Regular Meeting of the Mayor and City Council of the City of Abilene, Texas, to be held in the Council Chamber of City Hall on Thursday, May 28, 1981, at 9:00 a.m.

CITY COUNCIL: Mayor Elbert E. Hall; Council - Seaton Higginbotham, Dick Bowen, Juan C. Rodriguez, A. E. Fogle, Jr., L. D. Hilton, and Kathy Webster.

- 1. Call to Order.
- 2. INVOCATION: William W. EastBurn, St. Mark's Episcopal Church.
- Regular Meeting held May 14, 1981, & Special 3. APPROVAL OF MINUTES: Work Session held May 5, 1981.
- 4. PRESENTATION OF AWARDS:

Mary Davis	Accounting	City Treasurer	25 Years
Eva Pelton	Traffic	Parking Control Officer	25 Years
James Cheek	Water Construction	Maintenance Foreman	20 Years

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 request, in which event the item will be removed from the general order of business and considered in its normal sequence.

- 5. Resolutions
 - Consider abandoning one 10' utility easement in East Horizon Addition, a. located on South Judge Ely Blvd.
 - Approving appointment of Assistant City Attorney. ь.
- Award of Bids 6.
 - a. For Carver Addition Street Paving & Sears Park Parking Lot.b. Aerial Platform Ladder Truck.
- Change Orders 7.
 - a. Approving Change Order #2 on the contract with Panhandle Construction Company for construction of Water Distribution System Feeder Mains.
 - Approving Change Order #2 on the contract with Power Builders, Inc., Ъ. for renovation of the Grimes Water Treatment Plant.
- 8. Request to Advertise
 - a. For sidewalk construction near Jane Long, Jackson & Bonham Schools.
 - b. Traffic signal improvements.

REGULAR AGENDA

- Public Hearings 9.
 - Consider on first & final reading amending the number of Civil a. Service authorized positions.
 - Consider on second and final reading reclassification request from Ъ. LC & RS-6 (Limited Commercial & Residential Single Family) to O (Office) District, located on Buffalo Gap & Chimney Rock Road.
 - Consider on second and final reading appealed from P & Z, reclassic. ification request from AO (Agricultural Open Space) to RM-2 (Residential Multi-Family) District, located on Curry Lane.
 - Consider on second and final reading reclassification request from HC d. (Heavy Commercial) to RM-2 (Residential Multi-Family) District, located on Washington Blvd., & Medical Drive.
 - Consider on second and final reading thoroughfare abandonment, located e. on Cottonwood Street.
 - Consider on second and final reading reclassification request from AO f. (Agricultural Open Space) to RM-2 (Residential Multi-Family) District, located at Ridgemont Drive & Rebecca Lane.
 - Consider on second and final reading amending Section 32-9.2 of the Zoning Ordinance to permit Bus Garaging and Equipment Maintenance g. in CB (Central Business) Districts.
 - Consider on second and final reading amending Board of Adjustment h. application fees.

- 9. Public Hearings, Cont.,
 - Consider on second and final reading amending Section 32-9.2 and i. Section 32-9.3 of the Zoning Ordinance conerning office uses.
 - Consider on second and final reading amending Ordinance 1159 conj. cerning Lytle Place Addition, located at FM 1750 & Loop 322.
 - Consider on second and final reading amending Section 32-9.2 of the k. Zoning Ordinance to permit a change in Permitted Uses in the LC (Limited Commercial) SC (Shopping Center) Districts.
 - Consider on second and final reading concerning Taylor County 1. Electric Cooperative, Inc., Rate Increase.
 - Approving Community Development Program, FY, 1981. m.

10. Ordinances

a. Consider on first reading - amending the Taxicab Rates.

11. Resolutions

- a. Appointment of Boards and Commissions.
- Tabled Item: ĥ.
 - Consider adopting Strategies for Responsible Growth Policy.
- Authorizing Goodlow Relocation Program replacement housing assistance c. payment in excess of \$15,000 for the Jimmy Martin Estate.
- Authorizing renewal of Employee Group Insurance. d.
- Request to Advertise 12.
 - a. Approve plans and specifications for Sound System in Council Chamber.
- 13. Other Business
 - Discussion of Floodway Development Policy on Catclaw Creek. a.
 - b. Discussion on Railroad Crossing Safety Improvements.
 - c. Consider lease agreement for the old Airport Terminal Building.

ADJOURN

CERTIFICATION

I hereby certify that the above notice of the meeting was posted on the bulletin board at the City Hall of the City of Abilene, Texas, on the 22nd day of May, 1981, at 4:50 o'clock p.m.

Selly Aller Assistant 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, May 28, 1981, at 9:00 a.m., with Mayor Elbert E. Hall present and presiding. Councilmen Seaton Higginbotham, Dick Bowen, Juan C. Rodriguez, A.E. Fogle, Jr., L. D. Hilton, and Councilwoman Kathy Webster, present. City Manager Ed Seegmiller, City Attorney Harvey Cargill and Assistant City Secretary Kelly Brewer, present.

Invocation by William W. Eastburn, Pastor of St. Mark's Episcopal Church.

Minutes of the last Regular Meeting held May 14, 1981, and Minutes of a Special Work Session held May 5, 1981, were approved as written.

Mayor Hall presented Service Awards to three City employees. James Cheek received a twenty-year pin and plaque for his service of 20 years as COMMEND a maintenance foreman in Water Construction. Eva Pelton received a 25-year ING pin and plaque for her service of 25 years as a Parking Control Officer for SERVICE the Traffic Department. Mary Davis received a 25-year pin and plaque for her AWARDS service of 25 years as the City Treasurer.

Councilman Hilton moved passage of the consent items listed below. The motion was seconded by Councilman Higginbotham. The motion carried as follows: AYES: Councilmen Higginbotham, Bowen, Rodriguez, Fogle, Hilton, and Councilwoman Webster and Mayor Hall.

NAYS: None.

- 5. Resolutions
 - a. Consider abandoning one 10' utility easement in East Horizon Addition, located on South Judge Ely Boulevard.

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

b. Approving appointment of Assistant City Attorney.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPOINTMENT APPROVING THE APPOINTMENT OF AN ASSISTANT CITY ATTORNEY FOR THE CITY OF ABILENE. ATTORNEY

- 6. Award of Bids a. For Carver Addition Street Paving & Sears Park Parking Lot. PAVING IN CARVER & SE/
 - b. Aerial Platform Ladder Truck.
- 7. Change Orders
 - a. Approving Change Order #2 on the contract with Panhandle Construction Company for construction of Water Distribution System Feeder Mains.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING CHANGE ORDER NUMBER TWO (2) ON THE CONTRACT WITH PAN-HANDLE CONSTRUCTION COMPANY FOR CONSTRUCTION OF WATER DISTRIBU-TION SYSTEM FEEDER MAINS. WATER & SEWE SYSTEM FEEDE MAINS

b. Approving Change Order #2 on the contract with Power Builders, Inc., for renovation of the Grimes Water Treatment Plant.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, WATER & SEWE APPROVING CHANGE ORDER NUMBER TWO (2) ON THE CONTRACT WITH POWER GRIMES WATEH BUILDERS, INC., FOR RENOVATION OF THE GRIMES WATER TREATMENT PLANT. WATER & SEWE RUMER OF THE CITY OF ABILENE, TEXAS, CHANGE ORDEH TREATMENT PLANT PLANT-WATER SEWER

8. Request to Advertise

 a. For Sidewalk Construction near Jane Long, Jack & Bonham Schools. TRAFFIC – SIDEWALK CO.
 b. Traffic Signal Improvements.
 DEAR SCHOOL TRAFFIC –

SIGNAL IMPR

FIRE - LADDI

TRUCK

Mayor Hall, in preparation for the first item, read excerpts from minutes of a special Council meeting held November 20, 1980 when the Council first decided that because of rising costs of maintaining an efficient Fire Department, a fire management study should be implemented with LWFW of Dallas conducting the study. The Council felt that the \$65,800 cost of the study would be necessary and money well-spent if it resulted in recommendations in dollar savings and yet maintain and increase the effectiveness of fire services to the City.

The fire study was considered in a Council Workshop Session on May 5, 1981. Mayor Hall read excerpts from the minutes of the workshop meeting. "Councilwoman Webster made the motion that the Council adopt the Fire Department Management Study and asked the administration to begin implementation of the study and return to the Council for additional action during the implementation. In seconding the motion, Councilman Fogle said the Council was adopting the basic concepts of this program and to instruct the staff to begin implementation with the understanding that we are going to hold public hearings on changes, ordinances and that sort of thing. The staff implementation will have to be brought back to the Council for approval. During the discussion and before the vote was taken, Mr. Higginbotham said his major concern was in the reduction of manpower and that he and the Council will be open to making changes in the manning levels if during the implementation it is found that the suggested 105 full-time fire fighters and 40 fire support specialists are inadequate. Mr. Hilton said to vote for the motion does not neessarily mean the exact mix of personnel immediately because that will have to be done each budget year depending on available funds and/or the people in the different categories. We are not committing to fire the professional firemen that we have trained. It is only as you get others trained and through attrition that you are putting this program in. Mr. Seegmiller said the Council will be kept well-informed on special sessions, budget sessions and retreats. The motion was seconded by Councilman Fogle. The motion carried unanimously."

Mayor Hall said that this was to be the first step in that implementation by the staff. He said the staff is acting under the directions of the Council and the Council takes full responsibility for that action. He then asked Mr. Curtis Hawk, Assistant City Manager, to present the item to the Council.

Mr. Hawk presented slides and handouts to the Council concerning the Fire Study. He said the Study recommends that by 1982 the City reduce the number of full-time, authorized positions. The current number of positions is 136. (That includes the Fire Chief and the Fire Marshal, both of which are not Civil Service positions). The number of 134 is what is listed in the Ordinance. The study recommends the reduction to 129 by 1982. At the same time, 12 fire support specialists would be brought on board which would make the manpower level 141 by the end of 1982. The Fire Department currently has eight vacancies due to resignations, transfers, retirements. He said a training academy is usually set up after a number of persons apply for entry level positions. He said we are now at that point. He said we either need to implement the first step of the study or begin the process of holding an academy.

He said with a manpower level of 126, 40 people will be on a shift. This is adequate to man the fire stations. He recommended that the Council abolish the eight positions to take the first step of implementation.

He said the fire support specialists will be trained just like the professional fire fighter with the same basic training that the professional fire fighter received on an entry level. He said they will receive inservice training later.

He said one question that was raised about the fire support specialists is can they be certified by the State? The way the current law is read, they cannot be certified. The reason being that the State law that governs certification only applies to full-time fire fighters. There is no State law governing what we are attempting to do, he said. He said that Mr. Garland Fulbright from Austin told him that a letter could be sent explaining that a fire support specialist had completed the basic training necessary to receive certification and in the event that he became a full-time fire fighter that would qualify him for certification. Mr. Hawk told the Council that the State Insurance Board has a recommended level of manpower that it sets in grading Fire Departments of each City. He said the key rate that the State requires is a level of 1.5 per 1,000 population. He said a City of Abilene's size is required to have 12 fire engines; we have 8 engines and 4 boosters. He said Abilene is required to have 13 pieces of equipment which would be 117 people required to man them.

Mayor Hall asked Mr. Hawk how the auxiliaries would respond to an emergency. Mr. Hawk said the auxiliaries would have their turn-out gear like their boots, hats, etc., with them. Also, it is possible that the auxiliaries will carry pagers so that they could be reached any time.

Mr. Hawk explained that these fire support specialists would not be volunteers. They would be like part-time fire fighters that would respond in an emergency when they were on duty. They would be compensated just like any other City employee and if they were not on duty, but were called, then they would receive overtime just like any other City employee.

Mr. Hawk told the Council of a questionnaire that LWFW had circulated to some of the officers of the Fire Department. He said their main concern was over the reduction of manpower. He said in the end, however, some thought that this program could work.

Mayor Hall opened public hearing on the ordinance abolishing eight Civil Service positions in the Fire Department.

Mrs. Christine Bushell, 3126 College Street, spoke against abolishing the eight positions. She asked the Council why they could not find somewhere else to cut back. As a property owner, she was concerned with the protection the Fire Department would provide.

Mrs. Elizabeth Long, a semi-retired sitter, of 1534 Matador, spoke against the abolishing of the eight positions. She suggested the City Manager's job be abolished and the money for his salary split between the men in the Fire Department and the men in the Police Department.

Ms. Dawn Hartly, 1702 Corsicana, was against the cut in manpower. She thinks the public should vote to see whether the Fire Department should be cut in manpower. She said she could not understand why the citizens voted on bond money being spent for two new fire stations just to cut the manpower so they could not be manned.

Stanley Treanor, 1142 Elmwood, spoke in favor of the study implementation. He is the President of Treanor Equipment Company. He said he is kind of torn between what he feels his company needs the most--less taxes or better fire protection. He decided that on a day-to-day basis, his company and himself, deals with taxes. Therefore, he favors the study for the possible cut in taxes.

Ms. Sandy Lee, State Department of Human Resources, spoke against the reduction. She said the City is taking this study on without considering the citizen. She thinks the firemen should be able to voice their opinions about the study.

Bobby Sarter, 327 Forest Avenue, a City fire fighter, said he went to Scottsdale and is familiar with the program. He feels, however, that the people of Abilene do not want this type of program. He also said that he has seen too many contradictions on the study and even some mistake in the figues on the LWFW study report. He said the citizens told the Council what they wanted in the last bond election.

Dr. Douglas Stanton, father of resigned fire fighter Cal Stanton, felt that the Council was putting property and money ahead of lives. He said if the Council wanted to make some cuts, then they should apply what John Anderson said to Congress, "...to cut the budget, look in a mirror."

Danny Cooley, Chairman of the Abilene Fire Fighters Association, said the training of the fire support specialists would take about 40 weeks to complete if carried out like the study planned. He said the only two cities with this type of program are Scottsdale and Oak Ridge, Tennessee. He said Kileen, Texas, that Mr. Hawk compared with the study, is a program using volunteers not paid City employees. He said the study proposes the City will save \$14 million dollars in the next ten years using this program. He said when you figure it up, that averages to be 6¢ per person per day. He asked if that 6¢ per day be worth the life of a child, fire fighter, or property.

John Bogart, Captain in the Fire Department, said he was part of the group interviewed by the LWFW people. He said he was against all of the manpower cutbacks discussed in the interview. He said Ron McMannis, Battalion Chief with Rural Metro Fire Department in Scottsdale, interviewed him. He told Mr. Bogart that he had 27 years of fire fighting experience. Mr. Bogart said he made a few calls to some of the personnel departments in the cities where Mr. McMannis worked and he received information confirming that Mr. McMannis had only eight to ten years fire fighting experience. He said as far as manpower, he is short handed now. He said he has difficulty manning the station that he is in charge of. He quoted the Knoxville News newspaper of May 8, 1981, reading that volunteers in Knoxville were setting fires to keep from being bored.

Mike Herron, 3409 Kinsington, said he had a fire this Sunday in one of his buildings and he was very impressed by the professionalism shown by the fire fighters. He spoke against the manpower cuts.

Wilma Berry, General Manager for the Mall of Abilene, spoke against the ordinance. She said that when the Mall was being built, the Fire Department was very cooperative. She said men were sent to check on the sprinkler systems in the Mall, the electrical wiring, etc. She said the Fire Department knows that Mall inside-out. She is afraid that if support specialists are used, they will not know the Mall's systems and layout. She said she also feels that their insurance will go up because of the support specialist system. She feels from past experience that a volunteer system is not as thorough or professional as full-time firemen. She said other malls under her supervision have been involved in fires where a volunteer system was used and she said in most of the fires, the damage was extensive. She was also concerned about the area south of the Mall.

Ken Musgrave, developer, said he is very impressed with the professionalsim of the fire fighters and was impressed with their presentation. He does not feel the support specialist system would result in the same quality. He hopes that money can be saved somewhere else rather than cut the protection and safety received from the Fire Department.

Mark Whitton, fire fighter, 1426 N. 16th, said that the LWFW recommendations cannot be practically applied. He said they might work on paper but they cannot for Abilene. He said the National Fire Protection Association, the International Association of Fire Chiefs, and the Texas State Board of Insurance are just a few of the groups that agree with the Abilene fire fighters. He said even LWFW sets a limit of 1.5 fire fighters per 1,000 persons as a minimum standard. He wonders why it has taken the State so long to certify volunteers. He questioned the qualifications of LWFW to make a fire study since their experience conducting such studies have been very limited. He said that they are already undermanned due to vacations and sick leave. He feels the reduction of manpower will result in the loss of more property and more lives. He said he gives his oath and word as a professional on the behalf of the other fire fighters.

Royce Griffin, 1149 Glendale, is a Sr. Fire Fighter and has been in the department for 23 years. He said he questioned the Council spending money to save money. He said the City has already spent \$65,000 for the study, another \$30,000 is going to be spent on it and all of those specialists have to be trained. He said that training will cost money and time. He said the use of support specialists will result in the change in their rating.

Steve Fullerton, 3358 Ward Drive, is a fire fighter. He compared the year 1962 to 1981. He said the City may drop more fire fighters, yet Abilene will grow each year. He said they do not have enough men to operate the equipment they have now. He appealed to the Council as businessmen to look again at the property losses and lives that can be expected. Bobby Densman, 1258 Buccaneer, is a fire fighter. He said in 1922, the City fathers did away with the volunteer system. He asked the Council if they were going to revert back to those times; were they regressing instead of progressing?

Johnny Kincaid, 233 Lowden, is a captain in the Fire Department. He does not think the fire support specialist system will work because of the response time. He does not think the specialists will have the equipment for an emergency and he does not think they can get to a fire as quickly as a professional fire fighter. He also asked why the City even has a task force for the Fire Department. He said he is a member of that task force and he said that task force was developed to answer problems of the Fire Department. He does not understand why the City had to go for outside help when they have a task force.

Gary Scheid, 2444 Buffalo Gap Road, is a fire fighter. He felt that by using support specialists, the response time would be sacrificed. He said that a fire doubles in intensity every minute. He said the response time of the support specialists would be slower, therefore, the fire could become out of hand in a matter of minutes. He said a fire of that size cannot be controlled by three men. He said it is virtually impossible for one man to hold a hose.

There being no one else present and desiring to be heard, Mayor Hall closed the public meeting. He thanked everyone that spoke and appreciated the manner in which they presented their views.

The Council asked questions of Mr. Hawk about the Fire Study. Asked if the Fire Department was the only department being cut, Mr. Hawk said no that right now the Refuse Department is cutting back by \$98,000. He said that in the past year, several people have been added in other areas of the City. But the City is also looking at areas where cutbacks could be made for the benefit of the citizens and the City. He said the City has the problem of the rising costs of every service that it provides, but the City will do its best to provide the same quality of services at a lower cost.

Mr. Hawk was asked if in the State program were volunteers certified firemen. Mr. Hawk said no, but they are trained through a 400 hour program. They take the same type of basic work that a rookie fireman must go through.

Chief Pogue was asked to explain how the department responds to a residential fire and a structural fire. Chief said two boosters, two engines, a rescue unit and a chief's car would be sent to both with an aerial truck being sent to a structural fire also. There would be 9 to 12 men responding. The response time is anywhere between 3 to 5 minutes. Mr. Hawk added that the support specialists would arrive during that same time in their own vehicles to meet the other firemen.

The Council agreed that the City was trying to cut back in as many areas as possible to prevent excessive spending.

Mr. Hawk reiterated the State's stand on the certification of fire support specialists. Mr. Hawk reconfirmed his belief in the qualifications of the LWFW consultants.

Chief Pogue was asked if he felt this cut in manpower would leave the Department short-handed. He said it would require taking men off one position and moving them to other positions as they were needed. It would spread them a little thinner.

Councilman Hilton moved passage of the ordinance abolishing the eight vacant Civil Service classified positions. Councilwoman Webster seconded the motion. The motion carried as follows: AYES: Councilmen Higginbotham, Bowen, Fogle, Hilton, Councilwoman

AYES: Councilmen Higginbotham, Bowen, Fogle, Hilton, Councilwoman Wesbter and Mayor Hall.

NAYS: Councilman Rodriguez.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AMENDING ORDINANCE PRESCRIBING THE NUMBER OF AUTHORIZED CLASSIFIED POSITIONS IN THE FIRE DEPARTMENT; DECLARING AN EMERGENCY AND AN EFFECTIVE DATE.

FIRE-ABOLISHIN CIVIL SERVICE POSITIONS (8) IN FIRE DEPT. Wayne Collier, Zoning Administrator, briefed the Council on an Amendment to Section 32-9.2 and Section 32-9.3 of the Zoning Ordinance concerning office uses.

However, due to the time element, Mayor Hall suggested discussing another item before recessing.

Curtis Hawk presented to the Council a proposal by Boner Associates, COUNCIL Consultants in Acoustics, to improve the sound system in the Council Chambers. DIS. of Mr. Boner was introduced to the Council to answer questions concerning the SOUND system he would install. The Council all agreed that there was a great need SYSTEMfor a better sound system and requested that plug-in devices be installed COUNCIL in front of each Council member's chair. This will insure that each Council ROOM member will be able to hear other staff members or citizens or even other Council members.

Councilwoman Webster made the motion authorizing the taking of bids subject to the addition of the plugs and the consultation of the news media for their opinion on the effectiveness of a new sound system on their equipment. Councilman Higginbotham seconded the motion. The motion carried as follows:

AYES: Councilmen Higginbotham, Bowen, Rodriguez, Fogle, Hilton, Councilwoman Webster, and Mayor Hall.

NAYS: None.

Wayne Collier, Zoning Administrator, briefed the Council again on the Amendment to Section 32-9.2 and Section 32-9.3 of the Zoning Ordinance concerning office uses. This ordinance would allow offices and related accessories only in the O (Office) District.

Mayor Hall opened public hearing on the ordinance. There being no one present and desiring to be heard, Mayor Hall closed the public hearing.

Councilman Higginbotham moved passage of the ordinance on second and final reading amending Section 32-9.2 and Section 32-9.3 of the Zoning Ordinance concerning office uses. The motion was seconded by Councilwoman Webster. The motion carried as follows:

AYES: Councilmen Higginbotham, Bowen, Rodriguez, Fogle, Hilton, Councilwoman Webster, and Mayor Hall.

NAYS: None.

AN ORDINANCE AMENDING CHAPTER 32, "ZONING", OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING FOR A SEVERABILITY CLAUSE; DECLARING A PENALTY AND CALLING A PUBLIC HEARING. ZONING ORD. AMENDED-SECTION 32-9.1 & SEC. 32-9.3 OFFICE USES

Wayne Collier presented the reclassification request from LC & RS-6 (Limited Commercial and Residential Single-Family) District to 0 (Office) District, located at Buffalo Gap & Chimney Rock Roads to the Council.

Mayor Hall opened public hearing concerning the ordinance.

Tom Dietrick, of McMahon, Smart, Wilson, Surovik & Suttle Legal Agency, represented Dr. Taylor, James Parker and Dr. Ron Morley owners of the property located at the intersection of Chimney Rock Road and Buffalo Gap Road. He said the owners would like the zoning changed to Office to permit them to build dental offices at that location. He presented a blueprint to the Council showing what the offices would look like. He said the offices would be attractive and useful to the growing community. He said since the zoning is Limited Commercial, the residents of the surrounding community would be subject to almost any kind of restaurant, convenience store or small business. With an Office zoning, the area would be limited to offices that could be designed to compliment the surrounding homes. He also said that offices would not cause a drastic change in the traffic pattern and they would probably enhance the value of the homes around them.

Mr. Steve Robinson, 3416 Chimney Rock Road, spokesperson for several homes in that area spoke against the zoning change to Office. He felt that offices would destroy the residential integrity of the area. He was also concerned that if dental offices were built in the area, the crime rate would probably go up because of the drugs dentists keep in their offices. He asked that if this area was rezoned, then what was to keep other areas from being rezoned. Dr. Ron Morley, part owner in the property, said that only a first-class, attractive building would be built there. He felt an office of this nature would be beneficial to the neighborhood. He said other doctors may try to move into this area because of the future Hendrick's and West Texas Medical Center's additions south of Fairway Oaks.

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

Councilman Bowen moved passage of the ordinance reclassifying LC & RS-6 (Limited Commercial and Residential Single-Family) to 0 (Office) District, located at Chimney Rock Road and Buffalo Gap Road. The motion was seconded by Councilwoman Webster. The motion carried as follows:

AYES: Councilmen Bowen, Fogle, Hilton, & Councilwoman Webster. NAYS: Councilmen Higginbotham, Rodriguez and Mayor Hall.

AN ORDINANCE AMENDING CHAPTER 32, "ZONING", OF THE ABILENE MUNICIPAL ZONING RE: CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN LC & RS-6 PROPERTIES, AS DESCRIBED BELOW; DECLARING A PENALTY, AND CALLING A TO O, PUBLIC HEARING. CHIMNEY ROC

CHIMNEY RO(TO BUFFALO GAP ROAD

Wayne Collier briefed the Council on a reclassification request from GAP ROAD AO (Agricultural Open Space) to RM-2 (Residential Multi-Family) District, FINAL READ] located on Curry Lane being appealed by Lucille Pointer, owner of the property.

Mayor Hall opened public hearing concerning the ordinance.

Mr. Mike Herron, builder representing Lucille Pointer and potential buyer of the property, said the Planning & Zoning Commission voted by a 3-2-2 vote for the property to be zoned RM-3. Mr. Herron said that the back part of the property would be virtually worthless if it was zoned RM-3. He felt the only reason why it was zoned RM-3 is so the 1979 Land Use Study of that area would work. He said that study called for an alley to cross the property and the RM-3 zoning would protect Redbud Park from excessive traffic and apartments facing the park. Mr. Herron said he was planning on building quadraplexes on the property but they would face east not north toward the park.

Lucille Pointer, owner, said the alley would never be able to continue through west of her property anyway because those neighbors would never allow an alley to go through their property.

Elaine Ferguson, daughter of Mrs. Pointer, said the back part of the property was only used for beer parties and a dump ground now. If it was rezoned to RM-2, the apartments would be built there. She also said that there were exits to and from the alley east of the property and a continuance of the alley through the property was not necessary.

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

Councilman Higginbotham moved passage of the ordinance reclassifying from AO (Agricultural Open Space) to RM-2 (Residential Multi-Family) District located on Curry Lane. Councilman Hilton seconded the motion. The motion carried as follows:

AYES: Councilmen Higginbotham, Bowen, Rodriguez, Fogle, Hilton, Councilwoman Webster and Mayor Hall.

NAYS: None.

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.

Wayne Collier briefed the Council on a reclassification request from HC (Heavy Commercial) to RM-2 (Residential Multi-Family) District, located on Washington Blvd. & Medical Drive.

Mayor Hall opened public hearing concerning the ordinance.

Mr. Doyle Coy of Chaparral Building Systems, presented the Council with pictures of the proposed townhouses that would be built in the area. The

price range of the townhouses would be \$50,000. They will be attractive, complimentary to the surrounding houses and should provide a buffer from the commercial activity.

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

Councilman Higginbotham moved passage of the ordinance reclassifying from HC (Heavy Commercial) to RM-2 (Residential Multi-Family) District, located on Washington Boulevard and Medical Drive. The motion was seconded by Councilman Rodriguez. The motion carried as follows:

AYES: Councilmen Higginbotham, Bowen, Rodriguez, Fogle, Hilton, Councilwoman Webster, and Mayor Hall.

NAYS: None.

ZONING-RE AN ORDINANCE AMENDING CHAPTER 32, "ZONING", OF THE ABILENE MUNICIPAL HC TO RM-2 CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN WASHINGTON PROPERTIES, AS DESCRIBED BELOW; DECLARING A PENALTY, AND CALLING A BLVD & MED-PUBLIC HEARING. ICAL DRIVE

Wayne Collier briefed the Council concerning an ordinance for a thoroughfare abandonment, located on Cottonwood Street.

Mayor Hall opened the public hearing concerning the ordinance.

James Plagens of St. Francis Catholic Church said the abandonment would benefit the church.

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

Councilman Bowen moved passage of the ordinance providing for a thoroughfare abandonment, located on Cottonwood Street. The motion was seconded by Councilman Higginbotham. The motion carried as follows: AYES: Councilmen Higginbotham, Bowen, Rodriguez, Fogle, Hilton and Mayor Hall. Councilwoman Webster left the meeting before the vote.

NAYS: None.

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.

THOROUGHFAR ABANDONMENT COTTONWOOD STREET

FINAL READI

Wayne Collier briefed the Council on the reclassification request from FINAL RE AO (Agricultural Open Space) to RM-2 (Residential Multi-Family) District, located at Ridgemont Drive & Rebecca Lane.

Mayor Hall opened the public hearing concerning this ordinance. There being no one present & desiring to be heard, Mayor Hall closed the public hearing.

Councilman Higginbotham moved passage of the ordinance providing a reclassification from AO (Agricultural Open Space) to RM-2 (Residential Multi-Family) District, located at Ridgemont Drive & Rebecca Lane. The motion was seconded by Councilman Fogle. The motion carried as follows: AYES: Councilmen Higginbotham, Bowen, Rodriguez, Fogle, Hilton, and

Mayor Hall.

NAYS: None.

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.

ZONING-RE AO TO RM-2 RIDGEMONT DRIVE & REBECCA DR. FINAL READI

Councilwoman Webster returned to the meeting.

Wayne Collier briefed the Council concerning an Amendment of Section 32-9.2 of the Zoning Ordinance to permit Bus Garaging and Equipment Maintenance in CB (Central Business) Districts.

Mayor Hall opened public hearing concerning the ordinance. There being no one present and desiring to be heard, Mayor Hall closed the public hearing. Councilman Fogle moved passage of the ordinance concerning an amendment of Section 32-9.2 of the Zoning Ordinance to permit Bus Garaging and Equipment Maintenance in CB (Central Business) Districts. The motion was seconded by Councilman Rodriguez. The motion carried as follows:

AYES: Councilmen Higginbotham, Bowen, Rodriguez, Fogle, Hilton, Councilwoman Webster and Mayor Hall.

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.

Wayne Collier briefed the Council on the Amendment of the Board of Adjustment application fees. The amendment increases the current fee of \$25 to \$50. Due to a large number of withdrawn and tabled items, the proponent will be charged an additional \$35 should he withdraw his item or should the item be tabled because he is not present at the meeting.

Mayor Hall opened public hearing concerning this ordinance. There being no one present and desiring to be heard, Mayor Hall closed the public hearing.

Councilman Hilton moved passage of the ordinance amending the Board of Adjustment application fees. The motion was seconded by Councilman Bowen. The motion carried as follows:

AYES: Councilmen Higginbotham, Bowen, Rodriguez, Fogle, Hilton, Councilwoman Webster and Mayor Hall.

NAYS: None.

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

Wayne Collier briefed the Council on an ordinance amending Ordinance 1159 concerning Lytle Place Addition, located at FM 1750 and Loop 322. Mr. Collier said the staff recommended the accessory use swimming pools without minimum setback from property lines, but not the guest quarters or servants' quarters.

Mayor Hall opened public hearing concerning the ordinance.

Mr. Ken Musgrave of 44 Lytle Place, said that in the past, that area had not been able to have servants' quarters on individuals' property because they sometimes turned out to be rental property. He said the Lytle area has an association that would prohibit rental of such property. Some of the servants' quarters would be used for storage rooms. He feels sure that some of the residents in this area will want servants' quarters. He said that Association will have to adopt new restrictions for rental property.

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

Councilman Bowen moved approval of the ordinance subject to the restrictions on rental property. The motion was seconded by Councilman Higginbotham. The motion carried as follows:

AYES: Councilmen Higginbotham, Bowen, Rodriguez, Fogle, Hilton, Councilwoman Webster and Mayor Hall.

NAYS: None.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 32, ZONING, OF THE ABILENE MUNICIPAL CODE AND ORDINANCE NO. 1159, CONCERNING THE LYTLE PLACE PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE. AMENDED – ORD. 1159 LYTLE PLACE PLACE PDD DISTRIC & LOOP 322 FINAL READI

ZONING ORD.

ZONING ORD. AMENDED -SECTION 32-2 in CB. FINAL READI

ZONING ORD.

FINAL READI

Wayne Collier briefed the Council on an ordinance amending Section 32-9.2 of the Zoning Ordinance to permit a change in Permitted Uses in the LC (Limited Commercial) and SC (Shopping Center) Districts.

Mayor Hall opened public hearing concerning the ordinance. There being no one present and desiring to be heard, Mayor Hall closed the public hearing.

Councilman Higginbotham moved passage of the ordinance amending Section 32-9.2 of the Zoning Ordinance to permit a change in Permitted Uses in the LC (Limited Commercial) and SC (Shopping Center) Districts. Councilwoman Webster seconded the motion. The motion carried as follows:

AYES: Councilmen Higginbotham, Bowen, Rodriguez, Fogle, Hilton, Councilwoman Webster and Mayor Hall.

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 ORD AMENDED -SECTION 32 9.2 PER-MITTED USE LC & SC FINAL READ

UTILITY -

ELECTRIC

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TAYLOR

CREASE

Harvey Cargill, City Attorney recommended approval of an Ordinance granting an increase in rates of the Taylor Electric Cooperative, Inc.

Mayor Hall opened public hearing concerning the ordinance.

Mr. Maurice Brooks, General Council for Taylor Electric Cooperative, Inc., spoke in favor of the rate increase and requested that they be approved by the Council.

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

Councilman Fogle moved passage of the ordinance granting in increase in rates of the Taylor Electric Cooperative, Inc. The motion was seconded by Councilman Rodriguez. The motion carried as follows:

AYES: Councilmen Higginbotham, Bowen, Rodriguez, Fogle, Hilton, Councilwoman Webster and Mayor Hall.

NAYS: None.

AN ORDINANCE APPROVING ELECTRIC UTILITY RATE SCHEDULE FOR TAYLOR ELECTRIC COOPERATIVE, INC.; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

AN ORDINANCE APPROVING RATE SCHEDULES TO BE CHANGED BY TAYLOR ELECTRIC COOPERATIVE, INC., IN THE CITY OF ABILENE, TEXAS, PROVIDING FOR AN EFFECTIVE DATE FOR SUCH RATE SCHEDULES, PRO-VIDING CONDITIONS UNDER WHICH SUCH RATE SCHEDULES MAY BE CHANGED, MODIFIED, AMENDED, OR WITHDRAWN; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT.

Mr. Wayne Herrington, Assistant Director of Planning and Community Development presented a resolution to the Council asking approval of filing an application for a Community Development Block Grant Program. Mr. Herrington said the total budget for FY 1981 is \$1,964,000. Mr. Herrington explained that there are other projects besides the Carver Project, but right now it is probably the most effective.

Mayor Hall opened public hearing concerning this resolution.

Diane Mehaffey, NOAH Project, asked if NOAH Project might be included in the federal grants received by Community Development. Mr. Herrington said it was too late for this budget year, but the Project might be included next year.

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

Councilman Rodriguez moved passage of the resolution approving the filing of an application for a Community Development Block Grant Program.

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The motion was seconded by Councilman Higginbotham. The motion carried as follows: AYES: Councilmen Higginbotham, Bowen, Rodriguez, Fogle, Hilton, Councilwoman Webster and Mayor Hall. NAYS: None. COMMUNITY A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, DEVELOPMENT APPROVING THE FILING OF AN APPLICATION FOR A COMMUNITY DEVELOPMENT BLOCK GRANT BLOCK GRANT PROGRAM. PROGRAM APPLICATION Wayne Kurfees, Director of Traffic and Transportation, briefed the FINAL READ. Council on an ordinance amending Chapter 29, "Taxis and Other Vehicles for Hire", on first reading. He asked that a public hearing be set for June 11, 1981. After discussion, Councilman Bowen moved passage of the ordinance subject to the 25¢ waiting time be amended to a lower price on the second and final reading. The motion was seconded by Councilman Higginbotham. The motion carried as follows: AYES: Councilmen Higginbotham, Bowen, Rodriguez, Fogle, Hilton, Councilwoman Webster and Mayor Hall. NAYS: None. TRAFFIC ORD AN ORDINANCE AMENDING CHAPTER 29, "TAXIS AND OTHER VEHICLES FOR AMENDED -HIRE," BY AMENDING CERTAIN SECTIONS SET OUT BELOW; PROVIDING A TAXI WAITIN SEVERABILITY CLAUSE; AND DECLARING A PENALTY. TIME FIRST READI Mayor Hall appointed members to the Abilene Community Development Company, Incorporated, the West Central Texas Municipal Water District, and the Abilene Higher Education Authority. Councilwoman Webster seconded the motion. The motion carried as follows: AYES: Councilmen Higginbotham, Bowen, Rodriguez, Fogle, Hilton, Councilwoman Webster and Mayor Hall. NAYS: None. BOARDS & A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, COMMISSIONS APPOINTMENT APPOINTING MEMBERS TO VARIOUS BOARDS AND COMMISSIONS AS REQUIRED BY THE CHARTER OF THE CITY OF ABILENE AND THE STATUTES OF THE WCTMWD & STATE OF TEXAS. ABILENE HIGHER ED-A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, UCATION APPOINTING MEMBERS TO VARIOUS BOARDS AND COMMISSIONS AS REQUIRED AUTHORITY, ABILENE COM BY THE CHARTER OF THE CITY OF ABILENE AND THE STATUTES OF THE DEV. CO. IN STATE OF TEXAS. Councilman Hilton moved that the resolution establishing policy for decisions on growth in newly developing areas recommended by the Strategies for Responsible Growth Committee be removed from the table. Councilman Higginbotham seconded the motion. The motion carried as follows: AYES: Councilmen Higginbotham, Bowen, Rodriguez, Fogle, Hilton, Councilwoman Webster and Mayor Hall. NAYS: None. Mr. Lee Roy George, Director of Planning and Community Development, presented the resolution to the Council. He recommended approval of the resolution. After discussion, Councilman Bowen moved passage of the resolution establishing policy for decisions on growth in newly developing areas recommended by the Strategies for Responsible Growth Committee. The motion was seconded by Councilman Hilton. The motion carried as follows: AYES: Councilmen Higginbotham, Bowen, Rodriguez, Fogle, Hilton, Councilwoman Webster and Mayor Hall. NAYS: None. PLANNING-STRATEGIES A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TAYLOR FOR RESPONS COUNTY, TEXAS, ESTABLISHING POLICY FOR DECISIONS ON GROWTH IN IBLE GROWTH NEWLY DEVELOPING AREAS AND PROVIDING FOR THE USE OF CERTAIN

MUNICIPAL POWERS TO IMPLEMENT THOSE POLICIES.

COMMITTEE POLICIES Mr. Wayne Herrington briefed the Council on the resolution approving a replacement housing assistance payment under the Goodlow Voluntary Property Acquisition and Relocation Program. He said that whenever a family agrees to move from the Goodlow flood area, a comparable house must be found for them to buy. In this case, two houses were found for the Martin family of 427 Pickard. The first house was located on Grape Street. The appraisal for this house was \$40,000. Another house was found on Amarillo Street. The appraisal for it was \$47,500. Mr. Herrington said that because of a mistake on his part, the house on Grape Street was thought to be in the flood zone. Therefore, the house on Amarillo Street was available to the Martin family. The Martin's signed a contract with the owners of the house. Later, Mr. Herrington realized his mistake and was overruled by his superior about which house to furnish the Martin's. His superior felt that the Grape Street house would be suitable for the Martin's.

Mr. Jimmy Martin, 427 Pickard, felt his Civil Rights had been violated and he had been discriminated against because the City told him that he could have one house and then turned around and gave him another one. He said the Grape Street house is not comparable to his own home because there were not enough bedrooms and the environment was not good.

Ms. Brenda Siewart of Ray Scott & Associates, agents for the Northside Church of Christ, owners of the Grape Street house, said she felt the house was very nice and that the bedrooms could be expanded to provide for the Martin family.

After much discussion, the Council felt that because of a letter sent to the Martin family informing them that the Amarillo house was available that this was a moral question. They felt that since the Martin's were told in good faith that the house was available, the Martin's should have the Amarillo house. Councilman Bowen moved passage of the resolution approving a replacement housing assistance payment under the Goodlow Voluntary Property Acquisition and Relocation Program. This payment would provide the difference between the Martin's appraised property and the Amarillo house appraisal price. The motion was seconded by Councilman Hilton. The motion carried as follows:

AYES: Councilmen Higginbotham, Bowen, Rodriguez, Fogle, Hilton and Mayor Hall. Councilwoman Webster left the meeting before the vote.

NAYS: None.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING A REPLACEMENT HOUSING ASSISTANCE PAYMENT UNDER THE GOODLOW VOLUNTARY PROPERTY ACQUISITION AND RELOCATION PROGRAM. GOODLOW RE-LOCATION ASSIS ANCE PROGRAM -MARTIN FAMILY PAYMENT

AIRPORT-

Pam Waynick, Director of Personnel, briefed the Council on an oral INSURANCEresolution renewing a contract with Blue Cross-Blue Shield for employee RENEW CONTRA group insurance. She said based on the amount (\$765,812) previously BC-BS paid for claims, they are requesting a 44.8 percent increase in medical insurance rates. There will be no change in life insurance rates.

After discussion, Councilman Bowen moved passage of the oral resolution renewing the contract with Blue Cross-Blue Shield Insurance Company for employee group insurance. The motion was seconded by Councilman Hilton. The motion carried as follows:

AYES: Councilmen Higginbotham, Bowen, Rodriguez, Fogle, Hilton and Mayor Hall.

NAYS: None.

The next item to be considered was the Floodway Development Policy on Catclaw Creek. However, due to the time the item would take to discuss thoroughly, the Council decided to study the Policy at the retreat June 3, ON CATCLAW 4, and 5, 1981.

Bob Whitehead briefed the Council concerning the lease agreement for the old Airport Terminal Building.

Britt Thurman, representative for Charles Williams and Timmy Harlow, said his clients would agree to share the building with Charles Bebe and Paul T. Lawlis if the Council leased the building to them. LEASE AGR MENT-OLD TERMINAL BLDG.

Mr. Whitehead recommended that the lease be a short-term lease, for about 5 or 6 months, expiring October 31, 1981. The Airport Master Plan will be available for consideration at that time.

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Mr. Maurice Brooks, a long-time pilot, thanked the Council for hiring a consultant to make a study for the Airport.

After discussion, Councilman Fogle moved that a lease be approved for Mr. Williams, Mr. Bebe, Mr. Harlow, and Mr. Lawlis for a five month period or until October 31, 1981. Councilman Higginbotham seconded the motion. The motion carried as follows:

AYES: Councilmen Higginbotham, Bowen, Rodriguez, Fogle, Hilton and Mayor Hall.

NAYS: None.

Wayne Kurfees briefed the Council for the selection of additional locations for Grade Crossing Safety Improvements using bond funds. He recommended that gates be installed at two crossings: South Treadaway at the Abilene Southern Railroad and T & P Lane at the Missouri Pacific Mainline. It was also recommended to enlarge the size of the lenses at South 11th crossing and new predicator circuitry for the crossings at Grape Street & North 1st and Pioneer Drive and South 1st. He said it will take the Railroad about 18 months to install this equipment.

TRAFFIC-GRADE CROSS ING SAFETY IMPROVEMENI

Councilman Higginbotham moved that the Council approve the locations recommended for the new crossing gates and equipment. The motion was seconded by Councilman Bowen. The motion carried as follows:

AYES: Councilmen Higginbotham, Bowen, Rodriguez, Fogle, Hilton, and Mayor Hall.

NAYS: None.

The meeting was adjourned at 5:35 p.m.

(Kuth Holgin Y SECRETARY

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

The City Staff composed of Roy McDaniel, Director of Finance, and City Secretary, Ruth Hodgin, held a public hearing, which had been duly advertised, for the proposed use of Revenue Sharing for the Fiscal Year 1981-1982. This is for Entitlement Period XIII.

Mr. McDaniel opened public hearing on Revenue Sharing, Entitlement Period XII.

Mr. McDaniel explained that the City of Abilene was expecting to receive approximately \$1,300,000, this year in Revenue Sharing Funds. He said that the City usually used the funds for capital type items.

J.F. Posey, 1418 Cedar Street, spoke of the deterioration of the down town area and the north side of Abilene. He pointed out that the streets are not swept on the north side of town very often. He also said that he felt that some of the money should be spent on the upgrading of Walnut & Cedar & other north side streets. He mentioned several areas on the north side of town where the weeds were very high, and felt that this should be corrected with Revenue Sharing money.

Mr. McDaniel explained that before we put together a Revenue Sharing Budget , there had to be a public hearing to find out just how the public felt about what it needed to be spent for. Then there is another public hearing with the Council present, in order for it to be voted upon.

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

Ruth Hodgin City Secretary