

7
Regular Meeting of the Mayor & City Council of the City of Abilene, Texas,
to be held in the Council Chamber of City Hall on Thursday, August 14, 1980,
at 9:00 a.m.

City Council: Mayor Oliver Howard; Council - Seaton Higginbotham, Dick
Bowen, Leo F. Scott, S.M. Moore, Jr., L. D. Hilton, Kathy
Webster.

1. Call to Order.
2. INVOCATION: Councilman Leo F. Scott.
3. APPROVAL OF MINUTES: Last Regular Meeting held July 24, 1980.

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 requests, in which event the item will
be removed from the general order of business and considered
in its normal sequence.

4. Ordinances
 - a. Consider on first reading - reclassification request from AO (Agricultural Open Space) to PI (Park Industrial) District, located at N. 14th & Clack Streets & set a public hearing for August 28, 1980, at 9:00 a.m.
 - b. Consider on first reading - reclassification request from AO (Agricultural Open Space) to PI (Park Industrial) District, located on U. S. 83-84 South & set a public hearing for August 28, 1980, at 9:00 a.m.
 - c. Consider on first reading - reclassification request from RS-12 (Residential Single Family) to GC (General Commercial) District, located at 5442 Buffalo Gap Road & set a public hearing for August 28, 1980, at 9:00 a.m.
 - d. Consider on first reading - thoroughfare abandonment, located between North 6th & North 7th Streets & set a public hearing for August 28, 1980, at 9:00 a.m.
 - e. Consider on first reading - reclassification request from GC & HC (General Commercial & Heavy Commercial) to PI (Park Industrial) District, located on U.S. 83-84 South & set a public hearing for August 28, 1980, at 9:00 a.m.
 - f. Consider on first reading - reclassification request from RM-3 (Residential Multi-Family) to RM-2 (Residential Multi-Family) District, located on Amarillo Street & set a public hearing for August 28, 1980, at 9:00 a.m.
 - g. Consider on first reading - thoroughfare abandonment, described as a 60' X 160' segment extending south from Industrial Blvd. & a 60' X 232.24' segment extending north from Energy Dr. & set a public hearing for August 28, 1980, at 9:00 a.m.
 - h. Consider on first reading - amendment to the Zoning Ordinance, Section 32-7.1.8 (a) & 32-7.2.14 concerning public notice requirements & set a public hearing for August 28, 1980, at 9:00 a.m.
 - i. Consider on first reading - amendment to the Zoning Ordinance, Section 32-7.2.7, paragraph 5, concerning presentation by the Staff to the Board of Adjustment & set a public hearing for August 28, 1980, at 9:00 a.m.
 - j. Consider on first reading - amendment to the Traffic Code concerning parking.
5. Resolutions
 - a. Providing for voting places in newly annexed area.
 - b. Approving payment to Auditors.
 - c. Street Use License - Thornton's Department Store.
 - d. Appointing members to various boards & commissions.
 - e. Appropriating funds to pay appraisal fees for Buffalo Gap Road Curb & Gutter Assessment.
6. Award of Bids
 - a. Aerial Ladder Trucks.
 - b. Transit Fare Boxes.

REGULAR AGENDA

7. Public Hearings
 - a. Paving of Hartford Street, from Vapor Trail to a point 326.5' East of the Centerline of Little Elm Creek.
 - b. Consider on second and final reading - amending Chapters 32-1, 32-9, 32-13, 32-16 and 32-17, of the Zoning Ordinance concerning establishment of a Parks Industrial District.
 - c. Consider on second and final reading - amending Section 32-7.2.1 of the Zoning Ordinance concerning Board of Adjustment, organization and membership.
 - d. Consider on second and final reading - amending Section 32-16.9.2, paragraph 2 (b) of the Zoning Ordinance concerning accessory buildings.
 - e. Consider on second and final reading - thoroughfare abandonment, being the north 20' of North 14th Street right of way between Treadaway & Cottonwood.
 - f. Appealed Item:
Consider on second and final reading - reclassification request from RS-6 (Residential Single Family) to RM-3 (Residential Multi-Family) District, located at 1442 Kirkwood.
8. Other Business
 - a. Dyess Land Use Study.
 - b. Work Session - Discussing possible landfill sites and/or concepts.

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 11th day of August, 1980, at 8:30 a.m.

Ruth Hoigin
City Secretary

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

The City Council of the City of Abilene, Texas, met in Regular Session, Thursday, August 14, 1980, at 9:00 a.m. with Mayor Oliver Howard, present and presiding. Councilmen Leo F. Scott, S.M. Moore, Jr., L. D. Hilton & Kathy Webster, present. Councilmen Seaton Higginbotham, Dick Bowen, absent. Assistant City Manager Curtis Hawk, City Attorney Harvey Cargill & City Secretary Ruth Hodgkin, present.

Invocation by Councilman Leo F. Scott.

Minutes of last Regular Meeting were approved as written.

Councilwoman Webster moved passage of the consent items listed below.

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

AYES: Councilmen Scott, Moore, Hilton, Councilwoman Webster & Mayor Howard.
NAYS: None.

4. Ordinances

a. Consider on first reading - reclassification request from

AO (Agricultural Open Space) to PI (Park Industrial) District, located at N. 14th & Clack Streets & set a public hearing for August 28, 1980, at 9:00 a.m.

ZONING-RE
AO TO PI,
N. 14TH &
& CLACK
1ST READING

b. Consider on first reading - reclassification request from

AO (Agricultural Open Space) to PI (Park Industrial) District, located on U.S. 83-84 South & set a public hearing for August 28, 1980, at 9:00 a.m.

ZONING-RE
AO TO PI,
U.S. 83-84
1ST READING

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.

c. DENIED BY THE PLANNING COMMISSION

d. Consider on first reading - thoroughfare abandonment, located between N. 6th & N. 7th Streets & set a public hearing for August 28, 1980, at 9:00 a.m.

THOROUGHFARE
ABANDONMENT
BETWEEN N.
6TH & N.7TH
1ST READING

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, 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.

e. Consider on first reading - reclassification request from GC & HC (General Commercial & Heavy Commercial) to PI (Park Industrial) District, located on U.S. 83-84 South & set a public hearing for August 28, 1980, at 9:00 a.m.

ZONING-RE
GC & HC TO
PI- U.S. 83-
84-SOUTH
1ST READING

f. Consider on first reading- reclassification request from RM-3 (Residential Multi-Family) to RM-2 (Residential Multi-Family) District, located on Amarillo Street & set a public hearing for August 28, 1980, at 9:00 a.m.

ZONING-RE
RM-3 to RM-2
ON AMARILLO
1ST READING

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.

g. Consider on first reading - thoroughfare abandonment, described as a 60' X 160' segment extending south from Industrial Blvd. & a 50' X 232.24' segment extending north from Energy Dr. & set a public hearing for August 28, 1980, at 9:00 a.m.

AN ORDINANCE PROVIDING FOR THE ABANDONMENT OF A PORTION OF PUBLIC RIGHT OF WAY, PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH ABANDONMENT, AND CALLING A PUBLIC HEARING.

THOROUGHFARE
ABANDONMENT-
2. SEGMENTS
EXTENDING FROM
ENERGY DR.
1ST READING

h. Consider on first reading - amendment to the Zoning Ordinance, Section 32-7.1.8(a) & 32-7.2.14 concerning public notice requirements & set a public hearing for August 28, 1980, at 9:00 a.m.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 32, ZONING, OF THE ABILENE MUNICIPAL CODE, CONCERNING THE NOTICE REQUIREMENT FOR PUBLIC HEARINGS; AMENDING PLANNING AND ZONING COMMISSION, PUBLIC HEARING (NOTICE) AND BOARD OF ADJUSTMENT, HEARING AND NOTICE THEREOF.

ZONING ORD.
AMENDMENT-
NOTICE
REQUIREMENT
FOR PUBLIC
HEARINGS
1ST READING

i. Consider on first reading - amendment to the Zoning Ordinance, Section 32,7.2.7, paragraph 5, concerning Presentation by the Staff to the Board of Adjustment & set a public hearing for August 28, 1980, 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; AND DECLARING A PENALTY AND CALLING A PUBLIC HEARING.

ZONING ORD.
AMENDMENT-
PRESENTATION
BY STAFF
1ST READING

j. Consider on first reading -amendment to the Traffic Code concerning parking.

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.

TRAFFIC CODE
AMENDMENT-
PARKING
1ST READING

5. Resolutions

a. Providing for voting places in newly annexed area.

A RESOLUTION OF THE CITY COUNCIL, CITY OF ABILENE, TEXAS DESIGNATING ELECTION PRECINCTS.

ELECTIONS-
DESIGNATING
PRECINCTS

b. Approving payment to Auditors.

AUDIT-
APPROVING
PAYMENT

c. Street Use License - Thornton's Department Store.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING A STREET USE LICENSE AGREEMENT BETWEEN THE CITY OF ABILENE AND THORNTON'S DEPARTMENT STORE FOR THE USE OF CITY SIDEWALKS ON SOUTH 4TH, SOUTH 5TH, PECAN AND OAK STREETS, AND THE PARKING AREAS ON THE EAST SIDE OF OAK STREET AND THE NORTH SIDE OF SOUTH 5TH STREET.

STREET USE
LICENSE-
THORNTON'S
DEPARTMENT
STORE

d. Appointing members to various boards & commissions.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPOINTING MEMBERS TO VARIOUS BOARDS AND COMMISSIONS AS REQUIRED BY THE CHARTER OF THE CITY OF ABILENE AND STATUTES OF THE STATE OF TEXAS.

BOARD APPT.
VARIOUS

e. Appropriating funds to pay appraisal fees for Buffalo Gap Road Curb & Gutter Assessment.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROPRIATING ONE THOUSAND SEVENTY FIVE AND NO/100TH (\$1,075.00) FROM STREET BOND FUNDS FOR APPRAISING ON THE BUFFALO GAP ROAD.

APPROPRIATIONS
BUFFALO GAP RT
APPRAISAL FEES

6. Award of Bids
a. Aerial Ladder Trucks.

b. Transit Fare Boxes

EQUIPMENT
PURCHASE-
2 AERIAL
LADDER TRUCKS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AWARDDING THE BID AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR THE PURCHASE OF FOURTEEN TRANSIT FARE BOXES.

EQUIPMENT
PURCHASE-
14 TRANSIT
FARE BOXES

Mayor Howard opened public hearing on an ordinance ordering the improvements of Hartford Street, from Vapor Trail to a point 326.5 ft. East of the Centerline of Little Elm Creek in the 1980 Summer Assessment Paving Program & levying assessments against various persons & their property for the payment of a part of the cost of the improvements.

STREET
IMPROVEMENT-
1980 ASSESS-
MENT PAVING
PROGRAM-
HARTFORD
STREET
FINAL READING

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

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

Mr. Conely said that the cost of the assessment would be \$8.45 per front foot for the 40' wide street.

Mr. Jimmy Partin, III, local Realtor & Licensed Appraiser, after having been duly sworn, testified that he had examined each property. He pointed out that he felt that the property would be enhanced by 65% of the \$13.00 first assessment which was recommended by the Staff, which would amount to \$8.45 per front foot. He explained that since there would be no skips in the paving, he felt that it would be enhanced more than he had originally testified.

Gerald Willis, 6150 Hartford, said that he felt that the assessment should not have been changed from 50% enhancement to 65%. He therefore felt that it should not be paved.

Lance Trigg, Jr. 6141 Hartford, said that he was in favor of the paving, until the assessment was changed from 50% to 65% enhancement, also spoke in opposition.

Sidney C. Ferrell, 6001 Hartford, said that he could not afford the assessment, even at 50% of the enhancement value.

Mrs. Gary Hooker, 658 Vine, said that she was in favor of the paving.

Robert W. Burks, 6126 Hartford, said that he was in favor of the paving.

Charles W. Coffee, 5902 Hartford, said that he was in favor of the paving.

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

After discussion, Councilman Hilton moved that we waive the requirements for reading of ordinances upon two separate days and pass the ordinance on emergency on first and final reading assessing a part of the cost of paving against abutting property owners, setting it as 50% of the original assessment of \$13.00. The motion was seconded by Councilman Moore. The motion carried as follows:

AYES: Councilmen Scott, Moore, Hilton, Councilwoman Webster and Mayor Howard.

NAYS: None.

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

UNIT III - 40' WIDE STREET F/C TO F/C

1. Hartford Street - from Vapor Trail to a point 5 ft. East of the Centerline of Little Elm Creek

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

Mayor Howard opened public hearing on an ordinance amending the Zoning Ordinance, establishing a new zoning district - PI (Park Industrial) District.

ZONING ORD.
AMENDMENT-
ESTABLISHING
PARK IN-
DUSTRIAL
FINAL

Lee Roy George, Director of Planning & Community Development, said that there was a need of a zone other than Light Industrial and Heavy Industrial for the developers.

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

Councilman Scott moved passage of the ordinance on second and final reading amending the Zoning Ordinance, establishing a new zoning district - PI (Park Industrial) District. The motion was seconded by Councilwoman Webster. The motion carried as follows:

AYES: Councilmen Scott, Moore, Hilton, Councilwoman Webster and Mayor Howard.
NAYS: None.

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

Mayor Howard opened public hearing on an ordinance amending the Zoning Ordinance, Section 32-16.9.2, paragraph 2 (b) concerning accessory buildings.

ZONING ORD.
AMENDMENT-
ACCESSORY
BUILDINGS
FINAL READING

Mayor Howard asked Mr. George to brief the Council on the amendment.

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

Councilman Scott moved passage of the ordinance on second and final reading amending the Zoning Ordinance, Section 32-16.9.2, paragraph 2 (b) concerning accessory buildings. The motion was seconded by Councilman Moore. The motion carried as follows:

AYES: Councilmen Scott, Moore, Hilton, Councilwoman Webster and Mayor Howard.
NAYS: None.

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

Mayor Howard opened public hearing on an ordinance providing for a Thoroughfare Abandonment, being the north 20' of North 14th right of way between Treadaway and Cottonwood.

Mayor Howard asked Mr. Wayne Collier, Zoning Administrator to brief the Council on the provision.

THOROUGHFARE
ABANDONMENT-
10' ROW OF
N. 14TH
FINAL READING

Mr. Collier explained that the Staff, Planning & Zoning Commission & the Traffic Department, recommended that only 10' be abandoned. He also said that West Texas Utilities requested that a 10' utility easement be retained.

Mike Mellen, 1401 Ash, spoke against the Thoroughfare Abandonment.

Richard Godbout & wife, who are requesting the abandonment of the 20' said that they would appreciate 10' now.

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

Councilman Moore moved passage of the ordinance on second and final reading providing for a Thoroughfare Abandonment, being the north 10' of North 14th right of way between Treadaway and Cottonwood, providing for a 10' utility easement. The motion was seconded by Councilman Hilton. The motion carried as follows:
AYES: Councilmen Scott, Moore, Hilton, Councilwoman Webster and Mayor Howard.

NAYS: None.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, 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 Howard opened public hearing on an appeal item, a reclassification from RS-6 (Residential Single Family) to RM-3 (Residential Multi-Family) District, located at 1442 Kirkwood.

ZONING-RE
RS-6 to RM-3
1442 KIRKWOOD
FINAL READING
DENIED

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

Mr. Collier said that the Staff and Planning & Zoning Commission recommended disapproval of the reclassification because it would be spot zoning.

Mr.s. N.H. Hatley, Jr, the proponent, said that she had been keeping children for a number of years and felt that she could take care of 12 as well as the 6 that she has been keeping.

Mrs. Richard Lucas, 2325 Brookhollow, said that she owned property in the area and felt that if they rezoned this location, that property values would decrease in the area.

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

After discussion, Councilman Moore moved to deny the request for rezoning at 1442 Kirkwood. The motion was seconded by Councilman Hilton. The motion carried as follows:

AYES: Councilmen Scott, Moore, Hilton, Councilwoman Webster and Mayor Howard.

NAYS: None.

Mr. George said that he and his Staff were presenting a proposed Dyess Land Use Study, which would include suggested locations and type of future development.

DYESS LAND
USE STUDY
PRESENTATION-
NOT ADOPTED

Anita Russelmann, Planner, presented the plan in detail. She said that the area was composed of 1,340 acres of land, with 95% of it vacant or agricultural, 2% residential and 3% commercial. She explained that the proposed plan was not a regulation, but would be a valuable tool in planning for the area when it started to develop faster.

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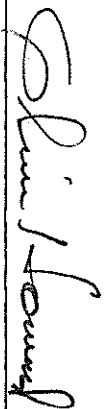
Bob Whitehead, Director of Public Works, explained that the current landfill, in north Abilene would be exhausted in 18 to 24 months. He discussed three concepts concerning solid waste disposal with the City Council which were:


WORKSHOP -
LANDFILL SITES
AND/OR CONCEPTS

1. Would the Council consider a contractual relationship with a private firm to operate a disposal site?
2. The City's commitment to recycling solid wastes.
3. The desired procedure to site a new landfill.

After discussion, it was the consensus of the Council that the Staff begin searching for a new landfill to be operated by the City or a private firm which ever method that would save the City more money. They did not think that recycling solid wastes would be economically feasible at the present time.

There being no further business, Mayor Howard adjourned the meeting at 11:45 a.m.


MAYOR


CITY SECRETARY