

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 28, 1980.

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 August 14, 1980.
4. AWARDS & PRESENTATIONS:

Rollie M. Snell - Senior Fire Fighter - 30 Years
Lloyd E. McDaniel - Senior Fire Fighter - 30 Years
James W. Smith - Senior Fire Fighter - 25 Years
Wallace E. Dobbs - Police Officer - 25 Years

CONSENT AGENDA

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

5. Ordinances
 - a. Consider on first reading - amending the Traffic Code concerning parking time limits in certain areas.
 - b. Consider on first reading - amending Refuse Collection Fees and set a public hearing for September 11, 1980, at 9:00 a.m.
 - c. Consider on first reading - amending the Building Permit Fees and set a public hearing for September 11, 1980, at 9:00 a.m.
 - d. Consider on first reading - amending the Zoning Ordinance, Section 32-6.2 & Section 32-9.3, concerning live bait sales in SC & GC zoning districts & set a public hearing for September 11, 1980, at 9:00 a.m.
6. Resolutions
 - a. Authorizing contract with First State Bank for a Pay Station for Water Utility Bills.
 - b. Payment to AMIGOS Bibliographic Council, Inc. for service at Abilene Public Library.
7. Change Order
 - a. 1980 Summer Assessment Paving Program.

REGULAR AGENDA

8. Public Hearings
 - a. Consider on second and final reading - reclassification request from AO (Agricultural Open Space) to PI (Park Industrial) District, located at N. 14th & Clack Street.
 - b. Consider on second and final reading - reclassification request from AO (Agricultural Open Space) to PI (Park Industrial) District, located on U. S. 83-84 South.
 - c. Consider on second and final reading - thoroughfare abandonment, located between North 6th & North 7th Streets.
 - d. Consider on second and final reading - reclassification request from GC & HC (General Commercial & Heavy Commercial) to PI (Park Industrial) District, located on U. S. 83-84 South.
 - e. Consider on second and final reading - reclassification request from RM-3 (Residential Multi-Family) to RM-2 (Residential Multi-Family) District, located on Amarillo Street.
 - f. Consider on second and final reading - thoroughfare abandonment, described as a 60' X 160' segment of Butternut Street extending south from Industrial Blvd, and a 60' X 232.24' segment of Butternut Street extending north from Energy Drive.

8. Public Hearings, Cont.,
 - g. Consider on second and final reading - amendment to the Zoning Ordinance, Section 37-7.1.8 (a) & 32-7.2.14 concerning public notice requirements.
 - h. Consider on second and final reading - amendment to the Zoning Ordinance, Section 32-7.2.7, paragraph 5, concerning presentation by the Staff to the Board of Adjustment.
9. Public Appearances
 - a. Louie Richards - Manager of Fairway Oaks - Fireworks request.
 - b. Charles T. Johnson - Hunting within the City Limits.
 - c. Diane Mehaffey - Representing the NOAH Project seeking Council support & the receipt of surplus government property.
10. Ordinances
 - a. Consider on emergency - amending the Fireworks Display Provision.
 - b. Consider on second and final reading - amending the Traffic Code pertaining to parking.
11. Request to Advertise
 - a. Approving plans and specifications and authorizing advertisement for bids for construction of Fire Stations #6 and #8.
12. Other Business
 - a. Authorizing payments for replacement housing assistance under the Goodlow Relocation Program.

ADJOURN

CERTIFICATE

I hereby certify that the above notice of meeting was posted on the bulletin board at the City Hall of the City of Abilene, Texas, on the 25th day of August, 1980, at 8:30 o'clock a.m.

Ruth Hodgson
City Secretary

REGULAR SESSION - THURSDAY
AUGUST 28, 1980 - 9:00 A.M.

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 28, 1980, at 9:00 a.m. with Mayor Oliver Howard, present and presiding. Councilman Seaton Higginbotham Leo F. Scott, S. M. Moore, Jr., L. D. Hilton, Councilwoman Kathy Webster, present. Councilman Dick Bowen, absent. City Manager Ed Seegmiller, City Attorney Harvey Cargill and City Secretary Ruth Hodgins, present.

Invocation by Councilman Scott.

Minutes of last Regular Meeting held August 14, 1980, were approved as written.

Councilman Higginbotham moved passage of the consent items listed below. The motion was seconded by Councilman Scott. The motion carried as follows:

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

4. Awards and Presentations

Rollie M. Snell - Senior Fire Fighter - 30 Years
Lloyd E. McDaniel - Senior Fire Fighter - 30 Years
James W. Smith - Senior Fire Fighter - 25 Years
Wallace E. Dobbs - Police Officer - 25 Years

COMMENDING-
CITY EMPLOYEES
SERVICE AWARDS

5. Ordinances

a. Consider on first reading - amending the Traffic Code concerning parking time limits in certain areas.

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. FIRST READING

TRAFFIC CODE
AMENDED-

b. Consider on first reading - amending Refuse Collection Fees and set a public hearing for September 11, 1980, at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 14, "REFUSE", 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. FIRST READING

REFUSE CODE
AMENDED-

c. Consider on first reading - amending the Building Permit Fees and set a public hearing for September 11, 1980, at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 7, "BUILDINGS," 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. FIRST READING

BUILDING
CODE AMENDED-

d. Consider on first reading - amending the Zoning Ordinance, Section 32-9.2 & Section 32-9.3, concerning live bait sales in SC & GC zoning districts & set a public hearing for September 11, 1980, at 9:00 a.m.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 32, ZONING, OF THE ABILENE MUNICIPAL CODE, CONCERNING LIVE-BAIT STORES; AMENDING TABLE OF PERMITTED USES CONCERNING TRADE-RETAIL; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE. ZONING ORD.
AMENDED-
FIRST READING

6. Resolutions

- a. Authorizing Contract with Fire State Bank for a Pay Station for Water Utility Bills.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING A CONTRACT WITH THE FIRST STATE BANK FOR PAY STATION FOR CITY OF ABILENE UTILITY BILLS.

WATER-CONTRACT
FIRST STATE
BANK-PAY
STATION

- b. Payment to AMIGOS Bibliographic Council, Inc., for service at Abilene Public Library.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING PAYMENT TO AMIGOS BIBLIOGRAPHIC COUNCIL, INC., FOR CATALOGING AND INDEXING OF NEW MATERIALS FOR THE ABILENE PUBLIC LIBRARY.

LIBRARY-
AMIGOS
BIBLIOGRAPHIC
COUNCIL

7. Change Order

- a. 1980 Summer Assessment Paving Program.

Mayor Howard opened public hearing on an ordinance reclassifying from AO (Agricultural Open Space) to PI (Park Industrial) District located at N. 14th & Clack Street.

STREET IMP.
CHANGE ORDER
1980 SUMMER
ASSESSMENT
PAVING PROGRAM

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

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

Councilman Moore moved passage of the ordinance on second and final reading reclassifying from AO to PI District, located at N. 14th & Clack Street. The motion was seconded by Councilman Hilton. The motion carried as follows:

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

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 PI
N. 14TH & CLACK
FINAL READING

Mayor Howard opened public hearing on an ordinance reclassifying from AO (Agricultural Open Space) to PI (Park Industrial) District located on U. S. 83-84 South.

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

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

Councilman Higginbotham moved passage of the ordinance on second and final reading reclassifying from AO to PI District, located on U. S. 83-84 South. The motion was seconded by Councilman Scott. The motion carried as follows:

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

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 PI
U. S. 83-84
FINAL READING

Mayor Howard opened public hearing on an ordinance providing for a Thoroughfare Abandonment, being located between North 6th & North 7th Streets.

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

There being no one 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 located between North 6th & North 7th Streets. The motion was seconded by Councilwoman Webster. The motion carried as follows:
AYES: Councilmen Higginbotham, 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.
THOROUGHFARE
ABANDONMENT-
BETWEEN N. 6
& N. 7 -
FINAL READING

Deputy Sheriff John Middleton, Deputy Sheriff Julian Hernandez, & Deputy Sheriff Troy Willis appeared before the Council, to arrest the Mayor for the shooting of J. R. Ewing. (The fictional character in the television series "Dallas"). They made the announcement that he could be bonded for \$2,500. They also mentioned that if anyone made a donation to the Muscular Dystrophy Fund over the weekend, this could go on the Mayor's bond.

COUNCIL-
MAYOR ARRESTED
FOR SHOOTING
J.R. EWING

Mayor Howard opened public hearing on an ordinance reclassifying from GC & HC (General Commercial & Heavy Commercial) District to PI (Park Industrial) District, located on U. S. 83-84 South.

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

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 reclassifying from GC & HC to PI District, located at U. S. 83-84 South. The motion was seconded by Councilman Hilton. The motion carried as follows:

AYES: Councilmen Higginbotham, Scott, Moore, Hilton, Councilwoman Webster, and Mayor Howard.
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
GC & HC TO PI
U.S. 83-84
SOUTH -
FINAL READING

Mayor Howard opened public hearing on an ordinance reclassifying from RM-3 (Residential Multi-Family) to RM-2 (Residential Multi-Family) District, located on Amarillo Street.

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

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

Councilwoman Webster moved passage of the ordinance on second and final reading reclassifying from RM-3 to RM-2 District, located on Amarillo Street. The motion was seconded by Councilman Moore. The motion carried as follows:

AYES: Councilmen Higginbotham, Scott, Moore, Hilton, Councilwoman Webster and Mayor Howard.
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
RM-3 to RM-2
AMARILLO ST.
FINAL READING

Mayor Howard opened public hearing on an ordinance providing for a thoroughfare abandonment being described as a 60' X 160'

segment of Butternut Street extending South from Industrial Boulevard and a 60' X 232.24' segment of Butternut Street extending North from Energy Drive.

Mayor Howard asked Mr. Collier to brief the Council on the thoroughfare abandonment provision.

Burl Harris explained that it was a title problem.

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

Councilman Scott moved passage of the ordinance on second and final reading providing for a thoroughfare abandonment described as a 60' X 160' segment of Butternut Street extending South from Industrial Boulevard and a 60' X 232.24' segment of Butternut Street extending North from Energy Drive. The motion was seconded by Councilman Higginbotham. The motion carried as follows:

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

NAYS: None.

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 OF
BUTTERNUT ST.
FINAL READING

Mayor Howard opened public hearing on an ordinance amending the Zoning Ordinance, Section 32-7.1.8 (a) & 32-7.2.14 concerning public notice requirements.

Mayor Howard asked Mr. Collier to brief the Council on the Zoning Ordinance amendment.

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

Councilman Hilton moved passage of the ordinance on second and final reading amending Section 32-7.1.8 (a) & 32-7.2.14 concerning public notice requirements. The motion was seconded by Councilwoman Webster. The motion carried as follows:

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

NAYS: None.

AN ORDINANCE OF THE CITY OF ARLIENE, TEXAS, AMENDING CHAPTER 32, "ZONING", OF THE ARLIENE 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 ORDINANCE
AMENDMENT -
NOTICE REQ.
FINAL READING

Mayor Howard opened public hearing on an ordinance amending the Zoning Ordinance, Section 32-7.2.7, paragraph 5, concerning presentation by the Staff to the Board of Adjustment.

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

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

Councilman Higginbotham moved passage of the ordinance on second and final reading amending the Zoning Ordinance, Section 32-7.2.7, paragraph 5, concerning presentation by the Staff to the Board of Adjustment. The motion was seconded by Councilman Scott. The motion carried as follows:

AYES: Councilmen Higginbotham, 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.

ZONING ORDINANCE
AMENDMENT- PRES.
BY STAFF-
FINAL READING

Louie Richards, Manager of Fairway Oaks, said that they were planning a program for the opening of their new club house. He said this included a fireworks display at the close of the grand opening, which would be about 9:00 p.m.

Councilman Moore moved that we waive the requirements for reading of ordinances upon two separate days and pass the ordinance on emergency, amending Chapter 19, "Offenses-Miscellaneous", which has to do with the fireworks regulations. The motion was seconded by Councilwoman Webster. The motion carried as follows:

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

NAYS: None.

AN ORDINANCE AMENDING CHAPTER 19, "OFFENSES-MISCELLANEOUS", OF THE ABILENE MUNICIPAL CODE; BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY AND DECLARING AN EMERGENCY.

CODE AMENDED-
CONCERNING
FIREWORKS-PASSED
ON EMERGENCY

Charles T. Johnson, operator of 217 acres and 51 acres, both located within the newly annexed area which was annexed this year, was present and spoke of his concern with not being able to hunt on his own property. He said that he felt that his rights had been taken away.

After much discussion, Councilman Moore moved that an ordinance be passed on emergency to allow hunting in the newly annexed area, at least for a period of one year. He said that he felt that it should only be shotguns allowed in the hunting ordinance. The motion was seconded by Councilman Scott. The motion carried as follows:

AYES: Councilmen Higginbotham, Scott, Moore, Hilton & Mayor Howard.

NAYS: Councilwoman Webster.

AN ORDINANCE AMENDING CHAPTER 19, "OFFENSES-MISCELLANEOUS," OF THE ABILENE MUNICIPAL CODE; BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY AND DECLARING AN EMERGENCY.

CODE AMENDED-
CONCERNING
SHOOTING OF
FIREARMS IN-
SIDE CITY LIMITS
PASSED ON
EMERGENCY

Diane Mehaffey speaking in behalf of the NOAH Project, requested the City of Abilene sponsorship. She said that with the City sponsoring the project, it would be possible for them to receive special surplus government property at a very reduced rate.

NOAH PROJECT-
DISCUSSION

After discussion, the Council brought up the idea of the County sponsoring the project, because they felt that it would be more practical since they would probably be using one of their buildings in the future. They also said that they did not know enough about the project for them to vote on anything yet.

Councilman Moore moved passage of the ordinance on second and final reading amending the Traffic Code pertaining to parking in certain areas. The motion was seconded by Councilwoman Webster. The motion carried as follows:

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

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.

TRAFFIC CODE
AMENDED- RE.
PARKING
FINAL READING

Councilman Higginbotham moved adoption of the resolution approving replacement housing assistance payments under the Goodlow Voluntary Property Acquisition and Relocation Program, in excess of \$15,000 to the families of Bill A. Lee and Charles Lowery. The motion was seconded by Councilman Scott. The motion carried as follows:

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING REPLACEMENT HOUSING ASSISTANCE PAYMENTS UNDER THE GOODLOW VOLUNTARY PROPERTY ACQUISITION AND RE-LOCATION PROGRAM.

GOODLOW
RELOCATION
PROGRAM-
APPROVE PAYMENTS
TO (2) FAMILIES

There being no further business, Mayor Howard adjourned the meeting at 11:20 a.m.



City Secretary



Mayor

The City Staff composed of Ed Seegmiller, City Manager, Director of Finance, Roy McDaniel, and City Secretary, Ruth Hodgkin, held a public hearing for the Proposed Use of Revenue Sharing for the fiscal year 1980-1981.

Mr. McDaniel explained that there was an estimated \$50,000 left in old revenue sharing. He said that it was not known if we would get any for the current year, but the City Staff was expecting approximately \$1.3 million.

Mrs. June Blakley, 2250 Barrow, said that she did not think that this public hearing had been advertised sufficiently. She wanted mainly to protest the use of revenue sharing funds on the widening and purchase of property on Mockingbird-Barrow Project. She said that this was not for the good of all the citizens here in the City of Abilene.

Charles Norton, 2201 Barrow, said that he was in agreement with everything Mrs. Blakley said regarding the misuse of revenue sharing funds on the widening and purchase of property on South Mockingbird-Barrow.

James W. Donham, 3101 Hunt, said that he did not feel that the Mockingbird-Barrow street widening was a good project and did not think revenue sharing should be spent on the project.

Mary Gordon, 2249 Barrow, said that she was against the spending of revenue sharing money which belongs to all citizens, on the Barrow Street widening project.

Granville J. Roberts, 1641 Barrow, said that he was very much opposed to the using of tax money to widen Barrow Street.

One of the uses that was mentioned for revenue sharing, was a drainage system that the City needs.

Mr. McDaniel explained that before we put together a revenue sharing budget, there had to be a public hearing to find out just how the public felt about what it needed to be spent for. Then there is another public hearing with the Council present, in order for it to be voted on.

It was suggested that the Staff issue a press release for the public hearings regarding the revenue sharing funds.

There being no one else wishing to speak, the public hearing was closed.


City Secretary