

**PRE-COUNCIL WORK SESSION, THURSDAY  
September 14, 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 September 14, 1995, at 8:30 A.M. in the Basement Conference Room of City Hall. Mayor Pro Tempore Russell Berry was present and presided until Mayor McCaleb arrived at 8:45 a.m. Councilmen Paul R. Vasquez, A. Don Drennan, Jimmy McNeil, Ray Ferguson, and Councilwoman Kay Alexander were present. Also present were City Manager Lanny Lambert, 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. Roy McDaniel, Assistant City Manager, briefed the Council on the 9-1-1 budget and the operation of the system. Larry Johnson, Dr. Willingham, and Project Manager Jeff Turner explained the Family Health Clinic agreement. 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  
September 14, 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 September 14, 1995, at 9:00 a.m. in the City Council Chambers of City Hall.

Invocation was given by Councilman Ray Ferguson.

Pledge of Allegiance was led by Carrie Cook, 5th grade student at Austin Elementary.

Mayor McCaleb, assisted by City Secretary Jo Moore, presented **Employee Service Awards** to the following individuals for their years of service:

20 Years	Franklin J. Cozby III	Equipment Operator II
		Refuse
20 Years	Robert Mross	Fire Lieutenant
		Fire

The following individuals were not able to attend the Council meeting, but will also be given service awards:

20 Years	William H. Warren	Firefighter Fire
20 Years	Barry M. Whitton	Fire Lieutenant Fire

Mayor McCaleb, assisted by Debra Guerra, Assistant to the City Manager, presented the August Employee of the Month Award to Scotty Mitchell, Senior Animal Control Officer.

Mayor McCaleb presented a Proclamation for September 15 through October 15 as Hispanic Heritage Month.

There being no corrections, additions, or deletions to the minutes of the Special Council Meeting held August 23, 1995 and the Pre-Council Session and Regular City Council Meeting held August 24, 1995, Councilman Ferguson 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 Alexander, and Mayor McCaleb.

NAYS: None.

Councilman Berry moved to approve consent agenda items 3.1 through 3.15, and second and final reading of item 3.16, as recommended by staff. The motion was seconded by Councilman McNeil and the motion carried.

AYES: Councilman Vasquez (abstaining on item 3.8 only, due to his employment at Hendrick), Councilmen Drennan, McNeil, Berry, Ferguson, Councilwoman Alexander, and Mayor McCaleb.

NAYS: None.

### **Resolutions**

3.1 Oral Resolution approving FY 1995/96 CDBG contract amendment for Mend-A-Child.

3.2 Oral Resolution approving FY 1995/96 CDBG contract amendment for Community Foundation of Abilene.

3.3 Oral Resolution approving FY 1995/96 CDBG contract for Boys and Girls Club.

3.4 Oral Resolution approving professional services contract with National Development Council.

3.5 Resolution authorizing Mayor to execute FAA grant agreement #3-48-0002-16 and award bid CB-5072 to groove and stripe runway 17L-35R to Pavement Specialists Inc. for an estimated amount of \$120,939.70.

The Resolution is numbered **29-1995** and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING GRANT AGREEMENT 3-48-0002-16 FROM THE FEDERAL AVIATION ADMINISTRATION FOR IMPROVEMENTS AT THE ABILENE REGIONAL AIRPORT.

3.6 Resolution approving Abilene Metropolitan Area Transportation Improvement Program for FY 96-98.

The Resolution is numbered **30-1995** and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING THE FY 1996-1998 TRANSPORTATION IMPROVEMENT PROGRAM FOR THE ABILENE METROPOLITAN AREA.

3.7 Oral Resolution approving 9-1-1 Emergency Communications District revised FY 1994/95 and proposed FY 1995/96 budgets.

3.8 Oral Resolution authorizing Mayor to execute Family Health Clinic agreement on behalf of Abilene-Taylor County Public Health District.

#### **Bid Awards**

3.9 Natural Gas supply for Wastewater Treatment Plant, **Bid #CB5074**. The bid was awarded to Enserch Gas Company as most advantageous, and the City Manager was authorized by Oral Resolution to execute a Standard Sales Contract with Enserch Gas Company for a fixed price, five-year term.

3.10 Pavement Markers for Traffic, **Bid #CB5073**. The bid was awarded as follows: Items 1 & 2 - Non-reflective ceramic (yellow & white) to Phil Allen; Items 3 & 4 - Prismatic reflective (1-way white & 2-way yellow) to Southwestern Materials; and Item 5 - Bituminous Adhesive to Centerline Supply, as recommended by staff.

3.11 Renovation of air conditioning systems for CityLink Transit administrative, transfer station and maintenance facility, **Bid #CB-5062**. The bid was awarded to Abilene Plumbing and Heating, Inc. for the original bid amount of \$106,536 and a change order lowering the contract to \$86,980 was approved, as recommended by staff.

3.12 Modular workstations for Accounting and Purchasing Divisions, **Bid #CB5067**. The bid was awarded to the Pender Company in the amount of \$38,701.25, as recommended by staff.

3.13 Fire Department uniforms, **Bid #CB5066**. The bid was awarded to Martin Uniforms in the amount of \$19,560 as recommended by staff.

3.14 Utility Vehicles for Zoo, **Bid #CB5049**. The bid was awarded to Abilene Farm Supply, the low responsible bidder, in the amount of \$17,444.00 as recommended by staff.

3.15 Drainage related improvements, **Bid #CB5065**. The bid was awarded to Epic Construction for

the unit prices bid for Improvement 1, Improvement 2 (Alternate 1), and Improvement 3 (Alternate 1) with an estimated project amount of \$86,121.50, as recommended by staff.

### **Ordinances**

3.16 **Approval of second and final reading** - Ordinance establishing Downtown Revolving Loan Fund; delegating and granting Directors of Abilene Reinvestment Zone Number One (TIF Board) powers necessary to administer the Program.

The Ordinance is numbered **40-1995** and is captioned as follows:

AN ORDINANCE OF THE CITY COUNCIL OF ABILENE, TEXAS, ESTABLISHING A DOWNTOWN REVOLVING LOAN FUND (DRLF) TO FACILITATE DOWNTOWN DEVELOPMENT USING HUD SECTION 108 FUNDS AND AN ECONOMIC DEVELOPMENT INCENTIVE GRANT (EDI) AND DELEGATING AND GRANTING TO THE BOARD OF DIRECTORS OF ABILENE REINVESTMENT ZONE NUMBER ONE ("TIF BOARD") THE POWERS NECESSARY TO ADMINISTER THE DRLF IN FURTHERANCE OF IMPLEMENTATION OF THE COMPREHENSIVE PLAN AND DEVELOPMENT STRATEGY FOR DOWNTOWN ABILENE, TEXAS.

## **REGULAR AGENDA**

### **Resolutions**

4.1 Mike Morrison, Director of Economic Development, briefed the Council on a public appearance by Mike Young, President of TIF board, to request approval by Oral Resolution the TIF budget for expenditure of \$1 million for the development of Everman Park and North First Improvements, and approve advertisement for construction bids. Mr. Young indicated this would result in a formal landscape park, improve the parking lot west of the depot, and add some landscaping, improve parking along North First street and create a plaza effect, and improve pedestrian access on the sidewalk with a projected fountain in the park area. He stated the Abilene Reporter-News endorses the plan and have been cooperative. He introduced TIF board members who were present.

During the discussion on the item, Councilman Drennan voiced his appreciation to the board for their work, but stated his concerns about the amount of money for this size of a project, the possibility of placing a more total project with the voters. Councilman Vasquez questioned the possibility of tabling the item until the land is purchased or the issue is settled. Councilman Berry questioned who oversees or administers the program. Staff responded to the stated questions and concerns. Mayor McCaleb thanked Mr. Young and the board members for the careful study of the project over a long period of time. Councilman Berry moved to approve the design plan, advertise for bids for construction, and instruct staff to propose funding sources to complete the project with improvements along Cypress Street. The motion was seconded by Councilman Ferguson and the motion carried.

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

NAYS: Councilmen Vasquez and Drennan.

4.2 James Condry, Assistant Director of Development Services for Public Works,

briefed the Council on a Resolution authorizing reimbursement to Lone Star Pipeline Company for relocating pipeline within Elm Creek Floodway Improvements Project.

Councilman Drennan moved to approve the Resolution authorizing reimbursement to Lone Star Pipeline Company for relocating pipeline within Elm Creek Floodway Improvements Project, as recommended by staff. The motion was seconded by Councilman Vasquez and the motion carried.

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

NAYS: None.

The Resolution is numbered 31-1995 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,  
AUTHORIZING REIMBURSEMENT TO LONE STAR PIPELINE COMPANY FOR  
RELOCATING PIPELINE WITHIN THE ELM CREEK FLOODWAY  
IMPROVEMENTS PROJECT.

4.3 Marva Pritchett, Director of Development Services, briefed the Council on an Oral Resolution authorizing Mayor to enter into joint agreement with Abilene Motor Sports Inc. and Jack Nance dba Penwell Raceway to conduct spectator/auto drag races on September 30 and October 1, 1995 at Abilene Regional Airport. Ms. Pritchett introduced Mike Dohrse, chair of the Airport Development Board, who gave a background and information on the use of the runways. He stated no services will be disrupted and quoted \$15,000 was raised last year for charities, and a \$2.2 billion economic impact was made to the City. Paul Lenker stated it is an economic plus for the City and a stepping stone to building a permanent facility.

Councilman McNeil moved to approve by Oral Resolution authorizing the Mayor to enter into joint agreement with Abilene Motor Sports Inc. and Jack Nance dba Penwell Raceway to conduct spectator/auto drag races on September 30 and October 1, 1995 at Abilene Regional Airport, as recommended by staff. The motion was seconded by Councilman Vasquez and the motion carried.

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

NAYS: None.

4.4 Mike Hall, Director of Community Services, introduced Terry Arrington, Library Board Chair, who presented information on the Library Subcommittee's work. Mr. Arrington gave a history of the committee and reason for its establishment. He then submitted the subcommittee's recommendation to establish by Oral Resolution a Task Force to: 1) evaluate the pulse of the community for additional library space, 2) evaluate timing, 3) research possible options in pursuing additional space if numbers 1 and 2 are approved. The Council will appoint members to the Task Force at a later date after names representing a good cross section of the community have been reviewed.

Councilman Vasquez moved to accept the report from the Library Subcommittee and establish a Task Force by Oral Resolution to review the Library's options, as recommended. The motion was seconded by Councilman Drennan and the motion carried.

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

NAYS: None.

### **Ordinances**

4.5 Harvey Cargill, City Attorney, briefed the Council on an Ordinance setting rates for West Texas Utilities, stating if the Council doesn't set the rates, a \$14.5 million increase will go into effect. The Ordinance before the Council addresses decreasing the WTU revenue by \$13.5 million and a \$21 million refund. Councilman Ferguson noted the refund would be in the form of credit on the utility bill over a 2 to 3 month period. Mayor McCaleb stated his and the Council's deep appreciation to Councilman Ferguson for his representation and expertise in dealing with the WTU rate issue.

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

.Dennis Sharkey, WTU Vice President, stated the issues are in settlement discussion, a more detailed, stipulated agreement is being circulated. Mr. Sharkey does agree with Councilman Ferguson that credit to the consumer will be made over a 2-3 month period.

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

Councilman Ferguson moved to approve the Ordinance setting rates for West Texas Utilities. The motion was seconded by Councilman Berry and the motion carried.

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

NAYS: None.

The Ordinance is numbered **41-1995** and is captioned as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING ELECTRIC UTILITY RATES AND SCHEDULES FOR WEST TEXAS UTILITIES COMPANY; PROVIDING A SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

### **Other Business**

5.1/5.2 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 reported no action taken.

5.3 Mike Morrison, Director of Economic Development, briefed the Council on a Resolution authorizing the use of ISTEА and TIF funds for acquisition of Railroad right-of-way and committing to restore the T & P freight warehouse.

Councilman Berry moved to approve the Resolution authorizing the use of ISTEА and TIF funds for acquisition of Railroad right-of-way and committing to restore the T & P freight warehouse, as recommended by staff. The motion was seconded by Councilman McNeil and the motion carried.

AYES: Councilmen Vasquez, Drennan (reluctantly), McNeil, Berry, Ferguson, Councilwoman Alexander, and Mayor McCaleb.

NAYS: None.

The Resolution is numbered 32-1995 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TAYLOR COUNTY, TEXAS, AUTHORIZING THE USE OF INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT ("ISTEA") FUNDS AND TAX INCREMENT FINANCING ("TIF") FUNDS FOR ACQUISITION OF A TRACT OF LAND ALONG THE SOUTH SIDE OF NORTH FIRST STREET FROM HICKORY STREET EAST TO MESQUITE STREET ("RAILROAD RIGHT OF WAY") AND COMMITTING TO RESTORE THE T&P FREIGHT WAREHOUSE AFTER ACQUISITION OF THE TRACT.

There being no further business, the meeting was adjourned at 12:00 noon.

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Jo Moore  
City Secretary

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Gary D. McCaleb  
Mayor

