

**PRE-COUNCIL WORK SESSION, THURSDAY
May 11, 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 May 11, 1995, at 8:30 A.M. in the Basement Conference Room of City Hall. Mayor Pro Tempore Ray Ferguson was present and presiding with Councilman Paul R. Vasquez, Councilmen A. Don Drennan, Jimmy McNeil, Russell Berry, and Councilwoman Liz Herrera. Also present were City Manager Lanny Lambert, Assistant City Manager Roy L. McDaniel, City Attorney Harvey Cargill, Jr., City Secretary Jo Moore, and various members of the City staff. Mayor Gary D. McCaleb was absent.

City Secretary Jo Moore gave a demonstration to the Council of the laptop computers as proposed by the City Manager. The Council briefly discussed various consent and regular agenda items, and 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
May 11, 1995, 9:00 A.M.**

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

Mayor Ferguson reconvened the City Council of the City of Abilene, Texas, into Regular Session May 11, 1995, at 9:00 a.m. in the City Council Chambers of City Hall.

Invocation was given by Councilman Russell Berry.

Pledge of Allegiance was led by Scott Parsons, student at Thomas Elementary.

There being no corrections, additions, or deletions to the minutes of the Pre-Council Session and Regular City Council Meeting held April 27, 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, Councilwoman Herrera, and Mayor Ferguson.

NAYS: None.

City Secretary Jo Moore assisted Mayor Ferguson in the presentation of the **Employee**

Service Awards to the following individuals for their years of service:

40 Years	Clinton E. Ward	Construction Inspector Engineering Division
30 Years	Bryan Smith	Police Officer Police Department
20 Years	Norman Marshall	Equipment Mechanic II Parks Division

Earnest Merritt, Special Assistant to the City Manager for Youth Services, assisted Mayor Ferguson in the presentation of certificates of recognition to City Employees' graduating High School Seniors.

Mayor Ferguson, assisted by Cooper High School Art Teacher Martha Keil, presented certificates of appreciation to students who had displayed their artwork at the Railroad Festival.

Mayor Ferguson presented the following proclamations:

May 13-21 as Spring Clean for Abilene Week;
May 13-20 as Emergency Medical Services Week;
May 13 as Letter Carrier Food Drive Day;
May 7-13 as National Nurse Week;
May as Foster Care Month; and
May 13 as Take Back Our Neighborhood Day.

Councilman Vasquez moved to approve consent agenda items 3.1, 3.7 through 3.10, and approval of first reading agenda items 3.2 through 3.6 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 Ferguson.

NAYS: None.

3.0 Ordinances and Resolutions:

3.1 Resolution extending suspension of WTU Proposed Rate Increase.

The Resolution is numbered 20-1995 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,
EXTENDING THE SUSPENSION OF WEST TEXAS UTILITIES PROPOSED
RATE INCREASE.

3.2 Approval of first reading - Ordinance changing zoning district boundaries - **Z-01695** -
Rezone from AO, IL & GC to PDD district at Maple St. & Berry Ln. and set a
public hearing for May 25, 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, CONCERNING PDD #58 PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

- 3.3 Approval of first reading - An Ordinance changing zoning district boundaries - **Z-01895**
- Add H to underlying CB district at 1174 N. 1st St. and set a public hearing for May 25, 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.

- 3.4 Approval of first reading - **Z-017995** - Rezone from RM-3 to O district in the 100-200 block of Sayles Blvd. and set a public hearing for May 25, 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.

- 3.5 Approval of first reading - **Z-01995** - Rezone from O & RM-2 to SC district on N. Judge Ely Blvd. between E. N. 12th & E. N. 16th Streets and set a public hearing for May 25, 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.

- 3.6 Approval of first reading - **Z-02395** - Rezone from LI to HC district located in the 3000 block of FM 600 and set a public hearing for May 25, 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.

- 3.7 Approval of first reading - Ordinance amending Abilene Municipal Code Chapter 18, "Motor Vehicles & Traffic", Section 18-302.

AN ORDINANCE AMENDING CHAPTER 18, "MOTOR VEHICLES AND TRAFFIC," OF THE ABILENE CITY CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

3.8 Approval of second and final reading - Ordinance amending Abilene Municipal Code Chapter 18, "Motor Vehicles & Traffic", Section 18-304.

The Ordinance is numbered 21-1995 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.

Award of Bid:

3.9 Re-roofing Equipment Services Shop Building, **Bid #CB-5042**. The bid was awarded to Lydick-Hooks Roofing Company, the low responsible bidder in the amount of \$17,329.00, as recommended by staff.

3.10 Motorgrader for Street Services Division, **Bid #CB-5041**. The bid was awarded to AIS Continental, the low responsible bidder with trade in, in the amount of \$74, 310.00 representing their alternate bid with a full 5 year machine coverage, as recommended by staff.

REGULAR AGENDA

Public Appearance

4.1 Fire Marshal Phil Sissel introduced Byron Pierce, General Manager of the Abilene Prairie Dogs, who requested that Council approve a fireworks display permit application for May 20, 1995 following their first game.

Councilman Vasquez moved to approve the fireworks display on May 20, 1995, as requested. The motion was seconded by Councilman Berry and the motion carried.

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

NAYS: None.

Resolutions

4.2 Mayor Ferguson introduced Mike McDonald, Computer Services Supervisor, who briefed the Council on a Joint Resolution regarding cooperation and coordination by Government

Entities in matters related to technology. Staff recommends approval.

Councilman Drennan moved to approve the Joint Resolution on technology as recommended. The motion was seconded by Councilwoman Herrera and the motion carried.

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

NAYS: None.

The Resolution is numbered 21-1995 and is captioned as follows:

JOINT RESOLUTION REGARDING COOPERATION AND COORDINATION BY
GOVERNMENTAL ENTITIES IN MATTERS RELATED TO TECHNOLOGY

Ordinances

4.3 Ron Quarles, Acting Assistant Director of Development Services for Planning, briefed the Council on an Ordinance considered on second and final reading concerning annexation of the Saddle Creek Estates area. Staff recommends approval.

Mayor Ferguson opened a public hearing on the item, and the following individual spoke regarding the request:

For:

.Terry Franklin, 1473 Beltway, wants his client who leases land in the area to have a five year lease term.

. Tommy Foster, 5434 Meadow Drive, representing the proponent.

Against:

. Wayne Curtis, 202 E. Hardison Lane.

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

Councilman Drennan moved to approve the Ordinance annexing Saddle Creek Estates as recommended, to include an extension thru August 30, 1998 for firework sales on a portion of Tract 2 that is currently occupied and used for the sale of fireworks. The motion was seconded by Councilman Berry and the motion carried.

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

NAYS: None.

The Ordinance is numbered 22-1995 and is captioned as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,

PROVIDING FOR THE EXTENSION OF THE BOUNDARY LIMITS OF THE CITY OF ABILENE, TEXAS, AND THE ANNEXATION OF CERTAIN TERRITORY LYING ADJACENT TO AND ADJOINING THE PRESENT BOUNDARY LIMITS OF THE CITY OF ABILENE.

The Council stressed to staff the enforcement of all City policies and to pursue the development of a policy that addresses the development of land adjacent to the city limits.

Special Considerations:

4.4 Jo Moore, City Secretary, briefed the Council on a Resolution canvassing the returns of the May 6, 1995 General Election, declaring that Ray Ferguson and Kay Alexander received a majority of the votes cast for Councilmembers Place V and VI respectively. Total votes cast were as follows: Council Place 5: Ray Ferguson - 1479. Council Place 6: Danny Minton - 409; W. E. "Buff" Hackney - 92; Jackie Keenan - 291; and Kay Alexander - 1140.

Ballot and Seal Certificates were received by mail from each presiding judge, duly signed by same and released to the City Secretary for filing in the official election records.

Councilman Vasquez moved to approve the Resolution canvassing the returns and declaring the results of the City Council election held May 6, 1995. The motion was seconded by Councilman McNeil and the motion carried.

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

NAYS: None.

The Resolution is numbered 22-1995 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, CANVASSING THE RETURNS AND DECLARING THE RESULTS OF GENERAL ELECTION HELD IN THE CITY OF ABILENE ON MAY 6, 1995.

4.5 Jo Moore, City Secretary, presented to each member of the City Council their annual paycheck of one (1.00) dollar with the exception of Mayor Pro Tempore Ferguson who, at the request of the City Secretary, was presented his paycheck by his daughter, Rebekah. A City of Abilene tie tack was presented to Chris Herrera for his support of his wife during her service on the Council; and a special City of Abilene pin was presented to Liz Herrera for her years of service to the City.

4.6 Ray Ferguson, Council Place V and Kay Alexander, Council Place VI were inducted by City Secretary Jo Moore into their offices for a three year term.

Mayor Ferguson 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 following a reception for outgoing Councilwoman Herrera and incoming Councilman Ferguson and Councilwoman Alexander.

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

4.7 Councilman Drennan moved to elect Councilmen McNeil and Berry as Mayors Pro Tempore. The motion was seconded by Councilman Vasquez and the motion carried.

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

NAYS: None.

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

Jo Moore
City Secretary

Ray Ferguson
Mayor Pro Tempore

