

**PRE-COUNCIL WORK SESSION, THURSDAY  
June 29, 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 June 29, 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, Jimmy McNeil, Russell Berry, Ray Ferguson, and Councilwoman Kay Alexander. 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. Councilman A. Don Drennan was absent.

Council and staff joined in to sing Happy Birthday to Councilman Vasquez. Billye Proctor-Shaw, Chair of the Sister Cities Committee, briefed the Council on the Sister Cities delegate visit to Corinth, Greece, and distributed a fax from the Mayor of Corinth. Mayor McCaleb presented to Ms. Shaw a Certificate of Recognition for her work on the Sister Cities Committee. 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  
June 29, 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 June 29, 1995, at 9:00 a.m. in the Council Chambers of City Hall.

Invocation was given by Councilwoman Kay Alexander.

Pledge of Allegiance was led by Cullen Merritt, son of Earnest Merritt, City Manager's Office and Wanda Merritt, Economic Development.

There being no corrections, additions, or deletions to the minutes of the Pre-Council Session and Regular City Council Meeting held June 8, 1995, Councilman McNeil moved to approve the minutes as printed. The motion was seconded by Councilman Berry and the motion carried.

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

NAYS: None.

The Employee of the Month Award will be presented at the July 13, 1995 Council meeting.

Gerald Garret, V. A. Administration, presented a Certificate of Appreciation to Art Jennings for his work at the cemetery.

Rod Weeks, Chair of the Business & Industry Committee for Abilene Clean and Proud, presented the following special recognition awards: McMurry University for Landscaping; Blockbuster Video for Environmental Involvement; and Goodwill Industries for Recycling.

Pat Harris, Chair of the Employee Committee, assisted Mayor McCaleb in the awarding of scholarships from the Employee Scholarship Fund to this year's recipients, Kristi Cargill, Faith Vespremi, Christopher Fuentes, Stephen Sides, Jennifer Kincaid, and Pamela Stevenson. Ms. Harris stated that since 1991, 15 scholarships totalling \$15,000 have been distributed. Mayor McCaleb presented a proclamation to each student, stressing the importance of education and aid to City employees' children.

Councilman Vasquez moved to approve consent agenda items 3.1 through 3.6, as recommended by the staff. The motion was seconded by Councilman Berry and the motion carried.

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

NAYS: None.

**Resolutions:**

3.1 Oral Resolution authorizing a fireworks display by the Abilene Prairie Dogs on July 4, 1995, with an alternate date of July 5.

3.2 Oral Resolution authorizing the Mayor to execute a lease amendment with Richard Baxter for Hangar #2, adding airframe and power plant repairs to the Object and Purpose of the Lease at the Abilene Regional Airport.

3.3 Resolution approving FY 1995/96 Action Plan for the CDBG and HOME proposed projects to be included in the Consolidated Plan.

The Resolution is numbered 24-1995 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,  
APPROVING THE FY 1995/96 ACTION PLAN FOR THE CONSOLIDATED PLAN  
AND PROJECTED USE OF COMMUNITY DEVELOPMENT BLOCK GRANT AND  
HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) FUNDS

3.4 Oral Resolution approving the 1995 update of the Abilene/Taylor County Overall Economic Development Program.

**Award of Bid:**

3.5 Traffic sign materials, **Bid #CB-5054**. The bid was awarded based on unit prices bid to the

lowest responsible bidders as follows: Items A, D, & E to AmSign Corporation; Items B, C, & F to Vulcan Signs; and Item G to 3M, as recommended by staff.

3.6 Annual Fire Department Physical Exams, **Bid #CB-5050**. The bid was awarded to the Abilene Intercollegiate School of Nursing, as recommended by staff.

## Regular Agenda

### Public Appearances

4.1 Mike Morrison, Director of Economic Development, introduced Mr. Jenson, U. S. Department of Housing & Urban Development (HUD) Representative, who presented a \$1 million sample grant check. Mr. Morrison then reviewed what the funds will be used for in the downtown revitalization, and recognized staff members Wanda Merritt, Stephanie Dugan, and Lisa Reeves. City Manager Lambert pointed out this is the 4th highest award received. No Council action was required.

4.2 Betty Hukill, representative of the Downtown Association, presented information regarding the acquisition of trolley busses, emphasizing how they would benefit the city. Mike Morrison explained the procedures from this point - no action is required today, but Council is requested to consider this request during budget deliberations.

### Resolutions

4.3 Dwayne Hargesheimer, Director of Water Utilities, briefed the Council on an Oral Resolution approving the Lytle Trail Interceptor Sanitary Sewer Improvements award of bid #CB5047. Staff recommends Council approve, by Oral Resolution, the bid be awarded to John Crowe & Associates, Inc. as the lowest responsible bidder in the amount of \$624,082 and authorize the City Manager to execute a contract on behalf of the City.

Councilman Ferguson moved to approve, by Oral Resolution, the Lytle Trail Interceptor Sanitary Sewer Improvements award of bid #CB5047 to John Crowe & Associates, Inc.; authorizing the City Manager to execute a contract on behalf of the City in the amount of \$624,082 as recommended by staff. The motion was seconded by Councilman McNeil and the motion carried.

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

Nays: None.

**Ordinances:**

4.4 Ron Quarles, Acting Assistant Director of Development Services for Planning, briefed the Council on an Ordinance considered on second and final reading - **Z-02195** - Amend PDD #36 to allow standard restaurant in Tract 2, located at E. N. 10th & Judge Ely Blvd. The Planning and Zoning Commission recommends approval; staff recommends approval subject to the following conditions: a 7' opaque wood or masonry fence along the entire western boundary of Tract 2 adjacent to the RM-3 zoning; restrict general restaurant to sit-down only without a drive-through; provide a strip of landscaping along the frontage of E. N. 10th St.; restrict all vehicular parking to the rear of the lot behind the primary structure, and modify the parking requirements to one space per 2 employees and one space per every 4 seats (for standard restaurants); and current signage standards be modified from the current maximum height of 35' to a maximum height of only 10' with a setback of 10' from the front property line.

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

Ray Scott, agent for the proponent, 702 Diamond Lake Drive, stated the proponent has agreed to all of staff's recommendations with the exception of providing 1/3 of the parking in front of the primary structure, and including a drive-through window for the restaurant use.

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

Councilman Ferguson moved to approve the Ordinance to amend PDD #36 to allow standard restaurant in Tract 2 at E. N. 10th & Judge Ely Blvd. subject to the conditions as recommended by staff, with the exception that 1/3 of the parking be provided in front of the primary structure, and including a window for the restaurant use as a carry-out facility. Staff is to clarify in the Ordinance that the window for the carry-out facility is not to be used as a fast food drive thru facility. The motion was seconded by Councilman Vasquez and the motion carried.

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

Nays: None.

The Ordinance is numbered **31-1995** 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. 76-1985 CONCERNING THE E. N. 10TH & JUDGE ELY BLVD. PDMX PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

4.5 Ron Quarles, Acting Assistant Director of Development Services for Planning, briefed the Council on an Ordinance considered on second and final reading changing zoning district boundaries - **Z-02495** - Rezone from AO to LC district at 1465 Beltway South. 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 changing zoning district boundaries from AO to LC district at 1465 Beltway South, as recommended by staff. The motion was seconded by Councilman Berry and the motion carried.

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

Nays: None.

The Ordinance is numbered **32-1995** 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.

4.6 Ron Quarles, Acting Assistant Director of Development Services for Planning, briefed the Council on an Ordinance considered on second and final reading for thoroughfare abandonment - **TC-02995** - of (1) a 20' north-south alley 320' in length between Lot 104, Block A and Lots 6, 17 & 18; and (2) a 20' east-west alley 185' in length between Lot 104, Block A and Lots 18-21, C. E. Wood Subdivision; located on the southwest corner of Ambler and Treadaway. The Plat Review Committee and staff recommend approval subject to retention of utility easements the length and width of both alleys. The Planning and Zoning Commission recommend abandonment of only the north 1/2 of the north-south alley.

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

.Sonny Jones, welder, stated two written oppositions were sent in - his and his wife - wants it to stay open for access to property, lot 18.

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

Councilman Vasquez moved to approve the Ordinance for thoroughfare abandonments of the 20' n/s alley 150.15' in length between Lot 104, Block A and Lot 6, C. E. Wood Subdivision; subject to retention of utility easements the length and width of the north/south alley; located on the northwest corner of Ambler and Treadaway. The motion was seconded by Councilman Berry and the motion carried.

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

Nays: None.

ABSTAIN: Councilman Ferguson.

The Ordinance is numbered 33-1995 and is captioned as follows:

AN ORDINANCE PROVIDING FOR THE ABANDONMENT OF A PORTION OF PUBLIC RIGHT OF WAY; PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH ABANDONMENT, AND CALLING A PUBLIC HEARING.

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.

Councilman McNeil moved to approve the Mayor's appointments of Pug Parris to Civic Abilene with a term expiring 5/97; and the following individuals to the Human Relations Committee: Rev. Versie Brown and Joe Burns, terms expiring 5/97; L. G. Solomon, Vance Marquez, and Dana Gibson, terms expiring 5/98. The motion was seconded by Councilman Vasquez and the motion carried.

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

Nays: None.

There being no further business, the meeting was adjourned at 11:55 a.m.

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Jo Moore  
City Secretary

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Gary D. McCaleb  
Mayor