

- M. Manson* c. Consider on first reading - An Ordinance changing zoning district boundaries - **Z-00994** - Request from Sam & Virginia Bolin to add H (Historic Overlay) to underlying O (Office) district located at 508 Mulberry, and set a public hearing for March 24, 1994 at 9:00 a.m.
- M. Manson* d. Consider on first reading - An Ordinance changing zoning district boundaries - **Z-01094** - Request from Vince Kingsley to rezone from RS-8 (Residential Single Family) to GC (General Commercial) district located at 488 E. Ambler, and set a public hearing for March 24, 1994 at 9:00 a.m.
- M. Manson* e. Consider on first reading - An Ordinance changing zoning district boundaries - **Z-01194** - Request from Eddie Boykin; agent, Johnny Jennings, to rezone from LI (Light Industrial) to GC (General Commercial) district located in the 4100-4200 block of S. Danville, and set a public hearing for March 24, 1994 at 9:00 a.m.
- B. Fowler* f. Consider on first reading - An Ordinance amending Chapter 8, "Construction Regulations", of the Abilene Municipal Code, to adopt the 1993 National Electrical Code with amendments, and set a public hearing for March 24, 1994 at 9:00 a.m.
- C. Poe* g. Consider on second and final reading - An Ordinance amending Chapter 7 of the Abilene Municipal Code concerning Civil Defense, and providing a penalty clause; approving City of Abilene and Taylor County Joint Resolution and Emergency Operations Plan.
- J. Condry* h. Oral Resolution approving Street Use License request from St. Paul Methodist Church.
- J. Condry* i. Oral Resolution approving Street Use License request from Yums, Inc.
- J. Moore* j. Oral Resolution approving contract with Taylor County Election Office for Joint City/AISD Election May 7, 1994.

7. Award of Bid:

- D. Wright* a. Microwave Radio, Bid #CB4025.

REGULAR AGENDA

8. Ordinances & Resolutions:

- M. Manson* a. **Public Hearing:** Consider on second and final reading - An Ordinance amending Chapter 23, "Planning and Community Development," Section 23-306.5(B)(7), to allow custom dressmaking, millinery, tailoring, or sewing of fabric for custom apparel and custom home furnishings as a Home Occupation under Group A.
- D. Guerra* b. Briefing on street sweeping program evaluation.

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 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 March 1994, at 5:00 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. Scales 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. Ex Parte Rauchle
9. Hickman et al v. City
10. City Water Permit Applications
11. Lone Star Gas Gate Rate
12. Southwestern Bell Rate Case
13. 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.

CC 2/01/94

00036

**PRE-COUNCIL WORK SESSION, THURSDAY
March 10, 1994, 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 March 10, 1994, 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 Russell Berry and 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. Councilman Jimmy McNeil was absent.

Marva Pritchett, Director of Development Services, presented her department's Strategic Plan. 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
March 10, 1994, 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 March 10, 1994, at 9:00 a.m. in the City Council Chambers of City Hall.

Invocation was given by Councilman Russell Berry.

There being no corrections, additions, or deletions to the minutes of the Pre-Council Session and Regular City Council Meeting held February 24, 1994, Councilman Vasquez moved to approve the minutes as printed. The motion was seconded by Councilman Ferguson and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen Berry and 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	Edward L. Gilliam	Heavy Equipment Operator I Street Services Division
25 Years	Audrey M. Perry	Superintendent Civic Center
25 Years	Melvin R. Martin	Police Chief Police Department

Debra Guerra, Assistant to the City Manager, assisted Mayor McCaleb in the presentation of the March Employee of the Month Award to Fireman Rusty Watts.

Mayor McCaleb presented the following proclamations:
March 12-19 as Irish-American Week, and
March as National Women's History Month.

Mayor McCaleb stated as National Women's History Month is observed, he wanted to express his appreciation to Councilwomen Betty Ray and Liz Herrera for their contributions on the Council.

Councilman Ferguson moved to approve consent agenda items 6a, 6b, 6g through 6j 7a, and approval of first reading agenda items 6c through 6f as recommended by the staff. The motion was seconded by Councilman Berry and the motion carried.

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

NAYS: None.

6. Ordinances and Resolutions:

- a. Resolution directing publication of Notice of Intention to Issue Certificates of Obligation.

The Resolution is numbered 11-1994 and is captioned as follows:

DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 1994.

- b. Oral Resolution approving contract between the City of Abilene and Hope Haven, Inc. for disbursements of HOME Investment Partnership Funds, and authorizing City Manager to execute the contract.
- c. Approval of first reading - An Ordinance changing zoning district boundaries - Z-00994 - Request from Sam & Virginia Bolin to add H (Historic Overlay) to underlying O (Office) district located at 508 Mulberry, and set a public hearing for March 24, 1994 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.

- d. Approval of first reading - An Ordinance changing zoning district boundaries - Z-01094 - Request from Vince Kingsley to rezone from RS-8 (Residential Single Family) to GC (General Commercial) district located at 488 E. Ambler, and set a public hearing for March 24, 1994 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.

- e. Approval of first reading - An Ordinance changing zoning district boundaries - **Z-01194** - Request from Eddie Boykin; agent, Johnny Jennings, to rezone from LI (Light Industrial) to GC (General Commercial) district located in the 4100-4200 block of S. Danville, and set a public hearing for March 24, 1994 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. Approval of first reading - An Ordinance amending Chapter 8, "Construction Regulations", of the Abilene Municipal Code, to adopt the 1993 National Electrical Code with amendments, and set a public hearing for March 24, 1994 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.

- g. Approval of second and final reading - An Ordinance amending Chapter 7 of the Abilene Municipal Code concerning Civil Defense, and providing a penalty clause; approving City of Abilene and Taylor County Joint Resolution and Emergency Operations Plan.

The Ordinance is numbered **8-1994** and is captioned as follows:

AN ORDINANCE AMENDING CHAPTER 7 OF THE CODE OF THE CITY OF ABILENE CONCERNING CIVIL DEFENSE, BY ESTABLISHING A PROGRAM INCLUDING MITIGATION, PREPAREDNESS, RESPONSE AND RECOVERY PHASES OF COMPREHENSIVE EMERGENCY MANAGEMENT; ACKNOWLEDGING THE OFFICE OF EMERGENCY MANAGEMENT COORDINATOR; PROVIDING FOR THE DUTIES AND RESPONSIBILITIES OF THOSE OFFICES; IDENTIFYING AN OPERATIONAL ORGANIZATION; GRANTING NECESSARY POWERS TO COPE WITH ALL PHASES OF EMERGENCY MANAGEMENT

WHICH THREATEN LIFE AND PROPERTY IN THE CITY OF ABILENE; AUTHORIZING COOPERATIVE AND MUTUAL AID AGREEMENTS FOR RELIEF WORK BETWEEN THIS AND OTHER CITIES OR COUNTIES AND FOR RELATED PURPOSES; PROHIBITING UNAUTHORIZED WARNING AND ALL-CLEAR SIGNALS; PROVIDING A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

The City of Abilene and Taylor County Joint Resolution and Emergency Operations Plan is numbered 12-1994 and contains no caption.

- h. Oral Resolution approving Street Use License request from St. Paul Methodist Church with conditions.
- i. Oral Resolution approving Street Use License request from Yums, Inc.
- j. Oral Resolution approving contract with Taylor County Election Office for Joint City/AISD Election May 7, 1994.

7. Award of Bid:

- a. Microwave Radio, **Bid #CB4025**. The bid was awarded to Technical Concepts Corporation of Richardson, the low responsible bidder, in the amount of \$17,700.00 as recommended by staff.

8. Ordinances & Resolutions:

- a. Mindy Manson, Assistant Director of Development Services for Planning, briefed the Council on an Ordinance considered on second and final reading amending Chapter 23, "Planning and Community Development," Section 23-306.5(B)(7), to allow custom dressmaking, millinery, tailoring, or sewing of fabric for custom apparel and custom home furnishings as a Home Occupation under Group A. The Planning and Zoning Commission and staff recommends approval.

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

FOR:

- . David Crymes, representing the proponent.
- . Sue Knutson, owner, spoke to the need to be home with her niece and nephew, whom she is sponsoring from her home country.

AGAINST:

- . Sally Robinson, 3000 Southwest Drive, expressed problems that could occur if this amendment is approved.

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 23, Section 23-306.5(B)(7) of the Abilene Municipal Code to allow custom dressmaking, millinery, or sewing of fabric for custom apparel and home furnishings as a Home Occupation under Group A as recommended by staff; and to direct staff to study keeping a control on this matter in the homes. The motion was seconded by Councilwoman Herrera and the motion carried.

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

NAYS: None.

ABSTAIN: Councilman Ferguson on zoning amendment only; AYE for further study.

The Ordinance is numbered 9-1994 and is captioned as follows:

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.

b. Debra Guerra, Assistant to the City Manager, and Rick Myers, Street Superintendent, briefed the Council on the street sweeping program, specifically addressing impact to citizens expected as a result of proposed changes.

No action was taken.

9. Other Business:

Mayor McCaleb recessed the Council into executive session pursuant to Sections 551.071 and 551.074 of the Open Meetings Act, and to consider the appointment and evaluation of public officers.

The Council reconvened and reported no action taken.

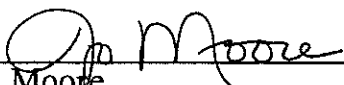
Councilwoman Ray moved to appoint Star Ferguson to fill a vacancy with term expiring 11/96, and Theresa Clause to fill a vacancy with term expiring 11/94 on Abilene Clean and Proud, Inc.; and Scott Taliaferro Jr. to fill a vacancy on the Sister Cities Committee, term expiring 11/96. The motion was seconded by Councilman Vasquez and the motion carried.

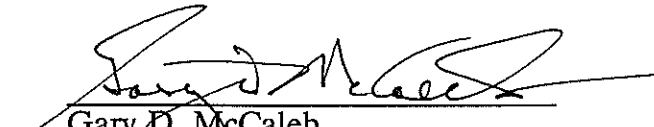
AYES: Councilman Vasquez, Councilwoman Ray, Councilmen Berry, Councilwoman Herrera, and Mayor McCaleb.

NAYS: None.

ABSTAIN: Councilman Ferguson.

There being no further business, the meeting was adjourned at 10:50 a.m.


Jo Moore
City Secretary


Gary D. McCaleb
Mayor