

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 27, 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 A. E. Fogle, Jr.
3. APPROVAL OF MINUTES: Special Budget Session held August 11, 12, 13, & 14, 1981, and Regular Meeting held August 13, 1981.
4. AWARDS & PRESENTATIONS:

Glenn Meeks	Airport	Manager	35 Years
William H. Kidwell	Fire	Fire Fighter	30 Years
Albert E. Hoppe	Police	Officer	25 Years
John Rex Jones	Fire	District Fire Chief	25 Years
Doris Cathey	Water Office	Sr. Acct. Clerk	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. Ordinances
  - a. Consider on first reading - amendment to the Traffic Code prohibiting parking in various locations.
  - b. Consider on first reading - amendment to the Traffic Code, Section 17.94 changing some designations.
  - c. Consider on first reading - amendment to the Zoning Ordinance allowing a medical use district & set a public hearing for September 10, 1981, at 9:00 a.m.
6. Resolutions
  - a. Approving payment of City of Abilene's cost for the Tye Sewer Line Project.
  - b. Consider amendment to Blue Cross-Blue Shield Contract.
7. Award of Bids
  - a. Stationary Compactors and roll-off containers.
  - b. Sump Pumps for City Hall.
8. Request to Advertise
  - a. Zoo Security
  - b. Van for Wastewater Treatment.
  - c. Dual tape recorder and time generator for Fire Department.
  - d. Portable Cascade System for Fire Department.

#### REGULAR AGENDA

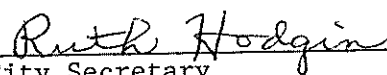
9. Public Appearance
  - a. Davey Morgan - Day Care Center for the Elderly.
10. Public Hearings
  - a. Consider on second and final reading - reclassification request from AO (Agricultural Open Space) to RS-6 & GC (Residential Single Family & General Commercial) Districts, located at Buffalo Gap Road & FM 707.

10. Public Hearings, Cont'd.
  - b. Consider on second and final reading - reclassification request from AO (Agricultural Open Space) to PDI (Planned Development Industrial) District, located on Hwy 277 & Key Western Drive.
  - c. Consider on second and final reading - appealed from Planning & Zoning, reclassification request from AO (Agricultural Open Space) to GC (General Commercial) District, located on FM 600.
  - d. Consider on second and final reading - thoroughfare abandonment, being Forrest Avenue from North 1st to its termination at Catclaw Creek.
  - e. Consider on second and final reading - reclassification request from AO (Agricultural Open Space) to RM-2 (Residential Multi-Family) District, located on Antilley Road.
  - f. Consider on second and final 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.
  - g. Consider on second and final reading - reclassification request from AO (Agricultural Open Space) to RM-2 (Residential Multi-Family) District, located on N. Judge Ely Blvd.
  - h. Consider on second and final reading - Street Name Change, being Ruby Ester Circle to Ruby Esther Circle.
  - i. Consider on second and final reading - Amendment to the Plumbing Code, Section 21.96, by adding two paragraphs.
  
11. Resolutions
  - a. Consider authorizing the Engineering Department to prepare plans & specifications for certain streets to be included in the Fall 1981 Assessment Paving Program.
  - b. Tabled Item:  
Consider Street Use License for 60' wide driveway on Oak Street.
  
12. Other Business
  - a. Request to advertise - Oil & Gas Lease located on old dump ground near Police Firing Range.
  - b. Request to advertise - Oil & Gas Lease located near Kirby Lake.
  - c. Personnel Matter - discussion with Council appointees.
  - d. Pending & contemplated litigation.

ADJOURN

CERTIFICATION

I hereby certify that the above notice was posted on the bulletin board in City Hall, Abilene, Texas, on the 24th day of August, 1981 at 8:45 a.m.

  
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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, August 27, 1981, at 9:00 a.m. with Mayor Elbert E. Hall, present and presiding. Councilmen Seaton Higginbotham, Dick Bowen, A. E. Fogle, Jr., L. D. Hilton & Councilwoman Kathy Webster, present. Councilman Juan C. Rodriguez, absent. City Manager Ed Seegmiller, Assistant City Attorney Gary Landers & City Secretary Ruth Hodgin, present.

Invocation by Councilman A. E. Fogle, Jr.

Minutes of last Regular Meeting held August 13, 1981, & Special Budget Session held August 11, 12, 13, & 14th, 1981, were approved as written.

Mayor Hall presented Service Awards to the following employees:

Glenn Meeks - Airport - 35 Years	
William H. Kidwell - Fire- 30 Years	
John Rex Jones - Fire - 25 Years	COMMENDING-
Albert E. Hoppe - Police - 25 Years	CITY EMPLOYEES
Doris Cathey - Water Office - 20 Years	

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

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

NAYS: None.

5. Ordinances

- a. Consider on first reading - amendment to the Traffic Code prohibiting parking in various locations.

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.	CODE AMENDED- TRAFFIC-PROHIB. PARKING-VARIOUS LOCATIONS 1ST READING
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- b. Consider on first reading - amendment to the Traffic Code, Section 17.94, changing some designations.

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.	CODE AMENDED- TRAFFIC-CHANGING SOME DESIGNATION 1ST READING
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- c. Consider on first reading - amendment to the Zoning Ordinance allowing a medical use district & set a public hearing for September 10, 1981, at 9:00 a.m.

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- MEDICAL DIST. ALLOWED- 1ST READING
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6. Resolutions

- a. Approving payment of City of Abilene's cost of Tye Sewer Line Project.  
b. Consider amendment to Blue Cross-Blue Shield Contract.

SEWER-  
TYE SEWER LINE  
INSURANCE-  
AMENDMENT TO  
BC-BS

7. Award of Bids

- a. Stationary Compactors and roll-off containers.  
b. Sump Pumps for City Hall.

EQUIPMENT PURC.  
STATIONARY COM-  
PACTORS  
SUMP PUMPS-CITY  
HALL

8. Request to Advertise

- a. Zoo Security  
b. Van for Wastewater Treatment.  
c. Dual tape recorder and time generator for Fire Department.  
d. Portable Cascade System for Fire Department.

PARKS-ZOO  
SECURITY  
VAN  
DUAL TAPE &  
TIME GENERATOR  
CASCADE SYSTEM

Veronica Dallies, Executive Director of Abilene Day Care Center for the Elderly, explained their need for the facility, former Fire Station located on South 7th Street. She said that after September, there would no longer be a Title 20 Funding. They would assume Title 19 Funding at that time, which would be 100% funding, but since they would be expanding their services, day care and medical center, they would need a larger facility.

Karl Karrenbrock, member of the Board, said that they provided unique services, in that some of the people would have to go to care homes, if not for it. Some of the people could not function in the City Nutrition Program. He pointed out that they were in desperate need of facilities.

Jack Grable, Executive Director of United Way, said that he had checked with several other cities, and it is nothing unusual for a city to furnish a place for a Center such as this to operate from.

George Karwer, who was on the Board of the Day Care Center in 1975 (when it originated), read a letter from Mr. Wagley, now deceased, who expressed his desire for the Day Care Center to use the building.

Foy Clement, Attorney, explained that the Wagley Estate have authorized him to tell the Council that they would be glad to sign the property and building over to the Day Care Center, if it were returned to them.

Mayor Hall explained that it is the City's property, and that the Council feels that it would be improper for them to dispose of it except by law. He pointed out that they are trying to develop some guidelines at the present time, in just how and when the City can help needy organizations.

Mayor Hall instructed the Staff to work out some way in helping the Day Care Center for the Elderly, even though it might have to be temporary.

David Wagner, Attorney, asked if the location of the Fire Station on South 7th was subject to deed restrictions?

Mayor Hall opened public hearing on an ordinance reclassifying from AO (Agricultural Open Space) to RS-6 & GC (Residential Single Family & General Commercial) Districts, located at Buffalo Gap Road & F.M.707.

ZONING-RE  
AO TO RS-6 & GC  
BUFFALO GAP RD.  
FINAL READING

Mayor Hall asked Mr. Wayne Collier, Zoning Administrator, to brief the Council on the reclassification.

Mr. Collier said that the commercial request did not extend any further north than the Plan for the area.

Roland Miller, property owner in the area, said that he objected to the commercial classification, because it looked like spot zoning.

Mr. George said that it was a problem, as to where to stop commercial on Buffalo Gap Road.

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

Councilman Bowen moved passage of the ordinance on second and final reading reclassifying from AO to RS-6 & GC Districts, located on Buffalo Gap Road & F.M. 707. The motion was seconded by Councilman Hilton. The motion carried as follows:

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

Mayor Hall opened public hearing on an ordinance reclassifying from AO (Agricultural Open Space) to PDI (Planned Development Industrial) District, located on Hwy 277 & Key Western Drive.

ZONING-RE  
AO TO PDI  
HWY 277 & KEY  
WESTERN DR.  
FINAL READING

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

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 reclassifying from AO to PDI District, located on Hwy 277 & Key Western Drive. The motion was seconded by Councilwoman Webster. The motion carried as follows:

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

NAYS: None.

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

Mr. Collier explained that the item that had been appealed from the Planning & Zoning decision, had been changed to a lesser zone, but it was the policy of the Council to return it to the Planning & Zoning Commission, when the request had been changed either way.

ZONING-RE  
APPEAL  
AO TO GC  
FM 600  
RETURNED TO  
P & Z

After discussion, Council Bowen moved to return the item reclassifying from AO (Agricultural Open Space) to GC (General Commercial), located on F.M. 600, back to the P & Z Commission for them to act upon. The motion was seconded by Councilman Hilton. The motion carried as follows:

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

NAYS: None.

Mayor Hall opened public hearing on an ordinance providing for a Thoroughfare Abandonment, being Forrest Avenue from North 1st to its termination at Catclaw Creek.

THOROUGHFARE  
ABANDONMENT-  
FORREST AVE.  
N. 1ST TO CATCLAW  
FINAL READING

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

Terry Franklin, Lee Moore Co. said that he would be glad to answer any questions that the Council had.

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

Councilman Hilton moved passage of the ordinance on second and final reading providing for a Thoroughfare Abandonment, subject to retaining the west 25' for utility easement and access to the creek. The motion was seconded by Councilman Higginbotham. The motion carried as follows:

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

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.

Mayor Hall opened public hearing on an ordinance reclassifying from AO (Agricultural Open Space) to RM-2 (Residential Multi-Family) District, located on Antilley Road.

ZONING-RE  
AO TO RM-2  
ANTILLEY RD.  
FINAL READING

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

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

Councilman Fogle moved passage of the ordinance on second and final reading reclassifying from AO to RM-2 District, located on Antilley Road. The motion was seconded by Councilwoman Webster. The motion carried as follows:

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

Mayor Hall opened public hearing on an ordinance reclassifying from RS-6 & AO (Residential Single Family & Agricultural Open Space) to RM-2 (Residential Multi-Family) District, located on Buffalo Gap Road.

ZONING-RE  
RS-6 & AO TO  
RM-2, BUFFALO  
GAP RD.  
FINAL READING

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

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 reclassifying from RS-6 & AO to RM-2 District, located on Buffalo Gap Road. The motion was seconded by Councilwoman Webster. The motion carried as follows:

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

Mayor Hall opened public hearing on an ordinance reclassifying from AO (Agricultural Open Space) to RM-2 (Residential Multi-Family) District, located on N. Judge Ely Blvd.

ZONING-RE  
AO TO RM-2  
N. JUDGE ELY  
BLVD.  
FINAL READING

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

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

Councilwoman Webster moved passage of the ordinance on second and final reading reclassifying from AO to RM-2 District, located on N. Judge Ely Blvd. The motion was seconded by Councilman Higginbotham. The motion carried as follows:

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

Councilman Bowen left the meeting.

Mayor Hall opened public hearing on an ordinance providing a Street Name Change, being Ruby Ester Circle to Ruby Esther Circle.

STREET NAME  
CHANGE-  
RUBY ESTER  
CIRCLE TO  
RUBY ESTHER  
CIRCLE  
FINAL READING

Mayor Hall asked Mr. Collier to brief the Council on the Street Name Change.

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

Councilman Fogle moved passage of the ordinance on second and final reading changing the name of Ruby Ester Circle to Ruby Esther Circle. The motion was seconded by Councilman Hilton. The motion carried as follows:

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

NAYS: None.

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

Councilman Bowen returned to the meeting.

Mayor Hall opened public hearing on the ordinance amending the Plumbing Ordinance, Section 21.96, by adding two paragraphs.

PLUMBING CODE  
AMENDED-  
SEC. 21.96

Mayor Hall asked Mr. John Pierce, Assistant Code Administrator, to brief the Council on the above amendment.

FINAL READING

Mr. Pierce explained that Section 21.96 of the Plumbing Code concerned Water Heaters.

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

Councilwoman Webster moved passage of the ordinance amending the Plumbing Code, Section 21.96, by adding two paragraphs concerning Water Heaters. The motion was seconded by Councilman Higginbotham. The motion carried as follows:

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

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.

After discussion, Councilman Bowen moved authorization of the Engineering Department to prepare plans and specifications for certain streets to be included in the Fall 1981 Assessment Paving Program. The motion was seconded by Councilman Hilton. The motion carried as follows:

STREET IMP.  
AUTH. ENG.  
TO PREPARE  
P & S, FALL  
1981 ASSESSMEN  
PAVING PROGRAM

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

NAYS: None.

Councilman Bowen moved to remove the Street Use License for the First State Bank on Oak Street from the table. The motion was seconded by Councilman Higginbotham. The motion carried as follows:

STREET USE  
LICENSE-  
FIRST STATE  
BANK - OAK ST.

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

NAYS: None.

Wayne Kurfees, Director of Traffic & Transportation, said that the Staff recommendation for denial of the Street Use License, was that they felt that it would not be as safe for traffic, by allowing a larger opening from the Street.

After discussion, Councilman Higginbotham moved approval of the Street Use License on Oak Street concerning the motorbank at the First State Bank. The motion was seconded by Councilman Hilton. The motion carried as follows:

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

NAYS: None.

Arkie Pierce, Land Agent, presented a request to advertise for Oil & Gas Lease, located on the old dump ground near the Police Firing Range.

OIL & GAS  
LEASE-AUTH.  
TO ADVERTISE-  
NEAR POLICE  
FIRING RANGE

Sgt. Finch from the Police Department, said that he had talked with Mr. John Zetzman, who requested the lease, and that he said that he would only lease all that land west of the East Lake Road (FM 2833) in Survey 81, Block 14, T & P RR Co. Survey, Taylor County, Texas, and east of the east right of way line of said FM 2833, a distance of 1650 feet, but no drilling will be permitted any further east of the east right of way line of said FM 2833, than 1320 feet.

Sgt. Finch said that if the oil company would limit their activity to the area described above, it would not bother the Police Training Field and their activity. He said that it would be understood that there would be no hunting or recreational activities on the lease.

After discussion of the above, Councilman Bowen moved approval of the resolution authorizing advertisement which is required before the City can lease land for oil & gas purposes, all that land described above. The motion was seconded by Councilman Hilton. The motion carried as follows:

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

NAYS: None.

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.

Mr. Pierce presented the request to advertise for Oil & Gas Lease, located near Kirby Lake. He said there was no problem and the Staff recommended the approval.

OIL & GAS  
LEASE-  
NEAR KIRBY  
LAKE- AUTH.  
TO ADVERTISE

Councilman Bowen moved approval of the resolution authorizing the advertisement of the land near Kirby Lake for Oil & Gas Purposes. The motion was seconded by Councilman Fogle. The motion carried as follows:

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

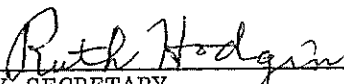
NAYS: None.

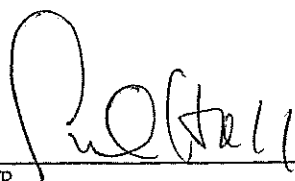
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, GIVING NOTICE OF INTENTION TO LEASE CITY OWNED MINERAL RIGHTS FOR OIL AND GAS PURPOSES AND CALLING A PUBLIC HEARING.

There was an executive session to consider contemplated and pending litigation.

COUNCIL-  
EXECUTIVE  
SESSION

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

  
CITY SECRETARY

  
MAYOR