

**PRE-COUNCIL WORK SESSION, THURSDAY  
October 6, 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 October 6, 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, Ray Ferguson, and Councilwoman Liz Herrera. Also present were 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.

The Council briefly discussed various consent and regular agenda items. City Manager Roy McDaniel announced that items 6b, 9b, and 9c were withdrawn. 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  
October 6, 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 October 6, 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 September 22, 1994, Councilman Drennan moved to approve the minutes as printed. The motion was seconded by Councilman McNeil and the motion carried.

AYES: Councilmen Vasquez, Drennan, McNeil, Berry, 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:

30 Years	Gerald W. Bivins	Sanitarian II Health Department
30 Years	Jack W. Petty	Firefighter Fire Department
25 Years	Betty Fowlkes	Laboratory Technician I

20 Years	Darwin D. Loomis	Health Department Equipment Mechanic II Fire Department
20 Years	Gary F. Light	Equipment Operator II Refuse Collection
20 Years	Maria R. David	STD/HIV Clinic Coordinator Health Department
20 Years	Antonia Bocanegra	Senior Administrative Clerk Health Department

Mayor McCaleb presented proclamations as follows:

October 1 to 8 as Respiratory Care Week;  
 October as Domestic Violence Awareness Month;  
 October 8 as Ortiz Elementary School Day; and  
 October 10 to 14 as Court Observance Week.

Councilman Vasquez moved to approve consent agenda item 6d and 7a, and approval of first reading of items 6a and 6c as recommended by staff. Item 6b was withdrawn by staff. The motion was seconded by Councilman Ferguson and the motion carried.

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

NAYS: None.

**6. Ordinances and Resolutions:**

**a. APPEALED ITEM:**

Approval of first reading - An Ordinance changing zoning district boundaries - **Z-04294** - Request from Alfredo Gonzales to rezone from SC (Shopping Center) to GC (General Commercial) district located at Ambler and Graham, and set a public hearing for October 20, 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.

b. Withdrawn from Agenda. Staff will continue negotiations with the neighborhood for rezoning to allow the recycling center to continue. If negotiations fail, an alternate site will be pursued.

c. Approval of first reading - An Ordinance changing zoning district boundaries - **Z-04494** - Request from Terry B. Bawcom to rezone from RM-3 (Residential Multi-Family) to

O (Office) district located in the 2000 block of S. Danville, and set a public hearing for October 20, 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.Oral Resolution approving agreement to establish Expo Center Marketing Program.

**7. Award of Bid:**

a.Street Maintenance materials, **Bid #CB4070**. The bid was awarded as follows: Abilene Lumber, Inc.: Type I Portland Cement - delivered; Fina Oil & Chemical Co.: AC-10 Asphalt, MC-30 Asphalt - delivered; R. E. Janes Gravel Co.: chip seal stone types A-3, A-4, and A-5 non-delivered; Koch Materials: Ms-2 asphalt - delivered; Morris Ready-Mix Concrete, Inc.: Concrete, 4-sk, 5-sk, & 7-sk, delivered; Southern Asphalt and Petroleum Co.: AC-5 asphalt - delivered; and Vulcan Materials Co.: hot mix asphalt - non-delivered; coverstone type PB-4 - non-delivered; crushed limestone aggregate delivered and non-delivered; all as recommended by staff.

**8. Public Appearance:**

No presentation by Mike Waters regarding feasibility of a Minor League Baseball was given. Mayor McCaleb stated Mr. Waters had contacted him and indicated results of negotiations with the Texas/Louisiana League has been given to the news media, and no action would be required by the Council; therefore a presentation at the Council meeting was not necessary. Mayor McCaleb commended Mr. Waters, councilman Berry and the members of the Committee for their work in this endeavor.

No action was required.

**9. Ordinances and Resolutions:**

a. Wayne Herrington, Senior Planner, briefed the Council on an Ordinance amending Chapter 23, "Planning and Community Development", authorizing the establishment or use of a cemetery located inside the boundaries of the City of Abilene by the granting of an application by Jack North. 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:

. Jack North, proponent.

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, authorizing the establishment or use of a cemetery located inside the boundaries of the City of Abilene by the granting of an application by Jack North, as recommended by staff. The motion was seconded by Councilman Berry and the motion carried.

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

NAYS: None.

The Ordinance is numbered **44-1994** and is captioned as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,  
PROVIDING FOR THE AUTHORIZATION OF THE LOCATION AND USE OF A  
CEMETERY LOCATED INSIDE THE BOUNDARIES OF THE CITY OF ABILENE.

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 Mayor McCaleb read the following statement:

"The Council has visited in Executive Session with Mr. Cargill, Ms. Fauls, and Judge Barton regarding the Municipal Court case involving Mr. Oliver. All three have been encouraged to continue to always uphold the highest level of the law and to exercise personal good judgement and human sensitivity in all matters".

There being no further business, the meeting was adjourned at 11:50 a.m.

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Jo Moore  
City Secretary

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Gary D. McCaleb  
Mayor

