

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, January 28, 1982, 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 & Workshop held January 14, 1982, & Special Workshop held January 7, 1982.
4. AWARDS & PRESENTATIONS:

Robert W. Stewart	Assistant Fire Chief	Fire Department	40 Years
Paul Warren	Police Officer	Police Department	20 Years
Fred DeHerrera	Stores Worker	Water Distribution	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. Ordinance
 - a. Consider on second and final reading - ordinance setting out powers for the City Marshal.
 - b. Consider on first reading - thoroughfare abandonment, being a 20' x 56.77' east-west alley in Lot 1, and part of Lot 2, Block 42, extension of Lakeside Addition & set a public hearing for February 11, 1982, at 9:00 a.m.
 - c. Consider on first reading - thoroughfare abandonment, being a 20' east-west alley in Block 42, Continuation of Lakeside Addition extending east from a north-south alley and lying between Lots 2, 3 & 11-15 and Lots 7 & 16-21 & set a public hearing for February 11, 1982, at 9:00 a.m.
 - d. Consider on first reading - thoroughfare abandonment, being .02 acres & being a part of an east-west alley abutting the north property line of Three Fountains Addition located between South 23rd & South 25th and between Highland & Ross Avenue & set a public hearing for February 11, 1982, at 9:00 a.m.
6. Resolutions
 - a. Authorizing a contract approving a drainage easement with the State of Texas.
 - b. Considering appointments to Abilene Community Development Co., Inc.
 - c. Transfer of Tesco Equipment Street Use License.
7. Award of Bids
 - a. Cationic Polymer for Water Department.
 - b. Water Main A.C. Transite Pipe for Water Department.
 - c. Re-roofing Park Pavilions - Parks Division.
 - d. Self contained waste treatment units for Parks Division.
 - e. Landscape & irrigation of Fire Stations #6 and #8.
8. Request to Advertise
 - a. Approve Plans and Specifications for Police Training Building.
 - b. Concrete Saw for Street Division.
 - c. Water Treatment Chemicals for Water Department.
 - d. Furniture and office equipment for Grimes Plant.
 - e. Air Conditioning for various locations.

REGULAR AGENDA

9. Public Hearings
 - a. Southwest Area Land Use Plan.
 - b. Consider on second and final reading - ordinance setting West Texas Utility Rates.
 - c. Annexation of Quail Valley Subdivision.
 - d. Consider on second and final reading - reclassification request from RS-6 (Residential Single Family) to HC (Heavy Commercial) District, located in the 3400 Block of Maple Street.
 - e. Consider on second and final reading - reclassification request from AO (Agricultural Open Space) to LI (Light Industrial) District, located on Maple Street.
 - f. Consider on second and final reading - reclassification request from AO (Agricultural Open Space) to GC (General Commercial) District, located at Loop 322 & EN 10th Street.
 - g. Consider on second and final reading - request for PDO (Planned Development Office) District Ordinance Amendment, located at 4601 Buffalo Gap Road (Gilmer Professional Center Addition).
 - h. Consider on second and final reading - reclassification request from RM-3 (Residential Multi-Family) to MU (Medical Use) District, located in the 1800 Block of Hickory Street.
 - i. Consider on second and final reading - reclassification request from AO (Agricultural Open Space) to RM-3, RM-2 & RS-8 (Residential Multi-Family & Residential Single Family) Districts, located at Buffalo Gap & Antilley Roads.
 - j. Consider on second and final reading - reclassification request from AO (Agricultural Open Space) to LI (Light Industrial) District, located on Maple Street & Berry Lane.
 - k. Consider on second and final reading - appealed from Planning & Zoning, reclassification request from AO (Agricultural Open Space) to MH (Mobile Home) District, located on Military Drive at west city limits.
 - l. Tabled Item: Consider on second and final 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.
10. Resolutions
 - a. Calling a Joint City Election with Abilene Independent School District, being the Regular City Election to be held April 3, 1982.
11. Other Business
 - a. Consider acquisition of property for Transit Maintenance Facility.
 - b. Consider Risk Management Study.
 - c. Report of Santa Monica Drainage Problem.
 - d. Pending and 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 25th day of January, at 9:00 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, January 28, 1982, at 9:00 a.m., with Mayor Elbert F. Hall, present and presiding. Councilmen Seaton Higginbotham, Juan C. Rodriguez, A. E. Fogle, Jr., L. D. Hilton & Councilwoman Kathy Webster, present. Councilman Dick Bowen, absent. City Manager Ed Seegmiller, City Attorney Harvey Cargill & Assistant City Secretary Patty Patton, present.

Invocation by Councilman Hilton.

Minutes of Special Workshop Meeting held January 7, 1982, & Regular Meeting held January 14, 1982, were approved as written.

Mayor Hall presented Service Awards to the following employees:

- Robert W. Stewart - Fire Department - 40 Years
- Paul Warren - Police Department - 20 Years
- Fred DeHerrera - Water Distribution - 20 Years

Mayor Hall changed the emergency item, appointing a member to the Housing Authority, to 6d on the Consent Agenda.

Councilwoman Webster moved passage of the consent items, with the exception of 7e, which was to be voted upon separately. The motion was seconded by Councilman Fogle. The motion carried as follows:

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

5. Ordinances

a. Consider on second and final reading - ordinance setting out powers for the City Marshal.

AN ORDINANCE AMENDING CHAPTER 10, "COURTS, FINES AND IMPRISONMENT" BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.
MUNICIPAL COURT-CITY MARSHAL FINAL READING

b. Consider on first reading - thoroughfare abandonment, being a 20'x 56.75' east-west alley in Lot 1, and part of Lot 2, Block 42, extension of Lakeside Addition & set a public hearing for February 11, 1982, 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-LAKESIDE ADD 1ST READING

c. Consider on first reading - thoroughfare abandonment, being a 20' east-west alley in Block 42, Continuation of Lakeside Addition extending east from a north-south alley and lying between Lots 2, 3 & 11-15 and Lots 7 & 16-21 & set a public hearing for February 11, 1982, 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-CONT. OF LAKESIDE ADD 1ST READING

d. Consider on first reading - thoroughfare abandonment, being .02 acres & being a part of an east-west alley abutting the north property line of Three Fountains Addition located between South 23rd & South 25th and between Highland & Ross Avenue & set a public hearing for February 11, 1982, 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-THREE FOUNTAINS ADD'N. 1ST READING

6. Resolutions

- a. Authorizing a contract approving a drainage easement with the State of Texas.

STATE OF TEXAS
DRAINAGE
EASEMENT
FM 89

A RESOLUTION AUTHORIZING THE CITY OF ABILENE TO ENTER INTO A CONTRACT WITH THE STATE OF TEXAS WHEREBY THE CITY WILL ASSUME RESPONSIBILITIES FOR DRAINAGE AT STA. 173+17 ON F.M. HIGHWAY 89 IN THE CITY OF ABILENE, TEXAS.

- b. Consider appointments to Abilene Community Development Co. Inc.

BOARD APPT.
COM. DEV. INC.

First National Bank of Abilene
Gary Williams, Director
Jim Collins, Alternate

Bank of Commerce
Wayne Cooper, Director
Mays Adams, Alternate

Citizens National Bank
Dan Lock, Director
Don Hinshaw, Alternate

First State Bank
Gary Weldon, Director
Gary Swain, Alternate

Abilene National Bank
Gary Youngblut, Director
Tony Dycus, Alternate

Southwest Savings & Loan
John T. Neal, Director
Jack Fry, Alternate

United Savings of Texas
Jim Heaney, Director

Texas State Bank
Rode Ammons, Director
Clint Ferguson, Alternate
James D. Rose, Alternate

Security State Bank
Kirby Leeson, Director
James Cole, Alternate

- c. Transfer of Tesco Equipment Street Use License.

- d. Consider appointment of member to The Housing Authority of The City of Abilene.

STREET USE
LICENSE-
TESCO EQUIP.
BD. APPT.
HOUSING AUTH.

Mr. Bill Core

7. Award of Bids

- a. Cationic Polymer for Water Department.
- b. Water Main A. C. Transit Pipe for Water Department.
- c. Re-roofing Park Pavillions - Parks Division.
- d. Self contained waste treatment units for Parks Division.
- e. Landscape & irrigation of Fire Stations #6 & #8.

MATERIAL PURC
MATERIAL PURC
PARKS-RE-ROO
ING
PARKS-WASTE
TREATMENT
UNITS

- 8. Request to Advertise
a. Approve Plans and Specifications for Police Training Building
- b. Concrete Saw for Street Division.
- c. Water Treatment Chemicals for Water Department.
- d. Furniture and office equipment for Grimes Plant.
- e. Air Conditioning for various locations.

FIRE STATION#
#6 & #8
REQUEST TO AI
P & S POLICE
TRAINING BLDG
MATERIALS

Make Hall, Director of Community Services, explained that the bid that we received on the Landscape and Irrigation of Fire Stations #6 & #8, was a fair bid. He said this was the second time that this had been bid. The first time, the bids were considered high, and the vendors said that it would be hard for them to finish the projects in 90 days.

FIRE STATION#
#6 & #8 - PA
LANDSCAPING
IRRIGATION

Councilwoman Webster moved adoption of the award of bid, on the Landscaping & Irrigation of Fire Stations #6 & #8, since the Landscaping would be done by Parks Division, and this would bring the price down some. The motion was seconded by Councilman Fogle. The motion carried as follows:

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

SOUTHWEST
AREA LAND
USE PLAN

Lee Roy George, Director of Planning & Community Development, explained that they would be holding a public hearing on the South-west Area Land Use Plan. He said that some of the land was inside the City Limits and some was outside.

John Hancock, Planner, presented a topography of the area and explained where the land is located. He said that one of the ideas that prompted the study itself was the development along the Mall, Highway 277 and along Highway 707. He also explained the availability of utilities to the area.

Mayor Hall opened public hearing on the Southwest Area Land Use Plan.

Mr. Hancock explained that the area covered 5,100 acres (7.9 sq. mile) and is bordered on the north by Winters Freeway and City Limits; to the east by Buffalo Gap Road; to the south by Antilley Road; and Dyess Air Force Base/City Limits to the west. The study area is traversed by the main channels of Catclaw and Elm Creeks. In addition, two tributaries of Elm Creek run through the area.

Mr. George explained that flooding was a great concern, and as the area develops, the flood plain will also be changing.

Carl Woodall, Wynrock Addition, asked what kinds of flooding protection were planned for the area.

After discussion, Mr. Seegmiller suggested that Mr. Woodall attend some of the Flood Water Management meetings to be held with the City Council during the next few months. He said that it would be difficult to answer any specific questions regarding specific areas now.

Mayor Hall asked if they should delay approval of the plan until after the flood water management plan is resolved.

Mr. Seegmiller assured the Council that it was important to go ahead with the plan, since it was just a plan and would be something to work with.

Mr. George Elliott, Citizen, pointed out on the map where he lives. He was concerned with the extension of Southwest Drive, which would fall right across a lot of farm land. He said that he felt that the City should use existing streets and roads, and not make Southwest Drive a major thoroughfare.

Mrs. Robert Hinkle, Wynrock Addition, said that she was also concerned with the flooding of the area. She said that when South Clack Street floods, they cannot get out to the main road.

Mr. George said that if Southwest Drive and Post Oak Road were extended, it would help those people in the Wynrock area, so far as getting out, when the main road was flooded.

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

After much discussion, Councilman Higginbotham moved approval of the Southwest Area Land Use Plan, to be used as a preliminary plan to help with the flood areas, street access, etc. The motion was seconded by Councilman Fogle. The motion carried as follows:

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

NAYS: None.

Mayor Hall opened public hearing on setting West Texas Utilities Rates.

FRANCHISE-
Discussion of
Proposed Rate
Increase
WTU

Mr. Cargill said that the City did not agree with the amount that West Texas Utility was asking for and they had been negotiating with them. He said that there was a preliminary hearing set for Friday, January 29, in Austin. He said that the City could not have an ordinance for the Council to consider until after the outcome of the rate hearing in Austin.

There being no one present and desiring to be heard, Mayor Hall closed the public hearing. No action was taken by the Council.

Mayor Hall opened public hearing on the annexation of an area in the northeast part of the City, known as the Quail Valley Subdivision.

ANNEXATION
QUAIL VALLEY
SUBDIVISION-
FINAL HEARING

Mr. George described the location of the land, the configuration, etc. He said that there had been several public hearings, with one being held in the area to be annexed. He said that there was approximately 2200 acres in this area, (3 square miles). He said that they had requested to be annexed. Mr. George also discussed the Service Plan which is required now for annexation.

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

Councilman Hilton moved passage of the ordinance annexing Quail Valley Subdivision, with the Service Plan Attached. The motion was seconded by Councilman Fogle. The motion carried as follows:

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

NAYS: None.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, PROVIDING FOR THE EXTENSION OF THE BOUNDARY LIMITS OF THE CITY OF ABILENE, TEXAS, AND THE ANNEXATION OF CERTAIN TERRITORY LYING ADJACENT TO AND ADJOINING THE PRESENT BOUNDARY LIMITS OF THE CITY OF ABILENE.

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 AND ASSOCIATES.

Mayor Hall opened public hearing on an ordinance reclassifying from RS-6 (Residential Single Family) to HC (Heavy Commercial) District, located in the 3400 Block of Maple Street.

ZONING-RE
RS-6 to HC
3400 Blk.
of Maple St.
FINAL READING

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 RS-6 to HC District, located in the 3400 Block of Maple Street. The motion was seconded by Councilwoman Webster. The motion carried as follows:

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

NAYS: None.

ABSTAINED: Mayor Hall.

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 LI
ON MAPLE ST.
FINAL READING

Mayor Hall opened public hearing on an ordinance reclassifying from AO (Agricultural Open Space) to LI (Light Industrial) District, located on Maple Street.

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

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

Councilwoman Webster moved passage of the ordinance on second and final reading reclassifying from AO to LI District, located on Maple Street. The motion was seconded by Councilman Rodriguez. The motion carried as follows:

AYES: Councilmen Higginbotham, 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.

ZONING - RE
AO TO GC
LOOP 322 &
EN 10TH
FINAL READING

Mayor Hall opened public hearing on an ordinance reclassifying from AO (Agricultural Open Space) to GC (General Commercial) District, located at Loop 322 & EN 10th Street.

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

Mr. Lyle Dalzell, representing the purchasers of the property in question, and also the proponent, which is under contract. He approves of the Land Use Plan in the area.

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

Councilman Higginbotham moved passage of the ordinance reclassifying from AO to GC District, located at Loop 322 & E.N. 10th Street. The motion was seconded by Councilman Hilton. The motion carried as follows:
AYES: Councilmen Higginbotham, 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 PDO (Planned Development Office) District Ordinance Amendment, located at 4601 Buffalo Gap Road (Gilmer Professional Center).

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

ZONING ORD.
AMENDMENT-
PDO (GILMER
PROF. CNTR)
BUFFALO GAP
RD.

Mr. Collier said that the signs were supposed to be four feet inside the property line. Not more than twelve feet high, just to identify the office complex.

Dr. Richard Fournment, in charge of developing the complex, requested the Council to approve the Ordinance Amendment concerning signs.

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

Councilman Rodriguez moved passage of the ordinance on second & final reading amending the PDO (Planned Development Office) District. The motion was seconded by Councilwoman Webster. The motion carried as follows:

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

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 32, ZONING, OF THE ABILENE MUNICIPAL CODE AND ORDINANCE NO. 97-1980, CONCERNING THE GILMER PROFESSIONAL CENTER PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

Mayor Hall opened public hearing on an ordinance reclassifying from RM-3 (Residential Multi-Family) to MU (Medical Use) District, located in the 1800 Block of Hickory Street.

ZONING-RE
RM-3 to MU
1800 BLK.
HICKORY

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

Barbara Rollins, Attorney, was present to answer questions that the Council might have.

There being no one else 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 RM-3 to MU District, located in the 1800 Block of Hickory Street. The motion was seconded by Councilwoman Webster. The motion carried as follows:

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

ABSTAINED: Councilman Fogle.

AN ORDINANCE AMENDING CHAPTER 32, "ZONING," OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES, AS DESCRIBED BELOW; DECLARING A PENALTY, AND CALLING A PUBLIC HEARING.

Mayor Hall opened public hearing on an ordinance reclassifying from AO (Agricultural Open Space) to RM-3, RM-2 & RS-8 (Residential Multi-Family & Residential Single Family) Districts, located on Buffalo Gap & Antilley Roads.

ZONING-RE
AO TO RM-3,
RM-2 & RS-8
BUFFALO GAP
RD. & ANTILLEY

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

Terry Franklin, Lee Moore Co., was present to answer questions that the Council might have.

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

Councilman Hilton moved passage of the ordinance on second and final reading reclassifying from AO to RM-3, RM-2 & RS-8 Districts, located at Buffalo Gap & Antilley Roads. The motion was seconded by Councilman Fogle. The motion carried as follows:

AYES: Councilmen Higginbotham, 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 LI (Light Industrial) District, located on Maple Street & Berry Lane.

ZONING-RE
AO TO LI
MAPLE & BERRY
LANE, FINAL I

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

Gerald Hobbs, B&H Electrical Contractors, was available to answer questions that the Council might have.

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

Councilman Higginbotham moved passage of the ordinance on second and final reading reclassifying from AO to LI District, located on Maple Street & Berry Lane. The motion was seconded by Councilman Rodriguez. The motion carried as follows:

AYES: Councilmen Higginbotham, 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 MH (Mobile Home) District, located on Military Drive at west city limits.

ZONING-RE
AO TO MH
MILITARY DR.
FAILED TO PAS

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

Mr. Collier said that the request was for about 21 acres. The Dyess Land Use Study recommended agricultural or industrial uses for this property. Water & Sewer is not available to the property. The property is in close proximity to the Dyess Runway approach, so safety is also involved. The Staff feels that this request should be denied, as it was done at the Planning & Zoning Commission meeting.

George Gonzalez, Attorney, representing Mr. B. D. Click, said that he was not in opposition to the Zone change that had been recommended by Mr. Jackson. He would be in favor of water & sewer lines being extended to Mr. Jackson's 21 acres.

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

After discussion, they said that due to the study done including Dyess Air Force Base and their request to limit residential development in the area, she would move to deny the request for approval of the ordinance reclassifying from AO to MH District. The motion was seconded by Councilman Higginbotham. The motion carried as follows:

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

NAYS: None.

Councilman Higginbotham moved to remove from the table, an ordinance reclassifying from RS-12 (Residential Single Family) to RM-3 (Residential Multi-Family) District, located at 3400 S. 14th. The motion was seconded by Councilwoman Webster. The motion carried as follows:

ZONING-RE
RS-12 to RM-3
3400 S.14th
DISCUSSION
TABLED LATER

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

NAYS: None.

Mayor Hall opened public hearing on the ordinance reclassifying from RS-12 (Residential Single Family) to RM-3 (Residential Multi-Family) District, located at 3400 S. 14th.

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

Mr. COLLIER explained that the memo presented to the Council was in error. The Planning & Zoning Commission voted in favor of disapproval 3 to 2. Mr. COLLIER said that the Staff did not think that a single family residence would ever be constructed there. The Staff recommends approval, but the P & Z Commission recommends disapproval.

Mr. Bob Hanna, Attorney, speaking for the proponent, spoke in favor of the passage of the reclassification. He said that they had tried to do something with the property several times and failed. He said that townhouses would be the best solution to the problem, in their opinion.

Ms. Virginia English, 1417 Sylvan, presented a petition signed by 42 people in the area. They feel that constructing the townhouses would be an invasion of their privacy.

Mr. Jim McRoud, Circle of Holly, requested that the developers work with the people in the neighborhood and tell them what type of building they are planning for the area.

Councilman Fogle said that he was concerned with the residents and their concern toward the developers. He said that this property should not be restricted forever from use. He suggested that the residents and owners try to communicate to resolve their problems.

After discussion by the Council, Mayor Hall suggested the two parties take a few minutes to discuss what they might be able to work out. Mayor Hall closed the public hearing.

Mr. Cargill presented the resolution calling a joint election with Abilene Independent School District, being the Regular City Election to be held April 3, 1982. He said that they have assigned two new county precincts to the City Precinct Map.

ELECTION-
JOINT WITH
SCHOOL CALLEN
FOR 4-3-82

Councilman Higginbotham moved adoption of the resolution calling for a joint election to be held April 3, 1982. The motion was seconded by Councilman Fogle. The motion carried as follows:

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

NAYS: None.

A JOINT RESOLUTION OF THE CITY COUNCIL, CITY OF ABILENE, TEXAS, AND THE BOARD OF TRUSTEES, ABILENE INDEPENDENT SCHOOL DISTRICT, ORDERING ELECTIONS TO BE HELD IN SAID CITY AND SCHOOL DISTRICT ON APRIL 3, 1982; PROVIDING FOR THE ELECTION OF PERSONS TO SERVE IN PLACES 1 AND 11 ON THE CITY COUNCIL OF THE CITY OF ABILENE, AND IN PLACES 3, 7 AND 1 ON THE BOARD OF TRUSTEES OF THE ABILENE INDEPENDENT SCHOOL DISTRICT; DESIGNATING ELECTION PRECINCTS AND POLLING PLACES; APPOINTING VARIOUS ELECTION OFFICIALS AND FIXING THEIR RATE OF COMPENSATION; PROVIDING THAT SUCH ELECTIONS BE HELD PURSUANT TO THE LAWS OF THE STATE OF TEXAS AND CHARTER OF THE CITY OF ABILENE, TEXAS; ALLOCATING ELECTION EXPENSES; PROVIDING METHOD OF APPLICATION FOR PLACEMENT OF CANDIDATE'S NAME ON BALLOT; PROVIDING A FILING DEADLINE FOR ALL CANDIDATES; PROVIDING FOR BILINGUAL ELECTIONS; AND PROVIDING FOR A PROCLAMATION NOTICE AND PUBLICATION OF NOTICE OF SAID ELECTIONS.

Roy McDaniel, Director of Finance, said that we have received additional information from RIMCO and James Company. RIMCO has stated to Mr. McDaniel that they will do the base study for a maximum fee of \$5,500, and an estimated expense allowance of \$250.00. They will give us an analysis of the TML group liability situation, which

RIMCO has proposed additional items, which they would do for an additional fee. The only thing that Mr. McDaniel thinks that we might need, would be the preparation of a Risk Management Manual, which would go to each employee. We might be able to put this manual together ourself. A Claims Procedure Manual was discussed, and again this might be able to be prepared in-house.

RISK MANAGE-
MENT- RIMCO
CHOSEN AFTER
DISCUSSION

Mayor Hall said that since we are self insured, this would give us some adequacy for our insurance reserve. He said that he recommended the proposal of RIMCO.

Mayor Hall moved that we accept RIMCO's proposal for the Risk Management Study. The motion was seconded by Councilman Hilton. The motion carried as follows:

AYES: Councilmen Higginbotham, Rodriguez, Fogle, Hilton, Council-
woman Webster & Mayor Hall.

NAYS: None.

John Conely, City Engineer, said that last November, we brought the problem to the Council. Since that time, he feels that the Staff has made significant progress, principally in the River Oaks, Wychwood Plaza areas. He said that they had cleaned out a large portion of the creek from South 23rd to the little low water crossing bridge in the River Oaks Shopping Center area. He said that the Street Dept. had done an excellent job in cleaning out this creek and has also constructed three concrete flumes.

FLOOD-DISCUSS
ION ON RIVER
OAKS & SANTA
MONICA AREAS

Mr. Conely also explained the study of the Santa Monica drainage problem, and came up with five different proposals for the Council's consideration. He showed pictures of the different proposals and discussed the different proposals showing how they planned to try to solve the flooding problems.

Mr. Conely discussed Plan #1 and said that it would probably cost around \$90,000. It would provide a maximum carrying capacity of water about 60 CFS. This is an extension of a storm sewer. There is an existing storm sewer that takes care of 100 to 120 CFS, under ideal conditions.

Mr. Conely discussed a storm sewer between two houses on Santa Monica. They already have an easement for part of this one. They estimate that it would cost around \$30,000 and would carry about 55 CFS. This is considered Plan #2.

Mr. Conely said that Plan #3, which was his choice, is open top concrete flumes in the same location as the storm sewer. The estimated cost of this would be about \$20,000, and under normal conditions would be able to carry about 178 CFS. He said that he felt that this would be the best solution to the problem.

Mr. Conely said that Plan #4 would be just to extend the existing storm sewers. This would provide very limited amount of increase into the flow of the existing storm sewers. The owners say that the crates clog up and stop the drain from working properly. This would be very limited improvement.

Mr. Conely said that the other proposal would be to buy one of the homes, removing it and constructing a wide flume from the street over to the creek. Even though they have no willing sellers, this Plan #5 would cost in the neighborhood of \$90,000 to \$100,000. He said that none of these solutions are designed to protect the residents from flooding in the event that Catclaw Creek floods or rises up above the banks and starts flooding the entire area. All of these solutions are designed to get the water from the street, Santa Monica, over to the creek in a better fashion.

Mr. Paul Kline, owner of Lot #21 in the flood area, said that he is not satisfied with the solutions proposed to the Council. He said that he favored Plan #1 if the drainage was done north, south & east of him.

Mrs. Dempsey, said that she had lived at her location for 16 years. Said that she had called four times this summer to get the public works to clean out the creek.

Mrs. Jeanne Woosley said that she had called Mr. Seegmiller for help and received immediate assistance. She said that she would like to see Plan #1 adopted, and possibly Plan #2 or #3.

Mr. John Fielder said that he likes Plan #1 and some of the ideas in Plan #3. He suggested that we use Plan #3 by his house and down the alleys.

Mr. Conely said that more flumes could be constructed with the cooperation of Mr. Fielder and his neighbors.

Bob Whitehead explained that as a part of the flood water management plan, the program will be to maintain the creeks and keep them clean on a maintenance type schedule.

Mr. Seegmiller thanked the people for their cooperation and patience during the study and hopeful resolution of some of the problems in the area.

Councilman Fogle suggested that the Staff discuss Plan #3 and Plan #5 with the neighbors involved so a solution could be agreed upon and bring back to the Council for their approval.

Mr. Conely explained why he made the recommendations, and why he made the proposals that he did.

After much discussion, Councilman Fogle moved that the Staff study and try to come up with a solution for Plan #3 & #5, after dealing with the neighbors for their cooperation, and for the Council to defer their decision for 30 days. The motion was seconded by Councilman Hilton. The motion carried as follows:

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

NAYS: None.

Again, Mr. Hanna & Mr. Strange agreed to further restrict the development to include: (1) There will be no automobile access off or either onto the alley easement from this property in question. (2) If a two-story townhouse is erected, there will be no windows, doors, or decks facing the west or south. (3) If townhouses are built, they will not exceed four units in number.

Mr. McRoud agreed with the above stipulations and will withdraw his opposition, and he feels that he is speaking for the other land owners involved. The above stipulations are to become a part of the deed restrictions.

Councilman Hilton, after discussion, moved to table the decision on the reclassification from RS-12 to RM-3, located at 3400 S. 14th until the next Council Meeting to allow the land owner to file the above restrictions. The motion was seconded by Councilman Higginbotham. The motion carried as follows:

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

NAYS: None.

Council convened for Executive Session.

Councilmen Higginbotham & Hilton did not return to the meeting.

After returning from Executive Session, Mr. Cargill said that we had been presented a proposed agreement dealing with the Bank Stock Case. It provides for the Banks to pay to the City of Abilene, the Water District and the School and Taylor County, the taxes that have been in controversy in the Bank Stock Matter. Should the Banks appeal and win the case, the money would have to be returned however. But the advantage would be that the City and other entities would have the money and be drawing interest on it.

Councilman Fogle moved that the Council accept the proposal described above with regard to the Bank Stock Matter. The motion was seconded by Councilman Rodriguez. The motion carried as follows:

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

NAYS: None.

ZONING-RE
RS-12 TO RM-
3400 S. 14th
DISCUSSED &
TABLED

COUNCIL-
EXECUTIVE
SESSION-
BANKS CASE
SETTLED

Mr. McDaniel explained that the other claim that they discussed, was an accident case involving a City vehicle. He said that we were losing at a total cost of \$12,050.47, (which includes damages to his automobile), plus any additional medical expenses Mr. Coston may incur for two years from the date of General Release is signed.

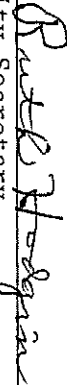
COUNCIL-
EXECUTIVE
SESSION-
COSTON LITTI-
GATION SETTLED

Councilwoman Webster moved acceptance of the above claim amounts and stipulations on the Coston Litigation. The motion was seconded by Councilman Fogle. The motion carried as follows:

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

NAYS: None.

There being no further business, Mayor Hall adjourned the meeting at 1:15 p.m.



City Secretary



Mayor Hall