 Years | William H. Swinney | Heavy Equipment Operator I |
| | | Street Services Division |
| 20 Years | Billie L. Canada | Accounting Technician II |
| | | Water Office |

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 - An Ordinance amending Chapter 32, "Utilities" by amending certain sections, and set a public hearing for September 24, 1992 at 9:00 a.m.

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- b. Consider on first reading - An Ordinance for thoroughfare closure - TC-03092 - Request from Hardin-Simmons University, agent, Tittle, Luther Partnership, for a thoroughfare abandonment on Dillingham St. from the west ROW line of Grape St. to the east ROW line of Clinton St. and Beech St. from the north ROW line of Vogel Ave. north for a distance of 545.51 feet, and set a public hearing for September 24, 1992 at 9:00 a.m.
- c. Consider on first reading - An Ordinance for thoroughfare closure - TC-03292 - Request from Raymond Thomason, Jr., agent John Beall for thoroughfare abandonment of .2466 sq. ft. out of the south end of Lakeshore Dr.; and set a public hearing for September 24, 1992 at 9:00 a.m.
- d. Consider on first reading - An Ordinance for thoroughfare closure - TC-03392 - Request from Kevin K. Nunnick & Associates, agent Eddie Chase for thoroughfare abandonment of a 20' east-west alley between S. Treadaway and Vine Sts.; and set a public hearing for September 24, 1992 at 9:00 a.m.
- e. Consider on first reading - An Ordinance changing zoning district boundaries - Z-02992 - Request from Charles P. Hendrix, agent Chris Carnohan to rezone from RS-6 (Residential Single-Family) to LC (Limited Commercial) district, located at 1257 Ross; and set a public hearing for September 24, 1992 at 9:00 a.m.
- f. Consider on first reading - An Ordinance amending Chapter 23, "Planning and Community Development", of the Abilene Municipal Code, Section 23-303.2, Specific Purposes of Zoning Districts, and Section 23-363, Definitions, and add Section 23-345.5, Entryway (E) Overlay Zone, concerning Entryway Overlay zones, and set a public hearing for September 24, 1992 at 9:00 a.m.
- g. Oral resolution approving second year contract between the City of Abilene, Taylor County and the Abilene Cultural Affairs Council governing matching funding for the NEA Locals Grant program, and authorize City Manager to execute said contract on behalf of the City of Abilene.
- h. Resolution authorizing amendment #1 to FAA Grant 3-48-0002-07 which accepts additional FAA funding.
- i. Oral Resolution authorizing payment of emergency electrical repairs for Water Utilities Department.
- j. Resolution approving contract with Texas Department of Transportation for National Maximum Speed Limit Selective Traffic Enforcement program.
- k. Resolution approving contract with Texas Department of Transportation for DWI Selective Traffic Enforcement program.
- l. Oral Resolution approving contract amendment with Community Foundation of Abilene.
- m. Oral Resolution approving contract amendment with Mend-A-Child.
- n. Oral Resolution considering application for license pursuant to Section 26, "Emergency Medical Service", and set a public hearing for September 24, 1992 at 9:00 a.m.
- o. Oral Resolution considering land donation from Lone Star Little League.

7. **Award of Bid:**

- a. Pipe for Water Utilities Department, **Bid #CB-2079.**
- b. Professional Services Agreement for Water Utilities Department, **RFP- #CB-2047,** and authorize execution.

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- c. Transit bus stop signs, **Bid #CB-2082.**
- d. Single axle dumptruck for Water Distribution Division, **Bid #CB-2070.**

REGULAR AGENDA

8. Ordinances & Resolutions:

- a. Consider on first reading - An Ordinance approving various benefit changes to the Texas Municipal Retirement System.

9. Other Business:

- a. Appointment and Evaluation of Public Officials (see Notice for Executive Session, Personnel for listing subjects), possible action.
- b. Pending and Contemplated Litigation (see notice for Executive Session, Litigation 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 676-6360.

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 4 day of September, 1992, at 5 (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. Pamela Susan Combs v. Dillards & Mall of Abilene & City
8. Kim Maynard v. City & Charles Kimbel Vickers
9. Leroy Hammond v. City
10. Ybarra v. City & Midnight Rodeo & Gannaway
11. Heritage Parks Community Association v. City & taxing entities
12. Allied Steel v. City, et al
13. Creel v. City
14. City Water Permit Applications
15. Lone Star Gas Gate Rate
16. Southwestern Bell Rate Case
17. 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 or litigation issues arise as to the posted subject matter of this City Council Meeting, an executive session will be held.

HC 7/23/92

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**PRE-COUNCIL WORK SESSION, THURSDAY
September 10, 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 September 10, 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, Councilmen Jack Grable, Bill Terry, Ray Ferguson, and Councilwoman Liz Herrera. 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. Councilwoman Betty Ray was absent.

The Council briefly discussed various consent and regular agenda items. Mike Hall, Director of Community Services and Fred Aycock, Assistant Director of Community Services, provided an update of the Senior Citizens program; outlining existing and future needs relating to the Rose Senior Citizens building. 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
September 10, 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 September 10, 1992, at 9:00 a.m. in the City Council Chambers of City Hall.

Invocation was given by Councilwoman Liz Herrera.

There being no corrections, additions, or deletions to the minutes of the Pre-Council Session and Regular City Council Meeting held August 27, 1992, Councilman Vasquez moved to approve the minutes as printed. The motion was seconded by Councilman Terry and the motion carried.

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

NAYS: None.

Mayor McCaleb, assisted by City Secretary Jo Moore, presented **Employee Service Awards** to the following individuals for their years of service:

| | | |
|----------|--------------------|--|
| 25 Years | Billy R. Stovall | Police Lieutenant Police Department |
| 25 Years | William H. Swinney | Heavy Equipment Operator I Street Services Division |
| 20 Years | Billie L. Canada | Accounting Technician II Water Office |

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Debra Guerra, Assistant to the City Manager, assisted Mayor McCaleb in the presentation of the September Employee of the Month Award to Rayetta Dorman, Maintenance Specialist I for the Zoo.

Mayor McCaleb presented a Proclamation for October 12-16 as Court Observance Week.

Councilwoman Herrera moved to approve consent agenda items 6a through 6e, 6g through 6o and 7a through 7d, as recommended by staff. Item 6f was removed from the agenda to be considered at a later date. The motion was seconded by Councilman Grable and the motion carried.

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

NAYS: None.

6. Ordinances and Resolutions:

- a. Approval of first reading - An Ordinance amending Chapter 32, "Utilities" by amending certain sections, and set a public hearing for September 24, 1992 at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 32 "UTILITIES" BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY; AND CALLING A PUBLIC HEARING.

- b. Approval of first reading - An Ordinance for thoroughfare closure - TC-03092 - Request from Hardin-Simmons University, agent, Tittle, Luther Partnership, for a thoroughfare abandonment on Dillingham St. from the west ROW line of Grape St. to the east ROW line of Clinton St. and Beech St. from the north ROW line of Vogel Ave. north for a distance of 545.51 feet, and set a public hearing for September 24, 1992 at 9:00 a.m.

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. Approval of first reading - An Ordinance for thoroughfare closure - TC-03292 - Request from Raymond Thomason, Jr., agent John Beall for thoroughfare abandonment of 2,466 sq. ft. out of the south end of Lakeshore Dr.; and set a public hearing for September 24, 1992 at 9:00 a.m.

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.

- d. Approval of first reading - An Ordinance for thoroughfare closure - TC-03392 - Request from Kevin K. Nunnick & Associates, agent Eddie Chase for thoroughfare abandonment of a 20' east-west alley between S. Treadaway and Vine Sts.; and set a public hearing for September 24, 1992 at 9:00 a.m.

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.

- e. Approval of first reading - An Ordinance changing zoning district boundaries - Z-02992 - Request from Charles P. Hendrix, agent Chris Carnohan to rezone from RS-6 (Residential Single-Family) to LC (Limited Commercial) district, located at 1257 Ross; and set a public hearing for September 24, 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 THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES, AS DESCRIBED BELOW; DECLARING A PENALTY, AND CALLING A PUBLIC HEARING.

- f. Removed from Agenda to be considered at a later date.
- g. Oral resolution approving second year contract between the City of Abilene, Taylor County and the Abilene Cultural Affairs Council governing matching funding for the NEA Locals Grant program, and authorize City Manager to execute said contract on behalf of the City of Abilene.
- h. Resolution authorizing amendment #1 to FAA Grant 3-48-0002-07 which accepts additional FAA funding.

The Resolution is numbered 42-1992 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING AMENDMENT #1 TO GRANT AGREEMENT FOR PROJECT 3-48-0002-07 FROM THE FEDERAL AVIATION ADMINISTRATION FOR IMPROVEMENTS AT THE ABILENE REGIONAL AIRPORT.

- i. Oral Resolution authorizing payment to Royal Electric Co. of Abilene, Inc. in the amount of \$16,693.41 for emergency electrical repairs for the Water Utilities Department.
- j. Resolution approving contract with Texas Department of Transportation for National Maximum Speed Limit Selective Traffic Enforcement program.

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The Resolution is numbered 43-1992 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE CHIEF OF POLICE OF THE CITY OF ABILENE, TEXAS, TO ENTER INTO AN AGREEMENT WITH THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION, FOR A NATIONAL MAXIMUM SPEED LIMIT SELECTIVE TRAFFIC ENFORCEMENT PROGRAM.

- k. Resolution approving contract with Texas Department of Transportation for DWI Selective Traffic Enforcement program.

The Resolution is numbered 44-1992 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE CHIEF OF POLICE OF THE CITY OF ABILENE, TEXAS, TO ENTER INTO AN AGREEMENT WITH THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION, FOR A DWI SELECTIVE TRAFFIC ENFORCEMENT PROGRAM.

- l. Oral Resolution approving contract amendment with Community Foundation of Abilene.
- m. Oral Resolution approving contract amendment with Mend-A-Child.
- n. Oral Resolution considering application for license pursuant to Section 26, "Emergency Medical Service", and set a public hearing for September 24, 1992 at 9:00 a.m.
- o. Oral Resolution considering land donation from Lone Star Little League.

7. **Award of Bid:**

- a. Pipe for Water Utilities Department, **Bid #CB-2079**. The bid was awarded to International Supply of Longview, on a lump sum basis as the most advantageous to the City in the amount of \$55,232.40, as recommended by staff.
- b. Professional Services Agreement for Water Utilities Department, **RFP- #CB-2047**, and authorize execution. The Bid was awarded, by Oral Resolution, to Network Computing Corporation of Charlotte, North Carolina in the amount of \$96,280.00; the City Manager was authorized to execute a Professional Services agreement on behalf of the City of Abilene, as recommended by staff.
- c. Transit bus stop signs, **Bid #CB-2082**. The bid was awarded to Hall Signs, Inc. of Bloomington, Indiana for 592 signs and 592 posts at the unit prices of \$9.48 for signs and \$8.32 for posts, as recommended by staff.

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- d. Single axle dumptruck for Water Distribution Division, **Bid #CB-2070**. The bid was awarded to R. L. Anderson International, the low responsible bidder, in the amount of \$29,767.00 as recommended by staff.

8. Ordinances & Resolutions:

- a. Pam Collins, Director of Administrative Services, briefed the Council on an Ordinance considered on first reading approving various benefit changes to the Texas Municipal Retirement System. Staff recommends approval.

Councilman Vasquez moved to approve first reading of the Ordinance approving various benefit changes to the Texas Municipal Retirement System as recommended by staff. The motion was seconded by Councilman Terry and the motion carried.

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

NAYS: None.

AN ORDINANCE AUTHORIZING AND ALLOWING, UNDER THE ACT GOVERNING THE TEXAS MUNICIPAL RETIREMENT SYSTEM, "UPDATED SERVICE CREDITS" IN SAID SYSTEM FOR SERVICE PERFORMED BY QUALIFYING MEMBERS OF SUCH SYSTEM WHO PRESENTLY ARE IN THE EMPLOYMENT OF THE CITY OF ABILENE; PROVIDING FOR INCREASED PRIOR AND CURRENT SERVICE ANNUITIES FOR RETIREES AND BENEFICIARIES OF DECEASED RETIREES OF THE CITY; TO INCREASE THE RATE OF DEPOSITS TO THE TEXAS MUNICIPAL RETIREMENT SYSTEM BY THE EMPLOYEES OF THE CITY OF ABILENE; AND ESTABLISHING AN EFFECTIVE DATE FOR SUCH ACTIONS.

9. 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.

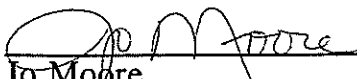
The Council reconvened from executive session and reported no action taken.

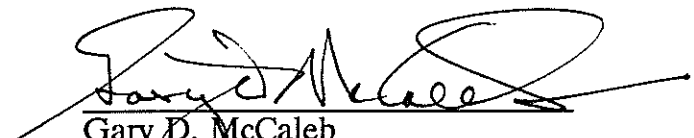
Councilman Grable moved to appoint Dr. Robert Wiggins to fill a vacancy on the Public Health Advisory Board with a term expiring 11/92. The motion was seconded by Councilman Ferguson and the motion carried.

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

NAYS: None.

There being no further business, the meeting was adjourned at 10:05 a.m.


Jo Moore
City Secretary


Gary D. McCaleb
Mayor

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