

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, March 25, 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: Special Workshop held March 5, 1982 and Regular Meeting held March 11, 1982.

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 second and final reading - amending Chapter 26, of the City Code to repeal permit requirements for painting house number on the curb.
 - b. Consider on second and final reading - amending Section 17-145 and 17-146 of the City Code concerning parking in various locations.
5. Resolutions
 - a. Consider approval of sale on a narrow strip of surplus ROW on Ambler Avenue.
 - b. Consider revision of Abilene Housing Authority Contract.
6. Award of Bids
 - a. Custodial Services for Parks.
 - b. Demolition of Water Tower, located at N. 17th & Merchant.
7. Request to Advertise
 - a. Construction of Playground at Stevenson & Flores Parks.
 - b. Construction of Multi-purpose Court at Stevenson Park.
 - c. Right-of-way mowing.

REGULAR AGENDA

8. Public Hearings
 - a. Consider on second and final reading - ordinance repealing Article II, Section 24, of the City Code, pertaining to Industrial Waste and adopting a new Wastewater Ordinance.
 - b. Consider on second and final reading - reclassification request from RS-6 (Residential Single Family) to PH (Patio Home Overlay) District, located at Rebecca Lane & Royal Crest Circle.
 - c. Consider on second and final reading - amending Section 32-7.2.8.2 of the Zoning Ordinance concerning Special Exception.
 - d. Consider on second and final reading - amending the Zoning Ordinance to permit Roofing and Sheet Metal Services in HC Zones, & Health Clubs or Physical Fitness Services in LI, HI & PI Districts.
 - e. Consider on second and final reading - amending Section 32-10A of the Zoning Ordinance & Section 27.12.31 of the Subdivision Regulations concerning Patio Home Regulations and Townhouse Regulations.
 - f. UMTA, Section 5, Capital Assistance Grant to rehabilitate buses for Transit System.

9. Ordinances
 - a. Consider on second and final reading - amending Section 17-148 of the City Code to prohibit stopping, standing and parking between the hours of 6:30 p.m., and 5:30 a.m., on North 1st Street from Plaza Street west to the dead end.
10. Resolutions
 - a. Consider amending Rehab Loan/Grant Program Guidelines.
 - b. Consider Wastewater Ordinance Surcharge Rate.
 - c. Consider appointment to Boards & Commissions.
11. Award of Bids
 - a. Sale of Improvements on Barrow Street.
 - b. Sale of Real Estate on Barrow Street.
 - c. Roadway & Taxiway Improvements, Abilene Municipal Airport.
12. Request to Advertise
 - a. Oil & Gas Lease, three tracts of land located near Lake Abilene, Taylor County, Texas.
 - b. Oil & Gas Lease, located on Old Sewer Farm, Taylor County, Texas.
13. Other Business
 - a. Discussion of City's Oil & Gas Royalty Interest & protection of City property.
 - b. Consider renewal of Street Use License - Abilene Jaycee's Benches.
 - c. Consider Street Use License - downtown Cypress Street from N. 6th to N. 3rd.
 - d. Consider Street Use License - 1100 Block of Plum for auction.
 - e. Consider Street Use License for First State Bank.
 - f. Consider Waiver of curb, gutter and paving within the proposed John Stash Addition.
 - g. Consider revision of agreement with Chaparral for Hangar Bonds.
 - h. Review Lee Athletic Complex bids and Staff's proposed recommendations.

ADJOURN

ADDENDUM

WHEREAS, the bids received for the Lee Athletic Complex were higher than anticipated requiring discussion as to the City's future actions and whereas the construction of the Lee Athletic Complex must be completed prior to the start of next year's school football season. There is an urgent public necessity that this item be considered without further delay.

- 13h. Review Lee Athletic Complex bids and Staff's proposed recommendations.

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 22nd day of March, 1982, at 9:00 a.m.


Assistant City Secretary

CHAMBER OF THE CITY COUNCIL,
THE CITY HALL, ABILENE, TEXAS.

The City Council of the City of Abilene, Texas, met in Regular Session, Thursday, March 25, 1982, 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, Assistant City Attorney Gary Landers & City Secretary Ruth Hodggin, present.

Invocation by Councilman L.D. Hilton.

Minutes of Special Workshop held March 5, 1982 and Regular Meeting held March 11, 1982 were approved as written.

Councilman Higginbotham moved passage of the consent items listed below.

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.

4. Ordinances

a. Consider on second and final reading - amending Chapter 26, of City Code to repeal permit requirements for painting house numbers on the curb.

AN ORDINANCE AMENDING CHAPTER 17, "MOTOR VEHICLES AND TRAFFIC", BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

b. Consider on second and final reading - amending Section 17-145 and 17-146 of the City Code concerning parking in various locations.

AN ORDINANCE AMENDING CHAPTER 17, "MOTOR VEHICLES AND TRAFFIC", BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

5. Resolutions
a. Consider approval of sale on a narrow strip of surplus ROW on Ambler Ave.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE SALE OF A NARROW STRIP OF LAND ALONG AMBLER AVE. AS DESCRIBED BELOW.

b. Consider revision of Abilene Housing Authority Contract.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING A CONTRACT BETWEEN THE CITY OF ABILENE AND THE HOUSING AUTHORITY OF THE CITY OF ABILENE, TEXAS.

6. Award of Bids
a. Custodial Services for Parks.
b. Demolition of Water Tower, located at N. 17th & Merchant.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AWARDING A CONTRACT FOR THE DEMOLITION OF AN ELEVATED WATER TANK AT NORTH 17TH AND MERCHANT AND AUTHORIZING THE MAYOR TO EXECUTE SUCH CONTRACT.

7. Request to Advertise
a. Construction of Playground at Stevenson & Flores Parks.
b. Construction of Multi-purpose Court at Stevenson Park.
c. Right-of-way mowing.

Mayor Hall opened public hearing on an ordinance repealing Article II, Section 24, of the City Code, pertaining to Industrial Waste and adopting a new Wastewater Ordinance.

Mayor Hall asked Mr. Dwayne Hargeshelmer, Director of Water Utilities, to brief the Council on the proposed ordinance.

SEWER-
NEW WASTE-
WATER ORD.
FINAL RD.

Mr. Hargesheimer said that we have notified the industries that will be affected by this ordinance, giving them our schedules of implementation and proposed rates. He said that there were 15 industries. He said that the ordinance will meet EPA guidelines that have been established and will provide the protection that is needed for our treatment system.

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

Councilman Bowen moved passage of the ordinance on second and final reading repealing Article II, Section 24, of the City Code, pertaining to Industrial Waste and adopting a new Wastewater Ordinance. 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.

AN ORDINANCE AMENDING CHAPTER 24, "SEWERS," (CHAPTER 32, "UTILITIES," IN NEW CODE), BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW, PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY, AND CALLING A PUBLIC HEARING.

Mayor Hall opened public hearing on an ordinance reclassifying from RS-6 (Residential Single Family) to PH (Patio Home Overlay) District, located at Rebecca Lane & Royal Crest Circle.

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

ZONING-RE
RS-6 to PH
REBECCA LANE
& ROYAL CRES
CIRCLE
FINAL RD.

Mr. Collier said that the proponent desires to replat 3 single family lots into 6 patio home lots, concurrent to the request for the PH Overlay District. The layout of the homes proposes a 20' building setback off of Rebecca Lane, more than the regulations require.

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 PH District, located at Rebecca Lane & Royal Crest Circle. The motion was seconded by Councilman Bowen. 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 amending Section 32-7.2.8.2 of the Zoning Ordinance concerning Special Exception.

ZONING ORD.
AMENDED-
SPECIAL EXCEPT
FINAL RD.

Mayor Hall asked Mr. Collier to brief the Council on the amendment.
Mr. Collier said that the ordinance amendment accomplishes the request by the Board and more nearly follows the State Law.

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

Councilman Fogle moved passage of the ordinance on second and final reading amending Section 32-7.2.8.2 of the Zoning Ordinance concerning Special Exception. The motion was seconded by Councilman Hilton. The motion carried as follows:

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

AN ORDINANCE AMENDING CHAPTER 32, "ZONING," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY AND CALLING A PUBLIC HEARING.

Mayor Hall opened public hearing on an ordinance amending the Zoning Ordinance to permit Roofing and Sheet Metal Services in HC Zones, & Health Clubs or Physical Fitness Services in LI, HI & PI Districts.

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

ZONING ORD.
AMENDED-
SPECIAL PERMIT
IN CERTAIN
DISTRICTS-
FINAL RD.

Mr. Collier said the intent behind the request is to locate a fitness center within an industrial district to serve that area.

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

Councilman Rodriguez moved passage of the ordinance on second and final reading amending Zoning Ordinance to permit Roofing and Sheet Metal Services in HC Zones, & Health Clubs or Physical Fitness Services in LI, HI & PI Districts. 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.

AN ORDINANCE AMENDING CHAPTER 32, "ZONING," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY AND CALLING A PUBLIC HEARING.

Mayor Hall opened public hearing on an ordinance amending Section 32-10A of the Zoning Ordinance & Section 27.12.31 of the Subdivision Regulations concerning Patio Home Regulations and Townhouse Regulations.

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

Mr. Collier said that there was a need for the Zoning Ordinance and the Subdivision Regulations to be amended regarding Patio Homes and Townhouses.

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

Councilman Higginbotham moved passage of the ordinances on second and final reading amending 32-10A of the Zoning Ordinance & Section 27.12.31 of the Subdivision Regulations concerning Patio Home Regulations and Townhouse Regulations. The motion was seconded by Councilman Bowen. 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 AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY AND CALLING A PUBLIC HEARING.

ZONING ORD.
AMENDED-
PATIO HOME
REGULATIONS
FINAL RD.

AN ORDINANCE AMENDING CHAPTER 27, "SUBDIVISION REGULATIONS," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

SUBDIVISION
REGULATIONS
AMENDED-
TOWNHOUSE REG.
FINAL RD.

Mayor Hall opened public hearing on UMTA, Section 5, Capital Assistance Grant to rehabilitate buses for the Transit System.

Mayor Hall asked Mr. Wayne Kurfees, Director of Traffic & Transportation, to brief the Council on the reason for the public hearing.

TRANSIT SYSTEM
UMTA SEC.5
GRANT-TO
REHABILITATE
(3) BUSES

Mr. Kurfees explained that the funds from the grant would be used to install new engines, power trains and air-conditioning systems in three GMC buses the City owns. That portion of the work would be designated a demonstration project, possibly getting 100% federal funding, he said. Another portion of the project, for cosmetic improvements to the vehicles, probably would require a 20% match by the City. He said that he recommended applying for the money, since the three old buses are needed to ensure continuous service during the transit system's peak hours. The GMCs are used for backups to the 14 new Blue Bird buses purchased by the City last year.

Councilman Hilton moved adoption of the resolution authorizing the filing of a Bus Rehabilitation Grant Application with the Department of Transportation for grants under the Mass Transportation Act of 1964, as amended. 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.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE FILING OF A BUS REHABILITATION GRANT APPLICATION WITH THE DEPARTMENT OF TRANSPORTATION, UNITED STATES OF AMERICA, FOR GRANTS UNDER THE URBAN MASS TRANSPORTATION ACT OF 1964, AS AMENDED.

Mr. Kurfees said that they had a request from the Police Dept. to amend 17-148 of the City Code to prohibit stopping, standing and parking between the hours of 6:30 p.m. and 5:30 a.m., on North 1st Street from Plaza Street west to the dead end.

TRAFFIC CODE
AMENDED- SEC
17-148
FINAL RD.

Chief Warren Dodson said that this would give the Police a tool, by which to handle the crowds of young people who congregate there. He said that there are fights, liquor violations, drag racing and traffic accidents, which have become a serious problem. He said that almost all of the property owners have complained about the situation.

After discussion, Councilman Bowen moved passage of the ordinance on second and final reading, amending Section 17-148 of the City Code to prohibit stopping, standing and parking between the hours of 6:30 p.m. and 5:30 a.m., on North 1st Street from Plaza Street west to the dead end. 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.

AN ORDINANCE AMENDING CHAPTER 17, "MOTOR VEHICLES AND TRAFFIC", BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

Lee Roy George, Director of Planning & Community Development, spoke of the need for changes in Rehabilitation Loan/Grant Program Guidelines. He pointed out that the new guidelines should make the program go smoother.

HOUSING-
AMENDING
REHAB LOAN/GR
PROGRAM GUIDE
LINES

Councilman Higginbotham moved approval of the new guidelines for the Rehab Loan/Grant Program. The motion was seconded by Councilman Bowen. The motion carried as follows:

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

Mr. Hargesheimer discussed the schedule of charges which is amended to show the new Industrial Wastewater Surcharges, which will become effective September 1, 1983. This will give the Staff enough time to contact each of the fifteen users, showing them how they can cut their surcharge by doing some pre-treating.

WATER &
SEWER-INCLUD
WASTEWATER
SURCHARGES

After discussion, Councilman Higginbotham moved adoption of the resolution amending a schedule of rates and charges for water & sewer service, to include the surcharges, which will become effective 9-1-83.

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

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,
AMENDING A SCHEDULE OF RATES AND CHARGES FOR WATER AND SEWER
SERVICES.

BOARD APPT.
PLANNING & ZONING MEMBER

Mayor Hall moved that Charles F. Walts be appointed to the Planning & Zoning Board, replacing Billy Edwards, who resigned. 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.

Arkie Pierce, Land Agent, said that in acquiring right-of-way for the widening of Barrow Street, we have purchased and will continue to purchase improvements located on the new right-of-way. It is necessary that these improvements be removed prior to the beginning of construction. He said that they are all sold by advertising for sealed bids.

After discussion, Councilman Bowen moved adoption of the resolution authorizing the sale of surplus improvements along Barrow Street & authorizing the City Manager to execute such sales. 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.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,
AUTHORIZING THE SALE OF SURPLUS IMPROVEMENTS ALONG BARROW STREET.
BARROW ST.

Mr. Pierce said that in acquiring right-of-way for the widening of Barrow Street, we have acquired some surplus land & improvements and will acquire additional surplus land & improvements in the future. These will all be sold after advertising for sealed bids.

After discussion, Councilwoman Webster moved adoption of the resolution awarding the sale of City owned tracts, tracts with improvements and improvements alone. 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.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,
AWARDING THE SALE OF CITY OWNED TRACTS, TRACTS WITH IMPROVEMENTS,
AND IMPROVEMENTS ALONE, AS DESCRIBED BELOW.
PROPERTY SOLD, ON BARROW ST.

John Conely, City Engineer, said that we had advertised and received sealed bids for Roadway & Taxiway Improvements at the Abilene Municipal Airport. These improvements will be needed in order to serve the new leases that we have recently approved at the airport.

After discussion, Councilman Bowen moved to award the Roadway & Taxiway Improvements at the Airport Bid, based on Addendum No. 1, of \$168,599.21 submitted by Stephen & Martin Paving, Inc. of Abilene, & authorizing the Mayor to execute such contract, also appropriating \$168,600 to the Airport Budget for this project. The motion was seconded by Councilwoman Webster. The motion carried as follows:
AIRPORT-AWARD OF B. ROADWAY & TAXIWAYS APPROP. FU

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

Paul Shelton, Engineer for the City of Abilene, discussed the procedures for drilling and producing wells on City property. He said that the space on the bid sheet for indicating the amount of royalty interest is left blank for the operator to fill in. The prospective bidders are notified in the advertisement of the minimum 3/16 royalty.
OIL & GAS WELLS-PRO CEDURES D CUSSED

He suggested that we keep using the 3/16 minimum royalty interest in order to attract more bidders on City lands. The operator can still bid over the 3/16 if he thinks the prospect is exceptional and the bids are competitive. However, we usually receive only one bid on any lease we advertise.

Mr. Shelton said that the Engineering Division developed a set of special provisions for the drilling and producing oil and gas wells within the City limits. He said that there are 21 separate items in these specifications which cover practically all phases of the operations, which were written from the standpoint of safety.

Mr. Shelton said that when we began receiving requests for drilling around City lakes, we added additional safety restrictions which were designed to protect the watershed around the lake area and prevent any contamination of the water due to oil spills.

Councilman Bowen said that he felt that we should require the operator to set more surface casing. He also brought out the need for more guidelines to monitor the well while its in operation.

Councilman Bowen suggested that one producing well should hold only a twenty (20) acre spacing around the well.

Mr. Shelton said that twenty (20) acres would be o.k. for wells that are shallow (down to 2,000 Ft.), but forty acres should be assigned to the deeper wells, or better yet, it should be based on the Railroad Commission spacing.

Councilman Fogle said that we need to conform with the Railroad Commission Guidelines.

After much discussion, Mayor Hall said that the Council wanted to protect the water supply. He further directed Mr. Shelton to work with Councilman Bowen on some of the requirements that he feels would be good in our specifications and report back to the Council at a later date.

Councilman Bowen moved adoption of the resolution giving notice of intention to lease 511.92 acres, located near Lake Abilene. 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.

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

OIL & GAS I
511.92 ACRE
NEAR LAKE
ABILENE-AUT
TO ADVERTIS

Councilman Hilton moved adoption of the resolution giving notice of intention to lease 120 acres of Old Sewer Farm Land for oil and gas purposes. The motion was seconded by Councilman Bowen. The motion carried as follows:

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

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

OIL & GAS I
120 ACRES
OLD SEWER F
AUTH. TO
ADVERTISE
STREET USE
LICENSE-JAY
BENCHES

Mr. Kurfees said that they had written in the new Street Use License Agreement with the Jaycees concerning the benches, that they would have one year transition period (in order for them to be located at Bus Stops).

Jerry Love, President of the Jaycees said that they had 66 benches rented at the present time, and that they would need some time to change some of them over.

After some discussion, Councilman Bowen moved approval of the renewal of the Street Use License Agreement with the Jaycees concerning the benches (this would be a three year period). 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.

STREET USE
LICENSE-
CITY'S
BIRTHDAY

Councilman Bowen moved approval of the Street Use License Agreement for the use of some City streets for 6-4-82 thru 6-6-82, to celebrate the City's birthday. This would be a temporary License Agreement. The motion was seconded by Councilman Higginbotham. The motion carried as follows:

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

Councilman Higginbotham moved approval of the Street Use License Agreement to close the 1100 Block of Plum Street between N. 11th and N. 12th Street on Sunday, April 4, 1982, for an auction. The motion was seconded by Councilwoman Webster. The motion carried as follows:

STREET US
LICENSE-
1100 BLK.
PLUM-AUCT

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

Councilman Higginbotham moved approval of the Street Use License Agreement with the First State Bank to place and maintain a Refuse Compactor on the right-of-way of Sycamore Street. The motion was seconded by Councilman Fogle. The motion carried as follows:

STREET US
LICENSE-
FIRST STA
BANK- REF
COMPACTOR

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

John Conely, City Engineer, said that we had a request for a waiver of the requirements regarding curb, gutter and paving within the proposed John Stash Addition.

SUBDIVISIC
WAIVER REQ
PROPOSED J
STASH ADDN
TABLED

Howard Worthy, President of the Company developing the proposed John Stash Addition, said that they were going to divide it into 25 lots, containing 5 & 10 acres each. He said that they planned to pave the road according to Callahan County specifications. He said that the road would be hard to maintain if curb and gutter were required.

Mr. George said that approving this kind of development, just depended on whether the City wanted to encourage growth like this, which was in the extra-territorial jurisdiction. He said that the granting of the requested waiver would encourage development in an area away from the existing compatible developments. However, the owner could sell off similar lots by metes-and-bounds descriptions and accomplish the subdivision outside of the platting process.

Mr. Seegmiller said that we could require the street to be constructed to the City's specifications, even though the curb and gutter requirement was waived.

After discussion, Councilman Higginbotham moved that Mr. Conely work with Mr. Chase, the surveyor in this requested waiver, furnishing him with specifications that would be approved by the City. They feel that they can live with the waiver of curbs and gutters better, if the Street was built to City specifications. The motion further stated that they hold their decision on the waiver until the next Council meeting, April 8, 1982. The motion was seconded by Councilman Bowen. The motion carried as follows:

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

Mr. McDaniel said that we had a request from Chaparral's attorneys for some minor changes in the Chaparral Special Facility Bonds.
BONDS-AMENI
CHAPARRAL'S
SPECIAL
FACILITY B

Mr. Landers pointed out the difference in the amended agreement, which were minor. He said that their attorney had just changed the wording of some of the paragraphs, which did not change the meaning.

Councilman Higginbotham moved approval of the revision of the agreement with Chaparral for Hangar Bonds and authorized the Mayor to sign the amended agreement. The motion was seconded by Councilman

Fogle. The motion carried as follows:

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

NAYS: None.

ABSTAINED: Councilman Bowen.

Councilman Bowen left the meeting.

Mike Hall, Director of Community Services, said that the Staff was recommending rejection of the bids for Lee Athletic Complex. Due to the vast discrepancy between the budgeted amount and the bids received, each were thoroughly analyzed to determine the basis for the discrepancy. The initial area of discrepancy was determined to be an error in the initial cost estimate of the project. Secondly, the limited amount of time available to complete critical portions of the project increased some bid items and eliminated other contractors from bidding due to other commitments during that time frame.

PARKS-
JOINT
UTILIZATION
LEE ATHLETIC
COMPLEX
REJECT BIDS

Mr. Hall said that city crews could do some of the work in a joint project with the Abilene Independent School District, and to readvertise for bids on a portion of the project.

Councilman Rodriguez moved to reject the bids of the Lee Athletic Complex and readvertise just a portion of the project, letting city crews do some of the work in a joint project with the Abilene Independent School 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.

There being no further business, Mayor Hall adjourned the meeting at 12:05 p.m.

Ruth Hagan
CITY SECRETARY

Albert E. Hall
MAYOR ELBERT E. HALL