

Regular Meeting of the Mayor and City Council of the City of Abilene, Texas, to be held in the Council Chamber of the City Hall on Thursday, November 5, 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: A. E. Fogle, Jr.
3. APPROVAL OF MINUTES: Special Meeting held October 16, 1981, and Regular Meeting held October 22, 1981, and Special Meeting held October 29, 1981.
4. AWARDS AND PRESENTATIONS:

Billy E. Butler	Fire Department	Fire Captain	25 Years
William H. Cronk	Fire Department	Fire Captain	25 Years
Ronald R. Watkins	Refuse Division	Refuse Col. Foreman	25 Years
Clifford D. Pilgreen	Fire Department	Sr. Firefighter	25 Years
Floyd R. Wood	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 first reading - adoption of the revised 1979 Uniform Building Code and call a public hearing for November 19, 1981, at 9:00 a.m.
  - b. Consider on first reading - reclassification request from RS-8 & AO (Residential Single Family & Agricultural Open Space) to RM-2 (Residential Multi-Family) District, located west of Presidio Drive, and set a public hearing for November 19, 1981, at 9:00 a.m.
  - c. Consider on first reading - reclassification request from AO (Agricultural Open Space) to LC (Limited Commercial) District, located at US 83-84 & FM 707 Spur, and set a public hearing for November 19, 1981, at 9:00 a.m.
  - d. Consider on first reading - reclassification request from AO (Agricultural Open Space) to LI (Light Industrial) District, located on Maple Street & set a public hearing for November 19, 1981, at 9:00 a.m. (Tabled)
  - e. Consider on first reading - reclassification request from AO (Agricultural Open Space) to GC (General Commercial) District, located on Buffalo Gap Road, 1/2 mile south of Wylie, and set a public hearing for November 19, 1981, at 9:00 a.m.
  - f. Consider on first reading - reclassification request from RM-3 (Residential Multi-Family) to RM-2 (Residential Multi-Family) District, located in the 2200 Block of Oakland Drive, and set a public hearing for November 19, 1981, at 9:00 a.m.
  - g. Consider on first reading - reclassification request from LC & RM-2 (Limited Commercial & Residential Multi-Family) to GC (General Commercial) District, located on North Jefferson Drive, and set a public hearing for November 19, 1981, at 9:00 a.m. (Denied)
  - h. Consider on first reading - reclassification request from RS-12 (Residential Single Family) to RM-3 (Residential Multi-Family) District, located at 3400 S. 14th Street, and set a public hearing for November 19, 1981, at 9:00 a.m. (Denied)
  - i. Consider on first reading - appealed from Planning & Zoning, reclassification request from RS-6 (Residential Single Family) to RM-2 (Residential Multi-Family) District, located in the 1200 Block of Marshall Street, & set a public hearing for November 19, 1981, at 9:00 a.m.
6. Award of Bids
  - a. Stationary Compactor Collection Truck Conversion.

7. Request to Advertise
  - a. 54 8-yard and 22 4-yard Commercial Refuse Containers for Refuse Division.
  - b. Asphalt Hot Mix Patching Machine for Street Division.
  - c. Repair and Update the Elevator at the Library.
  - d. Elevator for the Airport.
  
8. Other Business
  - a. Emergency Purchase of a Transmission for Refuse Truck.

REGULAR AGENDA

9. Public Hearings
  - a. Consider on second and final reading - reclassification request from PDD (Planned Development) to RM-3 (Residential Multi-Family) District, located at Grape Street & Anson Avenue.
  - b. Consider on second and final reading - appealed from Planning & Zoning, reclassification request, from RS-8 (Residential Single Family) to O (Office) District, located at S. Danville & Curry Lane.
  
10. Resolutions
  - a. Amend Tax Collection Contract with Taylor County.
  - b. Consider candidates for Board of Directors of the Central Appraisal District.
  
11. Other Business
  - a. Discussion of Comprehensive Energy Management Work Program for FY 1981-82.
  - b. Discussion of Rainey Creek Small Area Land Use Plan.
  - c. Consider contract for accounting services for the Abilene Housing Authority.
  - d. Close out of 1980-81 Budget Year.
  - e. Pending & Contemplated Litigation.
  - f. Consider lease of SBA facility.
  - g. Consideration of appointment to Boards & Commissions.
  - h. Consider Personnel Matters.

ADJOURN

CERTIFICATION

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 30th day of October, 1981, at 5:00 p.m.

  
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, November 5, 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, & Councilwoman Kathy Webster, present. City Manager Ed Seegmiller, City Attorney Harvey Cargill & City Secretary Ruth Hodgkin, present.

Invocation by Councilman Fogle.

Minutes of Special Meeting held October 16, 1981, Regular Meeting held October 22, 1981 & Special Meeting held October 29, 1981, were approved as written.

Mayor Hall presented Service Awards to the following employees:

Billy B. Butler - Fire Department - 25 Years	COMMENDING-
William H. Cronk - Fire Department - 25 Years	SERVICE AWARDS
Ronald R. Watkins - Refuse Division - 25 Years	
Clifford D. Pilgreen - Fire Department - 25 Years	
Floyd R. Wood - Police Department - 20 Years	

Councilwoman Webster 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, Councilwoman Webster & Mayor Hall.

NAYS: None.

5. Ordinances

- a. Consider on first reading -adoption of the revised 1979 Uniform Building Code and call a public hearing for November 19, 1981, at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 7, "BUILDINGS," OF THE ABILENE MUNICIPAL CODE; BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.	BUILDING CODE UNIFORM- ADOPTION- 1ST READING
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- b. Consider on first reading - reclassification request from RS-8 & AO (Residential Single Family & Agricultural Open Space) to RM-2 (Residential Multi-Family) District, located west of Presidio Drive, and set a public hearing for November 19, 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 & AO to RM-2 DIST. PRESIDIO DR. 1ST READING
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- c. Consider on first reading - reclassification request from AO (Agricultural Open Space) to LC (Limited Commercial) District, located at U.S. 83-84 & FM 707 Spur, and set a public hearing for November 19, 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 LC US 83-84 & FM 707- 1ST READING
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- d. Tabled.

- e. Consider on first reading - reclassification request from AO (Agricultural Open Space) to GC (General Commercial) District, located on Buffalo Gap Road, ½ mile south of Wylie, and set a public hearing for November 19, 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 GC BUF. GAP RD 1ST READING
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- f. Consider on first reading - reclassification request from RM-3 (Residential Multi-Family) to RM-2 (Residential Multi-Family) District, located in the 2200 Block of Oakland Drive, and set a public hearing for November 19, 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  
RM-3 to RM-2  
2200 BLK.  
OAKLAND  
1ST READING

g. Denied

h. Denied

- i. Consider on first reading - appealed from Planning & Zoning, reclassification request from RS-6 (Residential Single Family) to RM-2 (Residential Multi-Family) District, located in the 1200 Block of Marshall Street & set a public hearing for November 19, 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  
APPEAL  
RS-6 to RM-2  
1200 BLK.  
MARSHALL

6. Award of Bids

- a. Stationary Compactor Collection Truck Conversion.

1ST READING  
REFUSE COL.  
EQUIPMENT PURC  
TRUCK CONVERS.  
REFUSE CONT.  
HOT MIX  
PATCHING MACH.  
ELEVATOR AT  
LIBRARY AND  
AIRPORT  
EQUIPMENT PURC  
TRANSMISSION  
FOR REF. TRUCK

7. Request to Advertise

- a. 54 8-yd and 22 4-yd Commercial Refuse Containers for Refuse Division.  
b. Asphalt Hot Mix Patching Machine for Street Division.  
c. Repair and Update of the Elevator at the Library.  
d. Elevator for the Airport.

8. Other Business

- a. Emergency Purchase of a Transmission for Refuse Truck.

Mayor Hall opened public hearing on an ordinance reclassifying from PDD (Planned Development) to RM-3 (Residential Multi-Family) District, located at Grape Street & Anson Avenue.

Mayor Hall asked Mr. Wayne Collier, Zoning Administrator, 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 PDD to RM-3 District, being property located at Grape Street & Anson Avenue. 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 OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 32, ZONING, OF THE ABILENE MUNICIPAL CODE AND ORDINANCE NO. 20-1981, CONCERNING THE NORTH PARK PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

ZONING-RE  
PDD TO RM-3  
GRAPE &  
ANSON AVE.  
FINAL RD.

Mayor Hall left the meeting.

Mayor Bowen opened public hearing on an ordinance appealed from Planning & Zoning, reclassifying from RS-8 (Residential Single Family) to O (Office) District, located at S. Danville & Curry Lane.

ZONING-RE  
RS-8 TO O  
S. DANVILLE &  
CURRY LANE  
FINAL RD.

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

Mr. Collier said that the Staff and Planning and Zoning was recommending against the passage, because they had hope the entire area would develop as RM-3 (Residential Multi-Family).

Ray Scott, 702 Diamond Lake Drive, and owner of the property, said that they had proposed a real nice office building with landscaping along Curry Lane. He said that they thought it would be a compatible use for the area.

Tom Dietrich, Attorney, speaking in behalf of Mr. Aneff, who lives on Curry Lane next to the property to be re-zoned, said that Curry Lane was strictly residential. He also showed pictures of the area next to the location to be re-zoned and some of what Ray Scott's Realty Offices look like now. He said that the neighbors opposed the change.

Jim Aneff, the adjacent owner of property, said that there were no deed restrictions in the area, that they did not feel that there was need for them. He said that he had deeded to the City, that land that was necessary for them to straighten out Curry Lane. He requested that the Council be consistent on Curry Lane with residential zoning.

Mr. Scott said that he was requested the O (Office) Zoning on S. Danville Drive and that his office building would be facing that Street. He pointed out that most of the property on Danville was business.

Victor Manning, who lives on Curry Lane, said that he moved to that location because the street was quieter & that he believes if the property is re-zoned, it would get busier again.

Jack Qualls, Developer, said that he had purchased the land to build a house before he sold the land to Ray Scott. He said that Rev. Bedford had his property for sale for commercial development was the reason he changed his mind.

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

Councilwoman Webster moved denial of the request for reclassification from RS-8 to O District, located at S. Danville & Curry Lane. The motion was seconded by Councilman Higginbotham. The motion failed as follows:

AYES: Councilmen Higginbotham & Councilwoman Webster.

NAYS: Councilmen Rodriguez, Fogle, Hilton & Mayor Bowen.

Councilman Hilton moved passage of the ordinance reclassifying from RS-8 to O District, located at S. Danville & Curry Lane. The motion was seconded by Councilman Rodriguez. The motion carried as follows:

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

NAYS: Councilmen Higginbotham & Councilwoman Webster.

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.

Roy McDaniel, Director of Finance, said that he recommended that the Council use all of their votes, in voting for Board of Directors for Taylor County Appraisal District, to vote for Oliver Howard, 815, and Abe Allen, 814. He said that they could use their votes in any way, but he felt that this was the best.

TAXES-  
APPRAISAL  
DISTRICT-  
VOTES FOR  
DIRECTORS

Councilman Hilton moved that the Council use their 1,629 votes in the following way:

Oliver Howard - 815

Abe Allen - 814

The motion was seconded by Councilman Higginbotham. The motion carried as follows:

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

NAYS: None.

Councilwoman Webster left the meeting.

Harvey Cargill, City Attorney, said that recently the County had requested that the City Attorney's office provide assistance to Taylor County and the State of Texas for collecting taxes involved in bankruptcy proceedings. He said that since we already do this for the City, school, and water districts, we should be able to add these two additional tax jurisdictions to our bankruptcy claims without the need for additional staff at this time.

TAXES-  
AMENDMENT TO  
CONTRACT-RE  
BANKRUPTCY  
PROCEEDINGS

Councilman Higginbotham moved adoption of the oral resolution aproving the amendment to the contract with the County of Taylor, making it possible for the City Attorney's office to provide assistance to Taylor County and the State of Texas for collecting taxes involved in bankruptcy proceedings. The motion was seconded by Councilman Fogle. The motion carried as follows:

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

NAYS: None.

Tony Neitzler, Assistant Director of Planning and Community Development, said that the Energy Work Plan had been prepared and distributed to each department/division head whose staff will be involved in implementing the plans.

ENERGY-  
DISCUSSION OF  
WORK PLAN  
FY 1982

Anita Russelman, Energy Coordinator, reminded the Council that they had adopted the Abilene Energy Management Plan, in concept, on September 24, 1981. He presented the work plan in the form of a chart, outlining which strategies would be implemented during FY 1982, which City department or office will take lead responsibility for implementation and what implementation will be initiated.

The Council discussed some of the ways they wanted the Energy Work Plan to pursue, such as showing individuals how they could cut their fuel bill, practical things such as improving ridership on the Transit System, investigate municipal operations in trying to find ways of conserving energy, etc.

After more discussion, Councilman Rodriguez moved approval of the comprehensive energy management plan work program for Fiscal Year 1982, asking that emphasis be placed on strategies dealing with municipal operations, community education and projects that could help residents reduce their energy bills, help increase ridership on the City Buses, and return to the Council in two or three months with what had been done along those lines. The motion was seconded by Councilman Fogle. The motion carried as follows:

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

NAYS: None.

Lee Roy George, Director of Planning and Community Development, said that the contents of the Rainey Creek Land Use Plan had been formally adopted by the Planning and Zoning Commission. He also said that those recommendations and policies have been presented to the school districts of Eula, Clyde and Abilene.

PLANNING-  
RAINEY CREEK  
LAND USE PLAN  
DEFERRED  
PASSAGE

Barbara Bloomberg, Planner, explained that the study for the Land Use Plan is bounded on the east by Judge Ely Blvd., on the west by Loop 322, and north and south by Ambler Ave., and U.S. Highway 80 respectively. She said that the entire Study Area comprises a total of about 1,561.1 acres or 2.43 square miles.

Ms. Bloomberg said that 10.5% or 164.14 acres of the area is already developed. The majority of the development is single family residential, with a few duplex units. One large commercial shopping area, Radford Hills, and some strip commercial are concentrated along Judge Ely and Highway 80. Otherwise, the land is open field and/or agricultural.

Ms. Bloomberg presented the planned use for the area, along with a proposed park and school lands.

Councilman Hiltor moved that the Council defer adoption of the Rainey Creek Land Use Plan, even for a guideline, for two or three months because there might be some changes in ownership of the land in the area. The motion was seconded by Councilman Rodriguez. The motion carried as follows:

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

NAYS: None.

Mr. McDaniel said that the City of Abilene had contracted with the Abilene Housing Authority to administer the Housing Authority's program including accounting services. In order to strengthen the financial controls of this operation and perform as we feel that we should for the Housing Authority, we have two options: (1) Try and find a local company that will perform the services for us, or (2) Add an additional accountant to the City Staff to perform the services in-house.

ABILENE  
HOUSING  
AUTHORITY-  
CONTRACT-  
CONDLEY & CO.

He explained that Condley & Company's proposal was less costly than the City doing it in-house. He recommended a two year contract with Condley & Company for administering the accounting services for the Abilene Housing Authority.

Councilman Higginbotham moved adoption of the oral resolution approving a contract with Condley and Company for the administering The Housing Authority's program including accounting services. The motion was seconded by Councilman Hilton. The motion carried as follows:

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

NAYS: None.

Mr. McDaniel explained that we are in the process of closing out the 1980-81 Budget. He said that it looks like we will be adding \$2,447,220, instead of \$475,161 which was previously reported for revenues over expense. He said that we had one department that overspent their budget and the City Council would need to transfer \$120,000 to balance the Police Department's Budget. He said that the main reason for Police overexpenditures was overtime and termination and retirement payoffs.

BUDGET 1980-  
1981 CLOSEOUT  
APPROV.  
TRANSFER OF  
FUNDS

Councilman Hilton moved to approve the transfer of \$120,000, to balance the Police Department's 1980-81 Budget. The motion was seconded by Councilman Fogle. The motion carried as follows:

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

NAYS: None.

Mr. McDaniel said that we had been approached by the Federal Government for rental of space (the Tax Office) for a period not to exceed 90 days. He said that there was 2200 square feet in the Tax Office, not counting the vault. At the rate of 90¢ a square foot, this would run \$1,800 per month. It would be a month to month operation. The Staff recommends the leasing of the area for the potential service to our flood damaged citizens.


LEASE-  
SBA-  
OLD TAX OFC.

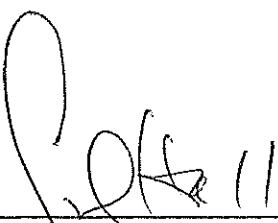
Councilman Fogle moved approval of the lease of the old Tax Office to Small Business Administration for the amount of \$1,800 per month, for a period, not to exceed 90 days. The motion was seconded by Councilman Higginbotham. The motion carried as follows:

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

NAYS: None.

There being no further business, Mayor Bowen adjourned the meeting at 11:20 a.m.

  
CITY SECRETARY

  
MAYOR ELBERT E. HALL