

Regular Meeting of the Mayor and City Council of the City of Abilene, Texas, to be held in the Council Chamber of the City Hall on Thursday, October 8, 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: Regular Meeting held September 24, 1981.
4. AWARDS & PRESENTATIONS:

Raymond L. Hillin	Refuse Collection	Container Mt. Coordinator	25 Years
Cecil D. Ellis	Refuse Collection	Sr. Container Repairman	20 Years
Bobby Joe Sartor	Fire Department	Captain	20 Years
Billy M. Welch	Fire Department	District Chief	20 Years
T. C. Edmondson	Fire Department	Sr. Fire Fighter	20 Years
Jerry Mitchell	Police Department	Police Officer	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 second and final reading - amendment to the Traffic Code, prohibiting parking in various locations.
 - b. Consider on second and final reading - amending Section 17-90.2 concerning parking of trailers on street.
 - c. Consider on second and final reading - amendment to Oil Well Ordinance, Section 8.34, requiring Railroad Commission document.
 - d. Consider on first reading - amendment to the Traffic Code, concerning parking regulations.
 - e. Consider on first reading - thoroughfare abandonment, being Sandefer Street, approximately 64.2' in width from the east ROW of N. Treadaway Boulevard to the west ROW of the railroad & being approximately 175' in length & set a public hearing for October 22, 1981, at 9:00 a.m.
 - f. Consider on first reading - thoroughfare abandonment, being a portion of Mabray Lane and located at Mabray Lane and Ridgeline Drive & set a public hearing for October 22, 1981, at 9:00 a.m.
 - g. Consider on first reading - reclassification request from PDD (Planned Development District) to RM-1 (Residential Multi-Family) District, located at Grape Street & Anson Avenue & set a public hearing for October 22, 1981, at 9:00 a.m.
 - h. Consider on first reading - reclassification request from RS-8 (Residential Single Family) to RM-2 (Residential Multi-Family) District, located at N. Pioneer Drive & Congress Drive & set a public hearing for October 22, 1981, at 9:00 a.m.
 - i. Consider on first reading - reclassification request from LI (Light Industrial) to HI (Heavy Industrial) District, located on E. Hwy 80 & set a public hearing for October 22, 1981, at 9:00 a.m.
 - j. Consider on first reading - reclassification request from GC (General Commercial) to LI (Light Industrial) District, located at 402 T & P Lane & set a public hearing for October 22, 1981, at 9:00 a.m.
 - k. Consider on first reading - reclassification request from AO (Agricultural Open Space) to O (Office) District, located at 4827 Buffalo Gap Road & set a public hearing for October 22, 1981, at 9:00 a.m.
 - l. Consider on first reading - reclassification request from AO (Agricultural Open Space) to RM-3 (Residential Multi-Family) District, located at Vogel & Old Anson Road & set a public hearing for October 22, 1981, at 9:00 a.m.

5. Ordinances, Cont'd.
 - m. Consider on first reading - reclassification request from HC & GC (Heavy Commercial & General Commercial) to PI & LI (Park Industrial & Light Industrial) Districts, located at FM 600 & I-20 & set a public hearing for October 22, 1981, at 9:00 a.m.
 - n. Consider on first reading - reclassification request from RS-8 (Residential Single Family) to O (Office) District, located at S. Danville & Curry Lane & set a public hearing for October 22, 1981, at 9:00 a.m.
 - o. Consider on first reading - thoroughfare abandonment, being that portion of Energy Drive which extends south from Petroleum Drive for a distance of 205 feet & set a public hearing for October 22, 1981, at 9:00 a.m.
 - p. Consider on first reading - amending the Zoning Ordinance concerning Town Houses & Patio Homes & set a public hearing for October 22, 1981, at 9:00 a.m.

6. Request to Advertise
 - a. Transite Water Pipe for Water Department.

REGULAR AGENDA

7. Public Hearings
 - a. Consider on second and final reading - amending Section 32-9 of the Zoning Ordinance concerning special permit from the Board of Adjustment for petroleum and gas wells.
 - b. Consider on second and final reading - thoroughfare abandonment, being an east-west alley 20' in width and approximately 626.5' in length, located at Judge Ely Boulevard and Minda Lane.
 - c. Consider on second and final reading - appealed from Planning & Zoning, reclassification request from AO (Agricultural Open Space) to LI (Light Industrial) District, located on I-20.
 - d. Consider on second and final reading - appealed from Planning & Zoning thoroughfare abandonment, being an alley extending 667.32' from Lowden Street in North Park Addition & Plum Street running south from Lowden Street 667.32'.
 - e. Concerning location of proposed Transit Maintenance Facility.

8. Ordinances
 - a. Consider on second and final reading - amendment to Ordinance 1159, PDD Ordinance amendment of Lytle Place Addition.

9. Resolutions
 - a. Request to contract for selling alcoholic beverages.
 - b. Request for condemnation of land to widen Barrow Street.
 - c. Awarding a contract and assessing a part of the cost of improvements against abutting property owners in the 1981 Fall Assessment Paving Program & set a public hearing for November 19, 1981, at 9:00 a.m.
 - d. Request for Oil Permit, located on FM 2833.
 - e. Authorizing the Mayor to execute a contract with the West Central Texas Municipal Water District & the City of Abilene.
 - f. Nominating candidates to Board of Directors-Taylor County Appraisal District.

10. Other Business
 - a. Presentation of Zoo Master Plan.
 - b. Work Session - Industrial Waste & Flood Control.
 - c. Pending and Contemplated Litigation.

ADJOURN

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board at City Hall of the City of Abilene, Texas, on the 5th day of October, 1981 at 8:30 a.m.

Kelly Brewer, 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, October 8, 1981, at 9:00 a.m. with Mayor Elbert E. Hall, present and presiding. Councilmen Seaton Higginbotham, Juan C. Rodriguez, A. E. Fogle, Jr. & L.D. Hilton, present. Councilman Dick Bowen & Councilwoman Kathy Webster absent. City Manager Ed Seegmiller, City Attorney Harvey Cargill and City Secretary Ruth Hodgkin, present.

Invocation by Councilman Fogle.

Minutes of last Regular Meeting held September 24, 1981, were approved as written.

Mayor Hall presented Service Awards to the following:

Raymond L. Hillin - Refuse Collection - 25 Years
Cecil D. Ellis - Refuse Collection - 20 Years
Bobby Joe Sartor - Fire Department - 20 Years
Billy M. Welch - Fire Department - 20 Years
T. C. Edmondson - Fire Department - 20 Years
Jerry Mitchell - Police Department - 20 Years

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

AYES: Councilmen Higginbotham, Rodriguez, Fogle, Hilton & Mayor Hall.
NAYS: None.

5. Ordinances

- a. Consider on second and final 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.

TRAFFIC
CODE AMENDED-
PARKING
FINAL RD.

- b. Consider on second and final reading - amending Section 17-90.2 concerning parking of trailers on street.

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.

TRAFFIC
CODE AMENDED-
TRAILERS ON
STREETS
FINAL RD.

- c. Consider on second and final reading - amendment to Oil Well Ordinance, Section 8.34, requiring Railroad Commission document.

AN ORDINANCE AMENDING CHAPTER 8, "BUSINESS REGULATIONS," BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

CODE AMENDED
OIL WELL
REQUIREMENTS
FINAL RD.

- d. Consider on first reading - amendment to the Traffic Code, concerning parking regulations.

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.

TRAFFIC
CODE AMENDED-
PARKING REG.
1ST RD.

- e. Consider on first reading - thoroughfare abandonment, being Sandefer Street, approximately 64.2' in width from the east ROW of N. Treadaway Boulevard to the west ROW of the railroad & being approximately 175' in length & set a public hearing for October 22, 1981, at 9:00 a.m.

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.

THOROUGHFARE
ABANDONMENT-
PT. OF
SANDEFER ST.
1ST RD.

- f. Withdrawn

g. Withdrawn

- h. Consider on first reading - appealed from Planning & Zoning, reclassification request from RS-8 (Residential Single Family) to RM-2 (Residential Multi-Family) District, located at N. Pioneer Drive & Congress Drive & set a public hearing for October 22, 1981, at 9:00 a.m.

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
RS-8 to RM-2
N. PIONEER &
CONGRESS-
1ST RD.

- i. Consider on first reading - reclassification request from LI (Light Industrial) to HI (Heavy Industrial) District, located on E. Hwy 80 & set a public hearing for October 22, 1981, at 9:00 a.m.

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
LI TO HI
E. HWY 80
1ST RD.

j. Denied

- k. Consider on first reading - reclassification request from AO (Agricultural Open Space) to O (Office) District, located at 4827 Buffalo Gap Road & set a public hearing for October 22, 1981, at 9:00 a.m.

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 O
4827 BUF.
GAP RD.
1ST RD.

- l. Consider on first reading - reclassification request from AO (Agricultural Open Space) to RM-3 (Residential Multi-Family) District, located at Vogel & Old Anson Road & set a public hearing for October 22, 1981, at 9:00 a.m.

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-3
VOGEL & OLD
ANSON RD.
1ST RD.

- m. Consider on first reading - reclassification request from HC & GC (Heavy Commercial & General Commercial) to PI & LI (Park Industrial & Light Industrial) Districts, located at FM 600 & I-20 & set a public hearing for October 22, 1981, at 9:00 a.m.

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
HC & GC TO
PI & LI
FM 600 &
I-20
1ST RD.

n. Denied

- o. Consider on first reading - thoroughfare abandonment, being that portion of Energy Drive which extends south from Petroleum Drive for a distance of 205 feet & set a public hearing for October 22, 1981, at 9:00 a.m.

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.

THOROUGHFARE
ABANDONMENT-
PT. OF ENERGY
DRIVE-
1ST RD.

- p. Consider on first reading - amending the Zoning Ordinance concerning Town Houses & Patio Homes & set a public hearing for October 22, 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-
TOWN HOUSES &
PATIO HOMES
1ST RD.

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.

6. Request to Advertise
a. Transite Water Pipe for Water Department.

MATERIALS-
WATER PIPE

Mayor Hall opened public hearing on an ordinance amending Section 32-9 of the Zoning Ordinance concerning special permit from the Board of Adjustment for petroleum and gas wells.

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

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 of the Zoning Ordinance concerning special permit from the Board of Adjustment for petroleum and gas wells. The motion was seconded by Councilman Fogle. The motion carried as follows:

AYES: Councilmen Higginbotham, Rodriguez, Fogle, Hilton & 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.
AMENDMENT-
SECTION 32-9
FINAL RD.

Mayor Hall opened public hearing on an ordinance providing for a thoroughfare abandonment, being an east-west alley 20' in width and approximately 626.5' in length, located at Judge Ely Blvd. and Minda Lane.

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

There being no one 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, being an east-west alley 20' in width and approximately 626.5' in length, located at Judge Ely Blvd. and Minda Lane. The motion was seconded by Councilman Rodriguez. The motion carried as follows:

AYES: Councilmen Higginbotham, Rodriguez, Fogle, Hilton & 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.

THOROUGHFARE
ABANDONMENT-
AT JUDGE
ELY & MINDA
FINAL RD.

Mayor Hall opened public hearing on an ordinance, which had been appealed from Planning & Zoning, reclassifying from AO (Agricultural Open Space) to LI (Light Industrial) District, located on I-20.

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

ZONING-RE
AO TO LI
I-20
DENIED

Don Seamster, Attorney representing Mr. Allen, the proponent, said that the request was for approximately 35 acres. He said that they felt that the Light Industrial classification that they had requested would be compatible to the existing uses there now.

Mr. Collier said that the Staff was recommended Park Industrial for the area because they felt that was the best.

Mr. George said that northeast land use plan had recommended PI for the area after it had been annexed.

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

After discussion, Councilman Higginbotham moved denial of the ordinance on second and final reading, reclassifying from AO to LI District, located on I-20. The motion died for lack of a second.

After further discussion, Councilman Hilton moved passage of the ordinance on second and final reading, reclassifying from AO to LI District, located on I-20. The motion died for lack of a second.

After further discussion, Councilman Fogle moved to table the decision on the ordinance reclassifying from AO to LI District, located on I-20 until November 5, 1981, at 9:00 a.m, in order to give the proponent and the Staff more time to try to work something out that would be satisfactory to both sides. The motion was seconded by Councilman Hilton. The motion carried as follows:

AYES: Councilmen Rodriguez, Fogle, Hilton & Mayor Hall.

NAYS: Councilman Higginbotham.

Mayor Hall opened public hearing on an ordinance, appealed from Planning & Zoning, providing for a thoroughfare abandonment, being an alley extending 667.32' from Lowden Street in North Park Addition & Plum Street running south from Lowden Street 667.32'.

THOROUGHFARE
ABANDONMENT-
FROM LOWDEN
& PT. OF
PLUM- DENIED

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

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

Councilman Rodriguez moved denial of the ordinance on second and final reading, providing for a thoroughfare abandonment, being an alley extending 667.32' from Lowden Street in North Park Addition & Plum Street running south from Lowden Street 667.32'. The motion was seconded by Councilman Fogle. The motion carried as follows:

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

NAYS: None.

Wayne Kurfees, Director of Traffic & Transportation, said that on March 30, 1981, a Capital Grant Application was submitted to the Urban Mass Transportation Administration for acquisition of land and construction and/or renovation of a building to be used as a transit maintenance facility. Because the original application was not "site specific", U.M.T.A. decided to release the grant in two phases. Phase I, which was approved June 19, 1981, includes funds preliminary architectural and engineering work necessary to select a site.

TRAFFIC-
UMTA- LAND
ACQUISITION
FOR TRANSIT
MT. FACILITY
PUBLIC HEARING

Mr. Kurfees said that once the site has been chosen, we will need to submit an amended application to U.M.T.A. after which the funds for land purchase and building construction and/or renovation will be released.

Mr. Kurfees submitted three sites which are the following:

Site "A" - The old Pontiac dealership located at South 2nd & Elm. It consist of 3/4 of the block bounded by South 2nd, Elm, South 3rd and Sycamore. (1.45 acres total area). This is the only one of the three sites which has an existing building which can be effectively remodeled into a transit maintenance facility. In addition, this site has a covered parking area under which the buses could be parked. This site is available and has recently been appraised for \$371,000.

Site "B" - This site consists of approximately 5 acres of vacant land on the south side of East Hwy 80 between McCoy's Lumber and Merchant's Fast Motor Lines. While there are no on-site improvements, all utilities are available. This site is listed with a realtor for \$150,000.

Site "C" - This site consists of 2.1 acres of vacant land on the north side of Industrial Blvd. between Moore Brothers Company and the building occupied by several companies including Gregg Pritchard Construction Company and Ogletree's Catalogue Showroom. It also

has no on-site improvements but has all utilities. It is listed with a realtor for \$182,952.

After all the advantages and disadvantages to each of the locations were discussed, Mr. Kurfees made the recommendation that Site "A" be selected.

Mayor Hall opened public hearing, which is required because of the "site specific" selection.

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

After discussion, Councilman Higginbotham moved adoption of the resolution, authorizing the filing of an amended application with the Department of Transportation for a Grant under the Urban Mass Transportation Act of 1964, as amended, and select Site "A" as the location for the transit maintenance facility. The motion was seconded by Councilman Hilton. The motion carried as follows:

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

NAYS: None.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE FILING OF AN AMENDED APPLICATION (TX-05-0077) WITH THE DEPARTMENT OF TRANSPORTATION, UNITED STATES OF AMERICA, FOR A GRANT UNDER THE URBAN MASS TRANSPORTATION ACT OF 1964, AS AMENDED.

Mayor Hall opened public hearing on an ordinance amending Ordinance #1159, PDD Ordinance amendment of Lytle Place Addition.

Mayor Hall asked Mr. Collier to brief the Council on the proposed amendment to the PDD Ordinance.

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 amending Ordinance #1159, PDD Ordinance amendment of Lytle Place Addition. The motion was seconded by Councilman Rodriguez. The motion carried as follows:

AYES: Councilmen Higginbotham, Rodriguez, Fogle, Hilton & 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.

ZONING ORD.
AMENDED-
PDD 1159
LYTLE PLACE
ADDITION-
FINAL RD.

Mike Hall, Director of Community Services, said that they were requesting permission to contract with a vendor for the catering and selling of alcoholic beverages at the Abilene Civil Center.

CIVIC CENTER
PERMISSION FOR
LICENSED
VENDOR TO
CONTROL
ALCOHOLIC
BEVERAGES-
DENIED

Joe Russey, Chairman of Civic Abilene, Inc. said that the current situation at the Civic Center is that alcoholic beverages are allowed as long as it is free to anyone who comes through the door. He said that groups were not allowed by the State Liquor Law to cover the cost of the liquor in the meal ticket.

Oscar Barahona, Abilene Convention & Visitor's Bureau Manager, said that a lot of conventions use part of their registration fees to pay for alcohol. He said that there was a problem, and if it was not resolved, the city might lose some of their conventions.

John DeChant, Civic Center Manager, said that the Alcohol Beverage Commission believes the situation needs this type of regulation. He said that the ABC recommended that we go with a licensed caterer to avoid problems with alcohol use.

John Chaney, former Civic Center Manager, said that there was a problem and there needs to be some solution for control of the situation.

Councilman Hilton said that he felt there would be some conventions that would not want alcohol beverages in the building.

Councilman Fogle explained that we were not trying to regulate who drinks, but that we do need better regulation at the Civic Center of the alcohol itself.

Mr. Seegmiller said that we need to discuss with the Council, exactly what the Council wants at the Civic Center.

Mr. Cargill said that under current conditions, if alcohol is served at the Civic Center, it must be given away to anyone of age who comes in and requests it. He said that when groups come to the Civic Center for a convention and request alcohol beverages be served, that it can not be restricted to their members, it has to be free to anyone who comes in and asks for it (who is of age).

After discussion, Councilman Higginbotham moved authorization of the Civic Center Manager to obtain a licensed caterer to handle the catering and selling of alcohol beverages at the Civic Center. The motion was seconded by Mayor Hall. The motion failed as follows:

AYES: Councilmen Higginbotham, Fogle & Mayor Hall.

NAYS: Councilmen Rodriguez & Hilton.

After discussion, Councilman Hilton moved adoption of the resolution awarding a contract for the improvements of various streets in the 1981 Fall Assessment Paving Program & set a public hearing for November 19, 1981, at 9:00 a.m. The motion was seconded by Councilman Higginbotham. The motion carried as follows:

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

NAYS: None.

STREET IMP
AWARD CONT
1981 FALL
ASSESSMENT
PAVING
PROGRAM

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AWARDING A CONTRACT FOR THE IMPROVEMENT OF THE FOLLOWING NAMED STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF ABILENE, TEXAS, TO-WIT:

Various Streets in the 1981 Fall Assessment Paving Program CONTINGENT UPON A SUFFICIENT ASSESSMENT BEING LEVIED AGAINST ABUTTING PROPERTIES TO FINANCE SAID PROPOSED STREET IMPROVEMENTS; APPROVING AN ESTIMATE OF COSTS OF SAID PROPOSED IMPROVEMENTS PREPARED BY THE CITY ENGINEER OF THE CITY OF ABILENE, TEXAS; APPROPRIATING FUNDS IN THE SUM OF ONE HUNDRED THIRTY-EIGHT THOUSAND FIVE HUNDRED FIFTY and 20/100ths (\$138,550.20) DOLLARS, FOR THE CITY OF ABILENE'S PORTION OF SUCH ESTIMATED COSTS; APPROVING THE PROPOSED ASSESSMENTS TO BE LEVIED AGAINST ABUTTING PROPERTY OWNERS; AND CALLING A PUBLIC HEARING TO CONSIDER AN ORDINANCE LEVYING SAID PROPOSED ASSESSMENTS AGAINST THE ABUTTING PROPERTY OWNERS.

Councilman Fogle moved approval of the granting of an Oil Well Permit to L & M Oil Company/Roy Guffey Oil Company, located north of Lowden Street and west of the East Lake Road. The motion was seconded by Councilman Hilton. The motion carried as follows:

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

NAYS: None.

OIL & GAS
PERMITS-
L & M OIL/
ROY GUFFEY
OIL CO.

Councilman Higginbotham moved authorization of the Mayor executing a contract with the West Central Texas Municipal Water District and the City of Abilene concerning the study of the Clear Fork Watershed, appropriating \$165,000 from the surplus Water & Sewer fund to cover the cost of the project and any funds unused will be returned. The motion was seconded by Councilman Rodriguez. The motion carried as follows:

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

NAYS: None.

CONTRACT-
WCTMWD-
STUDY OF
CLEAR FORK
WATERSHED &
APPROP.

Mr. McDaniel said that the City of Abilene could nominate from one to five people to the Board of the Central Appraisal District. He said that we had enough votes to select two members. He said that the names needed to be submitted to the County Clerk by October 15, 1981, and then they would be voted upon by November 15.

TAX-APPOINT
TWO PEOPLE -
CENTRAL
APPRAISAL
DISTRICT

Mayor Hall read the names of those the City wished to submit which are Oliver Howard & Abe Allen.

Councilman Higginbotham moved approval of the above names to be submitted to the County Clerk for the Central Appraisal District. The motion was seconded by Councilman Fogle. The motion carried as follows:

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

NAYS: None.

Mr. Hall said that the Abilene Zoological Society appointed the Developmental Planning Committee composed of members from their Society to proceed with preliminary research for the Zoo Master Plan, in November, 1979.

PARKS-
ZOO MASTER
PLAN

Amber Cree, Chairperson for the Committee, presented the plan, which calls for emphasis on a more specialized type of exhibit, concentrating on animals from the American desert Southwest and the similar African climate.

Mrs. Cree said that \$26,000 had been approved from Revenue Sharing to be used for the development of the Master Plan and the Zoological Society contributed \$5,000 for the plan.

Mrs. Cree explained that the first priority would be on a four building arrangement which would house very small mammals, birds and aquatic exhibits. She said that the other animals which are not typical of those climates mentioned above would be kept, but not sought out in the future unless some particular one which the zoo wanted became available.

Councilman Higginbotham moved adoption of the Zoo Master Plan, which would allow them to proceed with the project as funds become available. The motion was seconded by Councilman Rodriguez. The motion carried as follows:

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

NAYS: None.

Dwayne Hargesheimer, Director of Water Utilities, reported to the Council that a Public Workshop was held on the Pre-Treatment Regulations that are required for a Wastewater Treatment Grant. He pointed out that 6.59 million grant for the facility had been approved by the Federal Government. The facility will cost approximately 7.3 million.

SEWER-
INDUSTRIAL
WASTE-
WORK SESSION

Les Potter, Leon Potter & Associates, discussed the proposed rates of the industries to be charged. He said that the flow charge is considered for domestic rates as well as industrial.

Mr. Potter presented the following table of charges that would produce the 1982 Budget of \$2,346,000:

Flow	50%	0.265	1,000 gal.
BOD	30%	0.10	Lb. BOD
TSS	20%	0.06	Lb. TSS

Jim Glazer, Parkhill, Smith & Cooper, said that the effective date of the ordinance did not have to be before the plant was in full operation. He said one year to one year and one half would probably be an good estimate for the date of the ordinance.

Leon Potter said that after their study of the situation here, it was determined that there were some real heavy users in Abilene. He pointed out that after the workshop where they were told the alternative to paying for such high usage, would be to pre-treat some of their waste, the BOD & TSS has been lower.

Mr. Hargesheimer said that he would like for the ordinance to be prepared and ready for adoption soon, even if some of it had to be amended after the public hearing, which will be required.

After some discussion, Mayor Hall said that he would like for the Industrial Committee at the Chamber of Commerce to have a large input in the writing of the ordinance or the way it is written.

Bob Whitehead, Director of Public Works, updated the Council on Flood Control and what the Staff has planned under the Stormwater Management Plan.

Mr. Whitehead said that Phase I was the identification of three floodwater management alternatives per stream to be tested and evaluated with a detailed analysis in Phase III. This task was completed in June, 1981. The SRG Technical Review Committee provided valuable input and a forum for the identification of acceptable alternatives for each streams planning units. He said that Elm Creek and Button Willow Creek are undergoing analysis right now. He said that they were convinced that the water runoff could be controlled.

Mr. Whitehead said that water runoff could be controlled, by better control built into the Subdivision Regulations, making the developer responsible for slowing the water flow. He said that Elm Creek is the key to any flooding that the City has. The creek's location and its spillover into Catclaw makes it a problem. He also brought up the Cedar Creek problem.

Mr. Whitehead said that Phase II was the development of a floodwater evaluation computer model. He said that this model would be the tool to evaluate the alternative for each stream plus be a tool to be used to help evaluate proposed developments in a drainage district.

Phase III is the evaluation of selected alternatives. The existing stream data will be modified to simulate the proposed solutions. Capital and maintenance cost estimates will be prepared for each alternative. Along with the cost and priority ranking of the alternatives, the Staff will prepare applicable ordinances and standards required to implement the administrative controls. A storm drainage handbook will be prepared that will reflect the policies and criteria developed in the study and present the methodologies for analyzing the appropriate hydrologic and hydraulic conditions.

The basic assumption then is that we will require the developer to control the extra runoff created by the development.

Mr. Whitehead said that the Staff would be ready to present and discuss the cost and alternatives for Elm Creek in mid November.

He said that the Staff would be prepared to present the alternatives on the remaining creeks and preliminary ordinance requirements to implement the alternatives. Then in mid February drafts of the ordinances will be prepared. Then the end of March, all documents will be going to the Council for their action.

Mr. Seegmiller said that knowing what the runoff in each area is, would help the Staff in making their evaluation. Cost of drainage and floodway concept was discussed. He said that the City will be responsible for new development, by regulating their runoff. Getting control of development so that it will not create a flooding problem is the goal.

John Conely, City Engineer, said that some of the flooding frequencies were increasing because of runoff. He said that Catclaw Creek and the watershed could handle up to a 10 year frequency flood. He said that after the serious flooding in 1951, the City re-shaped, widened and straightened Catclaw, which has helped the runoff in that creek. He said that transferring the water from the streets to the creek is the problem in some of the areas, which has had flooding recently. He said that a concrete lined ditch, at a cost of \$2,000 to \$2,500 would help get the water to the creek in the recently flooded area on Santa Monica. He said that they had near flooding in the area in 1975. He said that the best solution was to provide above ground drain at a cost of about \$10,000 to \$20,000, or box at a cost of \$8,000 to \$16,000 to help with the drainage of some adjacent streets. He also brought out another way of helping with the flooding problem in some areas was to install another pipe in helping get the water around the houses and into the creek but this would cost in the neighborhood of \$30,000 to \$35,000.

After discussion, it was the consensus of the Council for the Staff to make every effort to do what can be done to alleviate the problem, to proceed with the small solutions and to bring the larger ones back to the Council.

An executive session was held regarding pending and contemplated litigation.

Councilman Fogle moved to approve the settlement amount to One Energy Square in the approximate amount of \$8,870.64. The motion was seconded by Councilman Rodriguez. The motion carried as follows:

CITY COUNCIL
SETTLEMENT
ON CLAIM-
ONE ENERGY
SQUARE

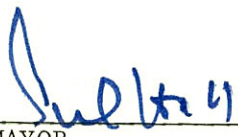
AYES: Councilmen Higginbotham, Rodriguez, Fogle, Hilton & Mayor Hall.

NAYS: None.

There being no further business, Mayor Hall adjourned the meeting at 2:55 P.M.



CITY SECRETARY



MAYOR