

**PRE-COUNCIL WORK SESSION, THURSDAY
January 23, 1997, 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 January 23, 1997, 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 and A. Don Drennan, Councilwoman Carol Martinez, Councilmen Rob Beckham and Ray Ferguson, and Councilwoman Kay Alexander. Also present were City Manager Lanny Lambert, Assistant City Managers Roy L. McDaniel and Mike Morrison, City Attorney Harvey Cargill, Assistant to the City Manager Debra Guerra, City Secretary Jo Moore, and various members of the City staff.

Debra Guerra, Assistant to the City Manager, briefed the Council on the Strategic Planning Process which is incorporated into the Budget, including a historical account from its inception in 1990. Ms. Guerra distributed a summary of visions, missions, issues, and trends of the process. A correction to agenda item 3.7, Ordinance Calling for Charter Election, page 6, was distributed to Council. Mayor McCaleb requested Ms. Guerra coordinate plans for a retreat with Council and appropriate staff to look at city issues and vision. 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
January 23, 1997, 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 January 23, 1997, at 9:00 a.m. in the Council Chambers of City Hall. The Mayor recognized six Boy Scouts from Troop 214 in attendance, who are working on their Communication Merit Badge; then read a fax from our Sister City in Corinth, Greece regarding recent devastating flooding, asking that they be mentioned in the Invocation.

Invocation was given by Councilman Paul R. Vasquez.

Pledge of Allegiance was led by Keith DeLaVega, a first-grader at Jackson Elementary School. He was accompanied by his principal, Jennifer Raney; his mother, Andrea DeLaVega; and his grandparents, Georgia and Bert DeLaVega.

Mayor McCaleb, assisted by Abilene Clean & Proud Chair Bob Woodard, presented Clean & Proud Awards for the Clean Sweep of Butternut Day and Vogel Street Cleanup as follows: Jane Nichols with Environmental Health, Juvenile Justice, Ann Fisher with Mann Middle School, Dyess Air Force Base, Abilene Youth Council, BFI Landfill, Taylor County Restitution, Southern Hills Church of Christ, and Wylie High School; ACU Freshmen (Vogel Street); Street and Drainage Services; Refuse Division, and Bill Brock with the Refuse Division.

Mayor McCaleb presented a proclamation for January 26 - February 1 as Transportation Engineering Week.

There being no corrections, additions, or deletions to the January 9, 1997 Pre-Council and Council Minutes, Councilwoman Alexander moved to approve the minutes as printed. The motion was seconded by Councilwoman Martinez and the motion carried.

AYES: Councilmen Vasquez and Drennan, Councilwoman Martinez, Councilmen Beckham and Ferguson, Councilwoman Alexander, and Mayor McCaleb.

NAYS: None.

Councilman Vasquez moved to approve consent agenda items 3.1 through 3.5 and first reading of items 3.6 and 3.7, as recommended by the staff. The motion was seconded by Councilman Drennan and the motion carried.

AYES: Councilmen Vasquez and Drennan, Councilwoman Martinez, Councilmen Beckham and Ferguson, Councilwoman Alexander, and Mayor McCaleb.

NAYS: None.

Bid Awards:

3.1 Computerized dictation system for Police Department, **Bid #CB-7031**. The bid was awarded to Dictaphone Corporation in the amount of \$42,975.00, as recommended by staff.

3.2 Container carrier truck, **Bid #CB-7027**. The bid was awarded to R. L. Anderson International, Inc., the low responsible bidder in the amount of \$44,458.26 as recommended by staff.

3.3 Cab & chassis equipped with high pressure sewer clean-out machine, **Bid #CB-7024**. The bid was awarded to Underground, Inc., the low responsible bidder in the amount of \$49,486.00, as recommended by staff.

3.4 Cab & chassis with tilt frame and reeving assembly, **Bid #CB-7025**. The bid was awarded to Bruckner Truck Sales, the low responsible bidder in the amount of \$83,204.00 as recommended by staff.

3.5 Frontloader and sideloader refuse trucks, **Bid #CB7023**. Items 1 and 3 were awarded to Hughes Diesel Volvo & GMC Truck and Item 2 was awarded to Lone Star Truck Center, the low responsible bidders, in the amount of \$477,279.00 as recommended by staff.

Ordinances

3.6 Ordinance amending Chapter 18, "Motor Vehicles and Traffic", (Downtown Parking Program) of the Abilene Municipal Code.

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.

3.7 Ordinance calling for Charter Amendment election.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, PROPOSING AN AMENDMENT TO ARTICLE II, THE COUNCIL, SECTION 7, QUALIFICATIONS; CALLING AN ELECTION ON SAID ISSUE; PROVIDING FOR PUBLIC NOTICE AND AN EFFECTIVE DATE.

REGULAR AGENDA

Resolutions

4.1 Dwayne Hargesheimer, Director of Water Utilities, briefed the Council on an Oral Resolution requesting City Council approval of a change order for filter rehabilitation at the Northeast Water Treatment Plant.

Councilman Drennan moved to approve by Oral Resolution a change order to the Water Reclamation Plant Solids Treatment Facilities contract with Eagle Contracting Corporation of Keller, TX in the amount of \$293,370 for filter rehabilitation at the Northeast Water Treatment Plant, as recommended by staff. The motion was seconded by Councilwoman Alexander and the motion carried.

AYES: Councilmen Vasquez and Drennan, Councilwoman Martinez, Councilmen Beckham and Ferguson, Councilwoman Alexander, and Mayor McCaleb.

NAYS: None.

Ordinances

4.2 Cassie Hughes, Building Official, briefed the Council on an Ordinance considered on second and final reading amending Chapter 29.5, "Swimming Pools and Spas", Section 29.5-21 of the Abilene Municipal Code. The MPE/Swimming Pool Board of Appeals and staff recommend approval.

Councilwoman Martinez moved to approve the Ordinance amending Chapter 29.5, "Swimming Pools and Spas", Sections 29.5-21, of the Abilene Municipal Code, as recommended by staff. The motion was seconded by Councilwoman Alexander and the motion carried.

AYES: Councilmen Vasquez and Drennan, Councilwoman Martinez, Councilmen Beckham and Ferguson, Councilwoman Alexander, and Mayor McCaleb.

NAYS: None.

The Ordinance is numbered **1-1997** and is captioned as follows:

AN ORDINANCE AMENDING CHAPTER 29.5, "SWIMMING POOLS AND SPAS", OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

4.3 Wayne Herrington, Senior Planner, briefed the Council on an Ordinance considered on second and final reading - **TC-00397** - Thoroughfare abandonment of a portion of Orange Street. The Planning and Zoning Commission and staff recommend approval subject to proponent completing acquisition of title to all property with frontage only from Orange; replatting of platted lots fronting onto Orange; provide adequate access for emergency vehicles as long as adjacent residential structures remain; retention of a utility and drainage easement the length and width of the proposed abandonment; and any relocation or removal of utility lines, street lights, or drainage facilities will be at proponent's expense.

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

FOR:

.Tim Cannon, Hendrick Medical Center, stated upon Council approval, the right of way will be left open but maintained by Hendrick instead of the City.

AGAINST:

.Joey Kincaid, 1313 Compere, is opposed due to the thoroughfare abandonment opening the way for a zoning change.

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

Councilwoman Alexander moved to approve the Ordinance for thoroughfare abandonment of a portion of Orange Street subject to conditions, as recommended by staff. The motion was seconded by Councilwoman Martinez and the motion carried.

AYES: Councilman Drennan, Councilwoman Martinez, Councilmen Beckham and Ferguson, Councilwoman Alexander, and Mayor McCaleb.

NAYS: None.

ABSTAIN: Councilman Vasquez, due to his employment with Hendrick.

The Ordinance is numbered **2-1996** 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 Wayne Herrington, Senior Planner, briefed the Council on an Ordinance considered on second and final reading - **Z-00497** - Rezone from RM-1 and RM-3 to MU district, located at the northwest corner of N. 21st & Orange Streets. The Planning and Zoning Commission and staff recommend approval.

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

FOR:

.Celia Davis, Vice President of Hendrick, stated there is no more available parking, and this has been approved by the hospital board for parking. The Medical Helicopter made 390 runs last year. A fence was built to separate Mr. Kincaid's property from the rehabilitation center, and Mrs. Davis stated on behalf of Hendrick a commitment to continue to work with Mr. Kincaid. Hendrick did \$15 million in charity care last year because theirs is a no taxing district, and they are proud to do that. Hendrick is non-profit, but pays taxes on the medical office buildings owned by a for-profit entity.

AGAINST:

.Joey Kincaid, 1313 Compere Blvd., is opposed to Hendrick doing what they wish under Medical Use zoning; and complained about the noise due to construction. He requested an amendment to allow the construction only of a parking lot - no buildings.

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

Councilman Beckham moved to approve the Ordinance to rezone from RM-1 and RM-3 to MU district, located at the northwest corner of N. 21st & Orange Streets, as recommended by the Planning & Zoning Commission and staff. The motion was seconded by Councilman Drennan and the motion carried.

AYES: Councilman Drennan, Councilwoman Martinez, Councilmen Beckham and Ferguson, Councilwoman Alexander, and Mayor McCaleb.

NAYS: None.

ABSTAIN: Councilman Vasquez, due to his employment with Hendrick.

The Ordinance is numbered **3-1997** 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 Wayne Herrington, Senior Planner, briefed the Council on an Ordinance considered on second and final reading - **Z-00597** - Rezone from RS-6 to RM-3 district, located at 890 Midway. 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:

. Sherry Hasha, proponent, stated it will be her new home.

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

Councilman Vasquez moved to approve the Ordinance to rezone from RS-6 (Residential Single-Family) to RM-3 (Residential Multi-Family) district, located at 890 Midway, as recommended by staff. The motion was seconded by Councilman Ferguson and the motion carried.

AYES: Councilmen Vasquez and Drennan, Councilwoman Martinez, Councilmen Beckham and Ferguson, Councilwoman Alexander, and Mayor McCaleb.

NAYS: None.

The Ordinance is numbered **4-1997** 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.

There being no further business, the meeting was adjourned at 11:50 a.m.

Jo Moore
City Secretary

Gary D. McCaleb
Mayor

