

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, June 10, 1982, at 9:00 a.m.

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

1. Call to Order.
2. INVOCATION: Councilman L. D. Hilton.
3. APPROVAL OF MINUTES: Regular Meeting held May 27, 1982
4. AWARDS & PRESENTATIONS:
Graduation of Police 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 - reclassification request from MH, AO, & SC (Mobile Home, Agricultural Open Space, & Shopping Center) to GC & O (General Commercial & Office) Districts, located at Texas Avenue & U.S. Hwy 277, and set a public hearing for June 24, 1982, at 9:00 a.m.
 - b. Consider on first reading - reclassification request from SC (Shopping Center) to GC (General Commercial) District, located at N. 10th & Willis Streets, and set a public hearing for June 24, 1982, at 9:00 a.m. (Withdrawn at P&Z)
 - c. Consider on first reading - reclassification request from AO (Agricultural Open Space) to PDD (Planned Development) District, located between S. 25th & S. 27th Streets, and set a public hearing for June 24, 1982, at 9:00 a.m.
 - d. Consider on first reading - reclassification request from AO (Agricultural Open Space) to O (Office) District, located at S. 32nd & Willis Streets, and set a public hearing for June 24, 1982, at 9:00 a.m. (Withdrawn at P&Z)
 - e. Consider on first reading - reclassification request from RS-8 (Residential Single Family) to RM-3 (Residential Multi-Family) District, located in the 4100 Block of Russell Street, and set a public hearing for June 24, 1982, at 9:00 a.m.
 - f. Consider on first reading - reclassification request from AO (Agricultural Open Space) to RS-12 (Residential Single Family) District, located at Hillview Road & Bluff Crest Lane, and set a public hearing for June 24, 1982, at 9:00 a.m.
 - g. Consider on first reading - reclassification request from SC (Shopping Center) to RM-2 (Residential Multi-Family) District, located at Texas Avenue & Quail Run, and set a public hearing for June 24, 1982, at 9:00 a.m.
 - h. Consider on first reading - reclassification request from AO (Agricultural Open Space) to RM-2 (Residential Multi-Family) District, located on Texas Avenue, and set a public hearing for June 24, 1982, at 9:00 a.m.
 - i. Consider on first reading - reclassification request from AO (Agricultural Open Space) to RS-12 (Residential Single Family) District, located on FM 600, and set a public hearing for June 24, 1982, at 9:00 a.m.
 - j. Consider on first reading - reclassification request from RM-3 (Residential Multi-Family) to RM-3 (Residential Multi-Family) District, located at S. 7th & Redbird Lane, and set a public hearing for June 24, 1982, at 9:00 a.m.
 - k. Consider on first reading - reclassification request from AO, GC, & RM-3 (Agricultural Open Space, General Commercial & Residential Multi-Family) to RM-2 & GC (Residential Multi-Family & General Commercial) Districts, located on Martin Drive, and set a public hearing for June 24, 1982, at 9:00 a.m.

1. Consider on first reading - reclassification request from AO (Agricultural Open Space) to HI (Heavy Industrial) District, located at Maple Street & Executive Drive, and set a public hearing for June 24, 1982, at 9:00 a.m.
- m. Consider on first reading - amending Chapter 19 pertaining to nuisances providing for hearing procedures & set a public hearing for June 24, 1982, at 9:00 a.m.
- n. Consider on first reading - amending the Refuse Code concerning Credit for Non-Occupancy, and set a public hearing for June 24, 1982, at 9:00 a.m.
- o. Consider on first reading - amend Section 18-204 Park Private property signed.

6. Resolutions

- a. Consider authorizing the Mayor to sign a contract with Pride Oil Company.
 - b. Consider Street Use License for 610 Butternut Street.
 - c. Consider approval of authorization to purchase right-of-way from N. 14th to Ambler Avenue of the Grape Street Widening Project and to obtain the services of fee appraisers, an attorney for title purchases, and the disposal of surplus real estate and improvements.
 - d. Consider easement release being a 20 feet north-south utility easement between Lots 19-22 & Lots 5-7, Block B; and 3 feet street light easements on the east line of Lots 8 & It & the north line of Lot 21, Block B, Westdale Village Addition.
 - e. Consider payment to First Southwest Company for financial advisory services covering the City's \$6,875,000 G.O. Bonds, Series, 1982.
7. Award of Bids
- a. Bleachers for Lee Athletic Complex.
 - b. Lights for Lee Athletic Complex.
 - c. Paving & sidewalk improvements for the Carver area.
8. Request to Advertise
- a. Rescue Van for Fire Department.

REGULAR AGENDA

9. Public Hearings
 - a. Consider on second and final reading - amending Section 32-7.2.16 of the Zoning Ordinance concerning Time Limit on Authorization.
 - b. Consider on second and final reading - thoroughfare abandonment, being S. 27th beginning at the west right-of-way line of Oak Street and running west for approximately 517.92 feet in length & 30 feet in width.
 - c. Consider on second and final reading - thoroughfare abandonment, being Oak Street from S. 25th to S. 27th.
 - d. Consider on second and final reading - reclassification request from RS-6 (Residential Single Family) to MH (Mobile Home) District, located at N. 10th & Plaza Streets.
 - e. Consider on second and final reading - reclassification request from SC (Shopping Center) to HC (Heavy Commercial) District, located at N. 10th & Clack Streets.
 - f. Consider on second and final reading - prohibit parking on Buffalo Gap Road from Linda Joy to Moore Streets.
 - g. Consider on second and final reading - amending Section 32-9.2 and Section 32-9.3.2 of the Zoning Ordinance concerning mobile homes for security purposes.
10. Resolutions
 - a. Consider Goodlow Relocation Assitance Payments for Mr. & Mrs. George Thompson & Mr. & Mrs. Maximo Martinez.
11. Award of Bids
 - a. Widening of S. 14th from Sayles to Matador.
12. Request to Advertise
 - a. Refuse Collection Side Loader System
13. Other Business
 - a. Discuss Civic Center rental fees.
 - b. Discuss Parks right-of-way mowing.
 - c. Pending and contemplated litigation.

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 7th day of June, 1982, at 9:00 a.m.

Sperry Beard
Assistant City Secretary

REGULAR MEETING - THURSDAY
JUNE 10, 1982 - 9:00 A.M.

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

The City Council of the City of Abilene, Texas, met in Regular Session Thursday, June 10, 1982, at 9:00 a.m. with Mayor Pro Tempore Kathy Webster, present and presiding. Mayor Elbert E. Hall was absent. Councilman Julian Bridges, Councilwoman Billye Proctor, Councilmen Juan C. Rodriguez, A.E. Fogle, Jr., L. D. Hilton, present. City Manager Ed Seegmiller, City Attorney Harvey Cargill, & City Secretary Ruth Hodgins, present.

Invocation by Councilman L. D. Hilton.

Minutes of last Regular Meeting held May 27, 1982, were approved as written.

Ruth Hodgins, City Secretary, administered the Oath of Office to the following Police Cadets who have graduated from the 28th Police Academy.

James David Fuller	David Alan Spiers	POLICE
Michael Shawn McAuliffe	Ricky Angel Sanchez	ACADEMY
William James Armstrong	Steven Glenn Parks	
David Duane Gray	Steven Emil Stall	
David Allan Gage	Glenn Paul Cadwell	
Michael James Ricker	David Robert Rodriguez	

Mayor Webster presented graduation certificates to the above twelve graduating officers.

Councilman Fogle moved passage of the consent items listed below, with the exception of 6a & 7b, which will be voted on separately. The motion was seconded by Councilman Bridges. The motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor, Councilmen Rodriguez, Fogle, Hilton & Mayor Webster.
NAYS: None.

5. Ordinances

- a. Consider on first reading - reclassification request from MH, AO, & SC (Mobile Home, Agricultural Open Space & Shopping Center) to GC & O (General Commercial & Office) Districts, located at Texas Avenue & U.S. Hwy 277, and set a public hearing for June 26, 1982, at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING PROPERTIES, AS DESCRIBED BELOW; DECLARING A PENALTY, AND CALLING A PUBLIC HEARING. ZONING-RE MH, AO & SC TO GC & O TEXAS AVE. 1ST READING

- b. Consider on first reading- reclassification request from SC (Shopping Center) to GC (General Commercial) District, located at N. 10th & Willis Streets, and set a public hearing for June 24, 1982, at 9:00 a.m. WITHDRAWN

- c. Consider on first reading - reclassification request from AO (Agricultural Open Space) to PDD (Planned Development) District, located between S. 25th & S. 27th Streets, and set a public hearing for June 24, 1982, at 9:00 a.m.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, ZONING-RE SUBPART E, ZONING, OF THE ABILENE MUNICIPAL CODE, CONCERNING TAYLOR COUNTY JUSTICE CENTER PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE. AO TO PDD BET. S. 25TH & S. 27TH 1ST READING

- d. Consider on first reading - reclassification request from AO (Agricultural Open Space) to O (Office) District, located at S. 32nd & Willis Streets, and set a public hearing for June 24, 1982, at 9:00 a.m. WITHDRAWN

- e. Consider on first reading - reclassification request from RS-8 (Residential Single Family) to RM-3 (Residential Multi-Family) District, located in the 4100 Block of Russell Street, and set a public hearing for June 24, 1982, at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES, AS DESCRIBED BELOW; DECLARING A PENALTY, AND CALLING A PUBLIC HEARING.

ZONING-RE
RS-8 to RM-3
4100 BLK.
RUSSELL
1ST READING

- f. Consider on first reading - reclassification request from AO (Agricultural Open Space) to RS-12 (Residential Single Family) District, located at Hillview Road & Bluff Crest Lane, and set a public hearing for June 24, 1982, at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 23, SUBPART E, "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-12
AT HILLVIEW
& BLUFF CREST
LANE
1ST READING

- g. Consider on first reading - reclassification request from SC (Shopping Center) to RM-2 (Residential Multi-Family) District, located at Texas Avenue & Quail Run, and set a public hearing for June 24, 1982, at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 23, SUBPART E, "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
SC TO RM-2
TEXAS AVE. &
QUAIL RUN
1ST READING

- h. Consider on first reading - reclassification request from AO (Agricultural Open Space) to RM-2 (Residential Multi-Family) District, located on Texas Avenue, and set a public hearing for June 24, 1982, at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 23, SUBPART E, "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 RM-2
TEXAS AVE.
1ST READING

- i. Consider on first reading - reclassification request from AO (Agricultural Open Space) to RS-12 (Residential Single Family) District, located on FM 600, and set a public hearing for June 24, 1982, at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 23, SUBPART E, "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-12
FM 600
1ST READING

- j. Consider on first reading - reclassification request from RM-3 (Residential Multi-Family) to RM-2 (Residential Multi-Family) District, located at S. 7th & Redbird Lane, and set a public hearing for June 24, 1982, at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES, AS DESCRIBED BELOW; DECLARING A PENALTY, AND CALLING A PUBLIC HEARING.

ZONING-RE
RM-3 to RM-2
S. 7th &
REDBIRD LANE
1ST READING

- k. Consider on first reading - reclassification request from AO, GC, & RM-3 (Agricultural Open Space, General Commercial, & Residential Multi-Family) to RM-2 & GC (Residential Multi-Family & General Commercial) Districts, located on Martin Drive, and set a public hearing for June 24, 1982, at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 23, SUBPART E, "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, GC & RM-3
TO RM-2 & GC
MARTIN DRIVE
1ST READING

- l. Consider on first reading - reclassification request from AO (Agricultural Open Space) to HI (Heavy Industrial) District, located at Maple Street & Executive Drive, and set a public hearing for June 24, 1982, at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 23, SUBPART E, "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 HI
MAPLE ST. &
EXECUTIVE DR
1ST READING

Mike Hall, Director of Community Services, presented the item, PARKS-Lights for Lee Athletic Complex. He said that the Staff recommended the LEE ATHLETIC the low bid of Graybar, Inc. in the amount of \$17,009.57. He said that COMPLEX-they had received five bids, two were incomplete and this was the low LIGHTS (BID) bid of the three complete bids. He explained that this is the same equip-TABLED ment which is in use on other City ballfield facilities.

Councilman Hilton and Councilman Fogle questioned the practice of not taking low bid on each item because it would mean a savings to the City.

Mr. Hall said that the other bid, which was an incomplete low bid from Sun Supply could not be chosen because they did not bid on every item and they did not demonstrate their product. The time element was part of what they were worried about.

Mr. Seegmiller said that he did not know if they could a pull out the low bid on each item, of a package bid.

Mr. McDaniel said that in some cases we could not pull out the low bid on each item, because the various components are not compatible. He said that you may ask for individual bids, but you are stuck with the prices of one company if they are bid together.

Mr. Hall said that they felt that they would get a better total bid with a company bidding one complete bid, rather than separating them like, taking the fixtures from one individual, panels from another individual and wire from another individual. This is the way we have handled light fixtures before.

Mr. Gargill said that we could table the item, we could go back and look at the bids and Mr. Hall could check to see if this one bidder would comply with the standards that we have asked & see if the bids that we currently have ought to be reconsidered and come back to you at the next Council meeting. However, if you want to add or have additional bidders an opportunity to bid, we will have to go back and reopen the bidding completely, advertise once a week for three consecutive weeks. Then evaluate the bids again, and bring it back to you, which will take at least a month.

Mr. Hall said that ^{if} they could have an opportunity to look at these fixtures in questions, we could come back at the next Council meeting with a recommendation.

Mr. Fogle said that he was concerned because of the time limit basis, he feels that we are selected a vendor because we have used his products before and we know what they will do. But we asked for these bids on the basis of specifications and it does not seem to be fair, to chose one product when we are familiar with it and we are not the other product. He hoped that in our bidding process, that we are making it clear that we want a lump sum bid, if we are.

Councilman Hilton moved to table the decision of the Lights for Lee Athletic Complex, until the next meeting, giving the Staff an opportunity to review and perhaps to come back with rationale for the bid.

The motion was seconded by Councilman Fogle. The motion carried as follows:
AYES: Councilman Bridges, Councilwoman Proctor, Councilmen Rodriguez, Fogle, Hilton & Mayor Webster.

NAYS: None.
Mayor Webster opened public hearing on an ordinance amending Section 32-7.2.16 of the Zoning Ordinance concerning Time Limit on Authorization.

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

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

Councilwoman Proctor moved passage of the ordinance on second and final reading amending Section 32-7.2.16 of the Zoning Ordinance concerning Time Limit on Authorization. The motion was seconded by Councilman Rodriguez. The motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor, Councilmen Rodriguez, Fogle, Hilton & Mayor Webster.
NAYS: None.

ZONING ORD.
AMENDED-
TIME LIMIT
ON AUTHORI-
ZATION
FINAL READIN

m. Consider on first reading - amending Chapter 19 pertaining to "Nuisances", providing for hearing procedure & set a public hearing for June 24, 1982, at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 19, "NUISANCES" BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

CODE AMENDED-
CHAPTER 19
"NUISANCES"
1ST READING

n. Consider on first reading - amending the Refuse Code concerning Credit for Non-Occupancy, and set a public hearing for June 24, 1982, at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 27, "REFUSE" BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

CODE AMENDED
CHAPTER 27
"REFUSE"
1ST READING

o. Consider on first reading - amend Section 18-204 Parking Private Property --signed.

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.

TRAFFIC CODE
AMENDED-
CHAPTER 18
"MOTOR VEHIC
& TRAFFIC"
1ST READING

6. Resolutions

a. Consider authorizing the Mayor to sign a contract with Pride Oil Company. - To be voted upon later.

b. Consider Street Use License for 610 Butternut Street.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING A STREET USE LICENSE AGREEMENT BETWEEN THE CITY OF ABILENE AND DAN HARWELL, JR. FOR PARKING PURPOSES.

610 BUTTERNUT
DAN HARWELL,
JR.
STREET IMP.
SECURE ROW
GRAPE ST.
PROJECT

c. Consider approval of authorization to purchase right-of-way from N. 14th to Ambler Avenue of the Grape Street Widening Project and to obtain the services of fee appraisers, an attorney for title purchases, and the disposal of surplus real estate and improvements.

d. Consider easement release being a 20 feet north-south utility easement between Lots 19-22 & Lots 5-7, Block B; and 3 feet street light easements on the east line of Lots 8 & 15 & the north line of Lot 21, Block B, Westdale Village Addition.

EASEMENT FROM
CITY
WESTDALE
VILLAGE ADD'N

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE THE ATTACHED EASEMENT RELEASE.

e. Consider payment to First Southwest Company for financial advisory services covering the City's \$6,875,000 G.O. Bonds, Series, 1982.

FISCAL AGENT
AUTH. PAYMENT
FOR SERVICES

7. Award of Bids

a. Bleachers for Lee Athletic Complex.

b. Lights for Lee Athletic Complex. (to be voted upon later)

c. Paving & sidewalk improvements for the Carver area.

AWARD OF BIDS
PARKS-
BLEACHERS
PARKS-PAVING
& SIDEWALK

8. Request to Advertise
Rescue Van for the Fire Department.

FIRE-VAN

Roy McDaniel, Director of Finance, said that we had negotiated with Pride Refinery, for a Fire Contract (fire protection). He said that it was for three years and \$15,000 per year. He said that it was a very equitable contract based on what their tax rate would be if they were inside the City limits.

CONTRACT-
PRIDE OIL CO.
FIRE CONTRACT

Mr. Seegmiller said that three years ago when we talked with them about a contract, they would not have had as good 'early warning system' as they have now. They have also hired a Safety Officer. He also said that they must conform to the City's codes in the present contract.

After discussion, Councilman Hilton moved authorization for the Mayor to execute a contract with Pride Oil Company for fire protection service. The motion was seconded by Councilwoman Proctor. The motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor, Councilmen Juan C. Rodriguez, A. E. Fogle, Jr., L. D. Hilton & Mayor Webster.
NAYS: None.

AN ORDINANCE AMENDING CHAPTER 23, SUBPART E, "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 Webster opened public hearing on a thoroughfare abandonment, being S. 27th beginning at the west right-of-way line of Oak Street and running west for approximately 517.92 feet in length & 30 feet in width.

Mayor Webster asked Mr. Collier to brief the Council on the abandonment.

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

Councilman Fogle moved passage of the ordinance on second and final reading an ordinance providing for a thoroughfare abandonment, being S. 27th, beginning at the west right-of-way line of Oak Street and running west for approximately 517.92 feet in length & 30 feet in width. The motion was seconded by Councilman Hilton. The motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor, Councilmen Rodriguez, Fogle, Hilton & Mayor Webster.
NAYS: . None.

THOROUGHFARE
ABANDONMENT-
S. 27th AT
OAK
FINAL 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.

Mayor Webster opened public hearing on an ordinance providing for a thoroughfare abandonment, being Oak Street from S. 25th to S. 27th.

Mayor Webster asked Mr. Collier to brief the Council on the recommendation.

James Wheeler, speaking for the proponent, said that they did not object to the retention of a 40' easement being retained the length of the street.

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

Councilman Bridges moved passage of the ordinance on second and final reading providing for a thoroughfare abandonment, being Oak Street from S. 25th to S. 27th Street. The motion was seconded by Councilman Rodriguez. The motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor, Councilmen Rodriguez, Fogle, Hilton & Mayor Webster.
NAYS: None.

THOROUGHFARE
ABANDONMENT-
OAK ST. S 25]
TO S. 27TH

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.

Mayor Webster opened public hearing on an ordinance reclassifying from RS-6 (Residential Single Family) to MH (Mobile Home) District, located at N. 10th & Plaza Streets.

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

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

Councilman Hilton moved passage of the ordinance on second and final reading reclassifying from RS-6 to MH District, located at N. 10th & Plaza Streets. The motion was seconded by Councilman Bridges. The motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor, Councilmen Rodriguez, Fogle, Hilton & Mayor Webster.
NAYS: None.

AN ORDINANCE AMENDING CHAPTER 23, SUBPART E, "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
FINAL READIN(

Mayor Webster opened public hearing on an ordinance reclassifying ZONING-RE from SC (Shopping Center) to HC (Heavy Commercial) District, located SC TO HC at N. 10th & Clack Streets. N. 10TH &

Mayor Webster asked Mr. Collier to brief the Council on the re- CLACK classification. DENIED

Mr. Collier said that retail shops would fit in the present zoning. Mini-warehouses would fit in General Commercial zoning. Mobile home sales requires Heavy Commercial except it would be permitted in General Commercial with the approval of the Board of Adjustment.

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

After discussion, Councilman Rodriguez moved to deny the request for reclassification of property from SC to HC District, located at N. 10th & Clack Streets. The motion was seconded by Councilman Fogle.

The motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor, Councilmen Rodriguez, Fogle, Hilton & Mayor Webster.

NAYS: None.

Mayor Webster opened public hearing on a traffic ordinance amendment, prohibiting parking on Buffalo Gap Road from Linda Joy to Moore Street.

Mayor Webster asked James Condry, Assistant Director of Traffic & Transportation, to brief the Council on the amendment.

Mr. Condry said that this street would be up for resurfacing this year, so they felt it would be a good time to make the change. He said that they had made a survey before making the recommendation and it seemed that people felt that the street was too busy to park on anyway, but they needed the extra lanes for turn lanes.

TRAFFIC CODE
AMENDED-
PROHIBITING
PARKING ON
PORTION OF
BUFFALO GAP
RD.
FINAL READING

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

Councilman Bridges moved passage of the ordinance on second and final reading amending the Traffic Ordinance, prohibiting parking on Buffalo Gap Road from Linda Joy to Moore Street. The motion was seconded by Councilman Rodriguez. The motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor, Councilmen Rodriguez, Fogle, Hilton & Mayor Webster.

NAYS: None.

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.

Mayor Webster opened public hearing on an ordinance amending Section 32-9.2 and Sec. 32-9.3.2 of the Zoning Ordinance concerning mobile homes for security purposes.

Mayor Webster asked Mr. Collier to brief the Council on the proposed amendment.

Mr. Collier said that they had received several request from citizens who wanted permission to place a mobile home on their business site for security purposes.

ZONING ORD.
AMENDED-
SEC.32-9.2 &
32-9.3.2
MOBILE HOMES
FOR SECURITY
PURPOSES
FINAL READING

Oliver Howard, 1151 Elmwood, spoke of their need for a mobile home out at an oil well site, near Kirby Lake. He said that they had a lot of vandalism, until they placed a mobile home there. There has been no trouble since, he said.

Mr. Howard said that he was speaking for Keystone Oil Company, who operates that lease out there. The lease is on City owned land, he said.

Rex Brock, Brock's Pit Barbeque, 1881 N. Treadaway, said that it was necessary for him to move a mobile home beside of his business, in order to protect his property. He said that he had been having so much vandalism.

Councilman Hilton said that he was concerned with the downtown area and the placement of mobile homes. He said that the Board of Ad- ment should be able to control it.

Mr. Lee Roy George, Director of Planning & Community Development, said that we already had several illegal mobile homes placed over town now.

Councilman Bridges said that the ordinance did not speak to the size of the mobile homes.

Wayne Curtis, who lives close to Kirby Lake, said that he was not for mobile homes being allowed in a zone where they were not permitted. He said, cars needed to be slowed down in the area, more than a mobile home needed to be allowed, because they speed up and down the road. They report it, but they have not gotten any assistance from Traffic.

Councilman Rodriguez spoke of his concern, of the number of people who were allowed to live in these mobile homes.

Ken Barbee, who lives in the area of Kirby Lake, said that he did not think it would be allowed on City property any more than other property. He pointed out that they all have security problems out there.

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

After discussion, Councilman Hilton moved passage of the ordinance on second and final reading, amending Section 32-9.2 & Section 32-9.3.2 of the Zoning Ordinance concerning Mobile Homes for security purposes, and added that he suggested a workshop with the Board of Adjustment to discuss the guidelines concerning it. The motion was seconded by Councilman Fogle. The motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor, Councilmen Rodriguez, Fogle, Hilton & Mayor Webster.

NAYS: None.

AN ORDINANCE AMENDING CHAPTER 23, SUBPART E, "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.

Wayne Herrington, Assistant Director of Planning & Community Development, said that he was requesting the City Council approval of assistance payments of over \$15,000 for Mr. & Mrs. George Thompson & Mr. & Mrs. Maximo Martinez in the Goodlow Relocation Program.

Mr. Herrington said that in the case of Mr. & Mrs. George Thompson, the assistance payment proposed is \$19,700 or \$4,700 over \$15,000.

He said that in the case of Mr. & Mrs. Maximo Martinez, the assistance payment proposed is \$20,800. or \$5,800. over \$15,000.

After some discussion, Councilman Bridges moved adoption of the resolutions approving a replacement housing assistance payment under the Goodlow Voluntary Property Acquisition and Relocation Program, approving the above discussed amounts. The motion was seconded by Councilman Rodriguez. The motion carried as follows:

AYES: Councilmen Bridges, Rodriguez, Fogle, Hilton & Mayor Webster.

NAYS: None.

ABSTAINED: Councilwoman Proctor.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING A REPLACEMENT HOUSING ASSISTANCE PAYMENT UNDER THE GOODLOW VOLUNTARY PROPERTY ACQUISITION AND RELOCATION PROGRAM.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING A REPLACEMENT HOUSING ASSISTANCE PAYMENT UNDER THE GOODLOW VOLUNTARY PROPERTY ACQUISITION AND RELOCATION PROGRAM.

Mr. John Conely, City Engineer, said that they were not planning to have an assessment on the widening of South 14th from Sayles to Matador. He said that the street would be 58' when it was widened.

Mr. Condry said that the widening was needed to allow left turn lanes where they were needed.

STREET IMP.
S. 14th FROM
SAYLES TO
MATADOR
AWARD CONT.

Councilman Fogle moved to award the contract to Contract Paving, Co. for the widening and improvement of S. 14th, from Sayles to Matador. The motion was seconded by Councilman Bridges. The motion carried as follows:
AYES: Councilman Bridges, Councilwoman Proctor, Councilmen Rod-riguez, Fogle, Hilton, & Mayor Webster.
NAYS: None.

REFUSE-
AUTH. TO
ADVERTISE F
BIDS-SIDE
LOADER

Bob Whitehead, Director of Public Works, said that the Staff was requesting the Council's authorization to advertise for the Side Loader System, that has been discussed in Workshops, etc. The bid will be divided into two sections. In the first, the vendor is asked to submit a system proposal, outlining the number of packers he feels will be necessary to handle Abilene's residential refuse. He will also indicate how many will be new, how many will be converted, and what trade-in value, if any, will be given for Abilene's excess packers. The Vendor will specify how many are to be considered spares, what an individual packer can pick up in a day, etc. The second section of the bid will cover the specifications of the packer, the containers, and the vehicle cab and chassis. The total bid package is designed so that we, the City, can evaluate the bids not only on the basis of specification compliance and total cost, but also how well the total system will meet Abilene's residential refuse needs.

Mr. Whitehead said that the bids would be opened on July 15, 1982, and would come to the Council on August 12, 1982, so that we implement the program in September.

Councilman Hilton moved authorization of the request to advertise for bids, the side loader Refuse System. The motion was seconded by Councilwoman Proctor. The motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor, Councilmen Rod-riguez, Fogle, Hilton, & Mayor Webster.
NAYS: None.

CIVIC CENTE
REQUEST TO
INCREASE
RATES DISC.

Mike Hall said that said that the Civic Center fees have not been increased since January 1, 1981, while operating costs have increased.
Mr. John Dechant, Manager of the Civic Center said that two approaches have been discussed by the Civic Abilene to an increase in rates. The first would be an across the board hike in all rental areas. The second is a rate increase for specific areas of the building. For instance, he said, the foyer is increasing in its popularity. However, by renting that room, the center inadvertently blocks either the exhibit hall or the auditorium for usage during that time. Therefore, it might be proposed that the foyer rental fee be increased to cover the rental lost in the hall and auditorium.

He discussed the present charges, and said that they would like the Council's consensus to look into the rate structure.

After discussion by the Council, it was their consensus for the Staff and Civic Abilene to review the rate structure and return to the City Council with specific charges.

Fred Aycock, Assistant Director of Community Services, said that the Parks Division is currently responsible for mowing 258 acres of right-of-way areas throughout the City. He said that a detailed inventory of this mowing program indicates a total of 469 separate locations are being mowed. These locations vary in length from 50' long by 7' wide on Cottonwood Street to 5.1 miles long by 10' wide along Industrial Boulevard.

PARKS-
CONSENSUS
TO HAVE
PROPERTY
OWNER MOW
OWN ROW

He said that the responsibility for the right-of-way mowing was shifted from the Street Division to the Parks Division in 1971, presumably due to the availability of mowing equipment. No specific guidelines were established as to what was and was not the responsibility of the City to maintain. Therefore, an annual expenditure of over \$16,000 is being applied to a program, which once analyzed, is not totally the responsibility of the City, but rather the individual property owner.

The City of Abilene should no longer accept the responsibility for mowing of right-of-way, except on City owned property. However, since the City has been doing it so long, it would be suggested that 30 days written notice be given, explaining their responsibility along with a time table for compliance.

It was the consensus of the Council for the above right-of-way mowing policy to be implemented.

The Council returned from the executive session with no action taken on pending and contemplated litigation.

Mayor Webster adjourned the meeting at 1:40 p.m.

Ruth Rogan
City Secretary

Cathy Webster
Mayor Pro Tempore