

**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, **October 14, 1993**, at 8:30 a.m. to consider the following:

1. Report on Street Crimes Unit by Deputy Chief Dye.
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, **October 14, 1993**, at 9:00 a.m.

**CITY COUNCIL:** Mayor Gary D. McCaleb; Council - Paul R. Vasquez, Betty Ray, Jimmy McNeil, Russell Berry, Ray Ferguson 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 September 23, 1993.

4. **Awards:**

**Employee Service Awards**

|          |                      |  |
|----------|----------------------|--|
| 25 Years | Wayne Roberts        | District Supervisor<br>Parks Division                |
| 25 Years | Clinton L. Abernathy | Equipment Mechanic II<br>Equipment Services Division |
| 20 Years | Elizabeth A. Johns   | Principal Librarian<br>Library                       |
| 20 Years | James D. Becker      | Police Officer<br>Police Department                  |
| 20 Years | Thad N. Carey        | Police Sergeant<br>Police Department                 |
| 20 Years | Michael D. Smith     | Police Officer<br>Police Department                  |
| 20 Years | Richard Valdez       | Police Officer<br>Police Department                  |

**Employee 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:**

- M. Manson* a. **APPEALED ITEM:** (pending)  
Consider on first reading - An Ordinance changing zoning district boundaries - **Z-3493** - Request from Sharon & Don White to rezone from RM-3 (Residential Multi-Family) to O (Office) district located at 1765 N. 11th St., and set a public hearing for October 28, 1993 at 9:00 a.m.
- M. Manson* b. **APPEALED ITEM:**  
Consider on first reading - An Ordinance changing zoning district boundaries - **Z-03593** - Request from Steve & Tammy Schmidt to rezone from RM-3 (Residential Multi-Family) to GC (General Commercial) district, located at 1302 Compere Blvd, and set a public hearing for October 28, 1993 at 9:00 a.m.
- M. Manson* c. Consider on first reading - An Ordinance changing zoning district boundaries - **Z-03793** - Request from City of Abilene; agent, Larry Abrigg to add H (Historic Overlay) to underlying CB (Central Business) district, located at 401 Pine, and set a public hearing for October 28, 1993.
- M. Manson* d. Consider on first reading - An Ordinance changing zoning district boundaries - **Z-03893** - Request from Freddie & Sylvia Beal to rezone from RM-3 (Residential Multi-Family) to HC (Heavy Commercial) district, located in the 1000 block of Elm Street, and set a public hearing for October 28, 1993.
- J. Condry* e. Resolution authorizing waiver of Sanitary Sewer requirements.
- D. Wright* f. Resolution approving the City of Abilene to participate in state contracts.
- D. Guerra* g. Resolution concerning National Unfunded Mandates Day.

**7. Award of Bid:**

- J. Condry* a. Street Maintenance materials, **Bid #CB3067.**
- E. Dye* b. Field Communication Equipment for Police Department.
- E. Dye* c. Uniforms for Police Department, **Bid #CB3064.**
- D. Wright* d. Cab & Chassis, dumptrucks for Streets & Water Distribution Divisions, **Bid #CB3072.**
- M. Hall* e. Playground equipment for Rose Park, **Bid #CB3077.**

**REGULAR AGENDA**

**8. Ordinances and Resolutions:**

- G. Keesee* a. Resolution approving contract with Texas Department of Transportation for National Maximum Speed Limit Selective Traffic Enforcement program.
- G. Keesee* b. Resolution approving contract with Texas Department of Transportation for Occupant Protection Selective Traffic Enforcement program.

**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.
- R. McDaniel* c. Resolution nominating Directors for Central Appraisal District Board.

**ADJOURN**

**00194**

## 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 8 day of October, 1993, at 5:00 p.m.

  
CITY SECRETARY

### (Personnel)

City Council may consider appointment, employment, reassignment, duties, discipline, or dismissal of public officer or employee, City Manager, City Attorney, Municipal Court Judge, City Secretary, and City Board and Commission Members. A complete list of City Boards and Commissions are on file in the City Secretary's Office. After discussion of appointment and evaluation of Council Appointees and 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. Tutt v. City & William L. Hood
2. DeHoyos v. City
3. Leroy Hammond v. City
4. Ronquillo v. City
5. City v. Russell Jones
6. Riley v. City
7. J. D. Hancock & Ruth Schmidt v. City
8. John Pare v. City
9. City Water Permit Applications
10. Lone Star Gas Gate Rate
11. Southwestern Bell Rate Case
12. 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 06/14/93

00195

**PRE-COUNCIL WORK SESSION, THURSDAY  
October 14, 1993, 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 October 14, 1993, 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 Jimmy McNeil, Russell Berry, 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.

Mayor McCaleb presented Jo Moore, City Secretary, with her five-year pin. Following the Report on Street Crimes Unit by Deputy Chief Dye, the Council requested the presentation be made again in the regular Council meeting for the public. An amended Award of Bid agenda item 7b was submitted to the Council. Assistant City Manager Roy McDaniel explained to the Council the amended item. City Manager Jim Blagg noted for the Council's information that agenda item 6a (Z-3493) had been appealed on 10/13/93. 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  
October 14, 1993, 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 October 14, 1993, 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 September 23, 1993, Councilman Vasquez moved to approve the minutes as printed. The motion was seconded by Councilman McNeil and the motion carried.

**AYES:** Councilman Vasquez, Councilwoman Ray, Councilmen McNeil, Berry, 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 | Wayne Roberts        | District Supervisor<br>Parks Division                |
| 25 Years | Clinton L. Abernathy | Equipment Mechanic II<br>Equipment Services Division |

00196

|          |                    |                                      |
|----------|--------------------|--------------------------------------|
| 20 Years | Elizabeth A. Johns | Principal Librarian<br>Library       |
| 20 Years | James D. Becker    | Police Officer<br>Police Department  |
| 20 Years | Thad N. Carey      | Police Sergeant<br>Police Department |
| 20 Years | Michael D. Smith   | Police Officer<br>Police Department  |
| 20 Years | Richard Valdez     | Police Officer<br>Police Department  |

Mayor McCaleb, assisted by Debra Guerra, Assistant to the City Manager, presented the October Employee of the Month Award to JoAnn Szech, Executive Secretary for Planning.

Councilwoman Ray moved to approve consent agenda items 6e through 6g, and 7a through 7e, and approval of first reading of items 6a through 6d as recommended by staff. The motion was seconded by Councilman McNeil and the motion carried.

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

NAYS: None.

**6. Ordinances and Resolutions:**

a. **APPEALED ITEM:**

Approval of first reading - An Ordinance changing zoning district boundaries - **Z-3493** - Request from Sharon & Don White to rezone from RM-3 (Residential Multi-Family) to O (Office) district located at 1765 N. 11th St., and set a public hearing for October 28, 1993 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.

b. **APPEALED ITEM:**

Approval of first reading - An Ordinance changing zoning district boundaries - **Z-03593** - Request from Steve & Tammy Schmidt to rezone from RM-3 (Residential Multi-Family) to GC (General Commercial) district, located at 1302 Compere Blvd, and set a public hearing for October 28, 1993 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.

- c. Approval of first reading - An Ordinance changing zoning district boundaries - **Z-03793**  
- Request from City of Abilene; agent, Larry Abrigg to add H (Historic Overlay) to underlying CB (Central Business) district, located at 401 Pine, and set a public hearing for October 28, 1993.

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.

- d. Approval of first reading - An Ordinance changing zoning district boundaries - **Z-03893**  
- Request from Freddie & Sylvia Beal to rezone from RM-3 (Residential Multi-Family) to HC (Heavy Commercial) district, located in the 1000 block of Elm Street, and set a public hearing for October 28, 1993.

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.

- e. Resolution authorizing waiver of Sanitary Sewer requirements.

The Resolution is numbered **41-1993** 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 PROPOSED SECTION 1, SADDLE CREEK ESTATES SUBDIVISION, ABILENE, TAYLOR COUNTY, TEXAS, LOCATED ON BELTWAY SOUTH (FM 707) IN ABILENE, TAYLOR, TEXAS.

- f. Resolution approving the City of Abilene to participate in state contracts.

The Resolution is numbered **42-1993** and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING THE PARTICIPATION ON STATE CONTRACTS.

- g. Resolution concerning National Unfunded Mandates Day.

The Resolution is numbered **43-1993** and is captioned as follows:

A RESOLUTION OF THE CITY OF ABILENE, TEXAS, RELATING TO FEDERAL UNFUNDED MANDATES.

7. **Award of Bid:**

- a. Street Maintenance materials, **Bid #CB3067**. The bid was awarded as follows: Morris Ready-Mix Concrete, Inc.: concrete, 4-sack, 5-sack, 6-sack, 7-sack - delivered; Vulcan Materials Co.: rock asphalt - delivered, hot mix asphalt - non-delivered, chip seal stone PB-4 - non-delivered; crushed limestone aggregate - both delivered and non-delivered; and R. E. Janes Gravel Co.: chip seal stone grades a-3, a-4, and a-5 non-delivered; as recommended by staff.
- b. Field Communication Equipment for Police Department. The bid was awarded to Motorola Corporation, single source bidder, for mobile data terminals and portable radios as recommended by staff.
- c. Uniforms for Police Department, **Bid #CB3064**. The bid was awarded to Cannon Uniform Company, as recommended by staff.
- d. Cab & Chassis, dumptrucks for Streets & Water Distribution Divisions, **Bid #CB3072**. The bid was awarded to R. L. Anderson International, Inc., the low responsible bidder, on Items 1 and 2 in the amount of \$122,057.58 as recommended by staff.
- e. Playground equipment for Rose Park, **Bid #CB3077**. The bid was awarded to Modlin Recreation Equipment, Inc. in the amount of \$50,453.00, contingent upon Housing and Urban Development's approval to release the monies as recommended by staff.

8. **Ordinances and Resolutions:**

Ed Dye, Deputy Police Chief, introduced Sgt. Joe Noret, then presented a report on the Police Department's Street Crimes Unit.

a. and b. Gene Keese, Police Sergeant, briefed the Council on a Resolution approving a contract with Texas Department of Transportation for National Maximum Speed Limit Selective Traffic Enforcement program; and a Resolution approving a contract with the Texas Department of Transportation for Occupant Protection Selective Traffic Enforcement program.

Councilman Vasquez moved to approve the Resolution approving a contract with Texas Department of Transportation for National Maximum Speed Limit Selective Traffic Enforcement program; and the Resolution approving a contract with the Texas Department of Transportation for Occupant Protection Selective Traffic Enforcement program, as recommended by staff. The motion was seconded by Councilman Berry and the motion carried.

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

NAYS: None.

The Resolution is numbered 44-1993 and is captioned as follows:

A RESOLUTION PROVIDING FOR APPROVAL OF APPLICATION FOR GRANT FUNDS FROM THE STATE OF TEXAS FOR A SELECTIVE TRAFFIC ENFORCEMENT PROGRAM FOR THE NATIONAL MAXIMUM SPEED LIMIT.

The Resolution is numbered 45-1993 and is captioned as follows:

A RESOLUTION PROVIDING FOR APPROVAL OF APPLICATION FOR GRANT FUNDS FROM THE STATE OF TEXAS FOR A SELECTIVE TRAFFIC ENFORCEMENT PROGRAM FOR VEHICLE OCCUPANT PROTECTION.

9. **Other Business:**

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.

a. Councilman Vasquez moved to approve the Resolution nominating O. Henry "Mike" Young and Harold Nixon as Directors for the Central Appraisal District Board. The motion was seconded by Councilman Ferguson and the motion carried.

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

NAYS: None.

The Resolution is numbered 46-1993 and is captioned as follows:

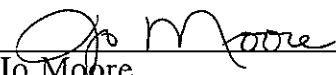
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, NOMINATING BOARD OF DIRECTOR CANDIDATES FOR THE CENTRAL APPRAISAL DISTRICT OF TAYLOR COUNTY.

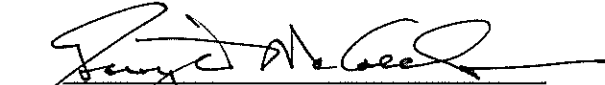
Councilman McNeil moved to approve Mayor McCaleb's appointment of Sharon Allen to the Development Corporation of Abilene, Inc., term expiring 11/96. The motion was seconded by Councilman Berry and the motion carried.

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

NAYS: None.

There being no further business, the meeting was adjourned at 11:50 a.m.

  
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Jo Moore  
City Secretary

  
\_\_\_\_\_  
Gary D. McCaleb  
Mayor