

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 2, 1993**, at 8:30 a.m. to consider the following:

1. Strategic Planning Reports
2. Briefing on Health Plan Cost Savings
3. 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 2, 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:** Councilman Jimmy McNeil.
3. **Approval of Minutes:** Pre-Council Session and Regular City Council Meeting held November 18, 1993.

4. **Awards:**

Employee Service Awards

30 Years	Kenneth Hambright	Captain Police Department
30 Years	Gene E. Ellison	Heavy Equipment Operator II Water Distribution
25 Years	Arthur Gene Keesee	Sergeant Police Department
20 Years	Jacob L. Isaac	Refuse Collector Refuse Division

Employee 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.

00228

6. Ordinances and Resolutions:

- J. Condry* a. Consider on second and final reading - An Ordinance amending Chapter 18, "Motor Vehicles and Traffic", Sections 18-293, 18-297, and 18-299, of the Abilene Municipal Code.
- B. Fowler* b. Consider on first reading - An ordinance amending 1990 National Electrical Code, Chapter 3, Permits and Inspections, Section 301(b), Exempt Work, and set a public hearing for December 16, 1993 at 9:00 a.m.
- J. Condry* c. Resolution authorizing execution of construction and maintenance agreement for bridge replacement and rehabilitation at Lytle Creek and Lytle Trail (E. S. 27th St.).

7. Award of Bid:

- M. Hall* a. Sears Park Tennis and Play Courts, Bid #CB3069.

REGULAR AGENDA

8. Public Appearance:

Glenn Files, Airport Planning Committee, to present Airport Strategic Plan and request to accept the plan by Oral Resolution.

9. Ordinances and Resolutions:

- M. Manson* a. **Public Hearing:** Consider on second and final reading - An Ordinance amending Chapter 6, Section 6-10, Keeping Swine Restricted; and the Zoning Ordinance, Section 23-306.4, Permitted Uses.

10. 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 24 day of November, 1993, at 11:30 (a.m./~~p.m.~~)


CITY SECRETARY

00229

(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
December 2, 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 December 2, 1993, at 8:30 A.M. in the Basement Conference Room of City Hall. Mayor Pro Tempore Betty Ray was present and presiding with 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, City Secretary Jo Moore, Assistant to the City Manager Debra Guerra, and various members of the City staff. Mayor Gary D. McCaleb and Councilman Paul R. Vasquez were absent.

Debra Guerra, Assistant to the City Manager, briefed the Council on Strategic Planning Reports and distributed information. Robby Neill, Safety Coordinator, updated the Council on Health Plan Cost Savings and distributed a fiscal year comparison. Roy McDaniel, Assistant City Manager, commended Mr. Neill on his hard work. 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 2, 1993, 9:00 A.M.**

**CITY COUNCIL OF THE CITY OF ABILENE, TEXAS
CITY COUNCIL CHAMBERS OF CITY HALL**

Mayor Pro Tempore Ray reconvened the City Council of the City of Abilene, Texas, into Regular Session December 2, 1993, at 9:00 a.m. in the City Council Chambers of City Hall.

Invocation was given by Councilman Jimmy McNeil.

There being no corrections, additions, or deletions to the minutes of the Pre-Council Session and Regular City Council Meeting held November 18, 1993, Councilman Berry moved to approve the minutes as printed. The motion was seconded by Councilman Ferguson and the motion carried.

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

NAYS: None.

City Secretary Jo Moore assisted Mayor Pro Tempore Ray in presenting **Employee Service Awards** to the following individuals for their years of service:

30 Years	Kenneth Hambright	Captain Police Department
----------	-------------------	------------------------------

30 Years	Gene E. Ellison	Heavy Equipment Operator II Water Distribution
----------	-----------------	---

00231

25 Years	Arthur Gene Keesee	Sergeant Police Department
20 Years	Jacob L. Isaac	Refuse Collector Refuse Division

Mayor Pro Tempore Ray presented the following proclamations:
 December 8 as KRBC/Food Bank of Abilene "Share Your Christmas" Day
 November 28 to December 4 as National Home Care Week
 December 2 as Concepts of Care Day

Debra Guerra, Assistant to the City Manager, assisted Mayor Pro Tempore Ray in presenting Certificates of Appreciation to members of the Sister Cities Committee.

Councilman McNeil moved to approve consent agenda items 6a and 6c and 7a; and approval of first reading of consent agenda item 6b as recommended by the staff. The motion was seconded by Councilman Berry and the motion carried.

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

NAYS: None.

6. Ordinances and Resolutions:

- a. Approval of second and first reading - An ordinance amending Chapter 18, "Motor Vehicles and Traffic", of the Abilene Municipal Code, Section 18-293, 18-297, and 18-299 of the Abilene Municipal Code.

The Ordinance is numbered 52-1993 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.

- b. Approval of first reading - An ordinance amending 1990 National Electrical Code, Chapter 3, Permits and Inspections, Section 301(b), Exempt Work, and set a public hearing for December 16, 1993 at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 8, "CONSTRUCTION REGULATIONS", ARTICLE VI, "UNIFORM CODES AND OTHER REGULATIONS", DIVISION 3, "ELECTRICAL CODE", OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

- c. Resolution authorizing execution of construction and maintenance agreement for bridge replacement and rehabilitation at Lytle Creek and Lytle Trail (E. S. 27th St.).

The Resolution is numbered **49-1993** and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE EXECUTION OF A CONSTRUCTION AND MAINTENANCE AGREEMENT FOR BRIDGE REPLACEMENT AND REHABILITATION OFF THE STATE SYSTEM FOR THE BRIDGE AT LYTLE CREEK AND LYTLE TRAIL (ALSO KNOWN AS ES 27TH STREET).

7. Award of Bid:

- a. Sears Park Tennis and Play Courts, **Bid #CB3069**. The bid was awarded to Benton Construction, Inc. in the amount of \$50,800.00, as recommended by staff.

8. Public Appearance:

Glenn Files, Airport Planning Committee, presented the Airport Strategic Plan to Council, noting that it had been presented to and approved by both the Development Corporation of Abilene and Airport Development Board, and requested City Council accept the plan by Oral Resolution.

Councilman Ferguson moved to accept the Airport Strategic Plan as presented. The motion was seconded by Councilman Berry and the motion carried.

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

NAYS: None.

9. Ordinances and Resolutions:

- a. Mindy Manson, Assistant Director of Development Services for Planning, briefed the Council regarding an Ordinance amending Chapter 6, Section 6-10, Keeping Swine Restricted; and the Zoning Ordinance, Section 23-306.4, Permitted Uses. The Planning and Zoning Commission and staff recommend denial. Although staff recommends denial, proposed amendments to City have been prepared if Council chooses to approve the request.

Mayor Pro Tempore Ray opened a public hearing on the item, and the following individual spoke in response to the request:

- . Sheri Buse, 809 Chanticleers, proponent.

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

Councilman Berry moved to deny the Ordinance amending Chapter 6, Section 6-10, Keeping Swine Restricted; and the Zoning Ordinance, Section 23-306.4, Permitted Uses as recommended by staff. The motion was seconded by Councilman McNeil and the motion failed.

AYES: Councilmen McNeil, Berry, and Mayor Pro Tempore Ray.

NAYS: Councilman Ferguson and Councilwoman Herrera.

Councilman Ferguson moved to approve the Ordinances with restrictions as outlined by staff. The motion failed for lack of a second.

00233

Mayor Pro Tempore Ray 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.

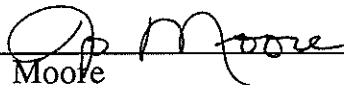
The Council reconvened from executive session and reported no action taken.

Councilman Ferguson moved to appoint Pam Porter and Chris Blackmon to the Library Board, terms expiring 11/95; Chris Proctor-Cleveland to the Sister Cities Committee, term expiring 11/96; Dottie Scott to fill a vacancy on the Animal Control Advisory Board, term expiring 11/94; and the following individuals to the Youth Advisory Council: Shay Johnson, J. B. Pierce, Matthew Heard, Makinzie Conley, Andrea Kidd, Whitney Bradenberger, Tunisia Jordan (reappointment), Christine Fernandez (reappointment), and Kristi Cargill (reappointment), terms expiring 5/94; all as recommended by staff. The motion was seconded by Councilwoman Herrera and the motion carried.

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

NAYS: None.

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



Jo Moore
City Secretary



Betty Ray
Mayor Pro Tempore

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 16, 1993 at 8:30 a.m. to consider the following:

1. Update on use of booting device for delinquent parking tickets.
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 16, 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:** Councilman Paul R. Vasquez.
3. **Approval of Minutes:** Pre-Council Session and Regular City Council Meeting held December 2, 1993.
4. **Awards**
Employee of the Month
Employee of the Year
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:

- M. Manson* a. Consider on first reading - An Ordinance changing zoning district boundaries - **Z-03693** - Request from Bailey G. Choate to rezone from AO (Agricultural Open Space) to LI (Light Industrial) district, located at I-20 and U. S. Hwy. 83-277, and set a public hearing for January 13, 1994, at 9:00 a.m.
- M. Manson* b. Consider on first reading - An ordinance changing zoning district boundaries - **Z-04093** - Request from Maxine Cockrell to add H (Historic Overlay) to underlying RM-2/MX Overlay (Residential Multi-Family/Mixed Use Overlay) district, located at 540 Grape St., and set a public hearing for January 13, 1994 at 9:00 a.m.
- Falcioni* c. Oral Resolution approving leases with Simmons Airlines, Inc. dba American Eagle Airlines, Atlantic SouthEast Airlines, and Conquest Airlines for terminal building space at Abilene Regional Airport.
- Falcioni* d. Oral Resolution authorizing Mayor to execute lease with FAA for land to install Airport Surveillance Radar at Abilene Regional Airport.

- Hargesheimer e.* Resolution approving Municipal Water Pollution Prevention Environmental Audit Report.
- Hargesheimer f.* Oral Resolution authorizing City Manager to execute Professional Services contract amendment.
- R. McDaniel g.* Resolution approving issuance of bonds in the amount of \$5,225,000 by Abilene Higher Education Facilities Corporation for Abilene Christian University, and approval of form of Amended and Restated Indenture of Trust and Amended and Restated Loan Agreement for current refunding.
- M. Hall h.* Oral Resolution approving professional services contract to perform duties of Medical Authority.

7. Award of Bid:

- D. Wright a.* Truck mounted liquid asphalt pressure distributor for Street Services Division, **Bid #CB3081.**
- D. Wright b.* Sideloader trucks for Refuse Collection Division, **Bid #CB3073.**
- D. Wright c.* Platform dumptrucks, **Bid #CB4005.**
- D. Wright d.* 16 Microcomputers for Big Country Library System, **Bid #CB3085.**
- Hargesheimer e.* Pipe for Water Utilities Division, **Bid #CB4006.**

REGULAR AGENDA

8. Public Appearance:

Tim Simpson, Library Board Chair, to present report on advisory board work program for Abilene Public Library.

9. Ordinances and Resolutions:

- B. Fowler a.* **PUBLIC HEARING:** Consider on second and final reading - An ordinance amending 1990 National Electrical Code, Chapter 3, Permits and Inspections, Section 301(b), Exempt Work.
- M. Morrison b.* Discussion and possible approval by Oral Resolution of 1993/94 Comprehensive Housing Affordability Strategy (CHAS).

10. 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.
- c.* Resolution reappointing Keith Barton as Municipal Court Judge for a two year term.
- M. Manson d.* Strategic Planning/Critical Issues Worksession.

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 10 day of December, 1993, at 5:00 (a.m. (p.m.))


CITY SECRETARY

(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

00237