

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, September 9, 1982, at 9:00 a.m.

1. Call to Order.
2. INVOCATION: Councilman Julian Bridges.
3. APPROVAL OF MINUTES: Regular Meeting held August 26, 1982.

CONSENT AGENDA

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

4. Ordinances
 - a. Consider on first reading - reclassification request from AO (Agricultural Open Space) to RM-2 & GC (Residential Multi-Family & General Commercial) Districts, located on Hartford Street, 400' west of Clack & set a public hearing for September 23, 1982, at 9:00 a.m.
 - b. Consider on first reading - reclassification request from MH (Mobile Home) to RM-2 (Residential Multi-Family) District, located at Pueblo Street & Redbird Lane & set a public hearing for September 23, 1982, at 9:00 a.m.
 - c. Consider on first reading - reclassification request from RS-6 (Residential Single Family) to SC (Shopping Center) District, located at South 27th Street & Buffalo Gap Road & set a public hearing for September 23, 1982, at 9:00 a.m.
 - d. Consider on first reading - reclassification request from RS-6 (Residential Single Family) to PDR (Planned Development Residential) District, located in the 1500 Block of Russell Avenue & set a public hearing for September 23, 1982, at 9:00 a.m.
 - e. Consider on first reading - reclassification request from MH (Mobile Home) to GC (General Commercial) District, located at T&P Lane & Midway Street & set a public hearing for September 23, 1982, at 9:00 a.m.
 - f. Consider on first reading - reclassification request from GC (General Commercial) to MU (Medical Use) District, located at U.S. 83-84 & Antilley Road & set a public hearing for September 23, 1982, at 9:00 a.m.
 - g. Consider on first reading - reclassification request from GC (General Commercial) to AO (Agricultural Open Space) District, located at U.S. 83-84 & Antilley Road & set a public hearing for September 23, 1982, at 9:00 a.m.
 - h. Consider on first reading - reclassification request from SC (Shopping Center) to GC (General Commercial) District, located at South 14th & Sunset Streets & set a public hearing for September 23, 1982, at 9:00 a.m.
 - i. Consider on first reading - reclassification request from AO (Agricultural Open Space) to O (Office) District, located at 5240 S. Clack & set a public hearing for September 23, 1982, at 9:00 a.m.
 - j. Consider on first reading - reclassification request from RM-3 (Residential Multi-Family) to O (Office) District, located at North 18th & Cedar Streets & set a public hearing for September 23, 1982, at 9:00 a.m.
 - k. Consider on first reading - reclassification request from AO (Agricultural Open Space) to RM-3 (Residential Multi-Family) District, located at E.N. 10th Street & Griffith Road & set a public hearing for September 23, 1982, at 9:00 a.m.
 - l. Consider on first reading - reclassification request from AO (Agricultural Open Space) to RM-3, RM-2 & RS-6 (Residential Multi-Family, & Residential Single Family) Districts, located at Bishop Road & Jennings Drive & set a public hearing for September 23, 1982, at 9:00 a.m.
5. Resolutions
 - a. Stating City's support of the TML Legal Defense Fund & authorizing Notice to Region 6 Cities of such support.

5. Resolutions, Cont'd.
 - b. Consider Health Grant Application.
 - c. Consider Street Use License for Western Union Telegraph.
6. Award of Bids
 - a. Sidewalk Construction near Bowie & Taylor School areas.
 - b. Propane Tank & Dispensing Equipment for Shop.
 - c. Building Repair - Health Division.
 - d. Plastering & Spraying of acoustical ceiling at Abilene Airport Terminal Building.
 - e. Reject Jogging Trail Bids & request re-advertise.
7. Request to Advertise
 - a. One Half Ton Pick-up - Water Dept.

REGULAR AGENDA

8. Public Appearance

Kathryn Jackson - regarding Bar D. Trailer Park.
9. Public Hearings
 - a. Consider on second and final reading - request for Street Name Change, being Lindsey Drive to Crestline Drive.
 - b. Consider on second and final reading - request for thoroughfare abandonment, located off South 1st, between Meander and Vine Streets.
 - c. Consider on second and final reading - request for thoroughfare abandonment, located south of Russell and west of Clyde Street.
 - d. Consider on second and final reading - amendment to Section 32-9.2, Permitted Uses of the Zoning Ordinance, to allow Credit Unions in LC districts conditionally.

10. Ordinances
 - a. Tabled Item:
Consider on second and final 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.
 - b. Consider emergency ordinance amending Traffic Code concerning traffic at Lee Athletic Complex.
11. Resolutions
 - a. Consider authorizing Eminent Domain proceedings of certain land in connection with Bridge Construction at Catclaw & Antilley Road.
12. Award of Bids
 - a. Sidelader Refuse Program. (Held)
13. Request to Advertise
 - a. Transit Maintenance Facility Construction.
14. Other Business
 - a. Consideration of Taylor Electric Cooperative, Inc., for authority to change Rates and Proposed Power Adjustment Clause. (Held)
 - b. Consider request for paving waiver by resident at 3801 Clinton.
 - c. Consider request for waiver of improvements required by the Subdivision Regulations at FM 1082 & 351.
 - d. Approval of Emergency Purchase of Spreader Box.
 - e. Pending & Contemplated Litigation.
 - f. Consider acquisition of land in Northeast Abilene.
 - g. Consider Board appointments.

ADJOURN

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 3rd day of September, 1982, at 5:00 p.m.

Ruth Hodgson
 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, September 9, 1982, at 9:00 a.m. with Mayor Pro Tempore Kathy Webster, present and presiding. Councilman Julian Bridges, Councilwoman Ballye Proctor, Councilmen Juan C. Rodriguez, A. E. Fogle, Jr, present. Mayor Elbert E. Hall and Councilman L.D. Hilton, absent. City Manager Ed Seegmiller, First Assistant City Attorney Gary Landers & City Secretary Ruth Hodgkin, present.

Invocation by Councilman Julian Bridges.

Minutes of last Regular Meeting held August 26, 1982, were approved as written.

Councilman Bridges moved passage of the consent items listed below, with the exception of 6c & 6e, which will be voted upon separately. The motion was seconded by Councilman Rodriguez. The motion carried as follows:

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

4. Ordinances

a. Consider on first reading - reclassification request from AO (Agricultural Open Space) to RM-2 & GC (Residential Multi-Family & General Commercial) Districts, located on Hartford Street, 400' west of Clack & set a public hearing for September 23, 1982, at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 23, "PLANNING AND COMMUNITY DEVELOPMENT," 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 &
GC, HARTFORD
STREET
1ST RD.

b. Consider on first reading - reclassification request from MH (Mobile Home) to RM-2 (Residential Multi-Family) District, located at Pueblo Street & Redbird Lane & set a public hearing for September 23, 1982, at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 23, "PLANNING AND COMMUNITY DEVELOPMENT," 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
MH TO RM-2
PUEBLO &
REDBIRD
1ST RD.

c. Denied by P & Z.

d. Consider on first reading - reclassification request from RS-6 (Residential Single Family) to PDR (Planned Development Residential) District, located in the 3500 Block of Russell Avenue & set a public hearing for September 23, 1982, at 9:00 a.m.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, ZONING, OF THE ABILENE MUNICIPAL CODE, CONCERNING RIVERSIDE PARK PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

ZONING-RE
RS-6 TO
PDR
3500 BLK.
RUSSELL
1ST RD.

e. Denied by P & Z.

f. Consider on first reading - reclassification request from GC (General Commercial) to MU (Medical Use) District, located at U.S. 83-84 & Antilley Road & set a public hearing for September 23, 1982, at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 23, "PLANNING AND COMMUNITY DEVELOPMENT," 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
GC TO MU
U.S. 183-84
& ANTILLEY
1ST RD.

- g. Consider on first reading - reclassification request from GC (General Commercial) to AO (Agricultural Open Space) District, located at U.S. 83-84 & Antilley Road & set a public hearing for September 23, 1982, at 9:00 a.m.
- ZONING-RE
GC TO AO
US 83-84 &
ANTILLEY
1ST RD.
- h. Consider on first reading - reclassification request from SC (Shopping Center) to GC (General Commercial) District, located at South 14th & Sunset Streets and set a public hearing for September 23, 1982, at 9:00 a.m.
- ZONING-RE
SC TO GC
S. 14th &
SUNSET
1ST RD.
- i. Consider on first reading - reclassification request from AO (Agricultural Open Space) to O (Office) District, located at 5240 S. Clack & set a public hearing for September 23, 1982, at 9:00 a.m.
- ZONING-RE
AO TO O
5240 S. CLACK
1ST RD.
- j. Consider on first reading - reclassification request from RM-3 (Residential Multi-Family) to O (Office) District, located at North 18th & Cedar Streets & set a public hearing for September 23, 1982, at 9:00 a.m.
- ZONING-RE
RM-3 to O
N.18 & CEDAR
1ST RD.
- k. Consider on first reading - reclassification request from AO (Agricultural Open Space) to RM-3 (Residential Multi-Family) District, located at E.N. 10th Street & Griffith Road & set a public hearing for September 23, 1982, at 9:00 a.m.
- ZONING-RE
AO TO RM-3
EN 10TH &
GRIFFITH RD.
1ST RD.
- l. Consider on first reading - reclassification request from AO (Agricultural Open Space) to RM-3, RM-2 & RS-6 (Residential Multi-Family, & Residential Single Family) Districts, located at Bishop Road & Jennings Drive & set a public hearing for September 23, 1982, at 9:00 a.m.
- ZONING-RE
AO TO RM-3,
RM-2 & RS-6
BISHOP RD. &
JENNINGS DR.
1ST RD.
5. Resolutions
- a. Stating City's support of the TML Legal Defense Fund & authorizing Notice to Region 6 Cities of such support.
- CITY
COUNCIL-
SUPPORT FOR
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, TML LEGAL ENDORSING THE TEXAS MUNICIPAL LEAGUE MUNICIPAL DEFENSE PROGRAM. DEFENSE FUND

- b. Consider Health Grant Application.
 - c. Consider Street Use License for Western Union Telegraph.
6. Award of Bids
- a. Sidewalk Construction near Bowie & Taylor School areas.
 - b. Propane Tank & Dispensing Equipment for Shop.
 - c. Building Repair - Health Division.

Mike Hall, Director of Community Services, said that this was an emergency type item, and the Community Services Staff has contacted the Building Services Division and the Code Administration Department. All parties feel that the low bid of Chaparral should be accepted. He said that Burl Nash was the other bidder.

HEALTH GRANT
APP. APPROVED
STREET USE
LICENSE
WESTERN UNION
TELEGRAPH
TRAFFIC-
SIDEWALKS-
BOWIE & TAYLOR
SCHOOL AREAS
EQUIPMENT
PROPANE TANK
HEALTH-
BLDG. REPAIR

After discussion, Councilwoman Proctor moved approval of the low bid of Chaparral Building Systems, Inc. for the amount of \$6,435 for the repair of the Abilene/Taylor County Health Unit, after an automobile went out of control and struck the side of the building. The motion was seconded by Councilman Fogle. The motion carried as follows:

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

d. Plastering & Spraying of acoustical ceiling at Abilene Terminal Building.

AIRPORT-
CEILING
REPAIR

e. Reject Jogging Trail Bids & request to re-advertise.

PARKS-
JOGGING TRAILS
REJECTION &
RE-ADVERTISE

Mr. Hall explained that the above mentioned bids were not reasonable bids. He said that the original estimate for this project was \$32,000. He said that they were bidding a wider path than was needed and that they were getting a new list of contractors who were familiar with the type of trails that they wanted to construct.

After discussion, Councilwoman Proctor moved to reject Jogging Trail Bids & authorize re-advertisement of same. The motion was seconded by Councilman Bridges. The motion carried as follows:

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

7. Request to Advertise
a. One Half Ton Pickup - Water Dept.

EQUIPMENT
½TON PICKUP
WATER DEPT.

Kathryn Jackson, 2157 Huckleberry Lane, presented a petition to the Council urging the Council to assist in closing the Bar D Trailer Park, located in the 2300 Block of Huckleberry. She said that it was a public nuisance, and that it was operated in such a manner as to be a hazard to the neighborhood residents and especially children. She pointed out that cars slide sideways as they speed out of the mobile home park and that there were no stop signs for speed bumps.

CITY COUNCIL
PETITION-
CLOSE TRAILER
PARK
(BAR D TRAILER
PARK)

Mr. Seegmiller said that records show police have received about 11 calls a month concerning residents of the mobile home park.

After much discussion, the Staff was directed to investigate the complaint and report back to the Council regarding the mobile home park.

Mayor Webster opened public hearing on an ordinance requesting a Street Name Change, being Lindsey Drive to Crestline Drive.

Mayor Webster asked Mr. Wayne Collier, Zoning Administrator, to brief the Council on the Name Change.

STREET NAME
CHANGE-
LINDSEY DR. TO
CRESTLINE DR.
FINAL RD.

Mr. Collier explained that there would be no address changed because of the Street Name Change, because there were no houses.

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 changing the name of Lindsey Drive to Crestline Drive. The motion was seconded by Councilman Rodriguez. The motion carried as follows:
AYES: Councilman Bridges, Councilwoman Proctor, Councilmen Rodriguez & Fogle & Mayor Webster.
NAYS: None.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, CHANGING THE NAME OF LINDSEY DRIVE TO CRESTLINE DRIVE.

Mayor Webster opened public hearing on an ordinance providing for a thoroughfare abandonment, located off South 1st, between Meander and Vine Streets.

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

THOROUGHFARE
ABANDONMENT-
OFF S. 1ST,
BETWEEN
MEANDER &
VINE STREETS
FINAL RD.

Mr. Collier explained that they needed to retain a utility and access easement and relocate a 20' alley dedication to extend to Vine Street.

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 providing for the thoroughfare abandonment, located off South 1st, between Meander and Vine Streets, subject to the retention of a utility and access easement and the relocation of a 20' alley dedication to extend to Vine Street. The motion was seconded by Councilman Fogle. The motion carried as follows:

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

Mayor Webster opened public hearing on an ordinance providing for a thoroughfare abandonment, located south of Russell and west of Clyde Street.

THOROUGHFARE
ABANDONMENT-
S. OF RUSSELL,
W. OF CLYDE ST
FINAL RD.

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

Mr. Collier said there was no problem, and the Planning & Zoning Board and the Staff recommended approval.

Jeff Luther, the proponent, was present to answer any questions the Council might have.

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

Councilman Fogle moved passage of the ordinance on second and final reading providing for a thoroughfare abandonment, located south of Russell and west of Clyde Street. The motion was seconded by Councilwoman Proctor. The motion carried as follows:

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

Mayor Webster opened public hearing on an ordinance amendment to Section 32-9.2, Permitted Uses of the Zoning Ordinance, to allow Credit Unions in LC districts conditionally.

Mayor Webster asked Mr. Collier to brief the Council on the proposed Zoning Ordinance amendment.
ZONING ORD.
AMENDMENT-
SECTION 32-9.2
CONC. CREDIT
UNIONS IN LC
DISTRICTS
FINAL RD.

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

Councilman Rodriguez moved passage of the Zoning Ordinance amendment, Permitted Uses, Section 32-9.2, to allow Credit Unions in LC districts conditionally. The motion was seconded by Councilman Bridges. The motion carried as follows:

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

NAYS: None.

AN ORDINANCE AMENDING CHAPTER 23, "PLANNING AND COMMUNITY DEVELOPMENT," 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.

Councilman Bridges moved to remove from the table, an ordinance request reclassifying 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 (which had been tabled 6-24-82). The motion was seconded by Councilman Fogle. The motion carried as follows: ZONING-RE
AO, GC & RM-3
TO RM-2 & GC
MARTIN DR.
FINAL RD.

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

NAYS: None.

Mr. Collier said that the request involved about 20 acres, and that it did not involve any of the Goodlow area.

Bob Whitehead said that the engineers, Freese & Nichols, said that if they constructed any sort of detention facility in the Goodlow area, would flood more land than was in the flood hazard area. He said that the present flood hazard area/just to the south of South 7th, and he pointed out on the map, just where the present flooding had been. He said that basically, this area was platted with property which was not in the flood hazard area.

Mr. Whitehead said that the way it was platted is where these properties/~~are~~ to be in the floodway. He said that it had not been allowed to be platted or zoned in the flood way. He brought out the requirements for building in the flood plain, which was that they would have to build their houses basically one foot above the water level.

Olen Fraser, speaking for the proponent, said that he might be able to clear up a few questions on the flood plain and flood way, since he was very familiar with the property.

Mr. Fraser pointed out on the map just where S. 7th was and explained that it was on the north side of the property. The actual flood way was also pointed out and what it encompassed. He said that S. 7th is lower than this property in question. S. 7th has had water in it, and he is not sure about the status of S. 7th. Anything that is developed in this area will have entrances to the properties from the middle of the property. The actual flood plain stops (he pointed on the map) and pointed to the rest of the property which was completely out of the flood plain. But he said that any properties which would be built on this particular property would be built so as there will not be any flooding in the building and the parking lots will be built up also. There is about two foot (in this particular area) flood plain as it stands right now. Things that are under consideration right now, to improve these creeks, none of them will raise that flood plain. Some of the precautionary measures to improve these creeks (on Cedar & Lytle) will actually lower the flood plain in this area, but it is not their intent to build anything that would have a possibility of flooding this area at all. He said that he did want to make clear that the flood way actually runs down this area (pointed out on the map) of the Goodlow Addition and does not shut off right here on the line (pointed out).

The Goodlow area was again pointed out by Mr. Collier on the map, showing where the property to be developed was located also.

Councilman Rodriguez asked whether the property would be developed where the water would not get into any of the homes. If there is a flooding situation in the property?

Mr. Fraser: If it is built up in the parking lots by two feet, we feel like we can eliminate any flooding problem on the property at all. According to the topo maps we have looked at and worked with, we feel like there is a good chance that will be very little fill that we will have to place in the area to actually bring it all above flood plain. When Martin Drive was constructed, some dirt was removed which was placed on the property and the old topo maps do not take that into account. There is a tremendous build up of fill dirt already in the area that was placed when they built Martin Drive, but we feel like we can keep the water out of any parking lots. We are very concerned with that, we are going to be very cautious that we do stay above the flood plain.

Councilman Rodriguez: Once again, Mr. Whitehead, in the last flood in October, we didn't have any water in that area?

Mr. Whitehead: We had water in the Goodlow, but the area that is crosstatched on the map, No, there was not any water there that I recall--that was in that particular piece of property. It came up just about the S. 7th at the north end of that property (there was water) thru out that Goodlow area.

Councilman Bridges: Mr. Whitehead, you mentioned building a detention facility and if I understood you correctly, you said if that is done it could increase the amount of water in that area. Is that what you concluded to?

Mr. Whitehead: Yes Sir, that was the statement. What we did was, get the railroad tracks and basically use the elevation of the rails on the top tracks, which is at 1701 elevation, which then if we use that as the top of the detention facility, it would create more of a back water, than naturally exist.

Councilman Bridges: Have you anticipated how much greater it would be and the specifications that currently are intact would cover that? In other words, if the developer built a specified elevation that we have currently and we increase the amount of water, would we still maintain people high and dry?

Mr. Whitehead: The recommendation to you is based on the cost factors in that facility, but it is not recommended to put a detention facility in there. If that is still one of your considerations, that basically will back up water probably half way up on that property to the south, so you would be eliminating the use of about one half of the property that is to be developed. But again, based on the cost effectiveness that we have run thru, we are not recommending that to you, just from the cost factors.

Mr. Fraser: My understanding, it was not only the cost factors, it did such a marginal amount of good to the north that if it was very cheap to do, a very inexpensive facility, it still would not help the people to the north, which is the purpose of the detention dam.

Mr. Fraser: Let me go thru a few items that I would like to present to you on the property. To give you a little history on it, two and one half months ago, of course you tabled it to have Freese and Nichols do a study on the property. Three months ago, P & Z approved the property, approved by all the board members that were present, and they based this on certain guidelines which I would like for you to take into account. It was in accordance with the land use plan. It does not encompass any flood way. It is an interior piece of property in the City of Abilene that needs to be developed. All utilities are in place and on the property, and it would also utilize what we have/talking about--Martin Drive, which is a street that was built at City expense to be an escape route for the people in the Goodlow area. It would utilize a very large collector street in the area. At that time, Chairman Ken Baker made some very positive comments that he was very pleased to see that we were planning on developing this area. Reaching the Council two and one half months ago, the main objection and the main reason it was tabled, or the only reason it was tabled, was because of its proximity to the Goodlow area and there had been a lot of money spent in the Goodlow area to move people out and that it was a concern that it would be placing people back in that position. The answer to that was two fold: one was that the detention facility is not recommended and so the flood water would never rise above what we have right now. The second thing that I would like to bring out, is that the Goodlow area, some of it

is in the floodway and in moving the people out in that area, some of the houses were in the flood plain, but they were built below flood plain level. The structural build, so even in flood plain time, they would flood. Those people were all re-located and everything that was to the north was moved out. There was no existing buildings being lived in on this particular piece of property that was in the Goodlow area. So in looking at this, I would like for you to look at it, not as the Goodlow people were moved, were creating another problem. I think it is a new development in Abilene and it is something that would be favorable to that particular area. It has some very good points about it which I pointed out, that it has the utilities already in place, which the City would not have to have that expense. Its an interior piece of property, does not encompass any floodway and we are planning on abiding with all the flood plain regulations and building all of our slabs up where needed. It is in accordance with the land use plan. Then the Freese and Nichols Study shows that it is not feasible to flood the property, it is not feasible to build a dam that would retain water. All the other consideration being proposed by Freese & Nichols will either lower that flood plain or it will remain the same. So we are in a very safe position there. I think it was a very good point that the Goodlow facility was relocated and it is a very good point to bring up and to be sure that we are not creating another hazard. But we are very aware, in developing the property, of the Goodlow area and of the flood problem that could have posed a potential problem. But we feel like that has been solved by building the slabs up and its also been solved by possibly building the parking lots up on the property also. But we feel very good about this property and feel like it should be treated like any other property that is in the flood plain. We are asking for zoning which is in the flood plain, which is regularly on the agenda. We are asking today that you consider us on that basis, that some of the property is in the flood plain, some of the property is completely out. But we are asking for no floodway properties.

Thank you Mr. Fraser,

Mayor Webster: Is there anyone else in the audience that would like to address this item?

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

Mr. Seegmiller said that he felt that it should be clarified, that nothing would be built, erected below the flood plain level.

Mr. Whitehead said that the structures will not be below the 100 year flood plain elevation. Now as far as he is concerned, the parking lots can be if they so want to be designed. He said that he had no problems with allowing parking lots to be flooded and actually use them as small retention or detention basins. However, Mr. Fraser said that his design was to have the parking lots above that elevation, also.

Mayor Webster said they would have to be very careful as to how they built those houses, because of the Goodlow problem, that they would not be able to sell them.

Councilman Bridges asked Mr. Whitehead if he meant there would be an advantage to not building the parking lots at the same level as the houses are being constructed.

Mr. Whitehead said that was one of the schemes, when they are talking with the Mayor's Task Force on limiting the excess runoff in a development. That is one of the things that a developer can use on limiting the excess runoff, temporary storage in a parking lot, rooftop storage, using landscaping to store some of that excess water.

Councilwoman Proctor moved passage of the ordinance on final reading reclassifying from AO, GC & RM-3 to RM-2 & GC Districts, located on Martin Drive. The motion was seconded by Councilman Bridges. The motion carried as follows:

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

NAYS: None.

AN ORDINANCE AMENDING CHAPTER 23, "PLANNING AND COMMUNITY DEVELOPMENT," 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.

Wayne Kurfees, Director of Traffic & Transportation, briefed the Council on the need for a Traffic Code amendment, because of a traffic hazard that must be corrected at Lee Athletic Complex before next Thursday game day by prohibiting some parking and two-way traffic during certain hours.

TRAFFIC CODE
AMENDED-
LEE ATHLETIC
COMPLEX
PASSED ON
EMERGENCY
BASIS

Mr. Kurfees said that the making of the street one way during the busy times would be made possible by signs that would fold down. Then it could be changed back to regular traffic, after the busy times of the day or night.

Mike Hall, Director of Community Services, said that they had made this recommendation after experiencing traffic jams and near accidents last Thursday night between the Jr. High football games.

After discussion, Councilman Fogle 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 because of a traffic hazard that must be corrected at Lee Athletic Complex before next Thursday game day by prohibiting some parking and two-way traffic during certain hours. The Staff was directed to further study the traffic patterns, etc. to see if a better permanent solution to be reached. The motion was seconded by Councilwoman Proctor. The motion carried as follows:

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

AN ORDINANCE AMENDING CHAPTER 18, "MOTOR VEHICLES & TRAFFIC," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY AND DECLARING AN EMERGENCY.

Councilman Fogle moved adoption of the resolution declaring the necessity for acquiring by condemnation the fee simple title to certain described property for street, bridge, channel and drainage improvement purposes of the Antilley Road and Catclaw Creek Bridge Improvement Project, in that it has been determined that negotiations are futile on the Amy Lee Wilson property. The motion was seconded by Councilman Rodriguez. The motion carried as follows:

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

BRIDGE-
CONDEMN
PROPERTY--
ANTILLEY RD.
& CATCLAW
CREEK
AMY LEE WILSO

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, DECLARING THE NECESSITY FOR ACQUIRING BY CONDEMNATION THE FEE SIMPLE TITLE TO CERTAIN DESCRIBED PROPERTY FOR STREET, BRIDGE, CHANNEL, AND DRAINAGE IMPROVEMENT PURPOSES OF THE ANTILLEY ROAD AND CATCLAW CREEK BRIDGE IMPROVEMENT PROJECT, AND ORDERING THE CONDEMNATION OF SAID PROPERTY TO PROCEED.

Mr. Kurfees explained the request to advertise for the Transit Maintenance Facility Construction. He said that after the completion of the project it would enable all transit functions, i.e., administration, operations and maintenance, to be moved to the South 2nd Street site. He explained how the functions will be arranged on the site:

TRANSIT-
AUTH. TO
ADVERTISE
MT. FACILITY

1) The transfer function, which now takes place at North 2nd and Cedar, will be accommodated at the southwest corner of South 2nd and Sycamore. An open-air transfer platform will be constructed under the large metal canopy (which formerly covered the new car sales area when the property was an automobile dealership).

2) "Existing Building A," will house administration, operations, and maintenance functions. A passenger waiting room with public restrooms will be located on the north-east corner of the building. The administration offices will

be located in the center of the north half of this building. The remainder of Existing Building A will be used for bus maintenance and parts storage.

3) A new 40 foot by 110 foot metal building will be constructed on the south side of Existing Building A to accommodate one pit, one lift and the bus service lane which includes fueling, vacuuming and an automatic roller-type bus washer.

4) Bus parking will take place on the southwest corner of the property. Employee parking will take place along the west side of the alley and in the area south of the transfer platform.

Mr. Kurfees said that at this point, it appears that the total project cost is extremely close to the grant budget, including contingency. This is primarily the result of two cost items which were not anticipated when the grant budget was prepared:

- 1) Very little of the existing paving on this site was found to be adequate to carry bus wheel loads. Therefore, almost all paving will have to be redone.
- 2) Because the former owner had constructed head-in parking, much of the curbing and sidewalk on Elm and South 2nd Streets will have to be replaced.

After discussion, Councilman Bridges moved to approve the oral resolution authorizing the advertisement of the construction of the Transit Maintenance Facility. The motion was seconded by Councilman Rodriguez. The motion carried as follows:

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

NAYS: None.

SUBDIVISION
WAIVER REQ.
3801 CLINTON
APPROVED

Mr. Whitehead presented the request from Marion A. Chaney for a waiver from the Subdivision Regulations, which requires paving and curbing boundary streets when the property is replatted.

Mr. Chaney said that it would work a hardship on him, if he were to have to get a bond, because he was moving a house in and needed the utilities.

Mr. Whitehead said that Clinton is not on a proposed assessment paving program, at this time. He did not know when the street might be paved under an assessment paving program

After discussion, Councilman Rodriguez moved to approve the waiver from the Subdivision Regulations at 3801 Clinton. This authorization is conditioned upon satisfaction of the following:

- 1) Pending approval of the Replat by the plat review committee.
- 2) The owner deed the City the area necessary to increase the existing 30 foot street Right-of-Way by an additional 15 feet.

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

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

NAYS: None.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, WAIVING IMPROVEMENTS ON CLINTON STREET FOR THE REPLAT DESCRIBED AS LOT A, BLOCK 1 OF THE PROPOSED M.A. CHANEY ADDITION AS REQUIRED BY THE SUBDIVISION REGULATIONS.

Mr. Whitehead presented the request from H.E. Ratliff for a waiver SUBDIVISION from the Subdivision Regulations concerning paving and curbing and Water and Sewer, on 70.5 acres adjacent to F.M. 1082 and Hwy 351.

HWY 351
W & S APPROVE

Mr. Whitehead said that Mr. Ratliff has submitted a replat described as BUCK CREEK ESTATES, 70.5 acres out of the N.W. part of Section 19, B.A.L. which requires compliance with the Subdivision Regulations, even though it is not in the City Limits, but within the ETJ.

Mr. Whitehead said that Buck Creek Road is the only road that would fall under the City Subdivision Regulations, as FM 1082 and Hwy 351 are State roads.

Mr. Whitehead said that points to consider in conjunction with this waiver request are:

- 1) Availability of water to this property from the Hamby Water Supply;
- 2) Distance to the nearest available sewer and water lines.

Mr. Whitehead recommended the waiver for the water & sewer, but he said that the waiver for the curb and paving is not recommended in light of the fact that this 70.5 acre tract is near a recently annexed area in which paving will be required as it is developed.

After discussion, Councilman Bridges moved to approve the waiver for the Water & Sewer for the 70.5 acre Tract, known as BUCK CREEK ESTATES. The motion was seconded by Councilman Rodriguez. The motion carried as follows:

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

A RESOLUTION OF THE CITY OF ABILENE, TEXAS, WAIVING WATER AND SEWER INSTALLATION REQUIREMENTS FOR A PROPOSED REPLAT DESCRIBED AS BUCK CREEK ESTATES, SECTION 2, A SUBDIVISION OF 70.5 ACRES OUT OF THE N.W. PART OF SECTION 19, B.A.L. TAYLOR COUNTY, TEXAS, AS REQUIRED BY THE SUBDIVISION REGULATIONS.

After discussion, Councilman Rodriguez moved to deny the request for a waiver for the curb and paving of the 70.5 acre tract, which would be required on Buck Creek Road. The motion was seconded by Councilman Fogle. The motion carried as follows:

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

SUBDIVISION
REGULATIONS
FM 1082 &
HWY 351
CURB &
PAVING
REJECTED

Mr. Whitehead presented his request for the approval of an emergency purchase of a Spreader Box to be used by the Street Division. He said that they had an accident with the chip spreader, and it was needed to continue with the seal coating that the City was doing now.

EQUIPMENT
PURC.
SPREADER-
EMERGENCY

Councilman Fogle moved adoption of the oral resolution approving the emergency purchase of a Spreader Box to be used by the Street Dept. in their seal coating program (in the amount of \$7,450). The motion was seconded by Councilman Bridges. The motion carried as follows:

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

Mayor Webster moved that the following names be approved for the following Board:

BOARD APPT.
MECHANICAL
APPEALS

Board of Mechanical Appeals

Mechanical Engineer
Nelson Perry

Master Electrician
Jerry Johnson

Home Builder
Bruce Bixby

Master Plumber
David Gay

Mechanical Contractor
James Hall

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

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

CITY COUNCIL
EXECUTIVE
SESSION

There was an executive session, with no action taken.

There being no further business, Mayor Webster adjourned the meeting at 12:30 p.m.

Ruth Hodgson
City Secretary

Kathy Webster
Mayor Pro Tempore