

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 19, 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 November 5, 1981.

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.

4. Ordinances
  - a. Consider on first reading - thoroughfare abandonment, being located east of Fair Drive and north of Sandy Street & set a public hearing for December 3, 1981, at 9:00 a.m.
  - b. Consider on first reading - street name change, from Carl Miles Drive to Executive Drive & set a public hearing for December 3, 1981, at 9:00 a.m.
  - c. Consider on first reading - Adopt & enact a New Code of Ordinances & set a public hearing for December 3, 1981, at 9:00 a.m.
  - d. Consider on first reading - appealed from Planning & Zoning, reclassification from RS-12 (Residential Single Family) to RM-3 (Residential Multi-Family) District, located at 3400 South 14th Street & set a public hearing for December 3, 1981, at 9:00 a.m.
5. Resolutions
  - a. Renew Legal Services Contract with Tye.
  - b. Setting terms of office for different committees and boards.
6. Award of Bids
  - a. Emergency purchase of Sewer Pipe.
  - b. Asphalt Patching Machine.
7. Request to Advertise
  - a. Landscaping at #6 and #8 Fire Stations.
  - b. Water treatment control system for Rose Park Swimming Pool.

REGULAR AGENDA

8. Public Hearings
  - a. Consider on second and final reading - adoption of the revised 1979 Uniform Building Code.
  - b. Consider on second and final 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.
  - c. Consider on second and final reading - reclassification request from AO (Agricultural Open Space) to LC (Limited Commercial) District, located at U.S. 83-84 & F.M. 707 Spur.
  - d. Consider on second and final reading - appealed from Planning & Zoning, reclassification request from AO (Agricultural Open Space) to GC (General Commercial) District, located on Buffalo Gap Road, 1/2 mile south of Wylie.
  - e. Consider on second and final reading - reclassification request from RM-3 (Residential Multi-Family) to RM-2 (Residential Multi-Family) District, located in the 2200 Block of Oakland Drive.

8. Public Hearings, Cont'd.
  - f. Consider on second and final 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.
  - g. Street Improvements - 1981 Fall Assessment Paving Program.
  - h. Consideration of Resolution and Ordinance pertaining to Lone Star Gas Rate Request.
  
9. Ordinances
  - a. Consider on first reading - Joint Utilization Project approval and appropriation of funds.
  
10. Resolutions
  - a. Accepting Energy Grant.
  - b. Approving the service plan for the property annexation of Quail Valley Subdivision and calendar.
  - c. Consider lease of Fire Station on South 7th Street.
  
11. Other Business
  - a. Approval of public officials to Boards and Commissions.
  - b. Report from Airport Advisory Committee on leases.
  - c. Pending & Contemplated Litigation.

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 16th day of November, 1981, at 8:45 o'clock a.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 19, 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 Hodgins, present.

Invocation by Councilman Hilton.

Minutes of last Regular Meeting held November 5, 1981, were approved as written.

Councilman Higginbotham moved passage of the consent items listed below. 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.

#### 4. Ordinances

- a. Consider on first reading - thoroughfare abandonment, being located east of Fair Drive and north of Sandy Street & set a public hearing for December 3, 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  
EAST OF FAIR  
DR. & NORTH  
OF SANDY ST.  
1ST READING

- b. Consider on first reading - street name change, from Carl Miles Drive to Executive Drive & set a public hearing for December 3, 1981, at 9:00 a.m.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, CHANGING THE NAME OF CARL MILES DRIVE TO EXECUTIVE DRIVE.

STREET NAME  
CHANGE-  
CARL MILES DR.  
TO EXECUTIVE  
DRIVE  
1ST READING

- c. Consider on first reading - Adopt & enact a New Code of Ordinances & set a public hearing for December 3, 1981, at 9:00 a.m.

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE OF ORDINANCES OF THE CITY OF ABILENE, TEXAS, ESTABLISHING THE SAME; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN, EXCEPT AS HEREIN EXPRESSLY PROVIDED; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE OF ORDINANCES; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

CODE-CODIFICATION  
& ENACT NEW  
CODE-1ST RD.

- d. Consider on first reading - appealed from Planning & Zoning, reclassification request from RS-12 (Residential Single Family) to RM-3 (Residential Multi-Family) District, located at 3400 South 14th Street & set a public hearing for December 3, 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-12 TO RM-3  
3400 S. 14th  
1ST READING

#### 5. Resolutions.

- a. Renew Legal Services Contract with Tye.

A RESOLUTION OF THE CITY COUNCIL OF ABILENE, TEXAS, APPROVING OF THE RENEWAL OF A CONTRACT FOR LEGAL SERVICES WITH THE CITY OF TYE.

CONTRACT-TYE  
LEGAL SERVICES

- b. Setting terms of office for different committees and boards.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, ESTABLISHING THE LENGTH OF TERMS OF SERVICE FOR MEMBERS OF THE GOODLOW RELOCATION ASSISTANCE COMMITTEE AND THE CARVER NEIGHBORHOOD PLANNING AND REFERRAL COMMITTEE.

BOARD APPT.  
TERMS OF OFC.

6. Award of Bids
  - a. Emergency purchase of Sewer Pipe.
  - b. Asphalt Patching Machine.
7. Request to Advertise
  - a. Landscaping at #6 and #8 Fire Stations.
  - b. Water treatment control system for Rose Park Swimming Pool.

MATERIALS-  
SEWER PIPE  
EQUIPMENT-  
ASPHALT MACHINE  
  
FIRE STATION  
LANDSCAPING  
PARKS- WATER  
TREATMENT CONTR  
SYSTEM-SWIMMING  
POOL

Mayor Hall opened public hearing on an ordinance adopting the revised 1979 Uniform Building Code.

Mayor Hall asked Mr. Bob Fowler, Code Administrator, to brief the Council on the proposed ordinance.

Mr. Fowler said the Board of Building Standards and the Staff had held three public hearings on the proposed ordinance in order to receive input from concerned individuals, before bringing the ordinance to the Council. He said that they were recommending adoption of the revised 1979 Uniform Building Code. He pointed out that they made a few changes in order to meet with Abilene special needs.

Mr. M. R. Newberry, Chairman of the Board of Building Standards, said that after much deliberation by the Board, they felt that they were recommending a good Code, that would protect the health, safety and welfare of the citizens of Abilene.

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

Councilman Higginbotham moved passage of the ordinance adopting the revised 1979 Uniform Building Code for the City of Abilene. 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.

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.

CODE--UNIFORM  
BUILDING  
FINAL READING

Mayor Hall opened public hearing on an ordinance reclassifying from RS-8 & AO (Residential Single Family & Agricultural Open Space) to RM-2 (Residential Multi-Family) District, located west of Presidio Drive.

RS-8 & AO  
to RM-2  
PRESIDIO DR.  
RETURNED TO  
P & Z

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

Mr. Collier said that the only thing that the staff was hesitant about, was that they did not have enough information on development of the encroachment area. He pointed out that part of the original 80 acres could not be developed because of being flood prone. He said that they had mailed out comment forms and received four back opposed to the reclassification. They have also received a petition with 231 names signed that was in opposition.

Larry Street, the proponent, said that this area already had utilities, which was one of the things which was recommended by the Strategies for Responsible Growth Committee. He said that they had a drainage easement, that had never been used, which would help the water runoff in the area.

Bill Hicks, Attorney, representing a group of people opposing the re-zoning, said that they were opposing it because of the detrimental effect on the property in the neighborhood, that a large apartment complex like this would cause.

Mr. Hicks, also said they were opposed to the use of the land. Also opposed to the apartments because of the traffic that it would cause. He also brought out that those opposing the construction of the apartment complex feel that more construction would cause flooding in the area. He spoke of the concern for the overcrowding of the land that the neighbors were concerned with.

Barry Fairbanks, who lives in the area, and is also a registered engineer, spoke of the traffic congestion that would be in the area, if the construction of the apartments were allowed. He said that the residents of the apartment complex would not have a direct route to arterial streets without going thru a residential area.

Boyd King, 5309 Benbrook, said that there would be so much more asphalt, that the runoff of heavy rains would be bound to cause flooding in the area. He presented one petition with 45 names on it, who were opposing the reclassification because of overcrowding of the schools. Then he presented another one with 297 signatures who were opposed to the re-zoning for several reasons.

Dale Toombs, resident, said that if the construction of the apartments caused Elm Creek to come up one inch more, it would get in his house. He also said that there was bound to be more traffic and the streets were not made for that much traffic.

Jud Jones, 881 Elm, said that traffic on Alameda & Springbrook was already a big problem. He said that they had their car hit by a hit & run, while it was parked. He also said that the mailboxes were knocked down by speeding motorist.

Kathy Gonzales, 5325 Pueblo, said that she was concerned with her six year old daughter walking to school, her safety, and the overcrowding of Reagan school.

Mr. Street said that they had plans to control the traffic by routing them to S. 7th Street. He said that the schools would take care of the crowding and that the project would be well managed.

Mr. Cargill said that since the petition had been presented with 20% of the residents protesting the re-zoning, there would have to be six affirmative votes in order for it to pass.

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

After much discussion, Councilman Bowen moved to return the proposed re-zoning ordinance from RS-8 & AO to RM-2, to the Planning & Zoning Commission. He did this in order for engineering to study the flooding problem, traffic department to study conditions concerning traffic problems in the area. A suggestion of Planned Development District was suggested since it covered so much land. 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.

Mayor Hall opened public hearing on an ordinance reclassifying from AO (Agricultural Open Space) to LC (Limited Commercial) District, located at U.S. 83-84 & F.M. 707 Spur.

ZONING-RE  
AO to LC  
US 83-84 &  
F.M. 707 SPUR  
FINAL READING

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

Will Moon, the proponent, said that he had constructed the building before they were annexed, and that he had just found someone interested in the building which he thought was suitable.

There being no one else 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 LC District, located at U.S. 83-84 & F.M. 707 Spur. 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 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 GC (General Commercial) District, located on Buffalo Gap Road, ½ mile south of Wylie.

ZONING-RE  
AO TO GC  
BUFFALO GAP RD.  
½ MILE S. OF  
WYLIE-FAILED TO  
PASS

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

Mr. Collier said that the request was appealed from the Planning & Zoning decision, and that it contained approximately 10 acres.

Jack Chamberlain, speaking for the prospective buyer, who is planning to construct a national bank, Oil City National Bank. He said that they especially wanted this location, because of future traffic in the area, which is growing very fast.

Mr. Chamberlain said that he would like for banks to be allowed in an office district, as credit unions and savings and loans are. He said that banks perform much the same function as they do. He also said that the bank was not planning to use the entire 10 acres, so they could reduce the acreage or ask for a planned development district.

Councilman Fogle said that he questioned rezoning the entire 10 acres for General Commercial.

Mr. Cargill explained that the acreage could be adjusted in the request, or the Council could rezone any number of acres, if they so desired.

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

After much discussion by the Council, there was no motion either for or against the reclassification from AO to GC District, located on Buffalo Gap Road, ½ mile south of Wylie.

Mayor Hall opened public hearing on an ordinance, reclassifying from RM-3 (Residential Multi-Family) to RM-2 (Residential Multi-Family) District, located in the 2200 Block of Oakland Drive.

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

ZONING-RE  
RM-3 to RM-2  
2200 BLK. OAKLAND  
DRIVE-FINAL

W.M. Hankins, proponent, said that there was a definite need for more rental property in the area that was affordable.

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

Councilman Bowen moved passage of the ordinance on second and final reading, reclassifying from RM-3 to RM-2 District, located in the 2200 Block of Oakland Drive. 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.

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 (Residential Single Family) to RM-2 (Residential Multi-Family) District, located in the 1200 Block of Marshall St.

ZONING-RE  
RS-6 to RM-2  
1200 BLK.  
MARSHALL ST.  
FAILED TO PASS

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

Mr. Collier said that Townhouses and Patio Homes would be compatible, the Staff felt, but the Planning & Zoning Commission has denied the request.

Mel Richards, representing Abilene Equities, Inc. said that they felt that constructing thirteen duplexes (for the elderly) would be the best use of the land. He said that it would also be good for the neighborhood, since there would not be as many people, as it would be if Townhouses or Patio Homes were built there.

Tom Wagonner, developer, said that each duplex would have 672 square feet according to plans. He said that it would be a low density of persons, and would be an asset to the neighborhood.

Karen Collins, who owns house at 1258 Marshall, presented a petition with 90 names on it, who were against the reclassification because of increased traffic, etc.

Mary Rebne, 1225 Marshall, said that they opposed the reclassification because of increase in traffic on the 27' wide street. She said that she felt that it would bring the value of their homes down, as well as danger of crime and fire in the area.

George W. Dennis, 1241 Marshall, said that he felt that they should construct single family residences, because that would help alleviate the shortage of houses. He said he was afraid that the construction of the duplexes would be too much asphalt and it would create a flood problem.

Celia Jones, representing her mother who lives at 1233 Msrshall, said there was a need for housing for the elderly, but not in this location because of the traffic. She said that Sewell street could be opened up and houses built there.

Vivian Massey, 1142 Msrshall, questioned whether the housing was for low income people or for the elderly.

Carol Bates, 1202 Marshall, said that there was plenty of lots with wider streets to construct this project on. So far as she is concerned, it is spot zoning. She said that it should be single family residences built there.

Dennis Faris, 1301 Matador, spoke in favor of the project, because it would be better than some other use for the area, but he agree that Sewell Street needed to be opened up.

Mr. Richards said that they planned 13 duplexes, with a storage shed on the project. He pointed out that they planned to have an entrance on Sewell Street & a South 14th exit.

Mr. Wagonner assured the residents that there would be a street parallel to Sewell so that people could exit directly south to S. 14th and would not have to exit on Marshall.

Mr. Seegmiller said that they City might have had some equipment on the lots to clean them off.

Councilman Rodriguez said that he was concerned with what would be built on the lots, if something happened to the proposed housing project.

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

Councilman Rodriguez moved passage of the ordinance reclassifying from RS-6 (Residential Single Family) to RM-2 (Residential Multi-Family) District, providing for necessary ingress & egress. If something happens that the proposed housing project was not developed, the Council rezone the property back to RS-6 (the present zoning). The motion was seconded by Councilman Higginbotham. The motion progressed as follows:

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

NAYS: Councilmen Hilton & Councilwoman Webster.

The motion failed to pass because there was a petition with 20% of the property owners submitted against it, and the vote had to have 6 affirmative to pass.

Councilman Hilton left the meeting.  
Mayor Hall opened public hearing on an ordinance ordering the improvements of various streets included in the 1981 Fall Assessment Paving Program, and levying assessments against various persons and their property for the payment of a portion of the cost of the improvements.

STREET  
IMPROVEMENT-  
1981 FALL  
ASSESSMENT  
PAVING  
PROGRAM - PH

Mayor Hall asked Mr. Cargill, City Attorney, to brief the Council on the proposed ordinance.

Mr. Cargill questioned Mr. John Conely, City Engineer, after having been duly sworn, as to the type of improvements and the method of apportioning the cost.

Mr. Conely said that the cost of improving the streets would be \$138,550.20, which was based on the bids. He said that the assessments of the petitioned streets (total streets were petitioned) would be \$111,379.41.

Mr. Jimmy Partin, III, local Realtor & Licensed Appraiser, after having been duly sworn, testified that he had examined each property, and that they would be enhanced by at least the amount that they are being assessed, except for one property, # 17 on the assessment roll, D. C. Biggers. He said that the property was only 7' wide, and would not be enhanced in any way.

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

Councilman Higginbotham moved that we waive the requirements for reading of ordinances upon two separate days and pass the ordinance on emergency on first and final reading assessing the cost of paving against abutting property owners. The motion was seconded by Councilman Bowen. The motion carried as follows:

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

NAYS: None.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, CLOSING THE PUBLIC HEARING; ORDERING IMPROVEMENTS AND LEVYING ASSESSMENTS AGAINST VARIOUS PERSONS AND THEIR PROPERTY FOR THE PAYMENT OF A PART OF THE COST OF IMPROVING AND PAVING PORTIONS OF THE FOLLOWING STREETS IN THE CITY OF ABILENE, TAYLOR COUNTY, TEXAS, TO-WIT:

Various Streets in the 1981 Fall Assessment Paving Program.

PROVIDING FOR THE TIME WHEN SUCH ASSESSMENTS BECOME DUE AND PAYABLE; STIPULATING THE RATE OF INTEREST AND FIXING A CHARGE AND LIEN AGAINST SAID PROPERTY, MAKING SAID CHARGE A PERSONAL LIABILITY OF THE PROPERTY OWNERS OWNING PROPERTY ABUTTING ON SAID STREETS, BOULEVARDS, AVENUES, OR PORTIONS THEREOF; PROVIDING FOR THE COLLECTION THEREOF; AFFIRMING AND RATIFYING THE CONTRACT LET FOR THE CONSTRUCTION OF SAID AFOREMENTIONED IMPROVEMENTS; PROVIDING A SEVERABILITY CLAUSE, AND DECLARING AN EMERGENCY.



Mayor Hall opened public hearing on the Lone Star Gas Rate Increase Request.

FRANCHISE-  
LONE STAR GAS  
RATE INCREASE  
REQUEST-  
DENY THE INC.  
1ST RD. ON  
ORDINANCE

Mayor Hall asked Mr. Cargill to brief the Council on the Request.

Mr. Cargill explained that the Council could accept the Rate Request, or they could suspend the rate increase for 120 days; otherwise, the increase is automatically approved at the expiration of 35 days. He also recommended that they deny approving the temporary rate increase, and pass the ordinance on first reading setting the rates proposed by Lone Star Gas. Also authorize the City Manager to hire a rate analyst if the Staff needs help in evaluating the Rate Request.

Mrs. Marthe Harmon, District Manager for Lone Star Gas, said that a rate increase is necessary at this time, if they are to continue to provide good service. She said that they were requesting a 3.12% rate increase here in Abilene. This would be an increase in the summer time rates of approximately 67¢ and the winter bill would increase about \$1.48. She assured the Council that they would refund any money collected from a temporary rate increase, if the study did not prove that it was justified.

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

After discussion, Councilman Higginbotham moved to suspend the rate increase for Lone Star Gas for 120 days, accepting the other recommendations made by Mr. Cargill (above), approving the resolution to this effect and also approving the ordinance on first reading allowing the increase as presented. The motion was seconded by Councilman Bowen. The motion carried as follows:

AYES: Councilmen Higginbotham, Bowen, Rodriguez, Fogle, Councilwoman Webster & Mayor Hall.  
NAYS: None.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, SUSPENDING THE PROPOSED DECEMBER 15, 1981, RATE INCREASE FOR ONE HUNDRED TWENTY (120) DAYS.

AN ORDINANCE APPROVING NATURAL GAS RATES FOR LONE STAR GAS COMPANY FOR RESIDENTIAL AND COMMERCIAL CONSUMERS; PROVIDING A SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

The City Council had an Executive Session, with no action taken.

CITY COUNCIL  
EXE. SESSION

Mike Hall, Director of Community Services, said that they had a meeting with the school officials on October 14, 1980, regarding the joint utilization and to cultivate a spirit of cooperation between the City and School administrations in order that tax dollars may not be wasted by duplicate services.

PARKS-  
JOINT UTILI-  
ZATION PROJEC  
1ST READING

The Joint Utilization Committee, after reviewing various possible locations for this complex, chose Lee Elementary for the location. The Committee felt that the Lee Elementary site was the most economical site to be developed since the property was already owned by the School District, and some parking and streets existed.

Mr. Hall also presented a cost analysis for the renovation of Cooper and Abilene High track facilities. The renovation of these facilities would enhance both entities' track programs, and would lend itself for residents in these areas to utilize for running and jogging. This renovation would eliminate the schools need for the track facility at the Rose Park Stadium. This would allow the City to straighten the curve around the stadium and prevent the elimination of 140 parking spaces, and the purchase of two lots.

Mr. Hall also discussed transferring the Old Fire Station at 1902 S. 11th to the School District for their use along with Alta Vista School which is adjacent to the property.

Mr. Hall said that the Parks & Recreation Board approved the Joint Utilization projects at their November 3, 1981, meeting.

Mr. Fred Aycock, Assistant Director of Community Services, said that due to the rapid expansion of the soccer, football, softball and baseball programs, the first concern of the committee was the need for a multi-purpose athletic complex.

Mr. Aycock presented a plat showing the proposed Joint Utilization Site Plan, Lee Elementary School Site and the proposed uses. He also presented detailed construction cost estimates.

Mr. Aycock said that the plans at Lee School included a Turf Nursery and a maintenance storage area for the City's use. He said that this would prove to be a savings to the Parks Division in the maintenance of this area and the adjoining park.

After discussion, Councilwoman Webster moved passage of the ordinance on first reading amending the 1981-82 Budget by adding \$261,125 to the Parks Division Budget & set a public hearing for December 3, 1981, at 9:00 a.m. The motion was seconded by Councilman Higginbotham. The motion carried as follows:

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

NAYS: None.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, ACCEPTING THE RECOMMENDATIONS OF THE JOINT UTILIZATION COMMITTEE FOR COOPERATION BETWEEN THE CITY OF ABILENE AND THE ABILENE INDEPENDENT SCHOOL DISTRICT AND APPROPRIATING FUNDS FOR SAME.

Councilman Bowen moved approval of the recommendation of appointment of members to various boards and commissions. The Board and Commission members are as follows:

ABILENE-TAYLOR COUNTY BOARD OF HEALTH

	<u>Expires</u>	BOARD APPTMTS VARIOUS
Mrs. Gary Penn (Reappointment)	11-84	
William Wise	11-84	
Stephen M. Brower	11-84	

BOARD OF ELECTRICAL EXAMINERS

Lloyd Turner	11-83
Ronnie Bryan	11-83
Carl Sisk (Reappointment)	11-83

CIVIL SERVICE COMMISSION

Tom Gordon (Reappointment)	11-84
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PLUMBING APPEALS & ADVISORY BOARD

Larry Janousek (Reappointment)	11-83
Alton Tatum	11-83

BOARD OF BUILDING STANDARDS

A. W. Westbrook, Alternate (Reappointment)	11-83
William A. Pope (Reappointment)	11-83
Wilfred H. Kennon (Reappointment)	11-83
Mike Herron, Alternate (Reappointment)	11-83
Duane Unrue (Reappointment)	11-83
Foey Shiflet, Alternate (Reappointment)	11-83
Mrs. Gail Archibald (Reappointment)	11-83
Robert Stafford, Alternate (Reappointment)	11-83

ABILENE HOUSING AUTHORITY

Bob Deegan (Reappointment)	11-83
Earl Williams (Reappointment)	11-83
Joe Lynn Foster (Reappointment)	11-83

FLOOD INSURANCE STUDY COMMITTEE

		<u>Expires</u>
Victor Jaeggli	(Reappointment)	11-82
Mel Coltharp	(Reappointment)	11-82
Henry Doscher	(Reappointment)	11-82
Bob Springer	(Reappointment)	11-82
Shannon Teal	(Reappointment)	11-82
John Beall	(Reappointment)	11-82
Jerry Rosser	(Reappointment)	11-82
Gary Pullin	(Reappointment)	11-82
Ms. Sara Hudman	(Reappointment)	11-82
Ms. Nancy Dorbandt	(Reappointment)	11-82
Rev. Robert Giles	(Reappointment)	11-82
Bob Bein	(Reappointment)	11-82

ABILENE HOSPITAL AUTHORITY

Faye Anton	(Reappointment)	11-83
Aureliano Ortiz	(Reappointment)	11-83
Bill Tippen	(Reappointment)	11-83
Dr. Joe Humphrey	(Reappointment)	11-83
James E. Bailey	(Reappointment)	11-83
Le Roy Bell	(Reappointment)	11-83
Morey Millerman	(Reappointment)	11-83
Mrs. Davis Scarborough	(Reappointment)	11-83
Bobbie L. Wolfe	(Reappointment)	11-83
Mrs. Elbert (Terry) Hall	(Reappointment)	11-83
Dr. Charlton Hodges	(Reappointment)	11-83

BOARD OF ADJUSTMENT

Neil Fry	(Reappointment)	11-83
Fred Martinez		11-83

Change David Sivley to "Member" from Alternate. No change in term. Need two more "Alternates" for this Board.

COMMUNITY DEVELOPMENT COMMITTEE

Mrs. Hazel Reed	(Reappointment)	11-83
Rev. Leo Scott		11-83
Andrew Penns		11-83
Mrs. Lupe Callazo		11-83
Mrs. Beatrice Walker		11-83

CARVER NEIGHBORHOOD PLANNING AND REFERRAL COMMITTEE

Rev. Homer L. Pacely	11-82
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PLANNING & ZONING COMMITTEE

Travis M. Hartgraves	11-84
Mike Hughes	11-84

Councilman Bowen moved approval of the recommendation of appointment of members to various boards and commissions. The motion was seconded by Councilman Fogle. The motion carried as follows:

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

NAYS: None.

Councilman Higginbotham left the meeting.

Allen Faries, Assistant Energy Coordinator, presented the strategies outlined in the Abilene Energy Plan. The Phase II funding of \$35,700, has been approved and they are requesting approval by the Council of the acceptance of the grant.

ENERGY-  
ACCEPT GRANT  
PHASE II

Councilman Bowen moved acceptance of the funding of \$35,700, Phase II, from the Texas Energy and Natural Resources Advisory Council for the Community Energy Management. The motion was seconded by Councilman Rodriguez. The motion carried as follows:

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

NAYS: None.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING ACCEPTANCE OF CONTINUED FUNDING FROM THE TEXAS ENERGY AND NATURAL RESOURCES ADVISORY COUNCIL FOR COMMUNITY ENERGY MANAGEMENT.

Councilman Higginbotham returned to the meeting.

Barbara Bloomberg, Principal Planner, presented the Service Plan for the proposed Annexation of Quail Valley Subdivision, which had been proposed by John Beall & Associates. The property contains approximately 2,207 acres of land.

ANNEXATION-  
QUAIL VALLEY  
SUBDIVISION  
AUTH. &  
APPROVE PLAN

Ms. Bloomberg also presented a proposed calendar which will have to be followed, in order to complete the annexation proceedings by January 28, 1982.

Mr. Cargill explained that one of the public hearings would have to be held out in the area to be annexed, in order to hear those people who might be against it.

After discussion, Councilman Higginbotham moved approval of the Service Plan for the proposed annexation of Quail Valley Subdivision which contains approximately 2,207 acres of land and the annexation calendar. The motion was seconded by Councilman Rodriguez. The motion carried as follows:

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

NAYS: None.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, CALLING FOR PROPOSED ANNEXATION OF CERTAIN PROPERTY, AUTHORIZING AND DIRECTING THE CITY SECRETARY TO PUBLISH NOTICE OF SAID PUBLIC HEARINGS, AND DIRECTING PREPARATION OF SERVICE PLAN.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING THE SERVICE PLAN FOR THE PROPOSED ANNEXATION OF QUAIL VALLEY SUBDIVISION BY JOHN BEALL & ASSOCIATES.

Mr. Seegmiller said that they had prepared a lease agreement for the Old Fire Station on South 7th Street, to the Abilene Day Care for the Elderly. The lease is for a six months period of time, which can be renewed for a like period. He said that the City would be needing it for its own use before too long as need for office space increases.

LEASE-DAY CARE  
CENTER FOR THE  
ELDERLY-S. 7TH  
ST. FIRE STATION  
SIX MONTHS

Gary Landers, First Assistant City Attorney, explained the lease, going into the 30 day notice, after the first six months, if the City needs this property for some other reason. He explained that the Day Care for the Elderly is planning to do a lot of improvements to the building, which the City needs to know about. At the City's discretion, we can determine the value of the improvements, when the City needs the building, to see how much the City would pay them for the improvements.

Mr. Landers pointed out that they were not leasing the west parking lot where the Fire Department Training Tower is. The Fire Department still uses this along with the Training Tower. He said that the Fire Department also uses the basement of the Training Tower to test pumping capacity of all the Fire Engines at least once a year. He also pointed out that the firemen training out there would have access to the restroom facilities, which is written into the lease.

Mr. Landers assured the Council that they would have sufficient parking space on the east side and in front of the facility.

Councilman Bowen spoke of his concern that the Day Care Center for the Elderly thinks they will be getting the facility for a permanent home, or they would not be spending this amount of money for the improvements. He said that we get so many requests from institutions for assistance that we cannot help all of them.

Mr. Seegmiller said that unless told otherwise, we will probably use this for additional office space and/or space so designated by



the Council for City operations. We only told Mrs. Dallies that we would lease it for a short term, and it is my understanding that she is hunting for permanent facilities for the Day Care for the Elderly, or they are going to build.

Councilman Bowen further stated that they have a good, needed service, and that there is just no way we could wheel a bunch of old folks out and say that we want our building back.

Mayor Hall assured the Council that he had spoke to the group and told them that we would tide them over, and ask the Staff to work out some kind of agreement where they could have use of the facility on a temporary basis. He meant that it would be where the City could get it back, anytime it was needed. He said that it distressed him that they are planning to spend this much money, because it causes him to think that they are not aware of our strong feeling that this is a temporary arrangement.

Councilman Fogle spoke of his concern that we are going to vote a temporary arrangement, and wanted both parties to understand the temporary nature of the agreement.

Mrs. Veronica Dallies spoke of services at the Day Care Center and that they are designed to help elderly, blind and disabled from all stratus of society to remain independent and out of institutional living.

Mrs. Dallies said that first of all, the economics involved in giving the place a facial uplift to meet regulations of the federal government who help fund the program. Second, she said that it would take a long time for them to roll on the ground work to build their own facility. She said that they would be glad to take the building even though it was on a temporary basis.

Councilman Rodriguez asked Mrs. Dallies what her completion date (from the re-modeling) would be and she assured him that it was January 1, 1982, when they want to be moved in.

Mrs. Dallies said that some of the renovation would be major renovations that could be taken over for office buildings. She said that they hope to get some of their cost back, if the City takes back the facility.

After much discussion, Councilman Bowen moved to approve the temporary six month lease to the Day Care for the Elderly, the old Fire Station located on South 7th Street, making it effective December 1, 1981. The motion was seconded by Councilman Fogle. The motion carried as follows:

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

NAYS: None.

Jack Gressett, representing the Airport Advisory Committee & Chairman Ralph Hooks, spoke of the recommendations that had been decided upon. He said that the unimproved property should be rented (base rent) of 6¢ per square foot, and the improved property should be rented (base rent) of 10¢ per square foot. He recommended 4¢ per gallon fuel flowage fee, and those selling airplanes and the airplane parts, etc., to pay the City 2% gross sales.

AIRPORT ADVISORY  
BOARD RECOMMENDA-  
TION ADOPTED

Mr. Gressett said that a Site Plan would need to be submitted from each prospective lessee. If more than one party has met all the regulations, sealed bids would need to be used, in order to settle which party would receive the lease.

Mr. Gressett discussed the minimum standards, lease clauses, site plan check lists, etc. He said that they got a lot of their information from other airports of comparable size.

Glenn Meeks, Airport Manager, said that it was a good plan, with some changes made. He said that the present land at the airport would be sufficient for approximately 15 years. He said that he was pleased with the guidelines recommended.

