

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, February 23, 1984, 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: Special Council Meeting held February 2, 1984, and Regular Council Meeting held February 9, 1984.
4. Awards:
Harvey Cargill, Jr. City Attorney 10 year service

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.

5. Ordinances
 - a. Consider on second and final reading - amendment to Stormwater Management Ordinance (#34-1983) relative to revising date of Federal Insurance Rate Map (F.I.R.M.).
6. Resolutions
 - a. Consider grant application for Abilene Big Country Library System.
 - b. Amend E-Z Serve Parking Lease Agreement.
 - c. Authorize City Manager to sign Tennis Pro Contract.
 - d. Authorize City Manager to sign Noah Project documents.
7. Award of Bid
 - a. Lease for Digital Computer.
8. Request to Advertise
 - a. Chemicals for Water Utilities Department.
 - b. Street maintenance materials.
 - c. 1983-84 sedans and pickups and other equipment for various Divisions.
 - d. Pavement recycler (pulvimixer)
 - e. Vibratory roller (soil stabilizer)
 - f. Microcomputer for Fire Department.
 - g. Microcomputer for Street Paving System.
 - h. Golf Cart Lease/Purchase.
 - i. Ballfield bleachers.

REGULAR AGENDA

9. Public Appearance
 - a. James Aneff, regarding street cleaning and maintenance.
10. Ordinances and Resolutions
 - a. Public Hearing - Amendment to the Zoning Ordinance.
 - b. Public Hearing - Consider on second and final reading - reclassification request from AO (Agricultural Open Space) to O (Office) district, located at 4741 & 4749 Buffalo Gap Road.
 - c. Public Hearing - Consider on second and final reading - reclassification request from RS-6 (Residential Single Family) to RM-3 (Residential Multi-Family) district, located at South 9th and Cherry Streets.

- d. Public Hearing - Consider on second and final reading - reclassification request from AO (Agricultural Open Space) to MH (Mobile Home) district, located at F.M. 2404 & Hwy 277.
- e. Public Hearing - Consider on second and final reading - reclassification request from AO (Agricultural Open Space) to O (Office) district, located at E.N. 10th Street, west of Loop 322.
- f. Public Hearing - Consider on second and final reading - reclassification request from RS-8 & GC (Residential Single Family & General Commercial) to O (Office) district, located on Southwest Drive, between S. Danville & High Meadows Drive.
- g. Public Hearing - Consider on second and final reading - reclassification request from AO (Agricultural Open Space) to RS-6, RM-3, RM-2 (Residential Single Family & Residential Multi-Family) district, located on Shirley Road.
- h. Public Hearing - Consider on second and final reading - reclassification request to add MRH (Modular Home) overlay zone to underlying RS-6, RM-3 & RM-2 (Residential Single Family & Residential Multi-Family) district, located on Shirley Road.
- i. Public Hearing - Consider on second and final reading - thoroughfare abandonment being a 20' alley extending east from Southwest Drive, adjoining lots 1, 2 & 7; and a cul-de-sac adjoining lots 1-4, both in block 5, Section 3, Hedges Addition.

11. Request to Advertise

- a. Equipment Services shop remodeling.

12. Other Business

- a. Discuss creation of Higher Education Facilities Corporation.
- b. Discussion of excess funds 1982-83 budget.
- c. Pending and Contemplated Litigation.
- d. Appointment and evaluation of Public Officials.

ADJOURN

REGULAR CITY COUNCIL MEETING
THURSDAY, FEBRUARY 23, 1984, 9:00 A.M.

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, February 23, 1984, 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, City Attorney Harvey Cargill, Jr., and City Secretary Patricia Patton.

Invocation was given by Councilman Bridges.

Councilman Rodriguez moved approval of the minutes from the Special Council Meeting held February 2, 1984, and the Regular Council Meeting held February 9, 1984. 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.

Mayor Hall presented City Attorney Harvey Cargill, Jr., with a ten year service award for his tenure of service to the City of Abilene.

AWARDS-
10 yr. svc
Harvey
Cargill, J

Items 6b, 6c, 7a, 8c and 8h were removed from the consent agenda to be considered separately.

Mike Hall, Director of Community Services, briefed the Council on a resolution amending a ten year lease agreement for parking with E-Z Service. Presently, an additional five year renewal option to the current lease agreement is requested by E-Z Serve in exchange for \$12,000 to be utilized only for the landscaping project along the M & P Railroad Right-of Way. The current lease presently has a ten year option to renew with an escalation clause from \$1,500 per month to \$2,000 and at the present time, E-Z Serve is requesting that an additional five year renewal option be added to the lease for a total of a fifteen year renewal option at the same cost. The Council discussed adding an escalation clause to the lease at the time the first ten year option expires and staff was amenable. It was requested, therefore, that the lease be sent back for negotiation to consider the escalation clause as discussed and the staff bring the item back for consideration when appropriate. Therefore, Councilman Robinson moved to TABLE the resolution amending the lease agreement for parking with E-Z Serve. The motion was seconded by Councilman Nixon and the motion carried as follows:

LEASE AGREE-E-Z
Serve, parking,
req. add'l renew
option period,
TABLED

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

Mike Hall, Director of Community Services, briefed the Council on a contract for a Tennis Professional for the Rose Park Tennis Center. He gave a brief history on the development of the Tennis Center and its deficit operation. Analysis shows that the Center can be operated more effeciently, economically, and professionally through a contract with a tennis professional. The contract allows that the Pro retain all revenues, is responsible for all operating expenditures, and will receive a contract fee paid by the City of \$1,000 per month for the first two years. After the second year, the payment shall be negotiated between the City and the Tennis Pro. The contract is predicated on the assumption that the Pro will build his business in a professional manner, thereby reducing the City's financial losses on the Center. The Council questioned the amount of revenue that has been received by a Pro under past contracts and discussed whether the City could audit the financial books of the Pro.

Councilman Nixon moved approval of the contract for the Rose Park Tennis Center provided that the Council be given an income report on the Tennis Professional to review annually, prior to approving the contract each year. The motion was seconded by Councilman Fogle and the motion carried as follows:

ROSE PARK-Tennis
Pro Contract
appd., certain
conditions,
Oral

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

The item was passed by oral resolution.

David Wright, Director of Finance, briefed the Council on the award of bid for a lease of Digital Equipment Corporation computer. Councilman Nixon moved approval of the award of bid as presented. 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.

AWARD OF BID-
lease D.E.C.
computer, for
Data Process. D
approved

Bob Whitehead, Director of Public Works, briefed the Council on a request to advertise for 1983-84 sedans, pickups, and other equipment for various division, as replacements and new units. He explained, generally, how the replacement vehicle process operates in relation to the budgeting process. Councilman Nixon questioned the twenty police cars that are included in the request and if they could be related to the one-to-one police car plan. The staff was agreeable to utilizing whatever retired vehicles possible for that purpose. The staff further explained the process involved when vehicles reach their designated retired stage.

Councilman Rodriguez moved approval of the request to advertise for 1983-84 sedans, pickups, and other equipment for various divisions as presented. 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.

REQ TO ADV-'83-
cars, pickups,
other equip. fo
var. divs./repl
& new, approved

Mike Hall, Director of Community Services, briefed the Council on a request to advertise for golf cart lease/purchase. Councilman Nixon moved approval of the request to advertise for the lease of the golf carts and added that a purchase price also be requested on the bid. 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.

REQ TO ADV-golf
carts lease/pur
approved

Councilwoman Proctor-Shaw moved approval of the remaining consent agenda items, as presented. 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.

Ordinance:

Consider on second and final reading - amendment to Stormwater Management Ordinance (34-1983) relative to revising date of Federal Insurance Rate Map (F.I.R.M.). The ordinance is numbered 19-1984 and is captioned as follows:

STMWTR MGMT ORD
AMEND-F.I.R.M.,
2nd read. appd.
19-1984

AN ORDINANCE AMENDING CHAPTER 23, PLANNING AND COMMUNITY DEVELOPMENT, SUBPART D, SUBDIVISION REGULATIONS, OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY

Resolutions:

- Consider grant application for Abilene Big Country Library System, (Oral).
- Authorize City Manager to sign Noah Project documents. The Resolution is numbered 8-1984 and is captioned as follows.

LIBRARY-grant a
Big Cou. Sys. '
'85, approved
NOAH PROJECT &
CDBG FDS-auth.
docs re: constr
rehab, & oper.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE CITY MANAGER TO SIGN DOCUMENTS RELATING TO CONSTRUCTION, REHABILITATION AND OPERATION OF THE NOAH PROJECT, INC., FACILITY.

Request to Advertise

- Chemicals for Water Utilities Department.
- Street maintenance materials.
- Pavement recycler (pulvimixer).
- Vibratory roller (soil stabilizer).
- Microcomputer for Fire Department.
- Microcomputer for Street Paving System.
- Ballfield bleachers.

REQ. TO ADV -
various

Mr. James Aneff, 3210 Curry Lane, appeared before the City Council in regard to the City street cleaning and maintenance program. He proposed that the Council consider the use of certain undesignated funds for the support of the street sweeping program and the maintenance of streets. He described some of the problems he has encountered in his residential area in the past and thanked the City staff for the cooperation they have shown him in the past. However, he feels more attention should be given to the street cleaning and maintenance programs. Mayor Hall thanked Mr. Aneff for his comments.

PUBLIC APPEAR-Jar
Aneff, re: street
clean. & maint.
program

Lee Roy George, Director of Planning and Development, briefed the Council on the amendment to the Zoning Ordinance. The Proposed Zoning Ordinance was passed on first reading on January 12, 1984. Second and final reading scheduled for January 26, 1984, was postponed until such time as an amenable solution could be presented regarding the proposed change for the definition of a single-family residence. Public hearings have been advertised to again allow for citizen participation in the decision, with a final public hearing and consideration scheduled for March 8, 1984.

Mayor Hall opened a public hearing for the purpose of considering the proposed Zoning Ordinance and the following persons spoke either in favor or in opposition to the ordinance amendment.

ZONING ORD AMEND-
public hearing
only/compromise
proposal submitte
to Council

Tommy Martin, 1025 Piedmont, submitted a compromise proposal to the Council regarding the definition of single-family residence and a possible enforcement for same. He reported that Mayor Hall called together various individuals that are interested in the situation for some very informal meetings in order to create a workable solution to the problem. Subsequent to the infomal meetings, Mr. Martin submitted a proposal to Mr. George and at the same time the Planning staff was developing a proposal. The two proposals are very compatable in concept and a compromise was created which Mr. Martin than began to explain. He also explained the purpose of the compromise. Next, a flow chart was presented showing the mechanics of the compromise and it was completely reviewed with the Council (a copy of which is hereby attached and incorporated hereto as Exhibit "A"). He added a few minor suggestions to the proposal.

Mr. George commented on the proposal presented and stated the staff is in full agreement with it and feels comfortable it can work. Mr. Goerge stated the proposal allows great latitude for investors. City Attorney Harvey Cargill clarified that once a special exception is granted to an individual, additional conditions could never be added to it. However, the special exception can be reviewed on a periodic basis to assure compliance and if violations exist, they can be addressed. It is important that the investor understand that his investment cannot be placed in jeopardy through the review process.

The Council discussed the amortization period for a non-conforming status and the suggestions made by Mr. Martin.

Robert Pitman, 1219 Russwood, representing student bodies from Hardin Simmons University, McMurry College, and Abilene Christian University. He recommends that if the number of unrelated individuals must be changed, that it allow for a maximum of four. The proposal seems reasonable, but he questioned some of the conditions for a special exception. He would be willing to work with the proposal and come back with some suggestions from the students on certain areas.

Vernon L. Clement, 890 Harwell, stated she would approve of the proposal, as presented, but she would rather the number remain at five, with the burden of enforcement placed on the landlords. However, she is willing to help compromise and make the proposal work. She questioned the grandfather clause and how it would relate to her situation, since she uses a lease agreement. Staff stated they will need direction in regard to the six month grandfather clause and what constitutes abandonment. At this point, there is no recommendation to modify the present clause.

Bill Hilton, 682 N. 18th Street, representing Abilene Christian University. Recommends four unrelated individuals be allowed to reside together and stated his justification for same. Stated the school will address the problem of students living off campus and attempt to counsel them better as to the zoning ordinance requirements, as well as educating the parents. The school is very concerned with the situation and its impact on the enrollment.

Ben Watson, 717 EN 13th Street, favors the proposal presented and commended the Council for their efforts in trying to reach a compromise with all the individuals involved.

No one else present and desiring to be heard, Mayor Hall closed the public hearing. The Council agreed to consider the ordinance on second and final reading on March 8, 1984.

After being briefed on a zoning reclassification request from A0 to O district, located at 4741 & 4749 Buffalo Gap Road, Mayor Hall opened a public hearing to consider the item.

IN FAVOR:

Jerry McAlister, agent for the applicant Robert Martin.

No one else present and desiring to be heard, Mayor Hall closed the public hearing.

Councilman Nixon moved approval of the reclassification request on second and final reading from A0 (Agricultural Open Space) to O (Office) district, located at 4741 & 4749 Buffalo Gap Road. 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.

ZONING RE-A0 to O
4741 & 4749 Buff.
Gap Rd., 2nd read
approved
20-1984

The ordinance is numbered 20-1984 and is captioned 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.

After being briefed on a zoning reclassification request from RS-6 (Residential Single Family) to RM-3 (Residential Multi-Family) district, located at South 9th and Cherry Streets, Mayor Hall opened a public hearing to consider the item. No one present and desiring to be heard, the public hearing was closed.

Councilman Rodriguez moved approval of the reclassification request on second and final reading from RS-6 to RM-3 district, located at South 9th and Cherry Streets. 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.

ZONING RE-RS-6 to
RM-3/S.9th & Cher
2nd read, appd.
21-1984

The ordinance is numbered 21-1984 and is captioned 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.

Mr. Bill Hilton, representing Abilene Christian University, presented the Council with an ordinance creating a Higher Education Facilities Corporation. The purpose of the Corporation would be to issue tax-exempt bonds for the purpose of constructing facilities for higher education entities; with emphasis being placed on housing for students, primarily dormitory facilities. He also presented a list of proposed projects of interest to the Corporation. Mr. Hilton requested that the Council appoint the same members of the Abilene Higher Education Authority to serve as the Board of Directors of the newly created Higher Education Facilities Corporation, since they are familiar with the schools. It is also recommended that the Corporation use the present financial advisor and bond attorney that the schools use, since they are familiar with their finances. The Council expressed that they would like the Corporation bylaws to resemble the bylaws of the other tax-exempt Corporations, in safeguarding the City with certain controls. He recommends that each bond issue be brought before the Council for consideration. Also, that the Council receive an opinion from the City's bond attorney and financial advisor prior to consideration of a bond issue. At this time, it is requested that the Council pass on first reading the ordinance, and prior to second and final reading, the bylaws and articles of incorporation will be presented to the Council for review. It was decided that no public hearing be held in prior to consideration for final reading.

Councilman Fogle moved approval of the ordinance on first reading creating the Higher Education Facilities Corporation. The motion was seconded by Councilwoman Proctor-Shaw and the motion carried as follows:

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

NAYS: None.

ABSTAIN: Councilman Bridges.

Councilwoman Proctor-Shaw left the meeting.

After being briefed on a zoning reclassification request from A0 (Agricultural Open Space) to MH (Mobile Home) district, located at F.M. 2404 & Hwy 277, Mayor Hall opened a public hearing to consider the item.

IN FAVOR:

Jim Turkett, 2502 Brentwood.

No one else present and desiring to be heard, the public hearing was closed.

Councilman Nixon moved approval of the reclassification request on second and final reading from A0 to MH district, located at F.M. 2404 & Hwy 277. The motion was seconded by Councilman Rodriguez and the motion carried as follows:

AYES: Councilmen Bridges, Rodriguez, Fogle, Robinson, Nixon and Mayor Hall.

NAYS: None.

The ordinance is numbered 22-1984 and is captioned 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.

After being briefed on a zoning reclassification request from A0 (Agricultural Open Space) to O (Office) district, located at E.N. 10th Street, west of Loop 322, Mayor Hall opened a public hearing to consider the item. No one present and desiring to be heard, the public hearing was closed.

HEFC-1st read,
approved

ZONING RE-A0 to MH
F.M. 2404 & Hwy 277
2nd read. appd.
22-1984

Councilman Bridges moved approval of the reclassification request on second and final reading from A0 to O, located at E.N. 10th Street, west of Loop 322. The motion was seconded by Councilman Robinson and the motion carried as follows:

AYES: Councilmen Bridges, Rodriguez, Fogle, Robinson, Nixon and Mayor Hall.

NAYS: None.

The ordinance is numbered 23-1984 and is captioned 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.

After being briefed on a zoning reclassification request from RS-8 & GC (Residential Single Family & General Commercial) to O (Office) district, located on Southwest Drive, between S. Danville and High Meadows Drive, Mayor Hall opened a public hearing to consider the item.

IN FAVOR:

Mr. Randy Wilson, #10 Lytle Circle, representing proponents Joe Hester and Reuben Rouse.

No one else present and desiring to be heard, Mayor Hall closed the public hearing.

Councilman Robinson moved approval of the reclassification request from RS-8 & GC to O district, on second and final reading, located on Southwest Drive, between S. Danville and High Meadows Drive. The motion was seconded by Councilman Bridges and the motion carried as follows:

AYES: Councilmen Bridges, Rodriguez, Fogle, Robinson, Nixon and Mayor Hall.

NAYS: None.

The ordinance is numbered 24-1984 and is captioned 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.

After being briefed on a zoning reclassification request from A0 (Agricultural Open Space) to RS-6, RM-3 & RM-2 (Residential Single Family & Residential Multi-Family) districts, located on Shirley Road, Mayor Hall opened a public hearing to consider the item. No one present and desiring to be heard, the public hearing was closed.

Councilman Bridges moved approval of the reclassification request from A0 to RS-6, RM-3 & RM-2 districts, located on Shirley Road, on second and final reading. The motion was seconded by Councilman Rodriguez and the motion carried as follows:

AYES: Councilmen Bridges, Rodriguez, Fogle, Robinson, Nixon and Mayor Hall.

NAYS: None.

The ordinance is numbered 25-1984 and is captioned 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.

After being briefed on a zoning reclassification request to add MRH (Modular Home) overlay zone to underlying RS-6, RM-3 & RM-2 (Residential Single Family & Residential Multi-Family) district,

ZONING RE-A0 to EN10th, w. Lp 32
2nd read, appd.
23-1984

ZONING RE-RS-8 &
GC to O/SW Dr.,
2nd read, appd.
24-1984

ZONING RE-A0 to
RS-6, RM-3 & RM-2/
Shirley Rd., 2nd
read, approved
25-1984

located on Shirley Road, Mayor Hall opened a public hearing to consider the item. No one present and desiring to be heard, the public hearing was closed.

Councilman Robinson moved approval of the reclassification request to add MRH overlay zone to underlying RS-6, RM-3 & RM-2 districts, located on Shirley Road, on second and final reading. The motion was seconded by Councilman Nixon and the motion carried as follows:

AYES: Councilmen Bridges, Rodriguez, Fogle, Robinson, Nixon and Mayor Hall.

NAYS: None.

The ordinance is numbered 26-1984 and is captioned 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.

After being briefed on a thoroughfare abandonment being a 20' alley extending east from Southwest Drive, adjoining lots 1, 2 & 7; and a cul-de-sac adjoining lots 1-4, both in block 5, Section 3, Hedges Addition, Mayor Hall opened a public hearing to consider the item.

IN FAVOR:

Randy Wilson, #1 Lytle Circle, representing proponents
Joe Hester and Reuben Rouse.

No one else present and desiring to be heard, the public hearing was closed.

Councilman Rodriguez moved approval of the thoroughfare abandonment on second and final reading, as presented and subject to certain conditions as described in the exhibit "A" to the ordinance. The motion was seconded by Councilman Fogle and the motion carried as follows:

AYES: Councilmen Bridges, Rodriguez, Fogle, Robinson, Nixon and Mayor Hall.

NAYS: None.

The ordinance is numbered 27-1984 and is captioned as follows:

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.

The Council recessed to the Basement Conference Room and reconvened to consider the remaining items on the agenda.

Bob Whitehead, Director of Public Works, briefed the Council on a request to advertise for the Equipment Services Division shop remodeling project. Visual drawings were shown describing the proposed floorplan and construction.

Councilman Fogle moved approval of the request to advertise for the Equipment Services Division shop remodeling as presented. The motion was seconded by Councilman Bridges and the motion carried as follows:

AYES: Councilmen Bridges, Rodriguez, Fogle, Robinson, Nixon and Mayor Hall.

NAYS: None.

Ed Seegmiller, City Manager, presented to the Council a list of funds available in the General Fund and Revenue Sharing Fund as of September 30, 1983, totalling \$597,175. The Revenue Sharing budget is at \$98,799, which is an increase due to an allocation adjustment that was just recently received by the City.

ZONING RE-add MR overlay to RS-6, RM-3& RM-2/Shirley Rd., 2nd read, approved 26-1984

THOR. ABAND-Hedges Addition, Sec. 3, Blk 5, 2nd read, appd. 27-1984

REQ TO ADV-Equipment Services Division shop remodel, approve

He also submitted for Council consideration a list of possible uses for these funds in no specific order of priority, which include the following:


| | |
|---|--------------|
| o Undesignated balance | \$ 50,000 |
| o Salary adjustments (5%, 6 mo. general fund) | 342,556 |
| o Engineer (6 mos) | 17,400 |
| Material-- Flood Control | 30,000 |
| o Freeze Damage Repair to Streets | 460,000 |
| o Street Sweeping, Capital Cost | 90,000 |
| Operational Cost/KAB (6 mos) | 115,000 |
| | \$ 1,104,956 |
| o Police Facility | \$ 2,000,000 |
| Communication System | 1,003,500 |
| o One-to-One Car Plan, including radios | 1,200,000 |
| | \$ 4,203,500 |

The staff thoroughly reviewed with the Council each possible use item as shown above and justification for consideration. Each member of the Council then addressed each of the items individually and expressed their feelings in regard to each. The staff stated they are prepared to go into more detail on each of the items, if the Council so desires. Also, the staff stated there is a need to further discuss the growing concern in the Engineering area. It is a concern because the staff is unsure they can meet the Council's expectations with the present resources available. The Council requested that the staff be prepared to discuss the Engineering concerns and the alternatives to the proposed Police facility at the next regular Council Meeting.

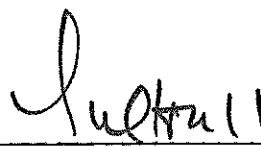
BUDGET-add'l fun
as of 9/30/83
reviewed & possi
uses discussed/
no action taken

Mayor Hall recessed the Council into Executive Session to consider pending and contemplated litigation and the appointment and evaluation of public officials. The Council reconvened from Executive Session and reported no action.

There being no further business, the meeting was adjourned at 4:00 p.m.



Patricia Patton
City Secretary



Elbert E. Hall
Mayor

CITY COUNCIL PASSES AN ORDINANCE LIMITING SINGLE FAMILY AREAS TO NO MORE THAN 3 UNRELATED INDIVIDUALS TO OCCUPY A SINGLE FAMILY RESIDENCE EXCEPT UNDER CERTAIN SPECIFIED CONDITIONS.

IDENTIFICATION OF EXISTING BUT LEGAL NON-CONFORMING USES. PROCESS TAKES 2 TO 3 MONTHS TO COMPLETE.

NEW GROUP HOMES FORMED AFTER THE EFFECTIVE DATE OF THE REVISED ZONING ORDINANCE WITH SPECIAL EXCEPTION FROM B.A.

NOT REGISTERED AS LEGAL BUT NON-CONFORMING FAMILY GROUP HOMES

REGISTERED AS LEGAL NON-CONFORMING USES.

SUBJECT TO IMMEDIATE CLOSING OR LEGAL PROCEDURES

CONTINUATION OF LEGAL NON-CONFORMING STATUS FOR A SPECIFIED PERIOD OF TIME FOR AMORTIZATION. REASONABLE TIME PERIOD. PERIOD ____.

APPROVAL OF SPECIAL EXCEPTION BY THE B.A. PERMITTING GROUP HOMES IN SINGLE FAMILY RESIDENTIAL AREAS UNDER SPECIFIED CONDITIONS AS YET TO BE DETERMINED.

SUGGESTED CONDITIONS

- REVIEW THE SPECIAL EXCEPTION EVERY ____ YEARS.

- OFF STREET PARKING SPACES SHALL BE PROVIDED AT A RATIO OF AT LEAST ONE (1) SPACE FOR EACH RESIDENT.

- OFF STREET PARKING SHALL:

- BE PAVED
- BE SCREENED FROM ALL ADJOINING PROPERTIES BY A SOLID OPAQUE FENCE OR WALL AT LEAST SIX (6) FEET HIGH.

- NO MORE THAN ONE (1) RESIDENT FOR EACH 300 FEET OF HABITABLE FLOOR AREA (TO INCLUDE ALL RESIDENTIAL FLOOR SPACE EXCEPT THAT USED FOR STORAGE) BUT NOT TO EXCEED 5 OR 6.

- OTHER

EXHIBIT 'A'
to Minutes 2/23/84