

Regular Meeting of the Mayor and City Council of the City of Abilene, Texas, to be held in the Council Chamber of the City Hall on Thursday, November 6, 1980, at 9:00 a.m.

CITY COUNCIL: Mayor Oliver Howard; Council - Seaton Higginbotham, Dick Bowen, Leo F. Scott, S. M. Moore, Jr., L. D. Hilton, and Kathy Webster.

1. Call to Order.
2. INVOCATION: Councilman Leo F. Scott.
3. APPROVAL OF MINUTES: Last Regular Meeting held October 23, 1980, & Special Meeting held October 30, 1980.

#### CONSENT AGENDA

All items listed below are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of items unless a Council member or citizen so requests, in which event the item will be removed from the general order of business and considered in its normal sequence.

4. Ordinances
  - a. Consider on first reading - reclassification request from AO (Agricultural Open Space) to HI (Heavy Industrial) & PI (Park Industrial) District, located at Loop 322 & Maple Street & set a public hearing for November 20, 1980, at 9:00 a.m.
  - b. Consider on first reading - reclassification request from AO (Agricultural Open Space) to HC (Heavy Commercial) District, located on I-20 West & set a public hearing for November 20, 1980, at 9:00 a.m.
  - c. Consider on first reading - providing for a thoroughfare abandonment, located in the 3000 block of South 11th Street & set a public hearing for November 20, 1980, at 9:00 a.m.
  - d. Consider on first reading - providing for a thoroughfare abandonment, located in the 3000 block of South 11th Street & set a public hearing for November 20, 1980, at 9:00 a.m.
  - e. Consider on first reading - reclassification request from AO (Agricultural Open Space) to SC (Shopping Center) District, located on Antilley Road east of Buffalo Gap Road & set a public hearing for November 20, 1980, at 9:00 a.m.
  - f. Consider on first reading - Ordinance amendment to Ordinance 1045 concerning the Fairways & set a public hearing for November 20, 1980, at 9:00 a.m.
  - g. Consider on first reading - Ordinance amending Section 27.7.2 of the Subdivision Regulations by adding a representative from the Abilene Independent School District to the Plat Review Committee, & set a public hearing for November 20, 1980, at 9:00 a.m.
  - h. Consider on first reading - Ordinance amending Section 32-9.2, Permitted Uses, of the Zoning Ordinance concerning Building Construction Services & set a public hearing for November 20, 1980, at 9:00 a.m.
  - i. Consider on first reading - amending various schedules of the Traffic Code concerning parking time limits and parking prohibition.
  - j. Consider on first reading - reclassification request from GC & AO (General Commercial & Agricultural Open Space) to GC (General Commercial) District, located at 302 ES 11th Street and set a public hearing for November 20, 1980, at 9:00 a.m.
5. Resolutions
  - a. Consider grant application for Abilene Public Library.
  - b. Consider amendment to contract with Tye for legal services.
  - c. Close out of 1970-1980 Budget Year.
6. Award of Bids
  - a. Security at the Zoo.

7. Request to Advertise
  - a. Chemicals for Water Treatment Plants.
  - b. Sign blanks and faces, etc., for Traffic Department.
  - c. Authorizing advertisement for oil and gas lease in Taylor County.
  - d. Authorizing advertisement for oil and gas lease in Jones County.

REGULAR AGENDA

8. Public Hearings
  - a. Consider on second and final reading - amendment to the Plumbing Code concerning the use of PVC Plastic Pipe.
  - b. Consider on second and final reading - amendment to the Zoning Ordinance, concerning Board of Adjustment, Organization and Membership.
  - c. UMTA Operating Assistance Grant Application for Fiscal Year 1981, and authorizing filing of the grant assistance application.
9. Ordinances
  - a. Consider on first reading - reclassification request from AO (Agricultural Open Space) to RS-6, RM-2, RM-3 & GC (Residential Single Family, Residential Multi-Family & General Commercial) Districts, located one mile South of Wylie East of Buffalo Gap Road & set a public hearing for November 20, 1980, at 9:00 a.m.
10. Other Business
  - a. Consider release of 10' east-west utility easement located at 826 S. Clack.
  - b. Consider purchase of land at Cypress and North 8th Street.
  - c. Discussion of Social Security System.

ADJOURN

CERTIFICATE

I hereby certify that the above notice of meeting was posted on the bulletin board at the City Hall of the City of Abilene, Texas, on the 31 day of October, 1980, at 4:45 o'clock p.m.

Ruth Holgin  
City Secretary

CHAMBER OF THE CITY COUNCIL,  
CITY HALL, THE CITY OF ABILENE, TEXAS.

The City Council of the City of Abilene, Texas, met in Regular Session, Thursday, November 6, 1980, at 9:00 a.m. with Mayor Oliver Howard, present and presiding. Councilmen Seaton Higginbotham, Dick Bowen, Leo F. Scott, S.M. Moore, Jr., L. D. Hilton & Councilwoman Kathy Webster, present. City Manager Ed Seegmiller, City Attorney Harvey Cargill & City Secretary Ruth Hodgins, present.

Invocation by Councilman Scott.

Minutes of last Regular Meeting held October 23, 1980, were approved with one correction on the last page. Minutes of the Special Meeting held October 30, 1980, were approved as written.

Councilman Higginbotham moved passage of the consent items listed below. The motion was seconded by Councilman Hilton. The motion carried as follows:

- AYES: Councilmen Higginbotham, Bowen, Scott, Moore, Hilton, Councilwoman Webster & Mayor Howard.
- NAYS: None.

4. Ordinances

- a. Consider on first reading - reclassification request from AO (Agricultural Open Space) to HI & PI (Heavy Industrial & Park Industrial) Districts, located at Loop 322 & Maple Street & set a public hearing for November 20, 1980, at 9:00 a.m. ZONING-RE  
AO TO HI & PI  
LOOP 322 & MAPLE  
1ST READING

AN ORDINANCE AMENDING CHAPTER 32, "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.

- b. Consider on first reading - reclassification request from AO (Agricultural Open Space) to HC ( Heavy Commercial) District, located on I-20 West & set a public hearing for November 20, 1980, at 9:00 a.m. ZONING-RE  
AO TO HC  
I-20 WEST  
1ST READING

AN ORDINANCE AMENDING CHAPTER 32, "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.

- c. Consider on first reading - providing for a thoroughfare abandonment, located in the 3000 Block of South 11th Street & set a public hearing for November 20, 1980, at 9:00 a.m. THOROUGHFARE  
ABANDONMENT  
3000 BLK. S. 11  
1ST READING

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.

- d. Consider on first reading - providing for a thoroughfare abandonment, located in the 3000 Block of South 11th Street & set a public hearing for November 20, 1980, at 9:00 a.m. THOROUGHFARE  
ABANDONMENT  
3000 BLK.S 11  
1ST READING

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.

- e. Consider on first reading - reclassification request from AO (Agricultural Open Space) to SC (Shopping Center) District, located on Antilley Road east of Buffalo Gap Road & set a public hearing for November 20, 1980, at 9:00 a.m. ZONING-RE  
AO TO SC  
ANTILLEY RD.  
EAST OF BUFFALO  
GAP RD.  
1ST READING

AN ORDINANCE AMENDING CHAPTER 32, "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.

- f. Consider on first reading - Ordinance amendment to Ordinance 1045 concerning the Fairways & set a public hearing for November 20, 1980, at 9:00 a.m. ZONING ORD. AMENDMENT - Ord. 1045 CONCERNING THE FAIRWAYS 1ST READING

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 32, ZONING, OF THE ABILENE MUNICIPAL CODE, CONCERNING "THE FAIRWAYS" PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

- g. Consider on first reading - Ordinance amending Section 27.7.2 of the Subdivision Regulations by adding a representative from the Abilene Independent School District to the Plat Review Committee & set a public hearing for November 20, 1980, at 9:00 a.m. SUBDIVISION REGULATIONS AMENDED-SECTION 27.7.2 1ST READING

AN ORDINANCE AMENDING CHAPTER 27, "SUBDIVISION REGULATIONS," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

- h. Consider on first reading Ordinance amending Section 32-9.2, Permitted Uses, of the Zoning Ordinance concerning Building Construction Services & set a public hearing for November 20, 1980, at 9:00 a.m. ZONING ORD. AMENDMENT SECTION 32-9.2 1ST READING

AN ORDINANCE AMENDING CHAPTER 32, "ZONING," OF THE ABILENE MUNICIPAL CODE BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY AND CALLING A PUBLIC HEARING.

- i. Consider on first reading -amending various schedules of the Traffic Code concerning parking time limits and parking prohibition. TRAFFIC CODE AMENDMENT - PARKING LIMITS

AN ORDINANCE AMENDING CHAPTER 17, "MOTOR VEHICLES AND TRAFFIC", BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

- j. Consider on first reading - reclassification request from GC & AO (General Commercial & Agricultural Open Space) to GC (General Commercial) District, located at 302 E.S. 11th Street and set a public hearing for November 20, 1980, at 9:00 a.m. ZONING-RE GC & AO TO GC AT 302 ES 11th St. 1ST READING

AN ORDINANCE AMENDING CHAPTER 32, "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. Resolutions

- a. Consider grant application for Abilene Public Library. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF AN ABILENE CENTENNIAL PROGRAM GRANT BY THE ABILENE PUBLIC LIBRARY FROM THE ABILENE CULTURAL AFFAIRS COUNCIL. ABILENE PUBLIC LIBRARY GRANT APPLICATION
- b. Consider amendment to contract with Tye for legal services. AMENDMENT CONTRACT WITH TYE
- c. Close out of 1979-1980 Budget Year A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, TRANSFERRING FUNDS TO CLOSE OUT THE 1979-1980 BUDGET YEAR. BUDGET YEAR - CLOSE OUT THE 1979-1980

- 6. Award of Bids
  - a. Security at the Zoo.

P & R -  
ZOO SECURITY

- 7. Request to Advertise
  - a. Chemicals for Water Treatment Plants.
  - b. Sign blanks and faces, etc., for Traffic Department.
  - c. Authorizing advertisement for oil and gas lease in Taylor County.

OIL & GAS LEAS  
ADVERTISEMENT  
IN TAYLOR  
COUNTY

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, GIVING NOTICE OF INTENTION TO LEASE CITY OWNED MINERAL RIGHTS FOR OIL AND GAS PURPOSES AND CALLING A PUBLIC HEARING.

- c. Authorizing advertisement for oil and gas lease in Jones County.

OIL & GAS LEAS  
ADVERTISEMENT  
IN JONES  
COUNTY

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, GIVING NOTICE OF INTENTION TO LEASE CITY OWNED MINERAL RIGHTS FOR OIL AND GAS PURPOSES AND CALLING A PUBLIC HEARING.

Mayor Howard opened public hearing on an ordinance amendment to the Plumbing Code concerning the use of PVC plastic pipe.

Mayor Howard asked Mr. Bob Fowler, Code Administrator, to brief the Council on the amendment.

Mr. Fowler explained that PVC plastic pipe had been used in a number of cities on a limited basis for at least 10 years. He pointed out that it was satisfactory in these cities. He also said that he recommended that it be approved for use in buildings but on a limited basis.

David Gay, Master Plumber, who had requested the Council's approval of the limited use of the PVC plastic pipe, said that the City of Graham had been using this pipe for 7 years and had no problem when properly installed.

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

Councilman Moore moved passage of the Ordinance on second and final reading amending the Plumbing Code, to allow limited use of PVC plastic pipe in construction of buildings. The motion was seconded by Councilman Scott. The motion carried as follows:

AYES: Councilmen Higginbotham, Bowen, Scott, Moore, Hilton, Councilwoman Webster & Mayor Howard.

NAYS: None.

AN ORDINANCE AMENDING CHAPTER 21, "PLUMBING," OF THE ABILENE MUNICIPAL CODE; BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

PLUMBING CODE  
AMENDMENT -  
PERMIT USE OF  
PVC PLASTIC  
PIPE

Mayor Howard opened public hearing on an ordinance amending the Zoning Ordinance, concerning Board of Adjustment, Organization and Membership.

Mayor Howard asked Mr. Wayne Collier, Zoning Administrator, to brief the Council on the amendment.

Mr. Collier explained the problem with not being able to get a quorum to conduct business at the meetings of the Board of Adjustment.

Jim Gidley, member of the Board of Adjustment, said that there was a problem in not being able to get a quorum for the Board of Adjustment meetings.

David Sivley, alternate member of the Board of Adjustment, said that he was not familiar with the problem, since he was a new member, but he was willing to help any way that he could.

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

After discussion, Councilman Hilton moved passage of the ordinance on second and final reading, amending the Zoning Ordinance, concerning Board of Adjustment, Organization and Membership, specifying Option 2 of the two plans submitted. The motion was seconded by Councilman Higginbotham. The motion carried as follows:

AYES: Councilmen Higginbotham, Bowen, Scott, Moore, Hilton, Councilwoman Webster & Mayor Howard.

NAYS: None.

AN ORDINANCE AMENDING CHAPTER 32, "ZONING," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY AND CALLING A PUBLIC HEARING.

ZONING ORDINANCE  
AMENDMENT -  
BOARD OF AD-  
JUSTMENTS

Mayor Howard opened public hearing on a UMTA Operating Assistance Grant and asked Wayne Kurfees, Director of Traffic & Transportation, to brief the Council.

Mr. Kurfees said that the budgeted deficit for Abilene Transit System is \$540,537, half of which is to come from local funds with the other half to come from an UMTA Section 5 Operating Assistance Grant.

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

After discussion, Councilwoman Webster moved adoption of the resolution & authorizing the filing of an application for a grant under the Urban Mass Transportation Act of 1964. The motion was seconded by Councilman Scott. The motion carried as follows:

AYES: Councilmen Higginbotham, Bowen, Scott, Moore, Hilton, Councilwoman Webster & Mayor Howard.

NAYS: None.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE FILING OF AN APPLICATION WITH THE DEPARTMENT OF TRANSPORTATION, UNITED STATES OF AMERICA, FOR A GRANT UNDER THE URBAN MASS TRANSPORTATION ACT OF 1964, AS AMENDED.

TRAFFIC -  
FILING APPLI-  
CATION WITH  
DEPARTMENT OF  
TRANSPORTATION  
FOR UMTA GRANT

Councilman Bowen moved adoption of the resolution authorizing release of 10' east-west utility easement located at 826 S. Clack. The motion was seconded by Councilman Higginbotham. The motion carried as follows:

AYES: Councilmen Higginbotham, Bowen, Scott, Moore, Hilton, Councilwoman Webster & Mayor Howard.

NAYS: None.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE THE ATTACHED EASEMENT RELEASE.

EASEMENT  
RELEASE -  
EAST-WEST 10'  
UTILITY EASE-  
MENT

Arkie Pierce, Land Agent for the City of Abilene, explained that the City could purchase four lots just north of the Civic Center parking lot for \$65,000. He pointed out that this was a good price according to sale of land in the vicinity. The method of payment could be, ½ down and the balance to be paid October 1, 1981.

PROPERTY  
PURCHASE-4  
LOTS NORTH OF  
CIVIC CENTER-  
TABLED

Mr. Seegmiller explained that this property would probably be needed in the long range plans for the Civic Center.

After discussion, Councilman Bowen moved to table the decision on the purchase of the four lots until November 20, 1980, since the option of 30 days would still give the Council time to look the situation over. The motion was seconded by Councilman Scott. The motion carried as follows:

AYES: Councilmen Higginbotham, Bowen, Scott, Moore, Hilton, Councilwoman Webster & Mayor Howard.

NAYS: None.

Roy McDaniel, Director of Finance, presented the resolution authorizing the City to file a letter of intent with the Director of the Social Security Division of the State of Texas expressing the City's intent to withdraw from the Social Security System. He said that the City could not withdraw before two years, which would be January 1, 1983.

Mr. Seegmiller assured the Council that they were not planning to take away benefits from the employees, that they were going to try to find some kind of benefit that would help the employees, and not cost quite so much. He said that the Staff would make an investigation and try to come up with a better benefit package.

After discussion, Councilman Higginbotham moved adoption of the resolution giving notice of intention to file a letter of intent with the Director of the Social Security Division of the State of Texas expressing the City's intent to withdraw from the Social Security System. The motion was seconded by Councilman Bowen. The motion carried as follows:

AYES: Councilmen Higginbotham, Bowen, Scott, Moore, Councilwoman Webster & Mayor Howard.

NAYS: Councilman Hilton.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, GIVING NOTICE OF INTENTION TO FILE A LETTER OF INTENT WITH THE DIRECTOR OF THE SOCIAL SECURITY DIVISION OF THE STATE OF TEXAS EXPRESSING THE CITY'S INTENT TO WITHDRAW FROM THE SOCIAL SECURITY SYSTEM.

SOCIAL SECURITY  
INTENT TO WITH  
DRAW FROM THE  
SYSTEM

Mayor Howard moved passage of the ordinance on first reading proposing amendments to Article II, The Council, Section 6, Number, Selection & Term, Section 7, Qualifications; to Article III, Elections, Initiative, Referendum and Recall, Section 24, Annual Elections, Section 26, Application for Candidacy; and to Article X, General Provisions, Section 118, Interim Government; providing for the establishment of Council Members to be elected from Six (6) Single-Member Districts; providing for amendment of Article X, General Provisions, Section 122, Public Meetings; calling an election on said issue. The motion was seconded by Councilwoman Webster. The motion carried as follows:

AYES: Councilmen Higginbotham, Bowen, Scott, Moore, Hilton, Councilwoman Webster & Mayor Howard.

NAYS: None.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, PROPOSING AMENDMENTS TO ARTICLE II, THE COUNCIL, SECTION 6, NUMBER, SELECTION AND TERM, SECTION 7, QUALIFICATIONS; TO ARTICLE III, ELECTIONS, INITIATIVE, REFERENDUM AND RECALL, SECTION 24, ANNUAL ELECTIONS, SECTION 26, APPLICATION FOR CANDIDACY; AND TO ARTICLE X, GENERAL PROVISIONS, SECTION 118, INTERIM GOVERNMENT; PROVIDING FOR THE ESTABLISHMENT OF COUNCIL MEMBERS TO BE ELECTED FROM SIX (6) SINGLE-MEMBER DISTRICTS; PROVIDING FOR AMENDMENT OF ARTICLE X, GENERAL PROVISIONS, SECTION 122, PUBLIC MEETINGS; CALLING AN ELECTION ON SAID ISSUE; PROVIDING FOR PUBLIC NOTICE AND AN EFFECTIVE DATE.


ELECTIONS -  
AMENDING  
COUNCIL ELEC-  
TION ARTICLES  
SINGLE-MEMBER  
DISTRICTS

An executive session was held on pending and contemplated litigation. The Council then reconvened in open session.

Mayor Howard suggested that a Committee be appointed, to get both sides of the issue in the above election, to the public. It was the consensus of the Council that this be done and they will provide names in the near future.

There being no further business, Mayor Howard adjourned the meeting at 11:25 A.M.

  
CITY SECRETARY

  
MAYOR HOWARD