

Regular Meeting of the Mayor and City Council of the City of Abilene, Texas, to be held in the Council Chambers of the City Hall on Thursday, August 11, 1983, at 9:00 a.m.

CITY COUNCIL: Mayor Elbert E. Hall; Council - Dr. Julian Bridges, Billye Proctor-Shaw, Juan C. Rodriguez, A. E. Fogle, Jr., Welton Robinson and Harold Nixon.

1. Call to Order.
2. INVOCATION: Councilman Julian Bridges.
3. APPROVAL OF MINUTES: Regular Council Meeting held July 28, 1983, and Special Meeting held July 29, 1983.

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 second and final reading - Ordinance amending Chapter 32, "Utilities" of the Abilene Municipal Code.
 - b. Consider on first reading - reclassification request from RM-2 (Residential Multi-Family) to LC (Limited Commercial) District, located in the 4900 block Buffalo Gap Road & set a public hearing for August 25, 1983, at 9:00 a.m.
 - c. Consider on first reading - reclassification request from SC & RM-2 (Shopping Center & Residential Multi-Family) to GC (General Commercial) District, located at North 10th Street and Minter Lane and set a public hearing for August 25, 1983, at 9:00 a.m.
 - d. Consider on first reading - reclassification request from RS-6 (Residential Single Family) to MRH (Modular Home Overlay) District, located at 3201, 3125 & 3109 S. 3rd Street & set a public hearing for August 25, 1983, at 9:00 a.m.
 - e. Consider on first reading - reclassification request from RS-6 (Residential Single Family) to PH (Patio Home Overlay) District, located on Woodcock Circle & set a public hearing for August 25, 1983, at 9:00 a.m.
 - f. Consider on first reading - reclassification request from AO (Agricultural Open Space) to RS-6, RS-8 & RS-12 (Residential Single Family) District, located on Meadow Drive & set a public hearing for August 25, 1983, at 9:00 a.m.
 - g. Consider on first reading - Ordinance amending Chapter 18 "Motor Vehicles and Traffic" of the Abilene Municipal Code concerning new school speed zones.
 - h. Consider on first reading - Amendment to Stormwater Management Ordinance relative to Stream Maintenance for Mesquite Forrest Estates, and set a public hearing for September 8, 1983, at 9:00 a.m.
5. Resolutions
 - a. Consider easement release being 5' overhang and maintenance easement; and 102.79' of a 15' utility easement, located at Grape Street and Anson Avenue.
 - b. Consider easement release being a 10' Lone Star Gas Easement, located on Woodlake Drive.
 - c. *Consider authorizing the filing of Transit Operating Assistance Grant application for FY 1984, and set a public hearing for August 25, 1983, at 9:00 a.m.

reworded as: * Call a public hearing for August 25, 1983, at 9:00 a.m., to consider the filing of an Operating Assistance Grant Application for FY 1984.

6. Award of Bid
 - a. 8-Yard Refuse Containers.

7. Request to Advertise
 - a. Replacement of Sump Pump at Civic Center.
 - b. Power Trailer Unit for Water Department.
 - c. Waterworks fittings for the Water Department.
 - d. Zoo Security

REGULAR AGENDA

8. Ordinances and Resolutions

Tabled Items:

- | | |
|--|---|
| <p>29-1983</p> <p>67-1983</p> <p>52-1983</p> <p>39-1983</p> <p>10-1983</p> | <ol style="list-style-type: none"> a. Spring 1983 Phase II, Special Assessment Paving Program b. Resolution - Consider approving the use of FY 1982 Community Development Block Grant Funds for the Abilene Economic Development Company, Inc. c. Resolution - Consider approving designation of the City of Abilene as a Metropolitan Planning Organization. d. Resolution - Consider authorizing the filing of an grant application with the Urban Mass Transportation Administration. e. Resolution - Accepting Amended Part I and Part II FAA Airport Improvement Grant. |
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9. Award of Bids

- a. Rehabilitation of Airport Runway 17L-35R (and associated taxiways), and acceptance of professional services, Trinity Testing Labs.

10. Other Business

- a. Consider golf course master plan and proposed disposal of excess park property.
- b. Discussion of proposed revision of subdivision regulations.
- c. Appointment and evaluation of public officials.
- d. Pending and Contemplated Litigation.
- e. Consider acquisition of land in South Abilene.

ADJOURN

REGULAR CITY COUNCIL MEETING
THURSDAY, AUGUST 11, 1983 - 9:00 A.M.

THE CITY COUNCIL OF THE CITY OF ABILENE,
TEXAS, CITY COUNCIL CHAMBERS

The City Council of the City of Abilene, Texas, met in Regular Session, Thursday, August 11, 1983, at 9:00 a.m. in the City Council Chambers of City Hall. Mayor Elbert E. Hall was present and presiding with Councilman Julian Bridges, Councilwoman Billye Proctor-Shaw, Councilmen A. E. Fogle, Jr., Welton Robinson and Harold D. Nixon. Councilman Carlos Rodriguez was absent. Also present were City Manager Ed Seegmiller, City Attorney Harvey Cargill, Jr., and City Secretary Patricia Patton.

Councilman Julian Bridges gave the invocation.

Councilwoman Proctor-Shaw moved to approve the minutes of the Regular Council Meeting held July 28, 1983, and Special Meeting held July 29, 1983. The motion was seconded by Councilman Nixon and the motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Fogle, Robinson, Nixon and Mayor Hall.

NAYS: None.

Mayor Hall removed from the agenda item 4b being a reclassification request from RM-2 (Residential Multi-Family) to LC (Limited Commercial) District, located in the 4900 block Buffalo Gap Road, since the item was denied by the Planning and Zoning Commission and not appealed at the present time.

Councilman Bridges moved approval of the consent agenda items 4a, 4c through 4h, 5a through 5c, 6a, and 7a through 7d. The motion was seconded by Councilwoman Proctor-Shaw and the motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Fogle, Robinson, Nixon and Mayor Hall.

NAYS: None.

4. Ordinances

- a. Consider on second and final reading - ordinance amending Chapter 32, "Utilities" of the Abilene Municipal Code. The Ordinance is numbered 88-1983 and captioned as follows.

AN ORDINANCE AMENDING CHAPTER 32, UTILITIES BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

WATER &
UTILITIES-
amend code,
2nd read, app
088-1983

Each of items 4c, 4d, 4e, and 4f contain the follow caption and are listed individually as follows:

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.

- c. Consider on first reading - reclassification request from SC & RM-2 (Shopping Center & Residential Multi-Family) to GC (General Commercial) District, located at North 10th Street and Minter Lane and set a public hearing for August 25, 1983, at 9:00 a.m.
- d. Consider on first reading - reclassification request from RS-6 (Residential Single Family) to MRH (Modular Home Overlay) District, located at 3201, 3125 & 3109 S. 3rd Street and set a public hearing for August 25, 1983, at 9:00 a.m.
- e. Consider on first reading - reclassification request from RS-6 (Residential Single Family) to PH (Patio Home Overlay) District, located on Woodcock Circle and set a public hearing for August 25, 1983, at 9:00 a.m.

ZONING RE-SC
RM-2 to GC/
N. 10th &
Minter Ln, 1s
read, appd

ZONING RE-RS
to MRH/3201,
3125 & 3109
S.3rd, 1st
read, appd.

ZONING RE-RS
to PH/Woodco
Cr., 1st rea
approved

f. Consider on first reading - reclassification request from A0 (Agricultural Open Space) to RS-6, RS-8 & RS-12, (Residential Single Family) District, located on Meadow Drive and set a public hearing for August 25, 1983, at 9:00 a.m.

ZONING RE-AC to RS6, RS8 & RS12/Meadow Dr., 1st read, appd.

g. Consider on first reading - ordinance amending Chapter 18 "Motor Vehicles and Traffic" of the Abilene Municipal Code concerning new school speed zones.

TRAFFIC & CODE-amend to include new school speed zones, 1st read, approved

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

^{FLOOD} STORMWTR MGM SUBDIVISION REGS- amend re:stream maint. for Mesquite Forest Est. 1st read. apprd.

h. Consider on first reading - amendment to Stormwater Management Ordinance relative to Stream Maintenance for Mesquite Forest Estates and set a public hearing for September 8, 1983, at 9:00 a.m.

AN ORDINANCE AMENDING ORDINANCE NO. 34-1983 AMENDING CHAPTER 23, PLANNING AND COMMUNITY DEVELOPMENT, SUBPART D, SUBDIVISIONS AND 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.

5. Resolutions

a. Consider easement release being 5' overhang and maintenance easement; and 102.79' of a 15' utility easement, located at Grape Street and Anson Avenue. The resolution is numbered 65-1983 and is captioned as follows:

EASEMENT RE maint. & utility ease Grape St. & Anson Ave., approved R65-1983

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

b. Consider easement release being a 10' Lone Star Gas Easement, located on Woodlake Drive. The resolution is numbered 66-1983 and is captioned as follows:

EASEMENT REL 10' Lone Sta Gas Ease. on Woodlake Dr. approved R66-1983

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

c. Call a public hearing for August 25, 1983, at 9:00 a.m. to consider the filing of an Operating Assistance Grant Application for FY 1984. The item was approved by oral resolution.

TRAFFIC UMTA-operatir asst. grant application, FY 1984, cal PH for 8/25

6. Award of Bid

a. 8-Yard Refuse Containers.

AWARD BID- 8-ym refuse containers

7. Request to Advertise

- a. Replacement to Sump Pump at Civic Center.
- b. Power Trailer Unit for Water Department.
- c. Waterworks fittings for the Water Department.
- d. Zoo Security.

REQ TO ADV- sump pump at Civic Center trailer & waterworks fittings for water dept zoo securit

Carlos Rodriguez joined the meeting.

Councilman Fogle moved to remove from the table the Spring 1983 Phase II, Special Assessment Paving Program. The motion was seconded by Councilman Bridges and the motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle, Robinson, Nixon and Mayor Hall.

NAYS: None.

Bob Whitehead, Director of Public Works, briefed the Council on the Spring 1983 Phase II, Special Assessment Paving Program, stating that the Council held a public hearing on July 28, 1983, all in accordance with Article 1105b, V.A.T.C.S. and approved the inclusion of each of the streets except that portion of Unit III - Old Anson Road. At that time, the item was tabled pending the determination of street and bridge projects for the bond issue. Since Old Anson Road was included in the bond issue, at this time, it is the Council's option to approve or delete that street from the ordinance and assessment roll.

Councilman Bridges moved to approve the Spring 1983 Phase II, Special Assessment Paving Program and related Ordinance and Assessment Roll, deleting that portion of the Ordinance being Unit III - Old Anson Road, Vogel Avenue to the north right-of-way line of Lowden Street. The motion was seconded by Councilwoman Proctor-Shaw and the motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle, Robinson, Nixon and Mayor Hall
NAYS: None.

STR. IMPROVE
Spring 1983,
Phase II,
Paving Program
delete Old Ans
Rd., Vogle Ave
to N row line
of Lowden St
final read
ord. approve
089-1983

The ordinance is numbered 89-1983 and is captioned as follows:

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: 1983 SPRING ASSESSMENT PAVING PROGRAM - PHASE II

UNIT I - 30' WIDE STREET F/C TO F/C

1. Russell Street - from Clyde Street to Elm Creek

UNIT II - 36' WIDE STREET F/C TO F/C

1. South 2nd Street - from Clyde Street to existing paving west of Willis Street
2. Oak Street - from existing paving north of South 25th Street to Treadaway
3. Vogel Avenue - from east side of Catclaw Creek Bridge to Old Anson Road.

UNIT III - 40' & 48' WIDE STREET F/C TO F/C

1. China Street - from South 5th Street to South 7th Street

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; AFFIRMING AND RATIFYING THE CONTRACT LET FOR THE CONSTRUCTION OF SAID AFORE-MENTIONED IMPROVEMENTS; PROVIDING A SEVERABILITY CLAUSE, AND DECLARING AN EMERGENCY.

Lee Roy George, Director of Planning and Community Development, briefed the Council on the use of fiscal year 1982 Community Development Block Grant Funds for the Abilene Economic Development Company, Inc., (hereinafter referred to as A.E.D.C.). He presented to the Council for revision and suggestions, proposed by-laws. It was explained the next course of action by the Council, at a later date, would be to appoint the Board of Directors to the A.E.D.C.

Councilman Rodriguez moved to approve the resolution approving use of fiscal year 1982 Community Development Block Grant Funds in the amount of three hundred twenty eight thousand five hundred forty (\$328,540) dollars for the purpose of establishing and supporting the Abilene Economic Development Company, Inc. The motion was seconded by Councilman Bridges and the motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle, Robinson, Nixon and Mayor Hall.
NAYS: None.

COMM DEVELOP &
AECD-approve
82 CDBG funds
for Abilene
Economic
Development
Co., at
concept
R67-1983

The resolution is numbered 67-1983 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF ABILENE, TEXAS, APPROVING THE USE OF FY 1982 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR THE ABILENE ECONOMIC DEVELOPMENT COMPANY, INCORPORATED.

After being briefed by Lee Roy George, Director of Planning and Community Development, Councilman Fogle moved to approve the resolution designating the City of Abilene as a Metropolitan Planning Organization. The motion was seconded by Councilman Rodriguez and the motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilman Rodriguez, Fogle, Robinson, Nixon and Mayor Hall.
NAYS: None.

MPO & URBAN
TRANSPORT-
designate
Abilene as
MPO, approve
R68-19

The resolution is numbered 68-1983 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE APPROVING THE DESIGNATION OF THE CITY OF ABILENE AS A METROPOLITAN PLANNING ORGANIZATION FOR THE ABILENE URBANIZED AREA.

After being briefed by Lee Roy George, Director of Planning and Community Development, Councilman Fogle moved to approve the resolution authorizing the filing of a grant application with the Urban Mass Transportation Administration. The motion was seconded by Councilwoman Proctor-Shaw and the motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle, Robinson, Nixon and Mayor Hall.
NAYS: None.

TRAFFIC & URBAN
TRANSPORT.-
auth. filin
of grant ap
with UMTA
approved
R69-1983

The resolution is numbered 69-1983 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE FILING OF AN APPLICATION WITH THE DEPARTMENT OF TRANSPORTATION, UNITED STATES OF AMERICA, FOR A GRANT UNDER THE URBAN MASS TRANSPORTATION ACT OF 1964, AS AMENDED.

After being briefed by Bob Whitehead, Director of Public Works, Councilman Bridges moved to approve the resolution amending Part I, FAA Airport Improvement Grant (change in work description only); accept FAA Airport Improvement Grant Part II; and authorize the Mayor to execute the amendment and agreement. The motion was seconded by Councilman Robinson and the motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle, Robinson, Nixon and Mayor Hall.
NAYS: None.

AIRPORT-
amend Pt. 1
FAA Grant,
accept Pt.2
approved
R70-198

The resolution is numbered 70-1983 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING GRANT AGREEMENT FROM THE FEDERAL AVIATION ADMINISTRATION FOR IMPROVEMENTS AT THE ABILENE MUNICIPAL AIRPORT.

After being briefed by Bob Whitehead, Director of Public Works, Councilman Nixon moved to approve the award of bid for rehabilitation of Airport Runway 17L-35R (and associated taxiways) to Bontke Brothers Construction Company in the amount of \$703,484.80; and that the Mayor be authorized, by oral resolution, to execute the testing agreement with Trinity Testing Lab. The motion was seconded by Councilman Rodriguez and the motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle, Robinson, Nixon and Mayor Hall.
NAYS: None.

AWARD BID &
CONTRACT &
AIRPORT-Re-
habilitate
Runway 17L-
35R & taxis
award to
Bontke Bros
and auth.
testing agr
w/Trinity
Testing Lab
Oral appd.

Fred Aycok, Assistant Director for Community Services, briefed the Council on the Golf Course Master Plan. He introduced to the Council Mr. Dave Bennett, golf course architect, who continued the briefing, stipulating specific future objectives recommended in the master plan.

Councilman Fogle moved to adopt the Golf Course Master Plan. The motion was seconded by Councilman Rodriguez and the motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle, Robinson, Nixon and Mayor Hall.
NAYS: None.

COMM SVCS &
GOLF COURSE
adopt Golf
Course Mast
Plan/Oral

In conjunction with the adoption of the Golf Course Master Plan, Councilwoman Proctor-Shaw moved to authorize the staff to advertise for the disposition of park lands. The motion was seconded by Councilman Nixon and the motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle, Robinson, Nixon and Mayor Hall.
NAYS: None.

GOLF COURSE
PARKS LAND-
auth. disp.
of park lan
approved/
Oral

SUBD. REGS-
discuss
revision/
auth. staff
to prepare
formal doc.
for
Council
consider.

The next item of business concerned the continued discussion of the proposed revision of subdivision regulations as begun at the City Council Retreat, 1983. Tony Neitzler, Assistant Director of Planning and Community Development, led the discussion highlighting areas of major change. It was reiterated to the Council that this revision process began in 1980 by the City Council, with several policy issue directives given to the Technical Review Committee on Strategies for Responsible Growth. That Committee, after several months of review, made specific recommendations to the Planning and Zoning Commission. The recommendations for revision to the subdivision regulations represent several months of review by the Planning and Zoning Commission and are presented herewith to the City Council.

Appreciation was expressed to the staff and members of the Planning and Zoning Commission and Technical Review Committee on Strategies for Responsible Growth for the arduous task of developing these revisions.

Councilwoman Proctor-Shaw moved to authorize the staff to prepare an ordinance on the proposed changes to the subdivision regulations and consider it on first reading at the next regular council meeting. The motion was seconded by Councilman Fogle and the motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle, Robinson, Nixon and Mayor Hall.
NAYS: None.

Mayor Hall recessed the Council to consider appointment and evaluation of public officers and pending and contemplated litigation during an executive session.

The Council reconvened with the following action taken. Councilman Bridges left the meeting.

Councilman Fogle moved to approve changes to the Election Resolution numbered 63-1983 as indicated below. The motion was seconded by Councilman Rodriguez and the motion carried as follows:

AYES: Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle, Robinson, Nixon and Mayor Hall.
NAYS: None.

ELECTION-
amend R63-
1983 re:
Judges &
Alternate
Judges

<u>City Precinct</u>	<u>Presiding Judge</u>	<u>Alternate Judge</u>
A	G. Norman Weaver	Kermit Klaerner
B	Carol Cost	Jeray Rutledge
D	Ray Inzer	Jim Curtis

CHANGE TO

A	Kermit Klaerner	Paul Vasquez
C	Mrs. Jeray Rutledge	Dorothy Chaney
D	Garvin Beauchamp	Leao McDaniel

Councilwoman Proctor-Shaw moved to approve the purchase of land in South Abilene for a total amount of \$74,900 for the purpose of extending utility services. The motion was seconded by Councilman Nixon and the motion carried as follows:

LAND PURCH-
S. Abilene
to extend
utility
services
approved/
Oral

AYES: Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle, Robinson, Nixon and Mayor Hall.
NAYS: None.

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

Patricia Patton
Patricia Patton
City Secretary

Elbert E. Hall
Elbert E. Hall
Mayor