

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, **December 3, 1992**, at 8:30 a.m. to consider the following:

1. Presentation on changes in Tax Abatement Policy.
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, **December 3, 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 November 19, 1992.
4. **Awards:**
Employee of the Month

Teen of the Month
5. **Proclamations**

CONSENT AGENDA

All items listed below are considered to be 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 so 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:

- Condry* a. Consider on second and final reading - An Ordinance amending Chapter 18, "Motor Vehicles and Traffic", of the Abilene Municipal Code, Sections 18-286, Decreased Speed Limits - School Zones; 18-299, Parking Time Limited; 18-301, Through Trucks Prohibited; and 18-304, Parking Designated for the Disabled.
- Condry* b. Consider on first reading - An ordinance amending Chapter 18, "Motor Vehicles and Traffic", of the Abilene Municipal Code, Section 18-304, Parking Designated for the Disabled.
- orn* c. Oral Resolution approving contract agreement renewal between City of Abilene and YMCA of Abilene supporting the YMCA Juvenile Justice Program.
- Morrison* d. Resolution amending Home Investment Partnerships program for FY 1991/92.
- Hargesheimer* e. Oral Resolution authorizing City Manager to execute engineering services agreement for Water Utilities Department.
- Condry* f. Oral Resolution approving Street Use License request from Hardin-Simmons University for a pressbox overhanging Simmons Avenue right-of-way.

7. **Award of Bid:**
- a. Construction of sidewalks on S. 7th and N. 12th Streets, **Bid #CB3010.**
 - b. Refuse trucks, **Bid #CB2080.**
 - c. Trucks for various divisions, **Bid #CB3003.**
 - d. Bucket truck for Maintenance Services division, **Bid #CB3004.**
 - e. Pickups for various divisions, **Bid #CB3005.**
 - f. Sedans for various divisions, **Bid #CB3006.**

REGULAR AGENDA

8. **Ordinances and Resolutions:**
- a. **Public Hearing:** Resolution amending FY 1992/93 Community Development Block Grant Program.
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.

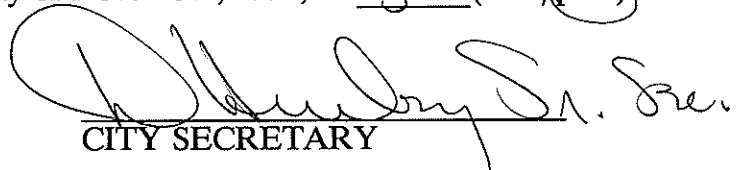
ADJOURN

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 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 25 day of November, 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 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. Ybarra v. City & Midnight Rodeo & Gannaway
3. Tutt v. City & William L. Hood
4. DeHoyos v. City
5. Kim Maynard v. City & Charles Kimbel Vickers
6. Leroy Hammond v. City
7. Ronquello v. City
8. Hines v. City
9. City v. Russell Jones
10. Thinnes v. City & O'Dell Construction
11. City v. Riley
12. Heritage Parks Community Association v. City & taxing entities
13. Allied Steel v. City, et al
14. Creel v. City
15. City Water Permit Applications
16. Lone Star Gas Gate Rate
17. Southwestern Bell Rate Case
18. 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 11/13/92

**PRE-COUNCIL WORK SESSION, THURSDAY
December 3, 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 December 3, 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, Ray Ferguson, and Councilwoman Liz Herrera. Also present were City Manager Jim C. Blagg, Assistant City Manager Roy L. McDaniel, Assistant City Attorney Claudia Clinton, City Secretary Jo Moore, Assistant to the City Manager Debra Guerra, and various members of the City staff.

Mike Morrison, Director of Economic Development, and Kim Tarrant, Business Analyst, distributed and gave a brief presentation on changes in the Tax Abatement Policy. The Council briefly discussed various consent and regular agenda items. There being no further discussion, the meeting was recessed until 9:00 a.m. for the regular Council Meeting.

**REGULAR CITY COUNCIL MEETING
December 3, 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 December 3, 1992, at 9:00 a.m. in the City Council Chambers of City Hall.

Invocation was given by Councilwoman Liz Herrera.

Councilman Vasquez noted a correction to the November 19, 1992 minutes on page 3-5, agenda item 8d, in which Councilwoman Ray seconded the motion instead of Councilman Grable. There being no further corrections, additions, or deletions to the minutes of the Pre-Council Session and Regular City Council Meeting held November 19, 1992, Councilman Terry moved to approve the minutes with the aforementioned correction. The motion was seconded by Councilwoman Herrera and the motion carried.

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

NAYS: None.

Mrs. Temple Dickson presented a Senate Proclamation in memory of the late Zoo Director Tom Buchanan, who was killed in an automobile accident earlier this year.

Mayor McCaleb presented the following proclamations:

December 9 as KRBC/Food Bank of Abilene "Share Your Christmas" Day
November 29 to December 5 as National Home Care Week
December 5 as Hardin-Simmons Cowboy Football Day

Councilman Vasquez moved to approve consent agenda items 6c through 6f and 7a through 7f; and approval of first reading of consent agenda item 6b as recommended by the staff. Item 6a was removed from the Consent Agenda to be considered separately at the request of a citizen, Mr. Larry Folwell. The motion was seconded by Councilman Grable and the motion carried.

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

NAYS: None.

6. Ordinances and Resolutions:

- b. Approval of first reading - An ordinance amending Chapter 18, "Motor Vehicles and Traffic", of the Abilene Municipal Code, Section 18-304, Parking Designated for the Disabled.

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.

- c. Oral Resolution approving contract agreement renewal between City of Abilene and YMCA of Abilene supporting the YMCA Juvenile Justice Program.
- d. Resolution amending Home Investment Partnerships program for FY 1991/92.

The Resolution is numbered **55-1992** and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS APPROVING THE AMENDED PROGRAM DESCRIPTION AND PROJECTED USE OF FUNDS FOR THE HOME INVESTMENT PARTNERSHIP PROGRAM FOR FY 1991/92.

- e. Oral Resolution authorizing City Manager to execute engineering services agreement for \$122,910 with Alan Plummer and Associates, Inc. for Water Utilities Department.
- f. Oral Resolution approving Street Use License request from Hardin-Simmons University for a pressbox overhanging Simmons Avenue right-of-way.

7. **Award of Bid:**

- a. Construction of sidewalks on S. 7th and N. 12th Streets, **Bid #CB3010**. The bid was awarded to MLH Construction, Inc. dba Lesmans for the unit prices bid with an estimated project amount of \$57,772.91, as recommended by staff.
- b. Refuse trucks, **Bid #CB2080**. The bid for sideloader refuse trucks was awarded to Dallas Peterbilt, Inc. and the bid for rearloader refuse trucks was awarded to R. L. Anderson International, Inc., representing the low responsible bidders in the amount of \$812,980.00 as recommended by staff.
- c. Trucks for various divisions, **Bid #CB3003**. Item 1 was awarded to Hendrix GMC Trucks, Item 2 was awarded to R. L. Anderson International, and Item 3 was awarded to Hughes GMC Truck, Inc.; representing the low responsible bidders in the amount of \$103,520.54, as recommended by staff.
- d. Bucket truck for Maintenance Services division, **Bid #CB3004**. The bid was awarded to Hughes GMC Truck, Inc., the low responsible bidder with the bucket rotation option, in the amount of \$68,367.93 as recommended by staff.
- e. Pickups for various divisions, **Bid #CB3005**. The bid was awarded as follows: Item I #1 and Item IV were awarded to Max Murrell Chevrolet; and Item I #2, Item II, and Item III were awarded to Lawrence Hall Chevrolet, all representing low responsible bidders in the total amount of \$272,106.00, as recommended by staff.
- f. Sedans for various divisions, **Bid #CB3006**. Items 1 and 2 were awarded to Lawrence Hall Chevrolet, Item 3 to Max Murrell Chevrolet, and Item 4 to Arrow Ford; all representing low responsible bidders in the total amount of \$275,559.00, as recommended by staff.

6a. Approval of second and final reading - An Ordinance amending Chapter 18, "Motor Vehicles and Traffic", of the Abilene Municipal Code, Sections 18-286, Decreased Speed Limits - School Zones; 18-299, Parking Time Limited; 18-301, Through Trucks Prohibited; and 18-304, Parking Designated for the Disabled.

Mayor McCaleb opened a public hearing on the item, and the following individual spoke against the request:

- . Mr. Larry Folwell, director of Stenograph Institute, 202 Pine; stated the safety aspect is the main reason he is opposed the request. He stated the potential speed of traffic is dangerous, and is a high risk traffic pattern for handicapped individuals. He felt 258 Pine would be a better location.

James Condry, Assistant Director of Development Services for Public Works, stated several requests for handicapped parking have been received from businesses on the west side of the 200 block of Pine, and that the proposed location is at the corner to minimize the number of existing spaces needed to change and also to minimize the cost by utilizing the existing curb ramp.

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

Councilman Vasquez moved to approve the Ordinance amending Chapter 18, "Motor Vehicles and Traffic" as recommended by staff. The motion was seconded by Councilman Terry and the motion carried.

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

NAYS: None.

The Ordinance is numbered 50-1992 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.

Fred Aycock, Assistant Director of Community Services, presented to the Council an Innovation award of Merit received from the National League of Cities for the joint effort between the City of Abilene and the Abilene Independent School District.

8. Ordinances and Resolutions:

a. Mike Morrison, Director of Economic Development, briefed the Council regarding a Resolution amending the FY 1992/93 Community Development Block Grant Program. Staff recommends 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 Grable moved to approve the Resolution amending the FY 1992/93 Community Development Block Grant Program as recommended by staff. The motion was seconded by Councilwoman Herrera and the motion carried.

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

NAYS: None.

The Resolution is numbered 56-1992 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS APPROVING THE AMENDED FINAL STATEMENT OF COMMUNITY DEVELOPMENT OBJECTIVES AND PROJECTED USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR FISCAL YEAR 1992/93.

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.

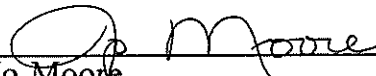
The Council reconvened from executive session and reported no action taken.

Councilman Ferguson moved to appoint David Stubbeman to the Development Corporation of Abilene, term expiring 11/94; and the following individuals to the Ad Hoc Airport Planning Committee: Larry Gill, Dian Owen, Glen Files (Chair), Syd Niblo, Joe Crawford, and Mike Dohrse; all as recommended by staff. The motion was seconded by Councilman Vasquez and the motion carried.

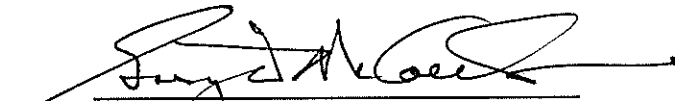
AYES: Councilman Vasquez, Councilwoman Ray, Councilmen Grable, Terry, Ferguson, Councilwoman Herrera, and Mayor McCaleb.

NAYS: None.

There being no further business, the meeting was adjourned at 10:22 p.m.



Jo Moore
City Secretary



Gary D. McCaleb
Mayor