

The City Council of the City of Abilene, Texas, hosted a reception in honor of newly appointed City Manager Lanny Lambert and his family in lieu of the Pre-Council Session.

**REGULAR CITY COUNCIL MEETING  
February 9, 1995, 9:00 A.M.**

**CITY COUNCIL OF THE CITY OF ABILENE, TEXAS  
CITY COUNCIL CHAMBERS OF CITY HALL**

Mayor McCaleb convened the City Council of the City of Abilene, Texas, into Regular Session February 9, 1995, at 9:00 a.m. in the City Council Chambers of City Hall.

Mayor McCaleb asked Councilman Drennan to state a few words in memory of former Mayor Ralph Hooks, who recently passed away. Following Councilman Drennan's comments a moment of silence was held in respect for Mayor Hooks, invocation was then given by Councilman Russell Berry.

There being no corrections, additions, or deletions to the minutes of the Pre-Council Session, Regular City Council Meeting held January 26, 1995, Councilman Ferguson moved to approve the minutes. The motion was seconded by Councilman Vasquez and the motion carried.

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

NAYS: None.

City Secretary Jo Moore assisted Mayor McCaleb in presenting the Employee Service Award to the following individual for his years of service:

20 Years	Johnny L. Robinson	Maintenance Worker I Traffic Division
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Assistant to the City Manager Debra Guerra assisted Mayor McCaleb in presenting the Employee of the Month Award to David Randall, Supervisor at the Civic Center.

Mayor McCaleb welcomed City Manager Lanny Lambert's wife Debi, daughter Audrey, and sons Nathan and Phillip. The Mayor then presented flowers to Mrs. Lambert and Audrey, and Prairie Dog T-shirts to each of the children.

Mayor McCaleb presented Proclamations as follows:  
February as Career & Technology Education Week, and  
February as National Engineers Week.

Councilman McNeil moved to approve consent agenda items 6f through 6i, 7a, and approval of first reading for items 6a, 6b, 6d, and 6e as recommended by staff. Item 6c was pulled from the consent agenda to be considered at a later date; Item 7b was removed from the consent agenda to be considered separately, at the request of a citizen. The motion was seconded by Councilman Drennan and the motion carried.

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

NAYS: None.

**6. Ordinances and Resolutions:**

a. Approval of first reading - An Ordinance for street name change - **SNC-00595** - Request from City of Abilene, agent Marva Pritchett, for a street name change from Stafford Avenue to Goodlow Street, and set a public hearing for February 23, 1995 at 9:00 a.m.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,  
CHANGING THE NAME OF STAFFORD AVENUE TO GOODLOW STREET.

b. Approval of first reading - An Ordinance for street name change - **SNC-00495** - Request from Mt. Zion Baptist Church, agent Rev. R. E. Carter, for a street name change from State Street between N. Treadaway and Ash to Stafford Drive, and set a public hearing for February 23, 1995 at 9:00 a.m.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,  
CHANGING THE NAME OF STATE STREET BETWEEN ASH AND N.  
TREADAWAY TO STAFFORD DRIVE.

c. **Z-00795**-Removed from Consent Agenda, to be considered at a later date.

d. Approval of first reading - An Ordinance changing zoning district boundaries - **Z-00895** - Request from Johnny & Jan Kincaid to rezone from RM-3 (Residential Multi-Family) to MH (Mobile Home) district, located in the 3000-3100 block of Grape Street, and set a public hearing for February 23, 1995 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-00995** - Request from Kenneth L. Musgrave to amend a PDD (Planned Development District) ordinance to allow single family dwellings only, located on Patriot Commons Road, and set a public hearing for February 23, 1995 at 9:00 a.m.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, AND ORDINANCE NO. 54-1994 CONCERNING THE QUAIL VALLEY PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

f. Oral Resolution approving contract with Taylor County Election Office for City Council Election May 6, 1995.

g. Resolution authorizing Mayor to execute construction and maintenance agreement with Texas Department of Transportation for bridge replacement at Lytle Lagoon and Shoreline Drive.

The Resolution is numbered **3-1995** and is captioned as follows:

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

AUTHORIZING THE EXECUTION OF A CONSTRUCTION AND MAINTENANCE AGREEMENT FOR BRIDGE REPLACEMENT AND REHABILITATION OFF THE STATE SYSTEM FOR THE BRIDGE AT SHORELINE DRIVE AND LYTLE LAGOON.

- h. Oral Resolution approving loan guaranty documents for project funded with HOME Investment Partnership Program funds.
- i. Resolution amending Sidewalk Master Plan.

The Resolution is numbered **4-1995** and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS AMENDING THE SIDEWALK MASTER PLAN.

**7. Award of Bid:**

- a. Weed Mowing Contract, **Bid #CB5030**. The bid was awarded to B & L Mowing Services, the low bidder, as recommended by staff.
- b. Removed from Consent Agenda to be considered separately.

7b. Mayor McCaleb asked Eddy Sanders, Total Trucking Co. of Fort Worth, to address his reasons for pulling the Award of Bid for Sideloader refuse trucks, **Bid #CB5016**, off consent agenda. Mr. Sanders stated his opinion is the low bidder experiences spillage problems, and excessive maintenance, and that in the pre-bid conference part of the bid requirement required a demonstration. If a demonstration had been conducted, the spillage problem would have been discovered.

City Manager Lanny Lambert stated there was no legal justification to reject the low bid.

David Wright, Director of Finance, stated the selection was for the lowest responsible bidder, not the low bid, and that an on-site performance would be required if staff had felt uncomfortable about a bidder.

Irene Grant, Equipment Management Officer, stated no one person makes the decision. There are a lot of background checks, and there were extremely favorable reports.

Drew Sleeper stated he had called Phoenix, and indicated they have 102 Heils. Spillage was not identified as a problem.

Councilman Vasquez moved to award Bid #CB5016, Sideload refuse trucks, to Crosstown Ford White GMC, the low responsible bidder in the amount of \$461,532.00, as recommended by staff. The motion was seconded by Councilwoman Herrera and the motion carried.

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

NAYS: None.

**8. Ordinances and Resolutions:**

- a. Bob Fowler, Building Official, gave a historical overview of building codes, and presented to Mayor McCaleb the first copy of the International Plumbing Code. Mr. Fowler then briefed the Council on an Ordinance considered on second and final reading adopting the 1994

Uniform Building Code with amendments. The Board of Building Standards and staff recommend approval.

Mayor McCaleb recognized Mr. Fowler's accomplishments in City and professional organizations throughout the United States and Texas, then opened a public hearing on the item, and there being no one present and desiring to be heard, the public hearing was closed.

Councilman Drennan moved to approve the Ordinance adopting the 1994 Uniform Building Code with amendments, as recommended by staff. The motion was seconded by Councilman Vasquez and the motion carried.

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

NAYS: None.

The Ordinance is numbered 6-1995 and is captioned as follows:

AN ORDINANCE AMENDING CHAPTER 8, "CONSTRUCTION REGULATIONS" ARTICLE VI, "UNIFORM CODES AND OTHER REGULATIONS", DIVISION 2, "BUILDING CODE", OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE, AND DECLARING A PENALTY.

b. Marva Pritchett, Director of Development Services, stated the purpose for the public hearing is for annexation proceedings of the Saddlecreek Estates Area.

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.

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.

Mayor McCaleb recessed the meeting to the Basement Conference Room for the Financial Workshop immediately following the Regular City Council meeting.

David Wright, Director of Finance, distributed corrected handouts to update the audit book, and introduced Joe Smith, the City's Financial Advisor. Mr. Wright then reviewed with the Council the Financial Information and Financial Report for FY 1993-94 and recommended use of the year-end balance.

Due to a prior engagement Councilman McNeil had to leave the meeting.

Mr. Wright introduced Don Ashmore of Davis, Kinard & Co., who, following the auditor's report, answered questions regarding the audit, indicating the City is in very good financial condition. Mr. Ashmore introduced Mike Rains of Davis, Kinard & Co., and continued with the Financial

Statement. Mr. Ashmore stated the Financial Statement is in draft form due to the Housing Authority recently being included. After review of the Management letter, Mr. Ashmore stated no material weaknesses were found in the system.

Due to a prior engagement Mayor McCaleb had to leave the meeting.

Councilman Vasquez moved to accept the Financial Information, Financial Report for FY 93-94 and amendment of the Financial Policy, as presented by staff. The motion was seconded by Councilman Ferguson and the motion carried.

AYES: Councilmen Vasquez, Drennan, Berry, Ferguson, and Mayor Pro Tempore Herrera.

NAYS: None.

Mr. Wright presented the FY 1995 Financial Update. Discussion of projects to include in the Certificates of Obligation sale on April 27, 1995 will be held at a later date. The meeting adjourned at 11:55 a.m.

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Jo Moore  
City Secretary

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Gary D. McCaleb  
Mayor

