

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, August 13, 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: Councilman L. D. Hilton
3. APPROVAL OF MINUTES: Regular Meeting held July 23, 1981, & Special Meeting held July 30, 1981.
4. AWARDS & PRESENTATIONS:

Harold Emerson Police Department Police Officer 25 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. Ordinances
 - a. Consider on first reading - reclassification request from AO (Agricultural Open Space) to RS-6 & GC (Residential Single Family & General Commercial) Districts, located at Buffalo Gap Road & F.M. 707 & set a public hearing for August 27, 1981, at 9:00 a.m.
 - b. Consider on first reading - reclassification request from AO (Agricultural Open Space) to PDI (Planned Development Industrial) District, located on Hwy 277 & Key Western Drive & set a public hearing for August 27, 1981, at 9:00 a.m.
 - c. Consider on first reading - reclassification request from AO (Agricultural Open Space) to HI (Heavy Industrial) District, located on FM 600 & set a public hearing for August 27, 1981, at 9:00 a.m.
 - d. Consider on first reading - thoroughfare abandonment, being Forrest Avenue from North 1st to its termination at Catclaw Creek & set a public hearing for August 27, 1981, at 9:00 a.m.
 - e. Consider on first reading - reclassification request from AO (Agricultural Open Space) to RM-2 (Residential Multi-Family) District, located on Antilley Road & set a public hearing for August 27, 1981, at 9:00 a.m.
 - f. Consider on first reading - reclassification request from RS-6 & AO (Residential Single Family to Agricultural Open Space) to RM-2 (Residential Multi-Family) District, located on Buffalo Gap Road & set a public hearing for August 27, 1981, at 9:00 a.m.
 - g. Consider on first reading - reclassification request from AO (Agricultural Open Space) to RM-2 (Residential Multi-Family) District, located on N. Judge Ely Blvd., & set a public hearing for August 27, 1981, at 9:00 a.m.
 - h. Consider on first reading - Street Name Change, being Ruby Ester Circle to Ruby Esther Circle, & set a public hearing for August 27, 1981, at 9:00 a.m.
 - i. Consider on first reading - Amendment to the Plumbing Code, Section 21.96, by adding two paragraphs & set a public hearing for August 27, 1981, at 9:00 a.m.
6. Resolutions
 - a. Approving License Agreement between the Missouri Pacific Railroad Company and the City of Abilene to install a 10" water line crossing under certain trackage & right of way of the Missouri Pacific Railroad Company near Treadaway & Oak Streets, at mile post 1.99.

6. Resolutions, Cont'd.
 - c. Approving the abandonment of a 3' street light easement located on John Carroll Drive.
 - d. Approving the abandonment of the north 1' of a 10' utility easement located on Button Willow Parkway.
 - e. Approving the abandonment of a 10' utility easement, save and except the east 2', located on Baylor Drive.
7. Award of Bids
 - a. Sound System for Council Chamber.
 - b. Two-way Radios for various departments.
 - c. Day Room & Living Room furniture for Fire Department.
 - d. Tee Mower for Golf Division.
 - e. Canopy over Shop Fuel Pumps.
 - f. Air Conditioning at Airport.
8. Change Orders
 - a. Approving Change Order No. Three (3) on the contract with Power Builders, Inc., for renovation of the Grimes Water Treatment Plant.
9. Request to Advertise
 - a. Cationic Polymer for Water Treatment.
 - b. Fire Hose Dryers for Fire Department.
 - c. Recapping of four tires, Shop Division.
 - d. Portable Shop Equipment for Abilene Transit System.
 - e. Magnetic Metal Pickup Unit for use at landfill.
 - f. Radios for Fire Department.

REGULAR AGENDA

10. Public Hearings
 - a. Consider on second and final reading - appealed from Planning & Zoning, reclassification request from CB (Central Business) to GC (General Commercial) District, located in the 1300 & 1400 Blocks of South 1st Street.
11. Ordinances
 - a. Consider on second and final reading - To allow camping in Johnson Park.
 - b. Consider on second and final reading - Establishing speed limits on Frontage Roads along ES 11th Street & prohibit parking in certain alleys.
12. Resolutions
 - a. Canvass Returns of Special City Election & declaring the results of such election.
 - b. Approving Street Use License to use the south parkway of S. 27th, (Lytle Trail).
 - c. Approving Street Use License to use the sidewalk adjacent to Thornton's Department Store, along S. 4th, S. 5th, Oak & Pecan.
 - d. Approving Street Use License for 60' wide driveway on S. 6th Street.
 - e. Approving & authorizing the Mayor to execute a contract for professional services with Parkhill, Smith, & Cooper, Inc.
 - f. Approving an agreement with Missouri Pacific Railroad for the installation of crossing gates.
13. Other Business
 - a. Staff Briefing on Pretreatment Regulations under Wastewater Grant.
 - b. Request for waiver of Subdivision Regulations for paving of Boundary Street-Key Western Drive west of Winters Freeway.
 - c. Consider contemplated and pending litigation.
 - d. Request to initiate trail test-Side Loader Refuse Collection Program.

ADJOURN

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 10th of August, 1981, at 9:00 a.m.

Ruth Hodgson

 City Secretary

- f. Consider on first reading - reclassification request from RS-6 & AO (Residential Single Family & Agricultural Open Space) to RM-2 (Residential Multi-Family) District, located on Buffalo Gap Road & set a public hearing for August 27, 1981, at 9:00 a.m. ZONING-RE
RS-6 & AO TO
RM-2, BUFFAL
GAP ROAD
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.

- g. Consider on first reading - reclassification request from AO (Agricultural Open Space) to RM-2 (Residential Multi-Family) District, located on N. Judge Ely Blvd. & set a public hearing for August 27, 1981, at 9:00 a.m. ZONING-RE
AO TO RM-2
N. JUDGE ELY
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.

- h. Consider on first reading - Street Name Change, being Ruby Ester Circle to Ruby Esther Circle, & set a public hearing for August 27, 1981, at 9:00 a.m. STREET NAME
CHANGE-
1ST READING

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, CHANGING THE NAME OF RUBY ESTER CIRCLE TO RUBY ESTHER CIRCLE.

- i. Consider on first reading - Amendment to the Plumbing Code, Section 21.96, by adding two paragraphs & set a public hearing for August 27, 1981, at 9:00 a.m. PLUMBING COI
AMENDED-
1ST READING

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.

6. Resolutions

- a. Approving License Agreement between the Missouri Pacific Railroad Company and the City of Abilene to install a 10" water line crossing under certain trackage & right of way of the Missouri Pacific Railroad Company near Treadaway & Oak Streets, at mile post 1.99. LICENSE
AGREEMENT-
MISSOURI
PACIFIC RR (C
TREADAWAY &
OAK STREETS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING LICENSE AGREEMENT BETWEEN THE MISSOURI PACIFIC RAILROAD COMPANY AND THE CITY OF ABILENE TO INSTALL A TEN INCH (10") WATER LINE CROSSING UNDER CERTAIN TRACKAGE AND RIGHT OF WAY OF THE MISSOURI PACIFIC RAILROAD COMPANY NEAR TREADAWAY AND OAK STREETS, AT MILE POST 1.99, ABILENE, TEXAS.

- c. Approving the abandonment of a 3' street light easement located on John Carroll Drive. EASEMENT
RELEASE-
JOHN CARROLL
DR.

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

- d. Approving the abandonment of the north 1' of a 10' utility easement located on Button Willow Parkway. EASEMENT
RELEASE-
BUTTONWILLOW
PARKWAY

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

- d. Approving the abandonment of a 10' utility easement, save and except the east 2', located on Baylor Drive. EASEMENT
RELEASE-
BAYLOR DR.

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

7. Award of Bids
 - a. Sound System for Council Chamber.
 - b. Two-way Radios for various Departments.
 - c. Day Room & Living Room furniture for Fire Department.
 - d. Tee Mower for Golf Division.
 - e. Canopy over Shop Fuel Pumps.
 - f. Air Conditioning at Airport.

EQUIPMENT P
SOUND SYSTE
TWO WAY RAD
FURNITURE
TEE MOWER
CANOPY
AIR CONDITIO
ING AT AIRPO

8. Change Orders
 - a. Approving Change Order No. Three (3) on the contract with Power Builders, Inc. for renovation of the Grimes Water Treatment Plant.

WATER-
CHANGE ORDER
#3-POWER
BUILDERS, II

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING CHANGE ORDER NUMBER THREE (3) ON THE CONTRACT WITH POWER BUILDERS, INC. FOR RENOVATION OF THE GRIMES WATER TREATMENT PLANT.

9. Request to Advertise
 - a. Cationic Polymer for Water Treatment.
 - b. Fire Hose Dryers for Fire Department.
 - c. Recapping of four Tires, Shop Division.
 - d. Portable Shop Equipment for Abilene Transit System.
 - e. Magnetic Metal Pickup Unit for use at landfill.
 - f. Radios for Fire Department.

MATERIAL PU
CATIONIC
POLYMER
EQUIPMENT
FIRE HOSE
DRYERS
RECAPPING T
PORTABLE SH
EQUIPMENT
MAGNETIC ME
PICKUP UNIT
RADIOS-FIRE

Mayor Hall opened public hearing on an ordinance, which had been appealed from Planning & Zoning, reclassifying from CB (Central Business) to GC (General Commercial) District, located in the 1300 & 1400 Blocks of South 1st Street.

Mayor Hall asked Mr. Collier to brief the Council on the reclassification.

ZONING-RE
CB TO GC
1300 & 1400
BLK. OF S. 1
DENIED

Mr. Collier said that Mr. Shaller, the proponent, wanted to convert a portion of the upper floors of the building, to public self-storage units.

Mr. Roger Shaller, the proponent (who came in late after the item had been voted) said that it was located at 1323 S. 1st, and that he had the building checked by a structural engineer to see if it was strong enough to have the public storage business and it was.

Mr. Walter Shaller, Attorney, (who also came in late) said that they had checked with all the property owners in the block, before asking for the rezoning of the area, and none of them had any objections. He also presented the Council with a list of those property owners and their signatures. He said that he had tried to rent the remainder of the building, with no success.

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

Councilman Hilton moved to deny the request for rezoning from CB to GC District, located in the 1300 & 1400 Blocks of South 1st Street. The motion was seconded by Councilwoman Webster. The motion carried as follows:

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

NAYS: None.

Councilman Higginbotham moved passage of the ordinance on second and final reading, amending the Municipal Code to allow camping in Johnson Park. The motion was seconded by Councilwoman Webster. The motion carried as follows:

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

NAYS: None.

CODE AMENDE
PARKS
ALLOW CAMPIN
OVERNIGHT-
JOHNSON PARI

AN ORDINANCE AMENDING CHAPTER 20, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

After discussion, Councilwoman Webster moved passage of the ordinance on second and final reading, establishing speed limits on Frontage Roads along E.S. 11th Street & prohibit parking in certain alleys. The motion was seconded by Councilman Hilton. The motion carried as follows:

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

NAYS: None.

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.

Mayor Hall read the following information into the minutes regarding what ballots and their numbers were sent out to the different precincts in the Special City Election held August 8, 1981, regarding the number of Firemen required at the Station (1.5 certified, 24-hour, at the station, fire suppression personnel-as defined in Ordinance-per 1,000 of population).

CODE AMENDE
TRAFFIC-
ESTAB. SPEE
LIMITS ALON
E.S. 11TH &
PROHIBIT
PARKING IN
CERTAIN ALLI
FINAL READI

ELECTION
AUGUST 8
1981,
1.5 CERTI
FIREMEN 1
1,000 POI

Special City Election Ballots

| | | |
|------------------|--------|---|
| Absentee Ballots | 1,500 | 01,301-01,500; 34,001-34,300 44,601-45,000; 48,801-49,000 04,501-04,900 |
| Precinct A | 3,500 | 18,501-20,000; 25,001-27,000 |
| Precinct B | 3,500 | 05,001-06,500; 27,001-29,000 |
| Precinct C | 2,500 | 06,501-08,000; 0001-01,000 |
| Precinct D | 2,500 | 08,001-09,500; 41,001-42,000 |
| Precinct E | 2,500 | 11,001-12,500; 42,001-43,000 |
| Precinct F | 2,500 | 12,501-14,000; 21,001-22,000 |
| Precinct G | 2,500 | 14,001-15,500; 23,001-24,000 |
| Precinct H | 2,500 | 15,501-17,000; 43,001-44,000 |
| Precinct I | 3,500 | 17,001-18,500; 45,001-47,000 |
| Precinct J | 1,500 | 18,501-20,000 |
| TOTAL | 28,500 | |

Ord #
78A-1981

Councilwoman Webster moved adoption of the resolution canvassing the returns and declaring the results of an Initiative Ordinance Election to provide for minimum number of Firemen, held on August 8, 1981, that it passed by a majority vote. The motion was seconded by Councilman Fogle. The motion carried as follows:

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

NAYS: None.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, CANVASSING THE RETURNS AND DECLARING THE RESULTS OF AN INITIATIVE ORDINANCE ELECTION TO PROVIDE FOR MINIMUM NUMBER OF FIREMEN, HELD ON AUGUST 8, 1981.

Bob Whitehead, Director of Public Works, presented the request for a Street Use License to use the south parkway of South 27th (Lytle Trail). This is to allow the improvements on the parkway to remain in place.

STREET USE
LICENSE-
LYTLE TRAIL
TRIKEN LTD.

Ken P. Musgrave, spoke in favor of the Street Use License.

Councilman Bowen moved approval of the Street Use License, to allow the improvements to remain on the parkway, with TriKen, Ltd. The motion was seconded by Councilman Rodriguez. The motion carried as follows:

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

NAYS: None.

Councilman Webster moved approval of the Street Use License for Thorntons Department Store for a period of one day, September 7, 1981. The motion was seconded by Councilman Higginbotham. The motion carried as follows:

STREET USE
LICENSE-
THORNTON'S
DEPT. STORE

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

NAYS: None.

James Condry, Assistant Director of Traffic & Transportation, presented the request for a Street Use License from the First State Bank, to allow a 60' wide driveway on South 6th. He said that the Staff felt that it would cause a traffic hazard, and he recommended against it.

STREET USE
LICENSE-
FIRST STATE
BANK, TABLE

James Wheeler, Architect for the First State Bank (new addition) said that they felt that it would help the traffic flow because it would allow better access to the bank.

After discussion, Councilman Bowen moved to table the decision on the above item, until the Council was more familiar with the situation. The Staff was directed to bring it back to the Council at the next meeting. The motion was seconded by Councilwoman Webster. The motion carried as follows:

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

NAYS: None.

Councilman Higginbotham moved adoption of the resolution authorizing the Mayor to execute a contract for professional services with Parkhill, Smith & Cooper, Inc. concerning the City of Abilene's Step 3 Grant application for Project C-48-1085-03, Wastewater Treatment Plant. The motion was seconded by Councilman Bowen. The motion carried as follows:

WATER-
CONTRACT-
STEP 3
GRANT APP.
WASTEWATER
TREATMENT
PLANT

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

NAYS: None.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR PROFESSIONAL SERVICES WITH PARKHILL, SMITH & COOPER, INC.

Councilman Bowen moved adoption of the resolution authorizing the City Manager to execute a contract with the Missouri-Pacific Railroad to install or upgrade warning devices at certain crossings and that \$280,200.00 of the 1979 Street Bond Funds is hereby appropriated and encumbered to cover the cost of this work. The motion was seconded by Councilman Hilton. The motion carried as follows:

TRAFFIC-
WARNING
DEVICES AT
CERTAIN
CROSSINGS-
APPROP. FOR
COST

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

NAYS: None.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH THE MISSOURI-PACIFIC RAILROAD TO INSTALL OR UPGRADE WARNING DEVICES AT CERTAIN CROSSINGS.

Dwayne Hargesheimer, Director of Utilities, presented a copy of the Pretreatment Regulations which have been mailed out to the major industries that will be affected by its implementation. It will require all industries to pay their fair share of what they discharge. The final adoption of the Industrial Wastewater Section and the rate schedule will come later this fall. He said that there would be a Public Workshop to be held August 27th, at 11:00 a.m. to gather public input.

WATER -
PRETREATME
REGULATION
PRESENTED

Mr. Whitehead presented the request for a waiver from the Sub-division Regulations from Farrington Marketing Inc. He said that the street has never been opened on the ground or maintained by the City Street Department, but he said he can see no reason for it not being paved, so he recommends that the waiver be denied.

SUBDIVISION
WAIVER-
FARRINGTON
MARKETING I
DENIED

Councilwoman Webster moved to deny the request for a waiver from Farrington Marketing, Inc. for a waiver from paving requirements on Key Western Dr. west of Winters Freeway. The motion was seconded

by Councilman Higginbotham. The motion carried as follows:

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

NAYS: None.

Chuck Smith, Refuse Collection Superintendent, presented the request REFUSE
to initiate a trial test-Side Loader Refuse Collection Program. He said COLLECTIO
that the test area would be in those areas, most of who had petitioned for TEST
container service or to get their alley paved. He said that the test would PROGRAM
start on October 1, 1981. APPROV.

Mr. Smith said that out of the eleven people who have called in against
the new container, seven have said that they would try it. He pointed
out that for it to be a good test, 60% of the block needs to be parti-
cipating.

After discussion, Councilman Hilton moved approval of the trial
test in the areas presented, for six months. The motion was seconded
by Councilman Bowen. The motion carried as follows:

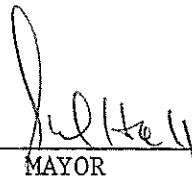
AYES: Councilmen Higginbotham, Bowen, Rodriguez, Fogle, Hilton,
Councilwoman Webster & Mayor Hall.

NAYS: None.

There was an executive session to consider contemplated and pending COUNCIL
litigation, with no action taken.

There being no further business, Mayor Hall adjourned the meeting
at 12:05 p.m.


CITY SECRETARY


MAYOR