

**PRE-COUNCIL WORK SESSION, THURSDAY
April 25, 1996, 9:30 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 April 25, 1996, at 8:30 A.M. in the Basement Conference Room of City Hall. Mayor Pro Tempore Russell Berry was present and presiding with Councilmen Paul R. Vasquez, A. Don Drennan, Jimmy McNeil, and Ray Ferguson. Also present were City Manager Lanny Lambert, Assistant City Manager Roy L. McDaniel, City Attorney Harvey Cargill Jr., Assistant to the City Manager Debra Guerra, City Secretary Jo Moore, and various members of the City staff. Mayor Gary D. McCaleb was absent from Pre-Council Session only; Councilwoman Kay Alexander was absent.

Drew Sleeper, Refuse Division Superintendent, introduced HSU graduate student Jeff Steward, manager of the recycling center, who then briefed the Council on the Environmental Recycling Center. Mr. Sleeper informed the Council that if TNRCC does not re-approve the grant funding for the Center which runs out in August, he will request City budget dollars to continue its operation. The City has realized in the first six months of FY 96 a \$98,000 savings through the Center's operation. 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
April 25, 1996, 10:00 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 April 25, 1996, at 9:00 a.m. in the Council Chambers of City Hall.

The Council and staff introduced nine children from the Day Nursery of Abilene and the Rainbow Bible School, visiting in conjunction with the Week of the Young Child.

Mayor McCaleb recognized all daughters present at the meeting, in honor of Take Your Daughter to Work Day.

The Pledge of Allegiance was led by Lance Wilson, fifth-grader from Reagan Elementary School, who was accompanied by his principal, Alan Lockett.

Invocation was given by Councilman Paul Vasquez.

Mayor McCaleb presented the following proclamations:
April 21-27 as National Minority Cancer Awareness Week; and
May 13-19 as Senior Center Week.

There being no corrections, additions or deletions to the minutes of the City Council

Meeting held April 11, 1996, Councilman McNeil moved to approve the minutes. The motion was seconded by Councilman Ferguson and the motion carried.

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

NAYS: None.

Councilman Vasquez moved to approve consent agenda items 3.1 and 3.2, as recommended by the staff. The motion was seconded by Councilman Drennan and the motion carried.

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

NAYS: None.

Resolutions

3.1 Oral Resolution approving Street Use License request from International Consultants of the Environment for installation of monitoring wells in 300 block of Sycamore St.

Award of Bid

3.2 Correction to Bid #CB-6029; Ag tractors and mowing equipment for various divisions. The name of the company the bid was awarded to was corrected from Abilene Farm Supply to John Deere Company - Dallas, as recommended by staff.

REGULAR AGENDA

Mayor McCaleb noted that agenda item 4.7, Award of Bid; Ordinance authorizing issuance of City of Abilene, Texas, Combination Tax and Revenue Certificates of Obligation, Series 1996, in the amount of \$2,280,000.00 is posted to take place at 11:00 a.m. and the City Council will break if necessary at that time to consider that item or recess and come back at that time if other agenda items are taken care of prior to 11:00 a.m.

4.1 Ordinances

Carl Lockett, Assistant Director of Development Services for Planning, briefed the Council on a request denied by the Planning and Zoning Commission and appealed to the Council an Ordinance to rezone from AO to MH district located at 3665 Caldwell Road, being 1.0 acre out of an original 21.0 acre tract out of Sections 82 and 83, Block 14, T & P RR Co. survey, Taylor County, Texas - **Z-00996**. The Planning and Zoning Commission and staff recommend denial.

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

.H. C. Welch, proponent - introduced his son, Roger Welch, who gave a history of the request.

. Wayne Curtis, in favor of the request.

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

Councilman Vasquez moved to approve the request to rezone property from AO to MH district located at 3665 Caldwell Road, as requested. The motion was seconded by Councilman

Berry and the motion carried.

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

NAYS: None.

The Ordinance is numbered **15-1996** 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.

4.2 Carl Lockett, Assistant Director of Development Services for Planning, briefed the Council on an Ordinance to rezone from LC to GC district located at 1595 E. Spur 707, being a 2.0 acre tract out of the NW 1/4 Section 22 out of an 8.96 acre tract out of Section 22, Lunatic Asylum Land in Abilene, Taylor County, Texas - **Z-01196**. The Planning and Zoning Commission and staff recommend approval.

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

Dwayne Wood, Buffalo Gap, in favor of the request.

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

Councilman Vasquez moved to approve the request to rezone property located at 1595 E. Spur 707, as recommended by staff. The motion was seconded by Councilman Ferguson and the motion carried.

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

NAYS: None.

The Ordinance is numbered **16-1996** 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.

4.3 Carl Lockett, Assistant Director of Development Services for Planning, briefed the Council on an Ordinance for thoroughfare abandonment of the N/S portion of a 20' alley between Blocks 3 & 4, Section 1, Southwest Park Addition, located on S. 14th St. between Barrow & Sunset - **TC-01296**. The Planning and Zoning Commission and staff recommend approval, subject to retention of a utility and drainage easement the length and width of the alley until such time that all utilities and storm water are relocated.

Mayor McCaleb opened a public hearing, and there being no one present and desiring to be heard, the public hearing was closed.

Councilman Drennan moved to approve the request for thoroughfare abandonment on S. 14th St. between Barrow & Sunset, subject to retention of utility and drainage easements, as recommended by staff. The motion was seconded by Councilman Vasquez and the motion carried.

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

NAYS: None.

The Ordinance is numbered **17-1996** 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.

4.4 Carl Lockett, Assistant Director of Development Services for Planning, briefed the Council on an Ordinance to rezone from SC to GC district, located at 997 N. Danville, Lots 21, 22 & 23, Block 10, West Freeway Estates, Abilene, Taylor County, Texas - **Z-01396**. The Planning and Zoning Commission and staff recommend approval.

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

. Noble Harris, agent for the proponent.

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

Councilman McNeil moved to approve the request to rezone property located at 997 N. Danville, as recommended by staff. The motion was seconded by Councilman Vasquez and the motion carried.

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

NAYS: None.

The Ordinance is numbered **18-1996** 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.

4.5 Carl Lockett, Assistant Director of Development Services for Planning, briefed the Council

on an Ordinance for thoroughfare abandonment of a 20' east-west alley in Block 48, Original Town, located between N. 1st & N. 2nd and Orange & Hickory Streets - **TC-01496**. The Planning and Zoning Commission and staff recommend approval, subject to the the following conditions: (1) the entire area of the alley shall be maintained as a drainage and utility easement; (2) relocation of above ground utility lines to be accomplished at proponent's expense in a manner acceptable to the utility provider; (3) relocation of traffic signal power supply and interconnect lines be accomplished at the proponent's expense prior to removal of existing supporting poles; and (4) plans for relocation of the traffic signal interconnect and power supply must preapproved by the City's traffic engineer.

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

.Lee Roy George, agent for the proponent, stated the proponent is agreement with all conditions.

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

Councilman Vasquez moved to approve the request for thoroughfare abandonment of a 20' east/west alley between N. 1st & N. 2nd and Orange & Hickory Streets - **TC-01496**, subject to the four stated conditions, as recommended by staff. The motion was seconded by Councilman Berry and the motion carried.

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

NAYS: None.

The Ordinance is numbered **19-1996** 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.

4.6 Carl Lockett, Assistant Director of Development Services for Planning, briefed the Council on an Ordinance to rezone from RS-6 to CU district, located in the 2500 block of Cedar Street, Lots 1-6 and 13-18, Block 2, Olsen Place Addition, Abilene, Taylor County, Texas - **Z-01596**. The Planning and Zoning Commission and staff recommend approval.

Mayor McCaleb opened a public hearing, and there being no one present and desiring to be heard, the public hearing was closed.

Councilman Berry moved to approve the request to rezone property located in the 2500 block of Cedar Street, as recommended by staff. The motion was seconded by Councilman Vasquez and the motion carried.

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

NAYS: None.

The Ordinance is numbered **20-1996** 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.

5.0 **Other Business**

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.

4.7 Bid Opening 11:00 a.m. CDT: David Wright, Director of Finance, assisted by Joe Smith of First Southwest Company, briefed the Council on the Award of Bid; and an Ordinance authorizing issuance of City of Abilene, Texas, Combination Tax and Revenue Certificates of Obligation, Series 1996, in the amount of \$2,280,000. Mr. Smith opened and read all ten bids aloud. The lowest bidder was Dain Bosworth, Inc., with a net interest cost of \$919,643.75 and effective interest rate of 5.1105%.

Following staff verification of the arithmetic on the bids, Councilman McNeil moved to approve the bid from Dain, Bosworth Inc., and to approve the Ordinance authorizing issuance of City of Abilene, Texas, Combination Tax and Revenue Certificates of Obligation, Series 1996, in the amount of \$2,280,000 as recommended by staff. The motion was seconded by Councilman Berry and the motion carried.

AYES: Councilmen Vasquez, Drennan, McNeil, Berry, Ferguson, and Mayor McCaleb.
Nays: None.

The Ordinance is numbered **21-1996** and is captioned as follows:

AUTHORIZING THE ISSUANCE OF CITY OF ABILENE, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 1996, IN THE PRINCIPAL AMOUNT OF \$2,280,000

There being no further business, the meeting was adjourned at 11:15 a.m.

Jo Moore
City Secretary

Gary D. McCaleb
Mayor

