

**PRE-COUNCIL WORK SESSION, THURSDAY
June 23, 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 June 23, 1994, at 8:30 A.M. in the Basement Conference Room of City Hall. Mayor Gary D. McCaleb was present and presiding with Councilmen Paul R. Vasquez, A. Don Drennan, Jimmy McNeil, Russell Berry, 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, and various members of the City staff. Councilman Ray Ferguson was absent.

**REGULAR CITY COUNCIL MEETING
June 23, 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 June 23, 1994, at 9:00 a.m. in the Council Chambers of City Hall.

Invocation was given by Councilman Paul Vasquez.

There being no corrections, additions, or deletions to the minutes of the Pre-Council Session and Regular City Council Meeting held June 9, 1994, Councilman Vasquez moved to approve the minutes as printed. The motion was seconded by Councilman Berry and the motion carried.

AYES: Councilmen Vasquez, Drennan, McNeil, Berry, Councilwoman Herrera, and Mayor McCaleb.

NAYS: None.

Pat Harris, Chair of the Employee Committee, assisted Mayor McCaleb in the awarding of scholarships from the Employee Scholarship Fund to this year's recipients, Larry Abrigg for Ashlee Abrigg, James Christopher Fauls, Patrice Jolene Tharp, and James William Raney.

Councilman McNeil moved to approve consent agenda items 6a through 6d and 7a, as recommended by the staff. The motion was seconded by Councilwoman Herrera and the motion carried.

AYES: Councilmen Vasquez, Drennan, McNeil, Berry, Councilwoman Herrera, and Mayor McCaleb.

NAYS: None.

6.Ordinances & Resolutions:

a.Approval of second and final reading - An Ordinance amending Chapter 18, "Motor

Vehicles and Traffic," Section 18-293, of the Abilene Municipal Code.

The Ordinance is numbered **27-1994** 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. Resolution addressing Airport Landing Fees established in User Fee Schedule and exempting non-scheduled commercial aircraft from landing fees arriving at Abilene Regional Airport specifically for maintenance, modification, repairs, or testing.

The Resolution is numbered **23-1994** and is captioned as follows:

A RESOLUTION RELATIVE TO USER FEE SCHEDULE OF THE CITY OF ABILENE.

c. Oral Resolution approving City/County Overall Economic Development Program update for 1994.

d. Oral Resolution consenting to assignment of facility lease on Chaparral Hangar to Eagle aviation Services, Inc.; modification to ground lease on Chaparral Hangar and assignment of same to Eagle Aviation Services, Inc.; and assignment of ground lease on K. C. Jet Hangar to Eagle Aviation Services, Inc.

7. Award of Bid:

a. Oral Resolution selecting auctioneer for City Auction, **Bid #CB4043**. The bid was awarded to Kincaid Auction Service for a fee of 4.0% of gross sales for a term of one year with an option to renew for two additional one year terms, as recommended by staff.

8. Ordinances & Resolutions:

a. Wayne Herrington, Principal Planner, briefed the Council on an Ordinance considered on second and final reading changing zoning district boundaries - **Z-02494** - Request from Carroll Cockerell; agent Dr. John Glenn, to rezone from AO & O (Agricultural Open Space & Office) to PDD (Planned Development) district, located at 2249 E. N. 10th St. 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 Agricultural Open Space & Office to Planned Development district, located at 2249 E. N. 10th St., as recommended by staff. The motion was seconded by Councilman Drennan and the motion carried.

AYES: Councilmen Vasquez, Drennan, McNeil, Berry, Councilwoman Herrera, Mayor McCaleb.

Nays: None.

The Ordinance is numbered **28-1994** and is captioned as follows:

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, CONCERNING PDD #56 RAINEY CREEK FARMS PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

b. Wayne Herrington, Principal Planner, briefed the Council on an Ordinance considered on second and final reading changing zoning district boundaries - **Z-03194** - Request from SCI Texas Funeral Services, Inc.; agent Wes Killian, to rezone from AO (Agricultural Open Space) to GC (General Commercial) district, located on Hwy. 277 South. 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.

Councilwoman Herrera moved to approve the Ordinance to rezone from Agricultural Open Space to General Commercial district located on Hwy. 277 South, as recommended by staff. The motion was seconded by Councilman Drennan and the motion carried.

AYES: Councilmen Vasquez, Drennan, McNeil, Berry, Councilwoman Herrera, and Mayor McCaleb.

Nays: None.

The Ordinance is numbered **29-1994** 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. Ron Quarles, Acting Assistant Director of Development Services for Planning, briefed the Council on a Resolution approving the Buffalo Gap Road Corridor Land Use Study. An addendum was distributed at the Pre-Council session recommending the study incorporate Mesa Springs Retirement Village, PDD #37. The Planning and Zoning Commission and staff recommend approval.

Mayor McCaleb opened a public hearing on the item, and the following individual spoke in

response to the request:

.Mike Richards, a resident of Buffalo Gap Road since 1954, questioned what the citizens committee that he has been asked to serve on will do.

Mayor McCaleb stated today's decision doesn't change the current zoning, the committee will bring recommendations for an overlay district. City Manager Jim Blagg explained that this is not a zoning issue, but is a guideline or plan for future public and private development in the area.

Councilman Drennan commended the staff and citizens involved.

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

Councilman Drennan moved to approve the Resolution approving the Buffalo Gap Road Corridor Land Use Study including the addendum, as recommended by staff. The motion was seconded by Councilman Berry and the motion carried.

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

Nays: None.

ABSTAIN: Councilman Vasquez.

The Resolution is numbered **24-1994** and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, ADOPTING THE BUFFALO GAP ROAD CORRIDOR LAND USE STUDY.

d. James Condry, Assistant Director of Development Services for Public Works, briefed the Council on a Resolution to accept bid(s) for paid up Oil & Gas Lease and authorize City Manager to execute lease agreement.

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 Vasquez moved to approve the Resolution to accept bid(s) for paid up Oil & Gas Lease and authorize City Manager to execute lease agreement, as recommended by staff. The motion was seconded by Councilwoman Herrera and the motion carried.

AYES: Councilmen Vasquez, Drennan, McNeil, Berry, Councilwoman Herrera, and Mayor McCaleb.

Nays: None.

The Resolution is numbered **25-1994** and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS TO

ACCEPT BIDS AND TO AUTHORIZE THE CITY MANAGER TO EXECUTE A PAID UP OIL AND GAS LEASE.

e. Wanda Merritt, Economic Development, briefed the Council on a Resolution approving amended Final Statement of Community Development Objectives and Projected Use of Community Development Block Grant funds for FY 1993/94.

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 McNeil moved to approve the Resolution approving amended Final Statement of Community Development Objectives and Projected Use of Community Development Block Grant funds for FY 1993/94, as recommended by staff. The motion was seconded by Councilwoman Herrera and the motion carried.

AYES: Councilmen Vasquez, Drennan, McNeil, Berry, Councilwoman Herrera, and Mayor McCaleb.

Nays: None.

The Resolution is numbered 26-1994 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS APPROVING THE AMENDED FINAL STATEMENT OF COMMUNITY DEVELOPMENT OBJECTIVES AND PROJECTED USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR FISCAL YEAR 1993/94.

9. Public Appearance:

a. June Williams, Chair of the Abilene Jaycees July 4th Celebration requested approval for a public fireworks display July 4, 1994 at 9:30 p.m. with an alternate date of July 5, 1994 at the Taylor County Fairgrounds.

Mayor McCaleb commented on the excitement of the citizens that the fireworks display is back, stating it is safer than individuals having fireworks.

Councilman Drennan moved to approve the public fireworks display July 4 at the Fairgrounds as requested. The motion was seconded by Councilman McNeil and the motion carried.

AYES: Councilmen Vasquez, Drennan, McNeil, Berry, Councilwoman Herrera, and Mayor McCaleb.

Nays: None.

b. Kathy Merrill, Director of Human Resource Services, assisted by Robby Neill, Human Resource/Risk Manager, presented the Employee Pay & Benefit study for information

purposes only. No action was required.

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

There being no further business, the meeting was adjourned at 11:35 a.m.

Jo Moore
City Secretary

Gary D. McCaleb
Mayor