

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, May 27, 1982, at 9:00 a.m.

CITY COUNCIL: Mayor Elbert E. Hall, Dr. Julian Bridges, Billye C. Proctor, Juan C. Rodriguez, A. E. Fogle, Jr., L. D. Hilton, and Kathy Webster.

1. Call to Order.
2. INVOCATION: Councilman A. E. Fogle, Jr.
3. APPROVAL OF MINUTES: Regular Meeting held May 6, 1982.
4. PRESENTATIONS & AWARDS:

Bernard Huett	Purchasing	Purchasing Agent	35 Years
Dewane Kelly	Fire Safety	Lieutenant	30 Years
Graduation of Fire Cadets			

CONSENT AGENDA

All items listed below are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of items unless a Council Member or citizen so request, in which event the item will be removed from the general order of business and considered in its normal sequence.

5. Ordinances
 - a. Consider on first reading - amending Section 32-7.2.16 of the Zoning Ordinance concerning Time Limit on Authorization and set a public hearing for June 10, 1982, at 9:00 a.m.
 - b. Consider on first reading - thoroughfare abandonment, being S. 27th Street beginning at the west right-of-way line of Oak Street and running west for approximately 517.92 feet in length and 30 feet in width, and set a public hearing for June 10, 1982, at 9:00 a.m.
 - c. Consider on first reading - thoroughfare abandonment, being Oak Street from S. 25th to 27th, and set a public hearing for June 10, 1982, at 9:00 a.m.
 - d. Consider on first reading - reclassification request from RS-6 (Residential Single Family) to MH (Mobile Home) District, located at N. 10th & Plaza Streets, and set a public hearing for June 10, 1982, at 9:00 a.m.
 - e. Consider on first reading - reclassification request from SC (Shopping Center) to HC (Heavy Commercial) District, located at N. 10th & Clack Streets, and set a public hearing for June 10, 1982, at 9:00 a.m.
 - f. Consider on first reading - prohibiting parking on Buffalo Gap Road from Linda Joy to Moore Street and set a public hearing for June 10, 1982, at 9:00 a.m.
 - g. Consider on first reading - amending Section 32-9.2 and Section 32-9.3.2 of the Zoning Ordinance concerning mobile homes for security purposes and set a public hearing for June 10, 1982, at 9:00 a.m.
6. Resolutions
 - a. Consider lease agreement with Budget Rent-A-Car.
 - b. Consider approval of Unified Work Program with the Transportation Improvement Program for Transportation Planning.
7. Award of Bids
 - a. Construction of curb & gutter at Lee Park.
 - b. Concession for Lee Park Athletic Complex.
 - c. Mowers for Parks Division.
 - d. Air Safety Masks for Fire Department.
 - e. Sign Blanks & Posts for Traffic Department.
 - f. Sign Lettering for Traffic Department.
 - g. Traffic Paint for Traffic Department.

8. Request to Advertise
- a. Overhead street name signs.
 - b. Sale of surplus real estate on Barrow Street.
 - c. Gasolines, diesel, oils and greases for Shop.

REGULAR AGENDA

9. Public Appearance
- a. Consider authorizing fire works display.

10. Public Hearings

- a. Quail Valley Land Use Plan.
- b. Dyess Land Use Plan.
- c. Consider on second and final reading - reclassification request from AO (Agricultural Open Space) to GC (General Commercial) District, located on U.S. Hwy 80 West. (Appealed)
- d. Consider on second and final reading - reclassification request from RM-2 (Residential Multi-Family) to HC (Heavy Commercial) District, located in the 2300 Block of Old Anson Road. (Appealed)
- e. Consider on second and final reading - reclassification request from RS-6 (Residential Single Family) to O (Office) District, located at 1410 Ballinger.
- f. Consider on second and final reading - reclassification request from SC (Shopping Center) to PDD (Planned Development) District, located at Ridgemont & Rolling Green Drives.
- g. Consider on second and final reading - reclassification request from AO & RS-12 (Agricultural Open Space & Residential Single Family) to PDD (Planned Development) District, located on Oldham Lane.
- h. Consider on second and final reading - reclassification request from RS-12 (Residential Single Family) to SC (Shopping Center) District, located at N. 10th & Danville.
- i. Consider on second and final reading - reclassification request from RS-8 (Residential Single Family) to PH (Patio Home Overlay) District, located in the 2500 Block of N. Judge Ely.
- j. Consider on second and final reading - reclassification request from RS-8 (Residential Single Family) to PH (Patio Home Overlay) District, located on proposed Dorral Circle and proposed Inverrary Drive.
- k. Consider on second and final reading - reclassification request from AO (Agricultural Open Space) to RS-6, RM-3, LC & GC (Residential Single Family, Residential Multi-Family, Limited Commercial & General Commercial) District, located at Oldham Lane & Industrial Blvd.
- l. Consider on second and final reading - reclassification request from AO (Agricultural Open Space) to LI (Light Industrial) District, located in the 4000 Block of E. Hwy 80.
- m. Consider on second and final reading - reclassification request from RS-6 (Residential Single Family) to PH (Patio Home Overlay) District, located in the 2100 Block of Grand Avenue.
- n. Consider on second and final reading - reclassification request from AO (Agricultural Open Space) to SC, O, RM-2, RM-3, RS-8 & CU (Shopping Center, Office, Residential Multi-Family, Residential Single Family & College-University) Districts, located at EN 10th Street & Judge Ely Blvd.
- o. Consider on second and final reading - reclassification request from RM-2 (Residential Multi-Family) to SC (Shopping Center) District, located west of Ridgemont Drive.
- p. Consider on second and final reading - prohibiting parking on both sides of ES 11th from Treadaway Blvd., to Judge Ely Blvd.

11. Resolutions

- a. Consider renewal of Day Care for the Elderly lease at S. 7th Fire Station.
- b. Consider approval of paving on Vogel Street adjacent to the proposed public housing site.
- c. Consider group health insurance.

12. Other Business

- a. Consider appointment to Boards & Commissions.
- b. Pending & Contemplated Litigation.

CERTIFICATE

I hereby certify that the above notice of meeting was posted on the bulleting board at City Hall of the City of Abilene on the 24th day of May 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, May 27, 1982, at 9:00 a.m., with Mayor Elbert E. Hall present and presiding. Councilmen Julian Bridges, Juan C. Rodriguez, A. E. Fogle, Jr., L. D. Hilton and Councilwoman Kathy Webster were also present. Councilwoman Billie Proctor was absent. Also present were City Manager Ed Seegmiller, City Attorney Harvey Cargill, Jr., and Assistant City Secretary Kelly Beard.

Invocation by Councilman A. E. Fogle, Jr.

Minutes of the last regular meeting held May 6, 1982, were approved as written with a correction on page 3-7 to omit the word "staff" and for pages 3-6 and 3-8 to be rearranged so that the discussion of a street maintenance ordinance will be on consecutive pages. Councilman Hilton made the motion to approve the minutes of May 6, 1982, as written with the corrections. Councilwoman Webster seconded the motion.

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

NAYS: None.

Mayor Hall presented service awards to Bernard Huett, City Purchasing Agent. Mr. Huett was recognized for his service of 35 years. Also Dewane Kelly, Fire Lieutenant was recognized for his service of 30 years. COMMENDING
EMPLOYEE
SERVICE
AWARDS

Fire Chief, James Pogue, announced the graduates of the Fire Academy and Mayor Hall handed to each graduate a certificate of graduation. Graduating from the Fire Academy:

Richard Turner Abbott	Eddie Gonzales
Michael Andrews	Winford Dale Greenwood
Charles Elmer Bailey	Cynthia Haile
Bruce Allen Baker	Lawrence James Kraus
Keith Earl Burnam	Paul William Martin
Peter Edward Delacot	Mike Robert Nelson
Verylon Gene Durant	James Norman Newbury, Jr.
Tommy Ray Frymire	Billy Joe Schulle
Joel Ascension Garza	Harold Eugene Sexton
	David Wayne Standard

Councilwoman Webster moved passage of the consent items as written below, with the exception of 6a and 7b. These items were considered separately later in the meeting. The motion was seconded by Councilman Rodriguez. The motion carried as follows:

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

NAYS: None.

5. Ordinances

a. Consider on first reading - amending Section 32-7.2.16 of the Zoning Ordinance concerning Time Limit on Authorization and set a public hearing for June 10, 1982, at 9:00 a.m.

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

b. Consider on first reading - thoroughfare abandonment, being 1ST RD.

S. 27th Street beginning at the west right-of-way line of Oak Street and running west for approximately 517.92 feet in length and 30 feet in width, and set a public hearing for June 10, 1982, at 9:00 a.m.

THOROUGHFAI
ABANDONMEN
S. 27th &
BOWYER SUBJ
1ST RD.
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.

c. Consider on first reading - thoroughfare abandonment, being Oak Street from S. 25th to S. 27th, and set a public hearing for June 10, 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 FOR A PUBLIC HEARING.

THOROUGHFARE ABANDONMENT - S. 25th to S. 27th on OAK 1ST RD.

- d. Consider on first reading - reclassification request from RS-6 (Residential Single Family) to MH (Mobile Home) District, located at N. 10th & Plaza Streets, and set a public hearing for June 10, 1982, at 9:00 a.m.

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

ZONING-RE: RS-6 TO MH N. 10TH & PLAZA. 1ST RD.

- e. Consider on first reading - reclassification request from BC (Shopping Center) to HC (Heavy Commercial) District, located at N. 10th & Clack Streets, and set a public hearing for June 10, 1982, 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.

- f. Consider on first reading - prohibiting parking on Buffalo Gap Road from Linda Joy to Moore Street and set a public hearing for June 10, 1982, at 9:00 a.m.

TRAFFIC CODE AMENDED - AN ORDINANCE AMENDING CHAPTER 18, MOTOR VEHICLES AND TRAFFIC, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY. 1ST RD. PARKING

- g. Consider on first reading - amending Section 32-9.2 and Section 32-9.3.2 of the Zoning Ordinance concerning mobile homes for security purposes and set a public hearing for June 10, 1982, at 9:00 a.m.

ZONING AMEND. SEC. 32-9.2 & 32-9.3.2 RE: MOBILE HOMES 1ST RD. PENALTY AND CALLING A PUBLIC HEARING.

6. Resolutions

- b. Consider approval of Unified Work Program with the Transportation Improvement Program for Transportation Planning.

PLANNING/TRAN UNIFIED WORK PROGRAM & TRANS. IMPROV PROGRAM. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING A UNIFIED WORK PROGRAM FOR THE ABILENE URBANIZED AREA AND A TRANSPORTATION IMPROVEMENTS PROGRAM.

7. Award of Bids

- a. Construction of curb & gutter at Lee Park.
- b. Mowers for Parks Division.
- c. Air Safety Masks for Fire Department.
- d. Sign Blanks & Posts for Traffic Department.
- e. Sign Lettering for Traffic Department.
- f. Sign Lettering for Traffic Department.
- g. Traffic Paint for Traffic Department.

PARKS - LEE PARK CONST., MOWERS FIRE - AIR MASKS TRAFFIC - SIGNS & PAINT

8. Request to Advertise

- a. Overhead street name signs.
- b. Sale of surplus real estate on Barrow Street.
- c. Gasoline, diesel, oils and greases for Shop.

Gary Landers, First Assistant City Attorney, presented item

6a, concerning the lease agreement with Budget Rent-A-Car. Mr. Landers said that there were three other rent-a-car leases at the Airport and they all expire in September of this year. He said that in talking with Glenn Meeks, Airport Manager, and Bob Whitehead, Public Works Director, they thought it would be appropriate to recommend this lease to have the same terms as the three existing leases. But it too would expire at the end of September. Mr. Seegmiller explained to the Council that there had been a problem

TRAFFIC - OVERHEAD SIGN LAND AGENT - BARROW ROW EQUIPMENT - FUELS

with parking spaces at the other leases. However, there has been some expansion of parking spaces around a half circle and both sides of the street near the other leases. Budget Rent-A-Car would also be provided parking spaces.

Councilwoman Webster moved the adoption of the Lease agreement with Budget Rent-A-Car. Councilman Fogle seconded the motion. The motion carried as follows:

AIRPORT -
BUDGET RENT-
A-CAR LEASE

AYES: Councilman Bridges, Rodriguez, Fogle, Hilton, Councilwoman Webster and Mayor Hall.

NAYS: None.

Mike Hall, Director of Community Services, presented the item concerning the award of bid for the concession and maintenance building at the Lee Athletic Complex. The recommended bid was \$88,506 from Metal Building System. Even though the bid was about \$20,000 lower than the next bidder, Mr. Hall felt that the bid was a good bid and that it meets the specifications that were sent out. He said that the Community Services Department will be supervising the project.

Councilman Rodriguez moved approval of the award of bid for the concession and maintenance building at the Lee Athletic Complex to Metal Building System for \$88,506. Councilman Bridges seconded the motion. The motion carried as follows:

PARKS -

AYES: Councilmen Bridges, Rodriguez, Fogle, Hilton, Councilwoman Webster and Mayor Hall.
CONCESSION &
MAINT BLDG

NAYS: None.

Curtis Hawk, Assistant City Manager, presented the item concerning the Fireworks Display at the Mall of Abilene, July 3, 1982. He said that Wilma Berry of the Mall of Abilene has requested that the Mall be granted permission to hold a fireworks display again this year in connection with the 4th of July holiday. Their plan is to hold the fireworks display on July 3, 1982. He quoted the City Ordinance, fireworks displays can be held,..."at any designated place and time when in the opinion of the Council the display would be in the best interest of the City. The individual or corporation who will be holding the display is required to conform to any requirements set out by the City Council". He said the Fire Marshal, Bill Mooty, and Fire Chief, James Pogue, have met with Ms. Berry and reviewed the site where they intend to hold the display and they feel that with the stipulation that 1) the fireworks display be properly supervised and conducted and that the person who will put on the display will be someone who had in the past been registered by the State. He said that the State no longer requires that they be certified, but in this case, the individual who will be putting on the display has been certified in the past. Also the City requests that a fire truck be allowed to stand by. He said that the Fire Marshal and the Fire Chief both have reviewed the location of where the fireworks display will be held and they have no problem with that location. He said that we normally require that whoever has a fireworks display will provide insurance coverage to protect itself and the City.

Ms. Wilma Berry, Mall of Abilene, said that they do have insurance and will put in writing, if necessary, that they will give the City a hold harmless clause over the whole situation. She said that the same company will handle the fireworks this year as last year. She said there will be no charge and they will have proper security on hand.

Councilman Bridges moved to approve the fireworks display to be held July 3, 1982, at the Mall of Abilene. Councilman Fogle seconded the motion. The motion carried as follows:

FIREWORKS
DISPLAY -
COUNCILMAN MALL OF ABI-
LENE

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

Mr. Lee Roy George, Director of Planning and Community Development, presented a Land Use Plan of the Quail Valley Subdivision in northeast Abilene. He said the area has been annexed and their plan is in accordance with the Major Thoroughfare Plan and the Northeast Study that has already been adopted by the City Council. The proponents of the Quail Valley Subdivision Land Use Plan would like to get a commitment from the Council on the Land Use Plan on the implementation.

Mr. John Beall, proponent, described the Quail Valley Subdivision Land Use Plan. He said that it is located northeast of Abilene with part of it fronting on the Albany Highway. He said the golf course that will be located in the Subdivision is a public golf course and it will be in the

middle of the Subdivision. He said there will be approximately 500 homes surrounding the golf course. He said that if everything goes according to schedule, he would like to start the project sometime in September.

David Todd of Barber, Brannon, Traylor, Todd, Inc., reviewed the thoroughfare plans, golf course plans, residential plans, etc., for the Council. He said that the earlier problem with the golf course and the natural drainage system was almost eliminated with the use of a 100 year Flood study and a Hec II computer. He said that for irrigation of the golf course, they plan to use their own sewage treatment plant with a zero discharge permit to capture the effluent and discharge it on the golf course. He elaborated on the planned sewer plant and said that it would take about 400,000 gallons of water a day to irrigate a golf course and they are planning about a half a million gallon a day sewer plant. He said that they would not be discharging into Abilene's wastewater treatment plant, that it would be treated by the sewer treatment plant located in the Subdivision. He said that they only wanted to get acknowledgement from the Council that they do accept this as their master plan and thoroughfare plan because this project is going to take numerous years to develop and they will be coming back to the Council for the approval of the sewage treatment plant. He said on completion, there will be 7,012 units available. He said that the population has been estimated at 10,000 plus.

Mr. George said that the staff and the Planning & Zoning Commission recommend that the Council adopt the general concept of the Quail Valley Subdivision Land Use Plan.

Councilman Hilton moved that the Council adopt the Quail Valley PLANNING -
Land Use Plan. Councilman Fogle seconded the motion. The motion LAND USE PLAN
carried as follows: QUAIL VALLEY

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

NAYS: None.

Mr. George presented the Dyess Land Use Plan to the Council. He said about two years ago, a suggested Land Use Plan was presented to the Council concerning the Dyess area. He said that when the plan was adopted, they knew that there were some changes that would be implemented later. One of the changes was the recommendation by the Planning & Zoning Commission and subsequent adoption by the Council of about 900 acres of Industrial across Highway 80. He said that they sometimes had problems with how to deal with amendments to plans and have put items on the P&Z agenda a procedure that they could adopt that would guide them in amending plans when it is realized that the plans are not up-to-date or not consistent with current trends and policies in the area. The plan is recommended for change by the Council by the Planning & Zoning Commission and the staff after a public hearing. He said the change of this plan may help in considering the next item which is a zoning reclassification in this area. He said that they are trying to confine the commercial areas to major intersections so as to be consistent with earlier recommendations that were made. He said that a while ago, the P&Z Commission and the City Council were concerned with the entry ways into the City. That is why they have developed the Park Industrial Districts to use as entry ways into the City. He said Park Industrial is a limited industrial category somewhere between the open ended Industrial category that we have and what he would consider to be planned industrial district. He said that the Planned Industrial District is restrictive and they needed something in between.

Mac McClure, of Frances McClure Realtors, Inc., said that because there were other projects that they would be handling in the future in this Land Use Plan, he wanted to speak to the Council. He said that one of the things that the original Dyess Land Use Plan called for was residential in one entire area. Subsequent to that, McClure Realtors had been looking at the area trying to get the various uses of the area and trying to plug them into it. One of the things that they found was that a creek line does constitute a natural barrier to development of residential on the north side of the creek. He found that in the 11.9 acres owned by Mr. Anton, that they had a real problem putting residential uses into it because of the land use in the area and the problems they would get into in trying to put residential uses on the eastern end of the tract. So, after investigation,

he said they are looking into a major residential subdivision in this area and they are going to try to pull in some of the compatible uses for general commercial and the servicing of some of the residential areas that go around a (i.e., retail shopping center, grocery stores, cleaners, et. al.). He would like to recommend that the Council approve the change in the Dyess Land Use Plan.

Mr. Anton, owner of 11.9 acres requested to be rezoned, said he has had that acreage for a long time. He said it looks like no one wants to build a house there and he said that the people who are going to buy this property pending the zone change, are going to build an automobile dealership on the property. He requested that the Council approve the change in the Dyess Land Use Plan.

Mr. Sands, the property owner on the south of the total extent of the new commercial area that has been developed, and when the original plans were brought up, he was concerned with the possibility of flooding. He said that the developers have widened the creek and has improved the area already. He said as a property owner, he feels that the Council would benefit this area by approving the new concept of the Dyess Land Use Plan.

Mr. George said that two things happened since the initial adoption of the plan that had a bearing on the recommendation of the staff. One is that the 900 acres had been rezoned for Heavy Industrial Use. The second is that they had developed the Park Industrial Use category that they didn't have as a tool available when they developed this plan.

PLANNING -
REVISION
OF DYESS
LAND USE
PLAN

Councilman Fogle moved passage of the revised Dyess Land Use Plan. Councilwoman Webster seconded the motion. The motion carried as follows:
AYES: Councilmen Bridges, Rodriguez, Fogle, Hilton, Councilwoman Webster and Mayor Hall.
NAYS: None.

Mr. Wayne Collier, Zoning Administrator, presented an ordinance concerning a reclassification request from AO (Agricultural Open Space) to GC (General Commercial) District, located on U.S. Hwy 80 West. This item was appealed at the Planning & Zoning Commission. The proposed use of this area will be for an automobile dealership. On May 17, 1982, the Planning & Zoning Commission amended the Dyess Land Use Plan to reflect commercial uses in the area. However, the request came before the amended Dyess Land Use Plan, therefore, the request was denied by the Planning & Zoning Commission. The staff recommended approval of the request.

Mayor Hall explained that he talked with the chairman of the Planning & Zoning Commission and said that the P&Z approved it 7-0, the staff disapproved it and the Council sent it back 1-6. The Planning & Zoning Commission reviewed it again realizing that it was in conflict with the Dyess Land Use Plan and denied it 3-2-1. The P&Z then reviewed the Dyess Land Use Plan change and recommended it with the area as general commercial.

Mayor Hall opened the public hearing on the reclassification request from AO (Agricultural Open Space) to GC (General Commercial) District, located on U.S. Hwy 80 West.

Mac McClure, Frances McClure Realtors, Inc., spoke in favor of the zone change.

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

Councilwoman Webster moved passage of the ordinance reclassifying AO (Agricultural Open Space) to GC (General Commercial) District, located on U.S. Hwy 80 West. Councilman Rodriguez seconded the motion. The motion carried as follows:
ZONING-RE:
AO to GC
U.S. HWY 80

AYES: Councilmen Bridges, Rodriguez, Fogle, Hilton, Councilwoman Webster and Mayor Hall.
U.S. HWY 80
WEST
NAYS: None.
FINAL RD.

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.

Mr. Collier presented a reclassification request from RM-2 (Residential Multi-Family) to HC (Heavy Commercial) District, located in the 2300 Block of Old Anson Road. This item was denied by the Planning & Zoning Commission and was appealed by Douglas Schmitt, owner of the property. Mr. Schmitt wanted to use the property for his plumbing business. According to the Sears Land Use Plan, however, the area was to be left RM-2. The staff disapproved of the request for reclassification. He said that a plumbing business would not necessarily have to be located in a Heavy Commercial zone. It could also be located in an Industrial zone. He pointed out some of the areas where Heavy Commercial Districts exists.

Mayor Hall opened the public hearing on the reclassification request from RM-2 (Residential Multi-Family) to HC (Heavy Commercial) District, located in the 2300 Block of Old Anson Road.

Mr. Douglas Schmitt, owner of the property, said in earlier meetings he had told the P&Z and the Council that the property was not for resale, but to further his plumbing business. He said his biggest adversary was Mr. Lee Roy George and the City staff. But, everytime he went to Mr. George for information, for education, he always took time out of his day to help him. Mr. Schmitt wanted to tell Mr. George publicly that he appreciated it. Mr. Schmitt went on to say, "There was no opposition after the initial letters were sent out--there was no opposition. I brought into Planning & Zoning approximately 24 signed statements from the people of this area in north Abilene. I was born and raised in this area and all that I have found when I went seeking approval for helping these people, they would bend over backward to help you if you were honest, and I appreciate them and their efforts. Since I started this project, Mr. George took me in and showed me some places that had been rezoned recently. When I first started trying to acquire property, it was over a year ago. It took me ten months to acquire this property. I was told in the beginning that the City would probably rather see anything in this area than what was there and what had been there for 20, 30, or 40 years. To make it brief, I appreciate the help that I received in Planning & Zoning. Because of Mr. George's efforts, I did find another location which I did not think existed. I would like to withdraw my request for rezoning and just thank the people who tried to help me. The only thought I would like to leave--I don't know much about City business--I have received a pretty good education from the six to eight weeks I have been involved with it, but the people in this area, that has been stagnant for years, they felt this was a good opportunity for them as well as for me. Everyone I talked to in the area surrounding Sears Park and this addition, their comments, 'we're north of the tracks, we don't get nothing.' If you will notice, at most of your meetings, there are very few working people that are able to attend the meetings. And their greatest appreciation would to have someone, anyone, to just come out and visit with them. If there is something, they don't understand the land usage program, I didn't understand it until I had to come in, and if there was some way that the Planning & Zoning or the City of Abilene City Council to visit with people on issues out there, I believe you would see greater infill in north Abilene. You would see cleaner yards, you would see a different way of life because these people, they're a good people, all of Abilene has good people because I work for all of them. I guess the saddest part of what I went through was that the people didn't know what was going on. If they get hyped on a project or something, most of the time, they never show up. There was over 20 letters sent out, three returned, and of the three people that returned them, one of the three people didn't know what they were returning, they just knew someone wanted to do something, so they marked the spot there. The one man that opposed me, after I visited him, he gave me written approval. These people not only gave me written approval, they wanted it there. They wanted to see something in there. I believe that they will work with you, with me, or with anybody else if they are given the time and the chance to understand it. I know you can't spend all of your time and pay people to go out and visit out in there, but all I ask is that if you are out in the area, stop and visit with people. Let them know what is going on because they are sitting out there taking whatever is administrated here. That is what they get and 90 percent of them don't even know what it is. Thank you."

Mayor Hall responded to Mr. Schmitt saying that the Council also had the same concern and that the Council needed to apply the same rules to that area that they apply to other areas. He said it was not right to think that a certain area is so bad that it would not make any difference what was done in that area. He said that his withdrawal of the request lightened the burden on the Council and he was glad that he found another business and wished Mr. Schmitt good luck.

Mr. Schmitt reiterated that it was because Mr. George had taken the time out of his busy days to help him and he does appreciate him and the Council and Planning & Zoning.

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

Councilman Hilton moved the approval of the withdrawal and a commendation of Mr. Schmitt for his attitude. Councilman Rodriguez seconded the motion. The motion carried as follows:

AYES: Councilmen Bridges, Rodriguez, Fogle, Hilton, Councilwoman Webster and Mayor Hall. ZONING-RE:
WTHDRAWAL
HC IN 2300
BLK OF OLD
ANSON ROAD

NAYS: None.

Mr. Collier presented a reclassification request from RS-6 (Residential Single Family) to O (Office) District, located at 1410 Ballinger. He said that the request came from TM Quality Builders with agents, Tommy Milliron and Jim Gidley. He said that it is planned to combine two lots 1410 & 1402 into one office since the 1402 lot has an office on it now. The Planning & Zoning Commission and the staff both recommended approval.

Mayor Hall opened the public hearing on the reclassification request from RS-6 (Residential Single Family) to O (Office) District, located at 1410 Ballinger.

Mr. Jim Gidley, 741 Sayles, spoke in favor of the rezoning. He said by using the structures that are on the lots, it is not a comfortable way of doing business. He said the structure that is proposed for this area is eye-appealing and he thought that the business would benefit the area.

Mr. Tommy Milliron spoke in favor of the rezoning. He said the structure proposed for the area would be a compliment to the area because of the River Oaks Shopping Center, Barrow Street Shopping Center, etc.

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

Councilwoman Webster moved passage of the ordinance reclassifying RS-6 (Residential Single Family) to O (Office) District, located at 1410 Ballinger. Councilman Hilton seconded the motion. The motion carried as follows:

AYES: Councilmen Bridges, Rodriguez, Fogle, Hilton, Councilwoman Webster, and Mayor Hall. ZONING-RE:
RS-6 to O
1410 BALL-
AN ORDINANCE AMENDING CHAPTER 32, ZONING, OF THE ABILENE MUNICIPAL INGER CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN FINAL RD. PROPERTIES, AS DESCRIBED BELOW; DECLARING A PENALTY, AND CALLING A PUBLIC HEARING.

Mr. Collier presented the reclassification request from SC (Shopping Center) to PDD (Planned Development) District, located at Ridgemont & Rolling Green Drives. The request came from Paul Broadhead & Associates. The request was for the purpose of constructing a six-story hotel consisting of approximately 175 to 200 rooms. He said that hotels and motels are not allowed in shopping center zones. Both the Planning & Zoning Commission and the staff recommend approval of the request. He said construction would commence within six months of the date of passage.

Mayor Hall opened public hearing on the reclassification request from SC (Shopping Center) to PDD (Planned Development) District, located at Ridgemont & Rolling Green Drives.

Mr. Kim Wise, agent for Paul Broadhead & Associates, explained that they intend to develop a six-story hotel, which is a franchise hotel, and exists in Houston, Dallas, El Paso, San Antonio, etc. He said that part of the contractual agreement in the purchase of the property also involves the purchase of the multi-family land that is immediately to the west of the site. He also mentioned that later, when it comes time to develop that multi-family land, they will have to look at the concerns of the residents of that area.

Mayor Hall asked that Mr. Collier explain the area west of Ridgemont Drive which was later handled in the meeting as a reclassification request. Mr. Collier said that this request was to expand the shopping center district to the west of Ridgemont Drive about 55 feet to allow for additional parking and maneuvering for a proposed three-store office building or possibly two buildings in the area south of the proposed hotel site.

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

Councilman Hilton moved passage of the ordinance reclassifying SC (Shopping Center) to PDD (Planned Development) District, located at Ridgemont & Rolling Green Drives. Councilman Bridges seconded the motion. The motion carried as follows:

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

ZONING-RE:
SC TO PDD
RIDGEMONT
TO ROLLING
GREEN DRIVE
FINAL RD.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 32 ZONING, OF THE ABILENE MUNICIPAL CODE, CONCERNING RHODES PLAZA PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING;
PROVIDING A PENALTY AND AN EFFECTIVE DATE.

Mr. Collier presented an ordinance calling for a reclassification from RM-2 (Residential Multi-Family) to SC (Shopping Center) District, located west of Ridgemont Drive. The request is to enlarge the Shopping Center area to the west by a 55 foot strip. The Planned Development District that had just been approved also provided for this additional 55 feet so there will not be an offset. The Planning & Zoning Commission and the staff both recommended approval of the request.

Mayor Hall opened public hearing on the request from RM-2 (Residential Multi-Family) to SC (Shopping Center) District, located west of Ridgemont Drive.

Kim Wise explained that they intend to take the 55 foot strip to block off the property in a straight manner and it will also help to provide some parking for their first office building.

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

Councilwoman Webster moved passage of the ordinance reclassifying from RM-2 (Residential Multi-Family) to SC (Shopping Center) District, located west of Ridgemont Drive. Councilman Rodriguez seconded the motion. The motion carried as follows:

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

ZONING-RE:
RM-2 TO SC
WEST OF
RIDGEMONT D
FINAL RD.
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.

Mr. Collier presented a reclassification request from AO & RS-12 (Agricultural Open Space & Residential Single Family) to PDD (Planned Development) District, located on Oldham Lane. He said that Heritage Homes, Inc., requested the rezoning. The request is for the purpose of developing the property of 6 acres to 16 single family residences. The Planning & Zoning Commission and the staff both recommended approval of the request.

Mayor Hall opened public hearing on the reclassification request from AO & RS-12 (Agricultural Open Space & Residential Single Family)

to PDD (Planned Development) District, located on Oldham Lane.

Mr. Eddie Chase, 1714 Meadowbrook, explained that they were trying to develop a nice residential area that would be owned and built by the members of Heritage Homes, Inc. He said there are presently 9 members who have agreed to build homes in the development and are putting up their money out of the total 36 homes that can be built. He said that he felt it would be a very nice development. He said that they were asked to provide a fence around the area. He said that they have asked if they could delay building the fence until they have started the actual construction of the homes because they have utilities that will be very close to the fence. He said they will build a fence after that time and they are planning on doing some landscaping along Oldham Lane. He said that the conditions of the fence, traffic, planning, etc., has not been added to the ordinance, but he is working with an attorney to have it redrawn. He said he would be satisfied with an approval from the Council based on compliance with those suggestions.

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

Councilman Fogle moved passage of the ordinance reclassifying from AO & RS-12 (Agricultural Open Space & Residential Single Family) to PDD (Planned Development) District, located on Oldham Lane subject to the compliance with the provisions set out by the staff. Councilman Hilton seconded the motion. The motion carried as follows:

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

ZONING-RE:
AO & RS-12

TO PDD

OLDHAM LANE
FINAL RD.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 32, ZONING, OF THE ABILENE MUNICIPAL CODE, CONCERNING KINGS CROSS PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY, AND AN EFFECTIVE DATE.

Mr. Collier presented the ordinance reclassifying from RS-12 (Residential Single Family) to SC (Shopping Center) District, located at N. 10th & Danville. The request was from Hardin-Simmons University. He said that the Zoning Ordinance requires a minimum lot size of 10 acres for a Shopping Center zone. He said that the property in question is only approximately 1/4 of an acre. However, the staff had no problem with enlarging an existing small shopping center zone and it will provide for additional parking and maneuvering of whatever development takes place on the property. The Planning & Zoning Commission and the staff both recommended approval of the request.

Mayor Hall opened public hearing on the reclassification request from RS-12 (Residential Single Family) to SC (Shopping Center) District, located at N. 10th & Danville.

Mr. Ira Duck, agent for Hardin-Simmons University, explained that they were unable to sell the property in its present RS zoning but they could sell it in a SC zoning. He said Hardin-Simmons does need to sell it as it was property that was given to them.

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

Councilman Hilton moved passage of the ordinance reclassifying from RS-12 (Residential Single Family) to SC (Shopping Center) District, located at N. 10th & Danville. Councilman Rodriguez seconded the motion. The motion carried as follows:

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

ZONING-RE:
RS-12 TO SC
N. 10th &

DANVILLE
FINAL RD

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.

Mr. Collier presented the ordinance calling for a reclassification request from RS-8 (Residential Single Family) to PH (Patio Home Overlay) District, located in the 2500 Block of N. Judge Ely. The request came from Hill & Scott, Inc., to rezone a 10 acre tract. The request was for the purpose of constructing 51 patio homes on the 10 acre tract. The Planning & Zoning Commission and the staff both recommended approval of the request.

Mayor Hall opened public hearing on the reclassification request from RS-8 (Residential Single Family) to PH (Patio Home Overlay) District, located in the 2500 Block of N. Judge Ely.

Mr. Ray Scott, 702 Diamond Lake Drive, explained that one of the concepts that they tried to encompass in the development was a patio home or garden home development that was not crowded. He said they made the streets a maximum of 60 feet, the alleys will be 30 foot paved alleys, and the lots will be larger than normal.

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

Councilman Hilton moved passage of the ordinance reclassifying from RS-8 (Residential Single Family) to PH (Patio Home Overlay) District, located in the 2500 Block of N. Judge Ely. Councilman Bridges seconded the motion. The motion carried as follows:

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

ZONING-RE:
RS-8 TO
PH - 2500
BLK OF N.
JUDGE ELY
FINAL RD.

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.

Mr. Collier presented an ordinance calling for a reclassification request from RS-8 (Residential Single Family) to PH (Patio Home Overlay) District, located on proposed Doral Circle and proposed Inverrary Drive. Champion Properties requested the zone change south of Antilley Road and East of Buffalo Gap Road. He said that 19 patio homes are proposed in one area of the property and 16 in another part of the area. He said that the request did conform to the Southside Area Land Use Plan. The Planning & Zoning Commission and the staff both recommended approval of the request.

Mayor Hall opened public hearing on the request from RS-8 (Residential Single Family) to PH (Patio Home Overlay) District, located on proposed Doral Circle and proposed Inverrary Drive. There being no one present and desiring to be heard, Mayor Hall closed the public hearing.

Councilman Rodriguez moved passage of the ordinance reclassifying RS-8 (Residential Single Family) to PH (Patio Home Overlay) District, located on proposed Doral Circle and proposed Inverrary Drive. Councilwoman Webster seconded the motion. The motion carried as follows:
AYES: Councilmen Bridges, Rodriguez, Fogle, Hilton, Councilwoman Webster and Mayor Hall.
NAYS: None.

ZONING-RE:
RS-8 TO
PH - DORAL
CIRCLE TO
INVERRARY DI
FINAL RD.

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.

Mr. Collier presented the ordinance calling for the reclassification from AO (Agricultural Open Space) to RS-6, RM-3, LC & GC (Residential Single Family, Residential Multi-Family, Limited Commercial & General Commercial) District, located at Oldham Lane & Industrial Boulevard. The request came from Lytle Shores South, Inc., to rezone approximately 85 acres from AO to RS-6, RM-3, LC & GC. He said that the breakdown would be 45 acres in RS-6 zoning, 14 1/2 acres in RM-3 zoning, 7 1/2 acres in LC zoning, and 18 acres in GC zoning. He said that the staff felt that the RM-3 zoning would act as a buffer between the RS-6 and the commercial zoning. He said that the proposed zoning is in conformance with the Southeast Area Land Use Plan. The Planning & Zoning Commission and the staff both recommended approval of the request. He said that the original request did ask for General Commercial zoning up to the residential area. He said that the staff had some concerns

over RM-1 zoning since it would permit such intense development over a 100 percent liveable area. During the Planning & Zoning Commission meeting, the RM-1 zoning was amended to RM-3. He also mentioned that FM 1750 or Oldham Lane is exempt from needing curb and gutter since it is a State maintained road.

Mayor Hall opened public hearing on the reclassification request from AO (Agricultural Open Space) to RS-6, RM-3, LC & GC (Residential Single Family, Residential Multi-Family, Limited Commercial & General Commercial) Districts, located on Oldham Lane & Industrial Blvd.

Mr. Pete Baker, representing developer Jordan Wood, explained that some items have been concerning some of the residents in the area. He said that fire protection is a concern. He said right now there is no fire station within 1.5 miles of the property. He said that to his understanding that a Ken Musgrave tract of land is anticipated to be a fire station in the near future. He said that if this does not develop, Jordan Wood has offered adequate property would be donated to the City so that a fire station could be erected there. He said there was also a question of notification. He said he has talked with Mr. Tommy Harendt, who was a property owner within 200 feet, and Mr. Harendt said that he was not notified but that it was okay with him and that he agreed with the rezoning. The third concern was the proposed General Commercial zoning. He said the proposed General Commercial zoning would be at the intersection of two major thoroughfares. Finally, he addressed the concern of modular homes. He said these homes range in price from \$37,950 to \$55,600 which includes back yard fences, mail boxes, and trees.

Mr. Linden Curry, engineer for the project, explained that the natural drainage for the site is from the southeast toward the northwest. He said that drainage would accumulate at the northwest corner of the acreage and now accumulates there and runs through an inadequate highway ditch. He said several years ago, they recognized this problem, and at a great cost, split the project right down the middle of the total site. From there they forced the drainage easterly through a six feet deep drainage ditch. He said that ditch will be widened to a full road, six feet deep. He said that since they have split the property, it is carrying half the drainage to the northeast corner and putting it in Lytle Creek. He said that the commercial zones will drain east first to the Highway and then north. The RM-3 and RS-6 zones will drain north and then east down Baylor Drive and into Lytle Creek. He said that the ditch will run all the way across their property and will cross land owned by WPU so that the water will eventually be dumped into Lytle Creek.

Mr. Bob Galinak, property owner at 3733 Oldham Lane, presented a petition to the Council signed by 87 out of 115 home owners in the immediate area of Lytle Shores South. He said of those 87 listed and of the 21 listed who are within 200 feet, they have 16 who have signed in strong opposition of the proposed rezoning. He said that the closest fire station is 2.9 miles from the area. He said that the key code of insurance requires that there be a fire station within a 1.5 mile radius of a General Commercial area. He said another concern was that there would only be two streets coming out of the development and would dump all of that traffic of more than 500 homes onto Oldham Lane. He said that water is not running off of the area-- it is standing in driveways, yards, and ditches. He said that the petition was mainly voicing the objection of the increase in elevation that the building of new homes and businesses would cause.

Mr. Seegmiller, City Manager, said that there has been some planning to place a fire station in that area. He said that an exact location had not been established at that time.

Mr. Baker said that Mr. Wood had met in February with some of the property owners and told them that he would be happy to work with them in any way. But he said that not one property owner has contacted him to tell them what they wanted.

Mr. Bob Whitehead, Director of Public Works, explained that the City Engineer has the responsibility of reviewing all of the utility, drainage capabilities on any new subdivision. He said the basic attempt is what is proposed and where the water will drain. He said that right now, it is necessary for the City to look at the drainage and try to arrive at any satisfactory solution to any new drainage in

a new subdivision. He said he thought this was accomplished by Mr. Curry to try to channel the drainage to a different direction.

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

Councilwoman Webster moved passage of the ordinance reclassifying from AO (Agricultural Open Space) to RS-6, RM-3, LC & GC (Residential Single Family, Residential Multi-Family, Limited Commercial & General Commercial) Districts, located at Oldham Lane & Industrial Boulevard with the stipulation that Jordan Wood would donate enough property to the City to build a fire station if it wishes. Councilman Hilton seconded the motion. The motion carried as follows:

AYES: Councilmen Bridges, Rodriguez, Fogle, Hilton, Councilwoman Webster, and 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 RS-6
RM-3, LC &
GC ON
OLDHAM LANE
& INDUSTRIAL
FINAL RD

Mr. Collier presented the ordinance calling for a reclassification from AO (Agricultural Open Space) to LI (Light Industrial) District, located in the 4000 Block of E. Hwy 80. The request came from Kapar, Inc. The proposed use of the property was for a mobile home sales facility. The request was in conformance with the East Highway 80 Study that was adopted in 1979. The Planning & Zoning Commission and the staff both recommended approval of the request.

Mayor Hall opened public hearing on the reclassification request from AO (Agricultural Open Space) to LI (Light Industrial) District, located in the 4000 Block of E. Hwy 80.

Mr. Robert K. Bein, 40 Kings Court, offered his assistance if the Council had any questions about the rezoning.

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

Councilman Hilton moved passage of the ordinance reclassifying AO (Agricultural Open Space) to LI (Light Industrial) District, located in the 4000 Block of E. Hwy 80. Councilman Rodriguez seconded the motion. The motion carried as follows:

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

NAYS: None.

ZONING-RE:
AO TO LI
4000 BLK OF
E. HWY 80
FINAL RD.

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.

Mr. Collier presented an ordinance calling for a reclassification from RS-6 (Residential Single Family) to PH (Patio Home Overlay) District, located in the 2100 Block of Grand Avenue. The request came from Thomas E. Nolan. The Planning & Zoning Commission recommended that the front be at least 20 feet to maintain continuity with the existing homes and the sides be sufficient to maintain at least 10 feet between the proposed homes and the already existing homes. The proponent agreed to the requirements and the Planning & Zoning Commission approved the request in that light. The staff also recommended approval of the request.

Mayor Hall opened public hearing on the reclassification from RS-6 (Residential Single Family) to PH (Patio Home Overlay) District, located in the 2100 Block of Grand Avenue.

Thomas E. Nolan, proponent, offered his assistance if the Council had any questions about the rezoning.

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

Councilman Hilton moved passage of the ordinance reclassifying RS-6 (Residential Single Family) to PH (Patio Home Overlay) District, located in the 2100 Block of Grand Avenue subject to compliance with the setback requirement of a minimum of 20 feet. Councilwoman Webster seconded the motion. The motion carried as follows:

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

NAYS: None.

ZONING--RE:
RS-6 TO PH
2100 BLOCK
OF GRAND AV
FINAL RD.

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.

Mr. Collier presented an ordinance calling for a reclassification from AO (Agricultural Open Space) to SC, O, RM-2, RM-3, RS-8 & CU (Shopping Center, Office, Residential Multi-Family, Residential Single Family, and College-University) Districts, located at EN 10th & Judge Ely Boulevard. The request was made by Abilene Christian University. He said that the proposed zone changes were in the Rainy Creek Study which has not yet been approved by the Council. He asked if the Council wanted to consider approving the Rainy Creek Study before approving or disapproving the zone changes. He said that the Rainy Creek Study had been put on the table by the Council earlier.

Councilman Rodriguez moved to take the Rainy Creek Study from the table. Councilman Fogle seconded the motion. The motion carried as follows:

AYES: Councilmen Bridges, Rodriguez, Fogle, Hilton, and Mayor Hall. (Councilwoman Webster left the meeting.)

NAYS: None.

Mr. Lee Roy George explained to the Council that earlier, when the Rainy Creek Study was placed on the table, Abilene Christian University was looking into purchasing the large tract of land being considered. The University did purchase the land and he said that the request for rezoning does comply with the general concept of the Rainy Creek Land Study. Councilwoman Webster returned to the meeting.

Councilman Fogle moved passage of the Rainy Creek Study. Councilman Bridges seconded the motion. The motion carried as follows:

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

NAYS: None.

PLANNING -
RAINY CREEK
LAND USE
PLAN
APPROVED

Mr. Collier explained that out of the 211 acres requested to be rezoned, 18.42 acres to be used as Shopping Center, 7.05 acres as Office, 18.81 acres as RM-2, 5.14 as RM-3, 75.96 as RS-8, 85.76 acres as College-University zoning. The request is in conformance with the general concept of the Rainy Creek Study. The Planning & Zoning Commission and the staff both recommended approval of the request.

Mayor Hall opened public hearing on the ordinance reclassifying from AO (Agricultural Open Space) to SC, O, RM-2, RM-3, RS-8 & CU (Shopping Center, Office, Residential Multi-Family, Residential Single Family & College-University) Districts, located at EN 10th & Judge Ely Boulevard.

Mr. Terry Franklin, Lee Moore Company, explained that Lee Moore Company has been contracted to purchase a tract of land included in the 250 acres purchased by Abilene Christian University. He said that they are asking for zoning on about 128 acres and approximately 85 acres was attached to the request by Abilene Christian University. He went on to explain the various uses of each proposed zone.

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

Councilman Rodriguez commended Lee Moore Company for developing in the north part of Abilene. He said he thought there were other areas that needed to be developed on the north side of town.

Councilman Rodriguez moved passage of the ordinance reclassifying from AO (Agricultural Open Space) to SC, 0, RM-2, RM-3, RS-8, & CU (Shopping Center, Office, Residential Multi-Family, Residential Single Family & College University) Districts, located at EN 10th & Judge Ely Boulevard. Councilman Bridges seconded the motion. The motion carried as follows:

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

NAYS: None.

ABSTAINED: Councilman Hilton.

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 SC, 0,
RM-2, RM-3,
RS-8 & CU
EN 10TH &
JUDGE ELY
FINAL RD.

Mr. Wayne Kurfees, Director of Traffic and Transportation, presented an ordinance prohibiting parking on East South 11th Street from Treadaway to Judge Ely Boulevard. He said that ES 11th is 64 feet wide and has always in the past been marked for four lanes of traffic with room for on street parking. He said that in recent years, very little on street parking has taken place. He said that most of the accidents that have happened along this roadway have been left-turn related either turning on to Oldham Lane or T & P Lane. He said that the Highway Department is planning to overlay the street soon and they want to provide a two-way left-turn lane. That will eliminate the on street parking areas.

Mayor Hall opened public hearing on the ordinance prohibiting parking on ES 11th Street from Treadaway to Judge Ely Boulevard. There being no one present and desiring to be heard, Mayor Hall closed the public hearing.

Councilwoman Webster moved passage of the ordinance prohibiting parking on ES 11th from Treadaway to Judge Ely Boulevard. Councilman Bridges seconded the motion. The motion carried as follows:

AYES: Councilmen Bridges, Rodriguez, Fogle, Hilton, Councilwoman Webster and 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.

PROHIBIT
PARKING ON
ES 11TH BTN
TREADAWAY &
JUDGE ELY
FINAL RD.

Mr. Curtis Hawk presented a resolution for the renewal of the Day Care for the Elderly lease at the S. 7th Fire Station. He said that last November, the City leased the S. 7th Fire Station to the Day Care Center for the Elderly. At that time, the City understood that the lease would be temporary until such time the Center could find another location for their Center. The Center wanted to do some renovations to the fire station and since the renovations were not completed until March 15, they have asked for an extension of the lease for another six months.

Mr. Henry McGinty, member of the Board of the Day Care for the Elderly, explained that the fire station has enabled them to carry out their program. He thanked the Council for enabling them to use the fire station and requested that they be allowed to use the facility as long as they need it.

Councilman Fogle asked if their group was looking for another facility. Mr. McGinty said that they were just now getting over the task of raising the money for the renovation. He said that they have not had the chance to raise the money for another location. He was asked if the Center could provide the Council with a report of the progress of finding a new location after the first 90 days of the extension and a report 30 days before the end of the lease. Mr. McGinty agreed to provide the reports.

Councilman Bridges moved adoption of the oral resolution extending the lease with Day Care for the Elderly for the S. 7th Fire Station with the understanding that they will provide the Council with a report of the progress of finding a new location after the first 90 days of the extension and a report 30 days before the end of the lease which is for six months. Councilman Hilton seconded the motion. The motion carried as follows:

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

NAYS: None.

Mr. Lee Roy George presented a resolution concerning the utilization of community development funding for street paving on Vogel Street adjacent to the proposed public housing sites that were recently approved and forwarded to HUD for their consideration. He said the resolution is asking the Council to authorize the expenditure of community development funds for paving one-half of the streets around and adjacent to the public housing sites on Vogel Street.

Mr. Bob Deegan, Chairman of the Public Housing Authority, said that their commitment will end in June and if they do not get the resolution, then they would not satisfy HUD and the whole project would be withdrawn.

Councilman Rodriguez moved adoption of the resolution concerning the utilization of community development funds for street paving on Vogel Street adjacent to the proposed public housing sites. Councilman Bridges seconded the motion. The motion carried as follows:

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

NAYS: None.

A RESOLUTION OF THE CITY OF ABILENE, TEXAS, APPROVING COMMITMENT OF THE CITY FOR PAYMENT OF A SHARE OF THE PAVING COSTS FOR STREET PAVING OF A PORTION OF VOGEL STREET.

Mr. Roy McDaniel, Director of Finance, explained that the current contract with Blue Cross-Blue Shield Insurance expires the end of May. He said that for the second year in a row, the City's claims have outstripped the premiums. Blue Cross-Blue Shield is asking for an increase of 27 percent and has told the City that they would no longer offer the same type of benefit package that they had offered in the past, which was a high/low option package. He said that they proposed a mid plan which is a compromise between the old high/low. He said that the City asked Texas Municipal League for a quote on the same type of plan and they were approximately \$180,000 higher than Blue Cross-Blue Shield for the same kind of plan. He said that the proposed Blue Cross-Blue Shield plan provides a \$200 per year deductible for both hospital and all other medical expenses. That would be limited to two per family instead of three and would be limited to a total of \$400 per year in total deductions. He said that it was a substantial improvement over the old low plan but was not quite as good as the old high plan. He went on to point out the various rates for Employee, Employee/Spouse, etc. He said that these rates are guaranteed until October 1, 1983. He said that the City would be taking most of the burden of the extra cost instead of the employees. He said that they also intend to provide the \$5,000 life insurance policy and it would be a cost of \$2.50 for each employee. He recommended adoption of the benefit package and that the City continue to pay the employee only cost plus life insurance and that the City enters into the agreement for a period until October 1, 1983 and that in the meantime, the City pursues another concept offered by Transamerica Occidental. He said the Blue Cross plan subjects the City to no retroactive claim for any additional premiums in the future, past or present.

Mayor Hall moved adoption of the oral resolution adopting the proposed Blue Cross-Blue Shield Insurance Plan and life insurance. Councilwoman Webster seconded the motion. The motion carried as follows:

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

NAYS: None.

The following are the rates of the proposed Blue Cross-Blue Shield Insurance Plan.

City pays Employee Only Cost:

	<u>Total</u>	<u>Life</u>	<u>City</u>	<u>Life</u>	<u>Employee</u>
Employee Only	47.63	+ 2.50	47.63	+ 2.50	- 0 -
Employee/Child	74.21	+ 2.50	47.63	+ 2.50	26.58
Employee/Spouse	108.17	+ 2.50	47.63	+ 2.50	60.54
Employee/Family	124.88	+ 2.50	47.63	+ 2.50	77.25
Total Annual City Cost	<u>\$663,581</u> + Life Ins.				

Mayor Hall explained to the Council that there was still a vacancy on the Civic Abilene, Inc., Board. He said that Mrs. Louis Gee would like to serve another term on the Board.

BOARD APPT.
CIVIC
ABILENE, IN

Councilman Fogle moved that Mrs. Louis Gee be reappointed to the Civic Abilene, Inc., Board for a term expiring May, 1985. Councilman Hilton seconded the motion. The motion carried as follows:

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

NAYS: None.

The Council went into executive session to consider pending and contemplated litigation.

The Council returned from the executive session with no action taken on pending and contemplated litigation. Mayor Hall adjourned the meeting at 2:00 p.m.

Steve Beard
Assistant City Secretary

J. Am...
Mayor