

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, September 8, 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 August 25, 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 first reading - ordinance amending Chapter 20, "Offenses", of the Abilene Municipal Code, concerning burglar alarms.
 - b. Consider on first reading - reclassification request from RM-2 (Residential Multi-Family) to O (Office) District, located in the 4900 Block Buffalo Gap Road and set a public hearing for September 22, 1983, at 9:00 a.m.
 - c. Consider on first reading - reclassification request from O (Office) to GC (General Commercial) District, located at 1646 N. 6th Street and set a public hearing for September 22, 1983, at 9:00 a.m.
 - d. Consider on first reading - reclassification request from AO (Agricultural Open Space) to RS-6 (Residential Single Family) District, located on Jennings Drive and set a public hearing for September 22, 1983, at 9:00 a.m.
 - e. Consider on first reading - reclassification request from RM-3 (Residential Multi-Family) to GC (General Commercial) District, located at N. 9th and Grape Streets and set a public hearing for September 22, 1983, at 9:00 a.m.
 - f. Consider on first reading - reclassification request from RM-3 & GC (Residential Multi-Family & General Commercial) to GC (General Commercial) District, located at S. 14th Street and Bowie Drive and set a public hearing for September 22, 1983, at 9:00 a.m.
 - g. Consider on first reading - reclassification request from AO (Agricultural Open Space) to GC (General Commercial) District, located on West Highway 80 and set a public hearing for September 22, 1983, at 9:00 a.m.
 - h. Consider on first reading - reclassification request from AO (Agricultural Open Space) to LI (Light Industrial) District, located on Highway 351 East and set a public hearing for September 22, 1983, at 9:00 a.m.
 - i. Consider on first reading - reclassification request from RS-6 (Residential Single Family) to O (Office) District, located at 2217 S. 25th Street and set a public hearing for September 22, 1983, at 9:00 a.m.
 - j. Consider on first reading - reclassification request from AO (Agricultural Open Space) to GC & MH (General Commercial & Mobile Home) District, located at F.M. 2404 and Highway 83-277 and set a public hearing for September 22, 1983, at 9:00 a.m.
 - k. Consider on first reading - reclassification request from AO (Agricultural Open Space) to MH (Mobile Home) District, located on Military Drive and set a public hearing for September 22, 1983, at 9:00 a.m.
 - l. Consider on first reading - reclassification request from AO (Agricultural Open Space) to GC (General Commercial) District, located on Curry Lane and set a public hearing for September 22, 1983, at 9:00 a.m.
 - m. Consider on first reading - ordinance for street name change from Wall Street to General Dynamics Way and set a public hearing for September 22, 1983, at 9:00 a.m.

- n. Consider on first reading - ordinance amending Section 32-9.2 of the zoning ordinance to allow sales of home audio and video equipment in LC districts and set a public hearing for September 22, 1983, at 9:00 a.m.
- o. Consider on first reading - a thoroughfare abandonment, being a 20' x 115' north-south alley, located on Robertson Drive and set a public hearing for September 22, 1983, at 9:00 a.m.
- p. Consider on first reading - a thoroughfare abandonment, being a 20' x 170' alley, College Heights Addition, save and except a utility easement the entire length and width of the alley and set a public hearing for September 22, 1983, at 9:00 a.m.
- q. Consider on second and final reading - Ordinance amending Chapter 18 "Motor Vehicles and Traffic" of the Abilene Municipal Code concerning alley between No. 1st Street, No. 2nd Street, Grape Street and Merchant Street.
- r. Consider on second and final reading - Ordinance amending Chapter 27, "Refuse", of the Abilene Municipal Code.

5. Resolutions

- 81-1983 a. Consider granting easements to West Texas Utilities.
- 82- b. Consider easement release, Martin Subdivision.
- 83- c. Consider easement release being a 20' utility easement, located between Buffalo Gap Road and Ridgemont Drive.
- 84- d. Consider easement release being a 10' utility easement, located on Patty Lynne.

6. Award of Bid

- a. Overhead street name markers, Traffic & Transportation Department.
- b. Sewer pipe, Sewage Collection Division.

7. Change Order

- a. Change Order #4 and final payment for transit maintenance facility.

8. Request to Advertise

- a. 20" Concrete steel cylinder pipe, Water Department.
- b. Excavator backhoe, Water Department.

REGULAR AGENDA

9. Award of Bid

- a. Parking meters, Traffic & Transportation Department.

10. Ordinances and Resolutions

- 98-1983 a. Public Hearing - consider on second and final reading - Ordinance approving amended 1982-83 Budget and Proposed 1983-84 Budget, including Revenue Sharing.
- 99-1983 b. Public Hearing - consider on second and final reading - Ordinance setting tax rate for FY 1983-84.
- 100-1983 c. Public Hearing - consider on second and final reading - Ordinance amending Chapter 32, "Utilities", Article III, industrial wastes, of the Abilene Municipal Code.
- 101-1983 d. Public Hearing - consider on second and final reading - Amendment to Stormwater Management Ordinance relative to Stream Maintenance for Mesquite Forest Estates.
- 102-1983 e. Public Hearing - consider on second and final reading - Ordinance amending subdivision regulations.
- 85-1983 f. Resolution - consider establishing a street naming policy.
- 86-1983 g. Resolution - consider establishing a utility placement policy.

11. Public Appearances

- a. Floyd McDonald - concerning rent deposit on house and the 30 day requirement to hold deposit money; also, weed complaint.

12. Other Business

- a. Discussion of energy technical assistance studies.
- b. Appointment and evaluation of public officials.
- c. Pending and Contemplated Litigation.

ADJOURN

REGULAR CITY COUNCIL MEETING
THURSDAY, SEPTEMBER 8, 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, September 8, 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 Carlos Rodriguez, A. E. Fogle, Jr., Welton Robinson, and Harold Nixon. Also present were City Manager Ed Seegmiller, First Assistant City Attorney Gary Landers, and City Secretary, Patricia Patton.

Councilman Julian Bridges gave the invocation.

Councilman Fogle moved to approve the minutes of Regular City Council Meeting held August 24, 1983. The motion was seconded by Carlos Rodriguez and the motion carried as follows:

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

NAYS: None.

Mayor Hall removed from the agenda items 4c, 4e, and 4g, all being reclassification requests; 4m, being a street name change from Wall Street to General Dynamics Way; and 4n, being an ordinance amendment to Section 32-9.2 of the zoning ordinance. The aforementioned items were removed from the agenda due to a denial from the Planning and Zoning Commission and not appealed at the present time.

The following items 4a, 4d, 4r and 8b were removed from the consent agenda to be considered separately.

4. Ordinance

- a. Consider on first reading - ordinance amending Chapter 20, "Offenses", of the Abilene Municipal Code, concerning burglar alarms.

Warren Dodson, Police Chief, briefed the Council on the new ordinance stating that a random survey of other cities using a similar ordinance was conducted. Also input was received from local alarm company operators and the resulting ordinance proposes a permit fee of \$10.00 and specified service charges after a number of false alarms have been responded by police, and other details. It is felt the ordinance is reasonable, fair and should reduce the number of false alarms requiring response from police personnel. The ordinance governs the use of all burglar alarm systems, residential and business. Discussion among Police Chief Warren Dodson and Council Members followed.

Councilman Robinson moved to cancel the ordinance amending Chapter 20, "Offenses", of the Abilene Municipal Code, concerning burglar alarms. The motion was seconded by Councilman Nixon and the motion FAILED as follows:

AYES: Councilmen Robinson and Nixon.

NAYS: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle and Mayor Hall.

POLICE - Ord.
amend. "Offense
regarding
burglar alarms
motion to cancel
Ordinance
FAILED

Councilwoman Proctor-Shaw moved to approve the ordinance amending Chapter 20, "Offenses", of the Abilene Municipal Code, concerning burglar alarms. The motion was seconded by Councilman Rodriguez and the motion carried as follows:

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

NAYS: Councilmen Robinson and Nixon.

POLICE - Ord.
amend. "Offense
regarding
burglar alarms
1st read
approved

AN ORDINANCE AMENDING CHAPTER 20, "OFFENSES" BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

8. Request to Advertise
b. Excavator backhoe for the Water Department.

REQ TO ADVERT -
backhoe/Water Dept
approved

Councilman Nixon questioned Bernard Huett, Purchasing Agent, as to the type of bid the City would request in its advertisement. The response was either out-right purchase or lease. Councilman Nixon moved to approve the request to advertise for a excavator backhoe for the Water Department. 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.

4. Ordinance
r. Consider on second and final reading - Ordinance amending Chapter 27, "Refuse", of the Abilene Municipal Code.

Bob Whitehead, Director of Public Works, briefed the Council that the item was passed on first reading on August 25, 1983. The proposed ordinance would increase the collection and disposal of the stationary compactor rates by approximately thirty-eight (38%) percent. It was determined advisable to increase these rates after an analysis of the three areas of refuse collection showed that the stationary compactor rates were not at a break-even status, where both the metal commercial container service and the residential collection service are presently at a break-even status.

After some discussion, Councilman Bridges moved to approve on second and final reading the ordinance amending Chapter 27, "Refuse", of the Abilene Municipal Code. The motion was seconded by Councilman Nixon and the motion carried as follows:

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

NAYS: Mayor Hall.

REFUSE - amend
code, increase
rates, final read.
approved
96-1983

The ordinance is numbered 96-1983 and is captioned as follows:

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

4. Ordinance
d. Consider on first reading - reclassification request from A0 to RS-6 District, located on Jennings Drive and set a public hearing for September 22, 1983, at 9:00 a.m.

Ron Hansen, Assistant Zoning Administrator, briefed the Council on the item and explained that the site was recently annexed into the City limits and the staff would recommend, if approved, the ordinance effective date coincide with the annexation date, being December 31, 1983. Mayor Hall questioned whether Dyess Air Force Base officials had been contacted, since they had expressed some concern over the item in the past. Mr. Don Powers, 22 Surrey Square, representing the proponent Gordon Asbury, responded that he had been unsuccessful in contacting personnel from Dyess AFB. Mayor Hall offered assistance in trying to contact someone from Dyess AFB prior to the next regular Council meeting.

Mayor Hall moved approval of the reclassification request from A0 (Agricultural Open Space) to RS-6 (Residential Single Family) District, located on Jennings Drive and set a public hearing for September 22, 1983, at 9:00 a.m. 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.

ZONING RE -
A0 to RS-6,
Jennings Dr.
1st read.
approved

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.

Councilman Bridges moved approval of the consent agenda items 4b, 4f, 4h, 4i, 4j, 4k, 4l, 4o, 4p, 4q, 5a through 5d, 6a, 6b, 7a, and 8a. 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.

Each of items 4b, 4f, 4h, 4i, 4j, 4k, and 4l contain the following 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.

4. Ordinance

b. Consider on first reading - reclassification request from RM-2 to O District, located in the 4900 Block Buffalo Gap Road and set a public hearing for September 22, 1983.

ZONING RE -
RM-2 to O
4900 Buff. Gap.Rc
1st read. appr.

f. Consider on first reading - reclassification request from RM-3 & GC to GC District, located at S. 14th Street and Bowie Drive and set a public hearing for September 22, 1983.

ZONING RE -
RM-3 & GC to GC
S. 14 & Bowie Dr.
1st read. appr.

h. Consider on first reading - reclassification request from AO to LI District, located on Highway 351 East and set a public hearing for September 22, 1983.

ZONING RE -
AO to LI/Hwy 351
East, 1st read
appr.

i. Consider on first reading - reclassification request from RS-6 to O District, located at 2217 S. 25th Street and set a public hearing for September 22, 1983.

ZONING RE -
RS-6 to O
2217 S. 25th
1st read. appr.

j. Consider on first reading - reclassification request from AO to GC & MH District, located at F.M. 2404 and Highway 83-277 and set a public hearing for September 22, 1983.

ZONING RE -
AO to GC & MH
FM 2404 & Hwy 83-
277, 1st appr.

k. Consider on first reading - reclassification request from AO to MH District, located on Military Drive and set a public hearing for September 22, 1983.

ZONING RE -
AO to MH
Military Dr.
1st read. appr.

l. Consider on first reading - reclassification request from AO to GC District, located on Curry Lane and set a public hearing for September 22, 1983.

ZONING RE -
AO to GC
Curry Lane
1st read. appr.

o. Consider on first reading - thoroughfare abandonment, being a 20' x 115' north-south alley, located on Robertson Drive and set a public hearing for September 22, 1983.

THOR ABAND -
Robertson Dr.
1st read. appr.

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.

p. Consider on first reading - thoroughfare abandonment, being a 20' x 170' alley, College Heights Addition, save and except a utility easement the entire length and width of the alley and set a public hearing for September 22, 1983.

THOR ABAND -
College Hghts Ad.
1st read. appr.

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.

- q. Consider on second and final reading - Ordinance amending Chapter 18 "Motor Vehicles and Traffic" of the Abilene Municipal Code concerning alley between No. 1st Street, No. 2nd Street, Grape Street and Merchant Street.
- TRAFFIC - code amend. final read. approved 97-1983

The Ordinance is numbered 97-1983 and is captioned as follows:

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 DECLARING A PENALTY.

5. Resolutions

- a. Consider granting easements to West Texas Utilities.

EASEMENT REL - WTU approved 81-1983

The resolution is numbered 81-1983 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE UTILITY EASEMENTS.

- b. Consider easement release, Martin Subdivision.

EASEMENT REL - Martin Subd. approved 82-1983

The resolution is numbered 82-1983 and is captioned as follows:

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

- c. Consider easement release being a 20' utility easement, located between Buffalo Gap Road and Ridgemont Drive.

EASEMENT REL - Buff. Gap Rd. and Ridge. Dr. approved 83-1983

The resolution is numbered 83-1983 and is captioned as follows:

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

- d. Consider easement release being a 10' utility easement, located on Patty Lynne.

EASEMENT REL - Patty Lynne approved 84-1983

The resolution is numbered 84-1983 and is captioned as follows:

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

6. Award of Bid

- a. Overhead street name markers, Traffic & Transportation Department.
b. Sewer pipe, Sewage Collection Division.

AWARD OF BIDS - Overhead st. name markers; sewer pipe approved
TRANSIT
CHANGE ORDER - #4 & final transit facility approved
REQ. TO ADV - 20" cylinder pipe

7. Change Order

- a. Change Order #4 and final payment for transit maintenance facility.

8. Request to Advertise

- a. 20" Concrete steel cylinder pipe, Water Department.

The Council then proceeded with the regular agenda items, first being the award of bid for parking meters for the Traffic and Transportation Department. Wayne Kurfees briefed the Council.

It was explained that the Department has encountered frustrations in the past method of enforcement for downtown parking, but that some form of controlled parking should be utilized. There, fore, the staff was authorized to take bids on parking meters.

A survey of the various parking areas for the downtown area, including free and time-limited parking, was conducted in Abilene and other cities. The survey also included generated revenue and costs for maintenance and enforcement. The brands of meters available proved the Duncan and POM meters superior with the staff preferring Duncan to POM, due to the superior service record. Staff recommends a minimum purchase plan which consists of approximately 653 meters (three-quarters being duplex and one-quarter being single) at an estimated purchase cost of \$108,000. Estimated enforcement costs, due to less police personnel, would be realized along with reduced collection and maintenance costs for the first three-year warranty period, then revenue should offset any maintenance and collection costs after that period. The preliminary revenue estimate for one year is approximately \$141,000. If other methods for purchasing were desired, the staff could prepare the time payment plan figures.

The question arose regarding costs related to ticket collection in Municipal Court; specifically those parking tickets that have become burdensome in the Municipal Court due to the low revenue generated and the man-power it would take to collect the tickets. Discussion on the possibility of raising the fine for first and second violations, delinquent violations, and specific costs involved in collection of parking tickets followed. Approximately sixty percent of parking tickets are issued in the downtown area with the remaining forty percent issued near and around the high schools and other areas.

The record reflects that a petition was received on September 7, 1983, from various business residents of the downtown area in favor of reinstalling parking meters to control the time-limited on-street parking for the downtown area. A copy of said petition was disseminated to each member of the Council.

Frank Fite, downtown businessman, was present and responded to some of the Council's questions and spoke in favor of reinstating the parking meters.

It was concluded that if the Council chose to postpone the purchasing of parking meters, some decision should be reached prior to fiscal year end and adoption of the FY 1983-84 budget, since the funding of the meter maid program (parking control for downtown) was eliminated from the proposed budget. Each member of the Council expressed their feelings on the reinstatement of the parking meters and concern on several items felt to need additional study and consideration prior to any decision.

Since the bids received on the parking meters will remain in effect for sixty (60) days, Councilman Bridges moved to table any decision on the purchase of the parking meters; and extend the funding of the present parking control system for up to sixty (60) days; and that prior to that time the staff bring back a more cost effective method with some research on the new and proposed system. Councilman Nixon added an amendment to the motion being that he would like to hear the feelings from the merchants in the downtown area. Amendment accepted, the motion was seconded by Councilman Nixon and the motion carried as follows:

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

NAYS: Mayor Hall.

The next item of business was to consider on second and final reading an ordinance approving amended 1982-83 Budget and Proposed 1983-84 Budget, including Revenue Sharing and Director of Finance David M. Wright began with a briefing. At the conclusion of the Budget Work Sessions in August, the Council instructed the staff to recalculate revenues to possibly decrease the \$50,000 deficit in the proposed 1983-84 budget. The staff has followed through and can report an increase in the original projections for revenues in four areas: interest earnings, permits and licenses, golf cart revenue, and airport landing fees for a total increase in projections

TRAFFIC -
purchase of
parking meters
postponed;
approp. funds in
FY 84 budget
for park. control
for 2 months.
tabled.

of \$64,700. Thereby leaving the proposed 1983-84 budget with an undesignated balance of \$14,700 instead of a \$50,000 deficit. However, due to the previous motion to extend the parking control for downtown for sixty days, at a cost of \$9,200, the undesignated balance would be \$5,500. The staff reported that the remainder of the proposed 1983-84 budget has been revised to reflect the Council's actions of the August Budget Work Sessions, leaving the proposed 1983-84 budget with a total of \$42,715,845 all fund expenditures and \$57,579,186 available resources for all funds.

Mayor Hall opened a public hearing. Mr. Seaton Higginbotham, Rt. 1, Box 245, Abilene, representing Crime Stoppers, spoke on the proposed 1983-84 budget. He spoke on the increase in crime and gave several statistics on the increase from 1980 to current. He made five specific points all relating to the police department and in favor of increasing its operating budget and supporting the one-to-one car plan.

Dr. Manis, representing the Abilene Civic Center Advisory Board, spoke to the Council regarding the use of the Civic Center Reserve funds. He requested the Council reconsider its previous decision of the Budget Work Sessions to use the reserve for general operations and re-establish the maintenance and repair reserve fund as received from the Hotel-Motel Tax revenue.

Mr. Charles Nolen, 2100 Glenwood, Abilene, spoke in regards to the landfill equipment and whether that equipment would be shown as a recognized revenue in the 1983-84 budget; and if not, would the equipment be transferred to another user department. Assistant City Manager Roy McDaniel responded to the questions explaining that some of the equipment would be transferred if appropriate and if any of it is surplus, it will be sold and the funds will be recognized in the Equipment Services Fund.

There being no one else present and desiring to be heard, Mayor Hall closed the public hearing. A discussion among Council Members followed and each expressed their feelings on the proposed 1983-84 budget.

Councilman Nixon moved to approve the revised 1982-83 budget as presented and approve the proposed 1983-84 budget including the funding of the parking control system for an additional two months and including the revenue sharing budget. The motion was seconded by Councilman Robinson and the motion carried as follows:

AYES: Councilmen Bridges, Rodriguez, Robinson, and Nixon.

NAYS: Councilwoman Proctor-Shaw, Councilman Fogle and Mayor Hall.

The ordinance is numbered 98-1983 and is captioned as follows.

AN ORDINANCE APPROVING REVISED BUDGET FIGURES FOR FISCAL YEAR 1982-1983; APPROVING AND ADOPTING BUDGET FOR THE FISCAL YEAR OCTOBER 1, 1983, THROUGH SEPTEMBER 30, 1984, FOR THE CITY OF ABILENE; APPROPRIATING FUNDS; AND CALLING A PUBLIC HEARING.

Mayor Hall opened a public hearing to consider on second and final reading an ordinance setting the tax rate for fiscal year 1983-84. No one present and desiring to be heard, Mayor Hall closed the public hearing.

Councilman Robinson moved to approve the ordinance setting the tax rate for fiscal year 1983-84. 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.

BUDGET -
Revised 82-83
and FY 83-84
approved
98-1983

TAX - FY 83-84
tax rate set
.48¢
approved
99-1983

The ordinance is numbered 99-1983 and is captioned as follows.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, APPROVING THE ASSESSMENT ROLL FOR 1983, LEVYING AN ADVALOREM TAX FOR THE CITY OF ABILENE, TEXAS, FOR THE YEAR 1983; PROVIDING FOR THE ASSESSMENT AND COLLECTION THEREOF; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING AN EFFECTIVE DATE.

Mayor Hall left the meeting.

Dwayne Hargesheimer, Director of Water Utilities, briefed the Council on an ordinance amending Chapter 32, "Utilities", Article III, industrial wastes, of the Abilene Municipal Code. The amendments are minor and simply are cleaning up some of the language in order to submit it to the Environmental Protection Agency for a grant request for the pretreatment program. All industries affected by the ordinance have been contacted and no objections were received. At this time, the Council will act solely on the ordinance amendment and the pretreatment program will be brought to the Council at a later date.

Mayor Pro Tempore Fogle opened a public hearing and no one present and desiring to be heard, closed the public hearing.

Councilman Nixon moved approval of the ordinance amending Chapter 32, "Utilities", Article III, industrial wastes, of the Abilene Municipal Code. The motion was seconded by Councilman Rodriguez and the motion carried as follows:

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

NAYS: None.

UTILITIES -
code amend.
ind. wastes
approved
100-1983

The ordinance is numbered 100-1983 and is 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: AND CALLING A PUBLIC HEARING.

Bob Whitehead, Director of Public Works, briefed the Council on an amendment to the Stormwater Management Ordinance relative to Stream Maintenance for Mesquite Forest Estates. The change is required due to regulatory changes in the Federal Emergency Management Administration (hereinafter referred to as FEMA), which is the governing federal agency for the floodwater program. The staff is in the process of developing a standard for stream maintenance programs in the community, thereby eliminated the need for the Council to make an amendment each time a subdivision does channelization reducing their floodway.

Mayor Pro Tempore Fogle opened a public hearing and no one present and desiring to be heard, closed the public hearing.

Councilman Bridges moved approval of the amendment to the Stormwater Management Ordinance relative to Stream Maintenance for Mesquite Forest Estates. The motion was seconded by Councilman Rodriguez and the motion carried as follows:

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

NAYS: None.

FLOOD -
Amend Stormwtr.
Mgmt Ord. re:
Mesq. For. Est.
approved
101-1983

The ordinance is numbered 101-1983 and is captioned as follows.

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.

Lee Roy George, Director of Planning and Community Development, briefed the Council on the ordinance amending subdivision regulations. The ordinance is a result of many months of study by the Technical Review Committee on Strategies for Responsible Growth. When the ordinance was first brought to the Council on August 25, 1983, it was the original intention that the ordinance become effective ten (ten) days after publication. Presently, it is desired that due to the difficulty in the changeover between our existing ordinance and the new ordinance, that more time should be allowed, therefore, the ordinance reflects an effective date of January 1, 1984.

Councilwoman Proctor-Shaw expressed thanks and appreciation to the SRG Technical Review Committee for the many months of work and effort given to these subdivision regulations and the remainder of Council concurred.

Mayor Pro Tempore Fogle opened a public hearing and no one present and desiring to be heard, closed the public hearing.

Councilwoman Proctor-Shaw moved to approve on second and final reading the ordinance amending subdivision regulations to become effective January 1, 1984. The motion was seconded by Councilman Bridges and the motion carried as follows:

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

SUB. REGS
ZONING - Ord.
amend. revised
subdivision regs.
2nd and final
approved
102-1983

The ordinance is numbered 102-1983 and is captioned as follows:

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUDPART D OF THE CODE OF THE CITY OF ABILENE BY REPEALING SUCH SUBPART AND SUBSTITUTING THEREFORE THE FOLLOWING RULES AND REGULATIONS RELATING TO THE DIVISION AND DEVELOPMENT OF LAND, APPROVAL OF PLATS, LAND DEDICATIONS AND THE DESIGN OF LAND DEVELOPMENTS TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE, WHICH RULES AND REGULATIONS SHALL BE APPLICABLE TO THE MAXIMUM EXTENT ALLOWED BY LAW BOTH WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF ABILENE AND WITHIN ITS EXTRATERRITORIAL JURISDICTION.

Lee Roy George, Director of Planning and Community Development, continued his presentation of the subdivision regulations to include two new resolutions. The first would establish a street naming policy and the second establish a utility placement policy. The Council discussed that several street names in the City are very similar and the difficulty that causes to the fire and police personnel in locating a street during a response. The Council discussed the possibility of instructing the staff to change those signs that create confusion, however concluded that if the staff were to change those signs at the present time, it would create opposition from some residents. Therefore, Councilman Robinson moved to approve both the resolution establishing a street naming policy and the resolution establishing a utility placement policy. The motion was seconded by Councilman Rodriguez and the motion carried as follows:

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

STREETS, REGS.
POLICIES -
ZONING - Str.
naming policy &
utility place.
policy adopted
85-1983
86-1983

The resolutions are numbered 85-1983 and 86-1983, respectively, and are captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, ESTABLISHING A STREET NAMING POLICY.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, ESTABLISHING A UTILITY PLACEMENT POLICY.

Mr. Floyd McDonald, Nelson Street, President Abilene Action Committee on Human Rights, appeared before the Council on two specific items: (1) Concerning a rent deposit; and (2) weed complaint. Mr. McDonald expressed to the Council his frustration with a landlord regarding the holding of his deposit check. First Assistant City Attorney Gary Landers, explained that those requirements are governed by State law and the Council has no jurisdiction.

PUBLIC APPEAR -
Floyd McDonald
No action taken

Also, he specified three areas in the community where the weeds were out of control and requested that the City Council approve additional funds to hire personnel for the weed control area using Revenue Sharing funds. No action was taken by the Council. * (See below)

Lee Roy George, Director of Planning and Community Development, briefed the Council on three (3) proposals submitted in response to a request for Energy Technical Assistance. The staff requests the Council authorize permission to negotiate with the firm of ACR Energy Engineering, Inc., of Austin, and finalize a contract which will come back to the Council for approval in regards to the Texas Energy and Natural Resources Advisory Council grant awarded to the City in the amount of \$23,775.

Mayor Hall returned to the meeting.

Councilman Bridges moved to authorized the staff to begin negotiations with the firm of ACR Energy Engineering, Inc. The motion was seconded by Councilwoman Proctor-Shaw and the motion carried as follows:

ENERGY -
author. neg.
with ACR Engy.
Eng., Inc.
approved

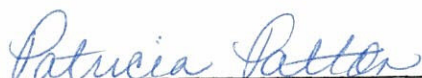
AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle, ~~Robinson, and Nixon.~~

NAYS: Councilmen Robinson and Nixon.

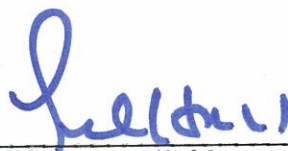
ABSTAIN: Mayor Hall.

Mayor Hall recessed the Council into executive session to consider the appointment and evaluation of public officials and pending and contemplated litigation.

The Council reconvened with no action taken during the executive session. There being no further business, the meeting was adjourned at 4:10 p.m.



Patricia Patton
City Secretary



Elbert E. Hall
Mayor

* Correction: Even though no formal action was taken by the City Council relevant to Mr. McDonald's request to approve additional funds to hire personnel for the weed control program, the record will show that the Council did instruct the staff to investigate the three specific areas in the community reported by Mr. McDonald to need attention and take appropriate action to alleviate the problem.