

**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, November 18, 1993 at 8:30 a.m. to consider the following:

1. Sister Cities Program Briefing.
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, November 18, 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 Liz Herrera.
3. **Approval of Minutes:** Pre-Council Session and Regular City Council Meeting held November 11, 1993.
4. **Awards**  
Cooper Tennis Team Certificate of Appreciation
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 Council Member 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:**

- |                   |    |   |
|-------------------|----|---|
| <i>M. Manson</i>  | a. | <u>Consider on first reading</u> - An Ordinance amending Chapter 6, Section 6-10, Keeping Swine Restricted; and the Zoning Ordinance, Section 23-306.4, Permitted Uses, and set a public hearing for December 2, 1993 at 9:00 am.   |
| <i>P. Collins</i> | b. | <u>Consider on second and final reading</u> - An Ordinance authorizing 100% Updated Service Credits for employees and 30% Updated Service Credits for retirees of the Texas Municipal Retirement System, effective January 1, 1994. |
| <i>J. Condry</i>  | c. | <u>Consider on first reading</u> - An Ordinance amending Chapter 18, "Motor Vehicles and Traffic", Sections 18-293, 18-297, and 18-299, of the Abilene Municipal Code.  |

**7. Award of Bid:**

- P. Collins* a. Electronic carousel file system for Human Resources Department, **Bid #CB-3079.**
- D. Wright* b. Brushchipper for Refuse Collection, **Bid #CB-3080.**
- D. Wright* c. Bucket truck and cab & chassis for mounting City-owned bucket assembly, **Bid #CB-3071.**
- J. Condry* d. Construction of sidewalks in vicinity of new school sites - Phase III, **Bid #CB-4001.**

**REGULAR AGENDA**

**8. Ordinances and Resolutions:**

- M. Manson* a. **Public Hearing: Consider on second and final reading** - An Ordinance amending zoning Ordinance - **Z-03993** - Request from Faith N. Morley to amend PDD #26 (Planned Development District) concerning building line setback requirements and driveway access, located at Buffalo Gap & Chimney Rock Roads.

**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 City Secretary Jo Moore, 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 12 day of November, 1993, at 5:00 p.m.

  
CITY SECRETARY

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(Personnel)

City Council may consider appointment, employment, reassignment, duties, discipline, or dismissal of public officers or employees, 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. IDS, et al v. City, et al
5. City v. Russell Jones
6. Riley v. City
7. J. D. Hancock & Ruth Schmidt v. City
8. John Pare v. City
9. Ex Parte Rauchle
10. Estes v. Board of Adjustment & City
11. Hickman et al v. City
12. City Water Permit Applications
13. Lone Star Gas Gate Rate
14. Southwestern Bell Rate Case
15. 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 11/03/93

**PRE-COUNCIL WORK SESSION, THURSDAY  
November 18, 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 November 18, 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., Assistant to the City Manager Debra Guerra, City Secretary Jo Moore, and various members of the City staff.

Debra Guerra, Assistant to the City Manager, introduced Mary Cooksey of the Sister Cities Committee and Maria Chiappetta, visiting teacher from Argentina, who briefed the Council on her visit to Abilene. 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  
November 18, 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 November 18, 1993, at 9:00 a.m. in the 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 November 11, 1993, Councilman McNeil moved to approve the minutes as printed. The motion was seconded by Councilwoman Ray and the motion carried.

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

**NAYS:** None.

Mayor McCaleb, assisted by Debra Guerra, Assistant to the City Manager and Mary Cooksey, a representative of the Sister Cities Committee, presented an Honorary Citizen Award to Maria Chiappetta from Rio Cuarto, Argentina.

Mayor McCaleb presented a Certificate of Appreciation to Ron Smith, an Abilene Citizen who has recently been recognized nationally for his bravery during the Vietnam Conflict.

Mayor McCaleb, assisted by Coach LeeAnn Scott, presented Certificates of Appreciation to team members of the Cooper Tennis Team for their accomplishment in winning the State Championship.

Councilman Vasquez moved to approve the first reading of items 6a and 6c, as recommended by the staff. The motion was seconded by Councilman Berry and the motion carried. Items 6b and 7a through 7d were removed from the consent agenda to be considered separately, at the request of a citizen, Bobbie Hotchkiss, of 4065 Waldemar.

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

NAYS: None.

**6. Ordinances and Resolutions:**

- a. Approval of first readings - An Ordinance amending Chapter 6, Section 6-10, Keeping Swine Restricted; and the Zoning Ordinance, Section 23-306.4, Permitted Uses, and set a public hearing for December 2, 1993 at 9:00 am.

AN ORDINANCE AMENDING CHAPTER 23, PLANNING AND COMMUNITY DEVELOPMENT," SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY AND CALLING A PUBLIC HEARING.

AN ORDINANCE AMENDING CHAPTER 6, ARTICLE I, OF THE ABILENE CITY CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

- b. Removed from Consent Agenda.

- c. Approval of first reading - An Ordinance amending Chapter 18, "Motor Vehicles and Traffic", Sections 18-293, 18-297, and 18-299, of the Abilene Municipal Code.

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.

6b. Pam Collins, Director of Administrative Services, briefed the Council on an Ordinance considered on second and final reading - An Ordinance authorizing 100% Updated Service Credits for employees and 30% Updated Service Credits for retirees of the Texas Municipal Retirement System, effective January 1, 1994. Staff recommends approval.

Councilman Vasquez moved to approve the Ordinance authorizing 100% Updated Service Credits for employees and 30% Updated Service Credits for retirees of the Texas Municipal Retirement System, effective January 1, 1994, as recommended by the 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.

The Ordinance is numbered **50-1993** and is captioned as follows:

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; AND ESTABLISHING AN EFFECTIVE DATE FOR SUCH ACTIONS.

**7. Award of Bid:**

a. Pam Collins, Director of Administrative Services, briefed the Council on an Electronic carousel file system for Human Resources Department, **Bid #CB-3079**. Staff recommends the bid be awarded to Barnhill Office Equipment, Inc. the low responsible bidder in the amount of \$19,129.00, the most advantageous for the City.

Councilwoman Ray moved to award the bid to Barnhill Office Equipment, Inc. in the amount of \$19,129.00, as recommended by the staff. 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.

b. David Wright, Director of Finance, briefed the Council on a Brushchipper for Refuse Collection, **Bid #CB-3080**. Staff recommends the bid be awarded to Big John-South Central Region, the low responsible bidder, in the amount of \$19,920.00.

Councilman Vasquez moved to award the bid to Big John-South Central Region in the amount of \$19,920.00, as recommended by the 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.

c. David Wright, Director of Finance, briefed the Council on a Bucket truck and cab & chassis for mounting City-owned bucket assembly, **Bid #CB-3071**. Staff recommends the bid be awarded to Commercial Body Corporation, the low responsible bidder for Items 1 and 2 with the hydraulic bucket rotation device, in the amount of \$76,913.00.

Councilman McNeil moved to award the bid to Commercial Body Corporation, in the amount of \$76,913.00, as recommended by the staff. The motion was seconded by Councilwoman Ray and the motion carried.

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

NAYS: None.

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d. James Condry, Assistant Director of Development Services for Public Works, briefed the Council on Construction of sidewalks in the vicinity of the new school sites - Phase III, **Bid #CB-4001**. Staff recommends the bid be awarded to Bontke Brothers Construction Company for the unit prices bid, with an estimated project amount of \$37,058.75.

Councilman Berry moved to award the bid to Bontke Brothers Construction Company in the amount of \$37,058.75, as recommended by staff. 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.

## 8. Ordinances and Resolutions:

a. Mindy Manson, Assistant Director of Development Service for Planning, briefed the Council on an Ordinance considered on second and final reading amending zoning Ordinance - **Z-03993** - Request from Faith N. Morley to amend PDD #26 (Planned Development District) concerning building line setback requirements and driveway access, located at Buffalo Gap & Chimney Rock Roads.

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

- . Faith Morley, proponent, distributed plats and pictures to the Council of examples of what she proposed finished development will be like. Ms. Morley stated that although she was not at the Planning and Zoning Commission meeting, she did have a representative present, but does not believe he made her requests known.

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

Mayor McCaleb expressed his concerns about the City Council being left with the impression that this matter was clear when considered by the Planning and Zoning Commission, and then finding out that is not the case.

Following discussion among Council, staff, and the proponent regarding additional considerations requested by the proponent, Councilman Vasquez moved to approve the Ordinance AS PROPOSED to amend PDD #26 (Planned Development District) concerning building line setback requirements and driveway access located at Buffalo Gap & Chimney Rock Roads, as recommended by the staff; suggesting Ms. Morley go back to the Planning and Zoning Commission for any further exceptions to the lots. The motion was seconded by Councilwoman Ray and the motion carried.

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

NAYS: None.

The Ordinance is numbered **51-1993** and is captioned as follows:

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, AND ORDINANCE NO. 103-1984 CONCERNING THE PROFESSIONAL PLAZA PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

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 Ferguson moved to approve appointments and reappointments to various City boards and commissions as follows:

**ABILENE CLEAN AND PROUD** - 3 year term, expiring 11/96

Appoint:

Scott Stevenson

Bill Brock, term expiring 11/95

Norman Naill

Reappoint:

Alison Benton

Darrin Cox

Helen Hooker

**ABILENE PUBLIC HEALTH ADVISORY BOARD** - 3 year term, expiring 11/96

Appoint:

Paul R. Vasquez

Stephen F. Owen

Reappoint:

Mike Falk

**AIRPORT DEVELOPMENT BOARD** - 3 year term, expiring 11/96

Reappoint:

Morris Baker

Jack North

**BOARD OF ADJUSTMENT** - 2 year term

Appoint:

Fannie Baker

Reappoint:

Ernest Hermann

Kirby Leeson

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**BOARD OF BUILDING STANDARDS - 2 year term**

Reappoint:

Bruce Bixby, Building Contractor

Betty Blazier, Alternate Social Worker

Tommie Harendt, Alternate General Contractor

Burl Nash, General Contractor

E. D. "Digger" O'Dell, Alternate Engineer

Sam St. Clair, Jr., Social Worker

David Todd, Alternate Engineer

**CIVIL SERVICE COMMISSION - 3 year term**

Reappoint:

Cindy Rucker

**HOUSING AUTHORITY OF THE CITY OF ABILENE - 2 year term**

Appoint:

Johnny Almaguer

Reappoint:

Carol King

Earl Williams

**LANDMARKS COMMISSION - 3 year term**

Appoint:

Ric Savage, from Alternate to Primary

Patsy Cooksey

Jim Richmond, Alternate, term expiring 11/94

Reappoint:

Jeff Luther

**LIBRARY BOARD - 2 year term**

Appoint:

Rebel Jackson

Carol Hamner

Dr. Beverly Lenoir, term expiring 11/94

Richard Horn, term expiring 11/94

Reappoint:

Kloyece Irvin

**MECHANICAL, PLUMBING, ELECTRICAL, & SWIMMING POOL BOARD OF APPEALS /  
ELECTRICAL SUBCOMMITTEE**

Appoint:

Darrell Dorsett, term expiring 5/94

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**MIXED USE REVIEW BOARD - 2 year term**

Reappoint:

Larry Chapman

Howard DeShazo

Larry Vaughn

**PLANNING AND ZONING COMMISSION - 3 year term**

Appoint:

Julie Beckham

Ric Gray

**REINVESTMENT ZONE #1 CITY OF ABILENE - 2 year term**

Appoint:

Ron Fogle

Ken Burgess, Jr.

Rhonda Bolt

Jack Turner (county)

Sheldon Green

Reappoint:

Kris Southward

Rick Weatherl

**SISTER CITIES COMMITTEE - 3 year term**

Reappoint:

Billye Proctor-Shaw

Mary Cooksey

Barbara Breier

Bob Maguire

Roma Frye

Diana Freeman

Sandy Merrill

Bill Short

Appoint as advisors and resource persons:

David Scott, Economic Development

Morris Baker

Brenda Van Dunk

Richard Chowning

Chris Proctor-Cleveland

Bill Wright, Rio Cuarto, Argentina

Bob Trotter, Rio Cuarto, Argentina

Bill Humble, Corinth, Greece

Kathy Morehead, Corinth, Greece

Joanna Bens, Corinth, Greece

Mary Booth Steward, Corinth, Greece

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**YOUTH ADVISORY COUNCIL - 1 year term**

Appoint:

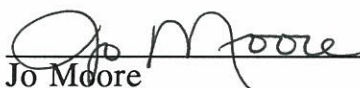
Kent Benfer, Clack Middle School  
Ahmad Brooks, Mann Middle School  
Jet Caniker, Jefferson Middle School  
Amy Fuqua, Cooper High School  
Martha Garcia, Clack Middle School  
Jennifer Jurrius, Mann Middle School  
Tehondra Oages, Abilene High School  
Joseph Sczech, Cooper High School  
Leigh Woods, Jefferson Middle School  
Adam Valdez, Abilene High School


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

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

NAYS: None.

There being no further business, the meeting was adjourned at 11:15 p.m.

  
Jo Moore  
City Secretary

  
Gary D. McCaleb  
Mayor

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