

**PRE-COUNCIL WORK SESSION, THURSDAY
February 23, 1995, 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 February 23, 1995, 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 Lanny Lambert, Assistant City Manager Roy L. McDaniel, City Attorney Harvey Cargill, Assistant to the City Manager Debra Guerra, City Secretary Jo Moore, and various members of the City staff.

Melvin Martin, Chief of Police, briefed the Council on the 1994 Crime Statistics then introduced Lieu. Ken Merchant who presented information on the COPS AHEAD grant funding program. Lieu. Merchant introduced Deputy Chief Ed Dye and Garnie Hatch of AISD. 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
February 23, 1995, 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 February 23, 1995, 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 Special Council meeting held February 8, and the Pre-Council Session and Regular City Council Meeting held February 9, 1995, Councilman Berry 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.

Alison Benton, Abilene Clean and Proud, assisted Mayor McCaleb in the presentation of the **Abilene Clean & Proud Special Recognition Awards** to Abilene Christian University for Landscape; CFC Inc. for Recycling; and Pride Refining for Beautification; United Way of Abilene for Day of Caring for Litter Control; and McCathren Associates for Outstanding Environment Involvement.

A proclamation was presented by Mayor McCaleb to art teacher Martha Keil proclaiming March as Youth Art Month.

Councilman Vasquez moved to approve consent agenda items 3.2 through 3.9, and first reading of

item 3.1, as recommended by the staff. 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.

Ordinances:

3.1 Ordinance adopting 1994 Uniform Fire Code with amendments, and set a public hearing for March 9, 1995.

AN ORDINANCE AMENDING CHAPTER 10, ARTICLE III, "FIRE PREVENTION CODE", DIVISION I, SEC. 10-46 OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

Resolutions:

3.2 Resolution approving Minimum Standards for Aeronautical Activities revision to allow fuel & lubricant self service.

The Resolution is numbered 5-1995 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING AN AMENDMENT TO THE MINIMUM STANDARDS FOR AERONAUTICAL ACTIVITIES AT THE ABILENE REGIONAL AIRPORT.

3.3 Oral Resolution approving lease amendment with Abilene Aero to allow self service fueling of Aircraft.

3.4 Oral Resolution approving, and authorizing Mayor to execute, lease with Richard Baxter for Hangar #2 at Abilene Regional Airport.

3.5 Oral Resolution approving, and authorizing Mayor to execute, lease with Experimental Aircraft Association Warbird Chapter #5 Inc. for Hangar #3 at Abilene Regional Airport.

3.6 Resolution approving agreement with Texas Department of Transportation for Antilley Road from Buffalo Gap Road to Twin Oaks Drive.

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR THE IMPROVEMENT OF ANTILLEY ROAD FROM BUFFALO GAP ROAD TO TWIN OAKS DRIVE.

3.7 Resolution approving application for grant funds from Office of Community Oriented Policing Services, U. S. Department of Justice.

The Resolution is numbered **7-1995** and is captioned as follows:

A RESOLUTION PROVIDING FOR APPROVAL OF APPLICATION FOR GRANT FUNDS FROM
THE OFFICE OF COMMUNITY ORIENTED POLICING SERVICES, U. S.
DEPARTMENT OF JUSTICE.

Bid Awards:

3.8 Microcomputer Equipment, Bid #CB5032. The bid was awarded to Leo Leo International, the low responsible bidder in the amount of \$24,033.00 as recommended by staff.

3.9 Single axle dumptruck for Street Services Division, Bid #CB5012. The bid was awarded to R. L. Anderson International, the low responsible bidder in the amount of \$35,043.80, as recommended by staff.

Before the Regular Agenda was discussed, Chief Melvin Martin summarized the 1994 Crime Report specifically noting that violent crime is down by 20% in Abilene and in comparing with other cities Abilene's overall crime rate is low.

Mayor McCaleb thanked Chief Martin for the summary report and for the fine job his department does. The Mayor stated crime is a number one concern and that it is very important for our citizens to receive this information. The Mayor noted the medias role in relaying this information to the citizens and expressed his appreciation of their doing that.

Ordinances:

4.1 and 4.2 Ron Quarles, Assistant Director of Development Services for Planning, briefed the Council on an Ordinance considered on second and final reading for a Street Name change from Stafford Avenue to Goodlow Street - **SNC-00595** and an Ordinance for Street Name change of a portion of State Street to Stafford Drive - **SNC-00495** in honor of Robert and Sammie Stafford, dedicated citizens of Abilene. 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:

.Elvey Screen, 766 Clark.

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

Councilman McNeil moved to approve the Ordinances for Street Name change from Stafford Avenue to Goodlow Street and a portion of State Street to Stafford Drive, 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 **7-1995** and is captioned as follows:

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

The Ordinance is numbered **8-1995** and is captioned as follows:

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.

4.3 Ron Quarles, Assistant Director of Development Services for Planning, briefed the Council on an Ordinance considered on second and final reading rezoning from RM-3 to MH on 3000-3100 block of Grape Street - **Z-00895**. 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 rezoning from RM-3 to MH on 3000-3100 block of Grape Street, as recommended by staff. 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.

The Ordinance is numbered **9-1995** 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.

4.4 Ron Quarles, Assistant Director of Development Services for Planning, briefed the Council on an Ordinance considered on second and final reading rezoning PDD to RS-6 on Patriot Commons Road - **Z-00995**. 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 Vasquez moved to approve the Ordinance to rezone PDD to RS-6 on Patriot Commons Road, as recommended by staff. 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.

The Ordinance is numbered **10-1995** and is captioned as follows:

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, AND ORDINANCE NO. 54-1984 CONCERNING THE QUAIL VALLEY PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

Resolutions

4.5 Fal Falcioni, Airport Manager, briefed the Council on an Oral Resolution approving lease for terminal building space with Texas Airways to provide scheduled airline service at Abilene Regional Airport. Mr. Falcioni introduced Mr. Barry Price, representative from ACT International, dba Texas Airways. Mr. Price reviewed his companies operations and stated their expectations of other corporate businesses eventually locating in Abilene.

Councilman Drennan moved to approve by Oral Resolution a lease for terminal building space with ACT International, dba Texas Airways to operate a scheduled airline, as recommended 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.

4.6 Mike Morrison, Director of Economic Development, briefed the Council on a Resolution approving 1994/95 amended final statement of CD Objectives and Projected Use of Community Development Block Grant funds.

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

Marv Gerard, 626 S. Pioneer, stated his appreciation of funding and asked the council to consider increasing the funding next year.

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

Councilmembers and staff discussed various aspects of the proposed statement and use of CDBG funds including possible use of Operation Bright Star students for the NIP painting project, citizen involvement, purpose of funds being used on certain buildings, project completion time, and procedures. During discussion concerning the downtown area Mr. Morrison stated funds would be used to renovate the Elks Lodge, T&P Warehouse, T&P Baggage Claim Building and for architectural services for the Abilene Towers.

Mayor McCaleb noted there is a sense of real momentum to bring the total downtown area to a place to be proud of as well as functional, and reassurance that the funding will not be misused is appreciated.

Following the lengthy discussion Councilman Vasquez moved to approve the Resolution approving 1994/95 amended final statement of CD Objectives and Projected Use of Community Development Block Grant funds, 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 Resolution is numbered **8-1995** 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 1994/95.

4.7 Bob Fowler, Building Official, briefed the Council on an Oral Resolution awarding contract for Phase II of the ADA Remediation project. Staff recommends approval.

Councilman Drennan moved to approve by Oral Resolution the contract for Phase II of the ADA Remediation Project to Rose Construction, base bid including alternates 1 and 4, for \$235,800, as recommended by staff. 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.

Other Business:

5.1 David Wright, Director of Finance, briefed the Council on Certificate of Obligation projects for the 1995 sale.

Staff clarified the assessment process and limitations following a discussion concerning projects viewed as "operational" being funded through the budget process and not the CO sale.

Councilman Ferguson stated he shares some of Councilman Drennan's concerns about funding items such as #5 & #6, signs/signal heads, in the list of recommended projects for the CO sale and that in the future the possibility of moving these items to the budget process should be reviewed. With these comments noted Councilman Ferguson moved to approve the Certificate of Obligation Projects for the 1995 Sale in the amount of \$2.1 million, as recommended by staff. Councilwoman Herrera seconded the motion. Councilman Drennan stated he would amend the motion to withdraw items #5 and 6. Councilman Drennan's motion died for lack of a second. Councilman Ferguson's motion, seconded by Councilwoman Herrera, carried.

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

NAYS: None.

5.2 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 and to consider the appointment and evaluation of public officers.

Councilman McNeil left the meeting following the executive session.

The Council reconvened from executive session and reported no action taken.

5.3 Mayor McCaleb asked the council for approval of his appointment of Toney Gutierrez to the Parks and Recreation Board, term expiring 5/97. Councilman Vasquez moved to approve the Mayor's appointment of Mr. Gutierrez to fill a vacancy on the Parks and Recreation Board, term expiring 5/97. The motion was seconded by Councilman Ferguson and the motion carried.

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

NAYS: None.

There being no further business, the meeting was adjourned at 12:05 p.m.

Jo Moore
City Secretary

Gary D. McCaleb
Mayor