

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, **March 24, 1994**, at 8:30 a.m. to consider the following:

1. Briefing on Phase II Pine St. Concrete Repair Bid.
2. Briefing on Environmental Health Inspection Rate Assessment Program.
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, **March 24, 1994**, 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 Ray Ferguson.
3. **Approval of Minutes:** Pre-Council Session and Regular City Council Meeting held March 10, 1994.
4. **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.

5. Ordinances and Resolutions:

- | | | |
|-----------|----|---|
| J. Moore | a. | Resolution appointing election officials for May 7, 1994 Joint Election. |
| C. Poe | b. | Oral Resolution approving renewal of weed mowing Agreement. |
| Pritchett | c. | <u>Consider on first reading</u> - An Ordinance amending Chapter 18, "Motor Vehicles and Traffic", Sections 18-286, 18-291, 18-293 and 18-304, of the Abilene Municipal Code. |
| J. Condry | d. | Request to advertise for Bid for Oil and Gas Mineral Lease. |
| J. Condry | e. | Resolution authorizing submittal of Traffic Light Synchronization Grant Application. |

6. Award of Bid:

- | | | |
|-----------|----|--|
| J. Condry | a. | Phase II of Pine Street Concrete St. Repair, Bid #CB4027. |
| M. Hall | b. | Shelving Phase I for Abilene Public Library, Bid #CB4026. |

REGULAR AGENDA

7. Ordinances and Resolutions:

- M. Manson* a. **Public Hearing: Consider on second and final 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.
- M. Manson* b. **Public Hearing: Consider on second and final 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.
- M. Manson* c. **Public Hearing: Consider on second and final 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.
- C. Hughes* d. **Public Hearing: Consider on second and final reading** - An Ordinance amending Chapter 8, "Construction Regulations", of the Abilene Municipal Code, to adopt the 1993 National Electrical Code with amendments.
- Morrison* e. Resolution authorizing the City to convey the T&P Depot to a limited partnership with the Abilene Economic Development Company, Inc. acting as general partner of the partnership.

8. 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 18 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

**PRE-COUNCIL WORK SESSION, THURSDAY
March 24, 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 24, 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 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, and various members of the City staff.

James Condry, Assistant Director of Development Services for Public Works, briefed the Council on Phase II of the Pine St. Concrete Repair Bid. Jane Nichols, Health Department, briefed the Council on the Environmental Health Inspection Rate Assessment Program. City Manager Jim Blagg stated that agenda item 5d, Request to Advertise for Bid for Oil & Gas Mineral Lease, has been removed from the agenda. The Council briefly discussed various consent and regular agenda items, and there being no further discussion, the meeting was recessed until 9:00 a.m. for the regular Council Meeting.

**REGULAR CITY COUNCIL MEETING
March 24, 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 24, 1994, at 9:00 a.m. in the Council Chambers of City Hall.

Invocation was given by Councilman Ray Ferguson.

There being no corrections, additions, or deletions to the minutes of the Pre-Council Session and Regular City Council Meeting held March 10, 1994, Councilman Vasquez 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 presented the following proclamations:

April as Occupational Therapy month;
March 30, 1994 as Doctors' Day;
April as Child Abuse Prevention Month; and
March 27, 1994 as Stop the Violence Day.

Councilman McNeil moved to approve consent agenda items 5a 5b, 5e, 6a and 6b, and first reading of 5c as recommended by the staff. Item 5d was removed from the Consent agenda to be considered at a later date. 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.

5. Ordinances and Resolutions:

- a. Resolution appointing election officials for May 7, 1994 Joint Election.

The Resolution is numbered 13-1994 and is captioned as follows:

A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AND THE BOARD OF TRUSTEES, ABILENE INDEPENDENT SCHOOL DISTRICT, APPOINTING VARIOUS ELECTION OFFICIALS FOR THE JOINT CITY/SCHOOL ELECTION FOR THE MAY 7, 1994 ELECTION AND RUNOFF ELECTION IF NECESSARY.

- b. Oral Resolution approving renewal of weed mowing agreement for 1994 with Conder Contracting.
- c. Approval of first reading - An Ordinance amending Chapter 18, "Motor Vehicles and Traffic", Sections 18-286, 18-291, 18-293 and 18-304, 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.

- d. Removed from Consent Agenda to be considered at a later date.
- e. Resolution authorizing submittal of Traffic Light Synchronization Grant Application.

The Resolution is numbered 14-1994 and is captioned as follows:

A RESOLUTION AUTHORIZING THE SUBMISSION OF A TRAFFIC LIGHT SYNCHRONIZATION PROGRAM GRANT APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION AND AUTHORIZING EXECUTION OF AGREEMENTS.

6. Award of Bid:

- a. Phase II of Pine Street Concrete St. Repair, **Bid #CB4027**. The base bid plus Alternate 1 and Alternate 2 was awarded to Harris Acoustics of Abilene, for the unit prices bid, with an estimated project amount of \$331,048.00 as recommended by staff.
- b. Shelving Phase I for Abilene Public Library, **Bid #CB4026**. The bid was awarded, by Oral Resolution, to Barnhill Office Supply, in the amount of \$17,082.75 as recommended by staff.

7. Ordinances and Resolutions:

- a. Mindy Manson, Assistant Director of Development Services for Planning, briefed the Council on an Ordinance considered on second and final reading 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. The Landmarks Commission, Planning and Zoning Commission and staff recommend approval.

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

Virginia Bolin, proponent.

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

Councilwoman Ray moved to approve the Ordinance to add Historic Overlay to underlying Office district located at 508 Mulberry, as recommended by staff. The motion was seconded by Councilman Vasquez and the motion carried.

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

Nays: None.

The Ordinance is numbered 10-1994 and is captioned as follows:

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. Mindy Manson, Assistant Director of Development Services for Planning, briefed the Council on an Ordinance considered on second and final reading 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. The Planning and Zoning Commission and staff recommend approval.

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

Vince Kingsley, 1010 Washington Blvd., proponent.

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

Councilman Vasquez moved to approve the Ordinance to rezone from Residential Single Family to General Commercial district located at 488 E. Ambler, as recommended by staff. The motion was seconded by Councilwoman Herrera and the motion carried.

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

Nays: None.

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

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. Mindy Manson, Assistant Director of Development Services for Planning, briefed the Council on an Ordinance considered on second and final reading 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. The Planning and Zoning Commission and staff recommend 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 Berry moved to approve the Ordinance to rezone from Light Industrial to General Commercial district in the 4100-4200 block of S. Danville, as recommended. 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 Ordinance is numbered 12-1994 and is captioned as follows:

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. Cassie Hughes, Assistant Building Official, briefed the Council on an Ordinance considered on second and final reading amending Chapter 8, "Construction Regulations", of the Abilene Municipal Code, to adopt the 1993 National Electrical Code with amendments. The MPE and Swimming Pool Board of Appeals, Electrical Subcommittee, and staff recommend 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 Ferguson moved to approve the Ordinance to amend Chapter 8, "Construction Regulations", of the Abilene Municipal Code to adopt the 1993 National Electrical Code with amendments, 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 Ordinance is numbered 13-1994 and is captioned as follows:

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 FOR A PUBLIC HEARING; PROVIDING A SEVERABILITY CLAUSE, AND DECLARING A PENALTY.

e. Mike Morrison, Director of Economic Development, briefed the Council on a Resolution authorizing the City to convey the T&P Depot to a limited partnership with the Abilene Economic Development Company, Inc. acting as general partner of the partnership. Mr. Morrison then introduced Stephanie Dugan, Assistant Director of Economic Development, who explained the limited partnership concept to the Council. The AEDC Board and staff recommend approval.

Councilman Vasquez moved to approve the Resolution authorizing the City to convey the T&P Depot to a limited partnership with the Abilene Economic Development Company, Inc. acting as general partner of the partnership, as recommended by staff. The motion was seconded by Councilman Ferguson and the motion carried.

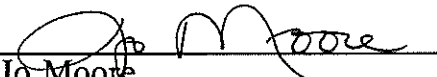
AYES: Councilman Vasquez, Councilwoman Ray, Councilmen McNeil, Berry, Ferguson, Councilwoman Herrera, and Mayor McCaleb.

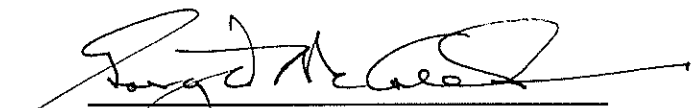
Nays: None.

The Resolution is numbered 15-1994 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TAYLOR COUNTY, TEXAS, AUTHORIZING THE CITY TO CONVEY THE BUILDING KNOWN AS THE T & P DEPOT TO A LIMITED PARTNERSHIP WITH THE ABILENE ECONOMIC DEVELOPMENT COMPANY, INC., (AEDC), A NON-PROFIT CORPORATION, ACTING AS GENERAL PARTNER.

There being no further business, the meeting was adjourned at 9:50 a.m.


Jo Moore
City Secretary


Gary D. McCaleb
Mayor