

**PRE-COUNCIL WORK SESSION, THURSDAY  
August 25, 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 August 25, 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 Ray Ferguson. Also present were Acting 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. Councilwoman Liz Herrera was absent.

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  
August 25, 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 August 25, 1994, at 9:00 a.m. in the Council Chambers of City Hall.

Invocation was given by Councilman Paul Vasquez.

It was noted that page 3-3 of the minutes of the Pre-Council Session and Regular City Council Meeting held August 11, 1994 was a duplication of page 3-4, therefore it was deleted. There being no further corrections, additions, or deletions, Councilman Vasquez moved to approve the minutes with the noted correction. The motion was seconded by Councilman Berry and the motion carried.

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

NAYS: None.

Mayor McCaleb, assisted by Abilene Clean & Proud Chair Alison Benton, presented the following Special Recognition Awards: Landscape Award to National Bank Tower; Beautification to the Central Appraisal District; and Recycling to the Mall of Abilene.

Mayor McCaleb, assisted by Debra Guerra, presented the August Employee of the Month award to Firefighter Baker Bryant.

Mayor McCaleb presented a proclamation for August 25 as Texas-Louisiana Baseball League Day to representatives of the League.

Councilman Berry moved to approve consent agenda items 6b through 6d, 7a, and 7b, as

recommended by the staff. Item 6a was removed from the Consent Agenda to be considered separately at the request of Councilman Drennan. The motion was seconded by Councilman Vasquez and the motion carried.

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

NAYS: None.

## **6. Ordinances & Resolutions:**

a. Removed from Consent Agenda to be considered separately.

b. Resolution designating Eagle Aviation Services, Inc. as a qualified business to apply to Texas Department of Commerce for designation as an enterprise project.

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

A RESOLUTION DECLARING THE CITY OF ABILENE, TAYLOR COUNTY, TEXAS, ELECTS TO DESIGNATE EAGLE AVIATION SERVICES, INC. ("EAS") A QUALIFIED BUSINESS AS DEFINED IN SECTION 3(a) (11) OF THE TEXAS ENTERPRISE ZONE ACT, TEXAS REVISED CIVIL STATUTES ANNOTATED ARTICLE 5190.7 (THE "ACT"), FOR THE PURPOSE OF APPLYING TO THE TEXAS DEPARTMENT OF COMMERCE ("COMMERCE") FOR DESIGNATION AS AN ENTERPRISE PROJECT.

c. Resolution supporting "No Money, No Mandate" and discharge petition #25.

The Resolution is numbered **29-1994** and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, SUPPORTING "NO MONEY, NO MANDATES" AND DISCHARGE PETITION NUMBER 25.

d. Oral Resolution approving Change Order and final contract amount with Roy Willis Electric Co., Inc. to upgrade Airfield Guidance Sign System at Abilene Regional Airport.

## **7. Award of Bid:**

a. Stationary Compactors for Refuse Division, **Bid #CB4058**. The bid was awarded to Master-Pak Systems, Inc., the low responsible bidder, in the amount of \$19,200.00 as recommended by staff.

b. Central Fire Station parking lot improvements, **Bid #CB4057**. The bid was awarded to Contract Paving Company for the unit price bid, with an estimated project cost of \$33,887.00 as recommended by staff.

## **8. Ordinances & Resolutions:**

6a. Oral Resolution approving contract between City & Community Action Program of Taylor Co. for disbursement of HOME Investment Partnerships Program funds.

Councilman Ferguson moved to table this item. The motion was seconded by Councilman Drennan and the motion carried.

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

NAYS: None.

8a. and b. David Wright, Director of Finance, briefed the Council on an Ordinance considered on second and final reading approving the Revised FY 1993-94 and Proposed FY 1994-95 Budgets, Development Corporation of Abilene (DCOA) budget; Mike Morrison, Director of Economic Development, briefed the Council on a Resolution approving the Final Statement of Objectives and Projected Use of Funds for Community Development Block Grant funds for FY 94/95. David Wright, Director of Finance, briefed the Council on a Resolution approving the Schedule of Rates and Charges for Water and Sewer Utility Service, and on an Ordinance considered on second and final reading approving the Proposed FY 1994-95 Tax Levy.

Mayor McCaleb stated that items 8a and 8b would be considered together, but that a separate motion and vote on each item would be taken.

Mayor McCaleb opened a public hearing, and the following individuals spoke on the items:

.Chris Blackmon, stated there is no playground at Ortiz School, which they wanted to be in place for this school year. She stated they were told CDBG funding could be used toward a playground, and although they have raised funds, they are still \$3,000 short for the playground.

Councilman Vasquez asked that the Ortiz playground be a priority as funds become available during the year.

.Mary Lindley, 2065 River Oaks Circle, commended the Council on the tax rate and contracting out on public works projects when possible; recommended they continue to do so whenever possible, and received answers to her questions on the City's contracting procedures, insurance, city employee vacations, holidays, and stability pay.

.Pat Frosh, Executive Director of Mend-A-Child, stated appreciation for funds from the CDBG budget that have provided care for many children.

.Counselor from Pastoral Care & Counseling, requested to be considered either this year or in the future for funding in the amount of \$20,587 for expansion of their services to the Hispanic community.

Mike Morrison, Director of Economic Development, clarified for the Council and for the Counselor how the Social Services programs work under the CDBG funding guidelines, explaining that what is funded leaves no options for additional funding unless a current program drops out. Mr. Morrison then named the programs currently being funded.

.Gayle Kizer, 1242 Hollis, representing the Center for Nonprofit Management, stated her appreciation for the City's support and gave an overview of the Center's work.

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

The Council stated their appreciation to the City staff for their effectiveness and efficiency.

Mayor McCaleb thanked all in attendance, and stated the budget includes all budgets, including the CDBG and DCOA budgets, and that the public hearing is for comments on all budgets.

Councilman Ferguson moved to approve the Ordinance considered on second and final reading approving the Revised FY 1993-94 and Proposed FY 1994-95 Budgets including the Development Corporation of Abilene (DCOA) budget; Resolution approving the Final Statement of Objectives and Projected Use of Funds for Community Development Block Grant funds for FY 94/95; Resolution approving the Schedule of Rates and Charges for Water and Sewer Utility Service; and Ordinance approving the Proposed FY 1994-95 Tax Levy, all as recommended by staff. The motion was seconded by Councilman Vasquez and the motion carried.

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

NAYS: None.

The Ordinance is numbered **36-1994** and is captioned as follows:

AN ORDINANCE APPROVING REVISED BUDGET FIGURES FOR FISCAL YEAR 1993-1994; APPROVING AND ADOPTING BUDGET FOR THE FISCAL YEAR OCTOBER 1, 1994, THROUGH SEPTEMBER 30, 1995, FOR THE CITY OF ABILENE; APPROPRIATING FUNDS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; CALLING A PUBLIC HEARING.

The Resolution is numbered **30-1994** and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING THE FINAL STATEMENT OF COMMUNITY DEVELOPMENT OBJECTIVES AND PROJECTED USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR FISCAL YEAR 1994-95.

The Resolution is numbered **31-1994** and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, REVISING THE SCHEDULE OF RATES AND CHARGES FOR WATER AND SEWER UTILITY SERVICE.

8b. Councilman Vasquez moved to approve the Ordinance considered on second and final reading approving the Proposed FY 1994-95 Tax Levy Ordinance setting the tax rate at 58.15 cents as recommended by staff. The motion was seconded by Councilman Ferguson and the motion carried.

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

NAYS: None.

The Ordinance is numbered **37-1994** and is captioned as follows:

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, APPROVING THE ASSESSMENT ROLL FOR 1994, LEVYING AN AD VALOREM TAX FOR THE CITY OF ABILENE, TEXAS, FOR

THE YEAR 1994; PROVIDING FOR THE ASSESSMENT AND COLLECTION THEREOF; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING AN EFFECTIVE DATE.

8c. Roy McDaniel, City Manager, briefed the Council on an Ordinance approving natural gas rates for Lone Star Gas Company for Residential and Commercial consumers. Mr. McDaniel commended Councilman Ferguson for his work on a study of this item.

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

.Mike Schweickard, Lone Star Gas representative, stated the alternate proposal developed as a result of the study and that Lone Star Gas philosophy has always been that each class pays for its own.

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

Councilman Drennan commended Lone Star Gas on the new billing system.

Councilman Ferguson reviewed for the Council and public the methodology used during the study.

Mr. McDaniel stated that Lone Star Gas and the City have a history of settling rates; and that \$50,000 - \$75,000 would have been spent if Councilman Ferguson had not assisted.

Councilman Vasquez commended Mr. Schweickard on his approach and manner.

Councilman Ferguson moved to approve the Ordinance approving natural gas rates for Lone Star Gas Company for Residential and Commercial consumers, as recommended by staff. The motion was seconded by Councilman Berry and the motion carried.

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

NAYS: None.

The Ordinance is numbered **38-1994** and is captioned as follows:

AN ORDINANCE FIXING AND DETERMINING THE GENERAL SERVICE RATE TO BE CHARGED FOR SALES OF NATURAL GAS TO RESIDENTIAL AND COMMERCIAL CONSUMERS IN THE CITY OF ABILENE, TAYLOR COUNTY, TEXAS: PROVIDING FOR THE MANNER IN WHICH SUCH RATE MAY BE CHANGED, ADJUSTED, AND AMENDED; APPROVING THE ELIMINATION OF THE RATE SCHEDULE FOR PUBLIC FREE SCHOOLS-N; PROVIDING FOR THE RECOVERY OF ANY CURRENT OR UNRECOVERED PRIOR RATE CASE EXPENSE; PROVIDING FOR A SCHEDULE OF SERVICE CHARGES; AND PROVIDING FOR A MAIN LINE EXTENSION RATE.

## 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 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 Berry moved to reappoint Tom Lovvorn, Jr., Betty Hardwick, J. M. McClarty, Mary Lou Gilbreath to the Mental Health-Mental Retardation Board of Trustees, terms expiring 8/96; and Roy McDaniel, and Jo Moore to the 9-1-1 Emergency Communications District Board of Managers, terms expiring 2/96. The motion was seconded by Councilman Drennan and the motion carried.

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

NAYS: None.

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

---

Jo Moore  
City Secretary

---

Gary D. McCaleb  
Mayor

