

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, May 10, 1984, at 9:00 a.m.

CITY COUNCIL: Mayor David Stubbeman; Council - Dr. Julian Bridges, Billye Proctor-Shaw, Juan C. (Carlos) 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 April 26, 1984.
4. AWARDS:
Employee Service:
Carl Cornelius Animal Control Superintendent 20 Years

CONSENT AGENDA

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

5. Ordinances and Resolutions
 - a. Consider on first reading - reclassification request from RM-3 (Residential Multi-Family) to GC (General Commercial) District, located on South 4th and Elm Streets and set a public hearing for May 24, 1984 at 9:00 a.m.
 - b. Consider on first reading - a reclassification request from MH (Mobile Home) to HC (Heavy Commercial) District, located on Old Anson Road at I-20 and set a public hearing for May 24, 1984, at 9:00 a.m.
 - c. Consider on first reading - a reclassification request from RS-6 (Residential Single Family) to GC & HC (General Commercial & Heavy Commercial) District, located at Overland & Clinton, and set a public hearing for May 24, 1984, at 9:00 a.m.
 - d. Consider on first reading - a reclassification request from RS-8 (Residential Single Family) to RM-3 (Residential Multi-Family) District, located at Lincoln & Bacon Drives, and set a public hearing for May 24, 1984, at 9:00 a.m.
 - e. Consider on first reading - amending ordinance 1159 being a PDR (Planned Development Residential) District, located at Lytle Place, and set a public hearing for May 24, 1984, at 9:00 a.m.
 - f. Consider on first reading - a street name change being Clark Court to Rivercrest Drive and set a public hearing for May 24, 1984, at 9:00 a.m.
 - g. Consider on first reading - a reclassification request to add MX (Mixed Use) overlay zone to underlying RS-6 (Residential Single Family) District, located at South 23rd and Ross Streets, and set a public hearing for May 24, 1984, at 9:00 a.m.
 - h. Consider on first reading - a thoroughfare abandonment being a 75' X 271.09' section of Burnett Street, located in Manley Heights Addition, and set a public hearing for May 24, 1984, at 9:00 a.m.
 - i. Consider on first reading - a reclassification request from LI (Light Industrial) to GC (General Commercial) District, located in the 4400 Block of South Clack, and set a public hearing for May 24, 1984, at 9:00 a.m.
 - j. Consider on first reading - a reclassification request from RS-6 (Residential Single Family) to O (Office) District, located on Stonecrest Drive, and set a public hearing for ~~May 24~~ ^{June 14}, 1984, at 9:00 a.m.
 - k. Consider on first reading - a reclassification request from RM-3 (Residential Multi-Family) to PDR (Planned Development Residential) District, located at Westheimer Drive and Morrow Lane, and set a public hearing for May 24, 1984, at 9:00 a.m.

- l. Consider on first reading - a reclassification request from AO & RS-6 (Agricultural Open Space & Residential Single Family) to MH (Mobile Home) District, located on Corsicana Avenue, and set a public hearing for May 24, 1984, at 9:00 a.m.
 - m. Consider on first reading - a reclassification request from RS-6 (Residential Single Family) to PDR (Planned Development Residential) District, located on Judson Street, and set a public hearing for May 24, 1984, at 9:00 a.m.
 - n. Consider on first reading - a reclassification request from SC & AO (Shopping Center & Agricultural Open Space) to ~~LI (Light Industrial)~~ District, located at I-20 & E.N. 10th Street, and set a public hearing for May 24, 1984, at 9:00 a.m. *HC (Avy Comm.)*
 - o. Consider on first reading - a reclassification request from SC (Shopping Center) to GC (General Commercial) District, located in the 100-500 Block of North Pioneer Drive, and set a public hearing for May 24, 1984, at 9:00 a.m.
 - p. Consider on first reading - amending zoning ordinance to permit Kindergarten or Child Care Center as ~~right-of-use~~ *w/special exception* in ~~HI (Heavy Industrial)~~ Districts and set a public hearing on May 24, 1984, at 9:00 a.m. *variety of*
 - q. Resolution - to consider an easement release, being a 30' utility easement located in the Hillcrest Addition.
 - r. Resolution - to consider agreement with State of Texas concerning traffic signals at U. S. 80 and Treadaway.
6. Award of Bid
 - a. Pavement marking materials.
 7. Request to Advertise
 - a. Sale of property Lacy Morrow Subdivision, also known as 1509 Plum Street.

REGULAR AGENDA

8. Ordinances and Resolutions
 - a. Canvass results of Run-Off Election held May 1, 1984.
 - b. Presentations.
 - c. Induction of Councilman Place III.
 - d. Reception.
 - e. Election of Mayor Pro Tempore.
 - f. Resolution - to consider contract with Central Tax Authority of Taylor County for voluntary and delinquent tax collection and in bankruptcy matters.
 - g. Resolution - to consider renewals of airport rent-a-car leases.
9. Other Business
 - a. Discuss bidding procedures.
 - b. Pending and Contemplated Litigation.
 - c. Appointment and evaluation of Public Officials.

ADJOURN

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

The City Council of the City of Abilene, Texas, met in Regular Session May 10, 1984, at 9:00 a.m. in the City Council Chambers of City Hall. Mayor David Stubbeman was present and presiding with Councilwoman Proctor-Shaw, Councilmen Carols Rodriguez, A. E. Fogle, Jr. and Welton Robinson. Councilmen Julian Bridges and Harold Nixon were absent.

Invocation by A. E. Fogle, Jr.

There was one correction to the minutes, and after being duly recorded and no other additions or corrections, the minutes stand approved.

Mayor Stubbeman presented Carl Cornelius, Animal Control Superintendent, a service award for his 20 year tenure with the City of Abilene.

AWARDS-employee
service

Mayor Stubbeman removed from the agenda items 5a, 5b, and 5d and amendments were made and accepted to the Exhibit "A" on items 5e, 5n and 5p, all in accordance with the recommendations from the Planning and Zoning Commission.

Councilwoman Proctor-Shaw moved approval of the consent agenda items 5c, 5e through 5r, and 6a as presented. The motion was seconded by Councilman Fogle and the motion carried.

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

NAYS: None.

The following items 5c, g, i, j, l, n o, and p contain an identical caption and therefore, it will appear only one time following item 5c.

Ordinances and Resolutions:

- c. Consider on first reading - a reclassification request from RS-6 to GC & HC district, located at Overland & Clinton and set a public hearing for May 24, 1984.

ZONING RE-RS-6 to
GC&HC/Overland &
Clinton, 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.

- e. Consider on first reading - amending Ordinance #1159 being a PDR district, located at Lytle Place, and set a public hearing for May 24, 1984.

PDD#1159 amend/
Lytle Place, 1st
read. approved

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, ZONING OF THE ABILENE MUNICIPAL CODE AND ORDINANCE NO. 1159 CONCERNING THE LYTLE PLACE PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING PROVIDING A PENALTY AND AN EFFECTIVE DATE.

- f. Consider on first reading - a street name change being Clark Court to Rivercrest Drive and set a public hearing for May 24, 1984.

STR. NAME CHANGE
Clark Court to
Rivercrest Dr.,
1st read, approv

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, CHANGING THE NAME OF CLARK COURT TO RIVERCREST DRIVE.

- g. Consider on first reading - a reclassification request to add MX overlay zone to underlying RS-6 district, located at S. 23rd and Ross Streets, and set a public hearing for May 24, 1984

ZONING RE-add MX
to RS-6/S. 23 &
Ross, 1st read
approved

- h. Consider on first reading - a thoroughfare abandonment being a 75' x 271.09' section of Burnett Street, located in Manley Heights Addition, and set a public hearing for May 24, 1984.

THORO. ABAND-75' x271.09'sec. Burnett St./Manley Hts Add, 1st read approved

AN ORDINANCE PROVIDING FOR THE ABANDONMENT OF A PORTION OF PUBLIC RIGHT OF WAY; PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH ABANDONMENT, ALONG WITH ACCEPTANCE OF A DEDICATION OF A REPLACEMENT PUBLIC RIGHT OF WAY.

- i. Consider on first reading - a reclassification request from LI to GC district, located in the 4400 block of South Clack and set a public hearing for May 24, 1984.

ZONING RE-LI to GC/4400 blk S. Clack, 1st read approved

- j. Consider on first reading - a reclassification request from RS-6 to O district, located on Stonecrest Drive and set a public hearing for June 14, 1984.

ZONING RE-RS-6 to O/Stonecrest Dr. 1st read, appd.

- k. Consider on first reading a reclassification request from RM-3 to PDR district, located at Westheimer Drive and Morrow Lane, and set a public hearing for May 24, 1984.

ZONING RE-RM-3 to PDR/Westheimer Dr & Morrow Ln., 1st read, approved

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

- l. Consider on first reading - a reclassification request from AO & RS-6 to MH district, located on Corsicana Avenue and set a public hearing for May 24, 1984.

ZONING RE-AO & RS-6 to MH/Corsicana Ave., 1st read. approved

- m. Consider on first reading a reclassification request from RS-6 to PDR district, located on Judson Street, and set a public hearing for May 24, 1984.

ZONING RE-RS-6 to PDR/Judson St., 1st read. appd.

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

- n. Consider on first reading a reclassification request from SC & AO to HC district located at I-20 and EN 10th Street and set a public hearing for May 24, 1984.

ZONING RE-SC&AO to HC/I-20 & EN10th St. 1st read, approved

- o. Consider on first reading a reclassification request from SC to GC district, located in the 100-500 block of N. Pioneer Drive and set a public hearing for May 24, 1984.

ZONING RE-SC to GC/100-500 blk N. Pioneer, 1st read approved

- p. Consider on first reading amending the zoning ordinance to permit Kindergarten or Child Care Center as right-of-use in HI districts and set a public hearing on May 24, 1984.

ZONING ORD AMEND- permte Kind. or Child Care as right of use in HI districts, 1st read. appd.

- q. Resolution to consider an easement release, being a 30' utility easement located in the Hillcrest Addition. The resolution is numbered 28-1984 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.

EASEMENT REL-30' utility, Hillcrest Addn. approved 28-1984

- r. Resolution to consider agreement with State of Texas concerning traffic signals at U.S. 80 and Treadaway. The resolution is numbered 29-1984 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE STATE CONCERNING THE OPERATION AND MAINTENANCE OF TRAFFIC SIGNALS.

AGREE & STATE OF TEXAS-traffic signals at US80 & Treadaway, approved 29-1984

Award of Bid for Pavement marking materials for Traffic Department. Item 1 awarded to Saf-T-Mark Supply Company, Inc., and Item 2 to 3M Company.

AWARD BID-pavement marking materials Traffic Dept. approved

Item 7a, request to advertise for sale of property in the Lacy Morrow Subdivision, 1509 Plum Street, was removed from the consent agenda to be considered separately. Mr. John Pierce, Land Agent, briefed the Council on the item stating a written request was submitted to the City to sell the property. City acquired the land

through a tax suit, all Department Directors have been contacted as to any proposed use for the property, of which no one responded positively, and staff recommends that the lot be advertised for sale with the understanding that the successful bidder be responsible for the advertising and be furnished a Quit-Claim Deed. Legal description is as follows:

All of Lot 15 and the North 12 1/2 feet of Lot 14 of Lacy Morrow Subdivision of Lot 2, Block 199, Original Town, Taylor County, Texas.

Councilman Robinson moved approval of the request to advertise for the sale of property known as 1509 Plum Street as presented. The motion was seconded by Councilman Fogle and the motion carried.
AYES: Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle, Robinson and Mayor Stubbeman.
NAYS: None.

REQ TO ADV-sale of City land/ 1509 Plum; Lacy Morrow Subd. Lt 2, blk 199, 0 approved

Director of Finance David Wright began briefing the Council on the City's current bidding procedures and several proposed procedural changes including a proposed Policy Statement. At this time, the report is provided to the Council as a general outline of the procedures that the staff will use in the buying activities of the City and is not intended to answer all questions or provide a procedure for every possible situation. No action is necessary at the present time on the report. The report is broken down into five (5) areas:

PURCHASING-biddi procedures repor discussed, no action taken

Current Bidding Procedures
Factors Affecting the Bids
Proposed Procedural Changes
Proposed Policy Statement
Summary

Mayor Stubbeman interrupted Mr. Wright's presentation to canvass the returns of the Run-Off Election held May 1, 1984. Councilman Fogle made several comments directed to Councilman Rodriguez and his departure from the Council. Councilman Rodriguez responded with appreciation to Councilman Fogle and members of the staff for their dedicated service and cooperation.

Councilman Robinson moved approval of the resolution canvassing the returns and declaring the results of the City Run-Off Election held May 1, 1984, that Walter E. Wheat be declared elected to the position of Councilman Place III. The motion was seconded by Councilman Fogle and the motion carried.
AYES: Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle, Robinson and Mayor Stubbeman.
NAYS: None.

ELECTION-canvass retuns of Run-of Election 5/1/84 Walter E. Wheat 30-1984

The resolution is numbered 30-1984 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, CANVASSING THE RETURNS AND DECLARING THE RESULTS OF A RUNOFF ELECTION HELD IN THE CITY OF ABILENE, TEXAS, ON MAY 1, 1984.

Councilwoman Proctor-Shaw moved to accept the Ballot and Seal Certificates from each Presiding Judge and approve for inclusion in the official election records the ballot register and certificates. The motion was seconded by Councilman Robinson and the motion carried:
AYES: Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle, Robinson and Mayor Stubbeman.
NAYS: None.

BALLOT REGISTER - CITY RUNOFF ELECTION
MAY 1, 1984

<u>Precincts</u>	<u>Ballot Numbers</u>	<u>Amount</u>
A	01001-02500	1,500
B	02501-04500	2,000
C	04501-06000	1,500
D	06001-08000	2,000
E	08001-09000	1,000
F	09001-11000	2,000
G	11001-12500	1,500
H	12501-14500	2,000
I	14501-16000	1,500
J	16001-17500	1,500
Absentee	00001-01000	1,000
Unissued	17501-18000	500
Total.....		18,000

Presentations were made to Connie Rodriguez by Mayor Stubbeman. Mayor Stubbeman presented Carlos Rodriguez with a certificate of appreciation and a service pin. Councilman Place III Walter E. Wheat was inducted into office for a three-year term by City Secretary Patricia Patton. A reception followed.

Director of Finance David Wright continued the briefing on the bidding procedures and commented on the Policy Statement. The item will be brought back to the Council at the next meeting for further discussion and action.

Mayor Stubbeman removed from the agenda, at the staff's request, the resolution considering a contract with the Central Tax Authority of Taylor County for voluntary and delinquent tax collection and bankruptcy matters.

Mayor Stubbeman accepted nominations for the election of Mayor Pro Tempore and Councilmen Fogle and Bridges were nominated to the position. Councilman Wheat moved to table the item until the next council meeting when a full council representation would be present. The motion was seconded by Councilman Robinson and the motion carried.

AYES: Councilwoman Proctor-Shaw, Councilmen Wheat, Fogle, Robinson and Mayor Stubbeman.

NAYS: None.


Bob Whitehead, Director of Public Works, briefed the Council on the renewal of four (4) Airport rent-a-car leases and one (1) service area lease. The four rent-a-car services are Hertz, Avis, National and Budget and the leases have been reformatted by the Legal staff. The leases have been in existence for some time and involve some minor changes in the monthly minimum charge from \$600/mo (or 10%, whichever is greater) to \$1000/mo (or 10%, whichever is greater); changes in liability insurance; and a term change from three to five years, as requested by the leasees. The Council discussed the change in term and had a concern with increasing the term to five years with no escalation clause.


Councilman Fogle moved to approve the four rent-a-car leases and one Hertz service area lease with an offer extended to the leasees to renew only for a period of three years. The motion was seconded by Councilman Robinson and the motion carried.

AYES: Councilwoman Proctor-Shaw, Councilmen Wheat, Fogle, Robinson and Mayor Stubbeman.

NAYS: None.

Mayor Stubbeman recessed the Council into executive session in accordance with law to consider pending and contemplated litigation and the appointment and evaluation of public officials. The Council reconvened into session and reported no action taken. There being no further business, the meeting was adjourned at 11:00 a.m.


Patricia Patton
City Secretary


David Stubbeman
Mayor

MAYOR PRO TEM-
tabled until
5/24/84

AIRPORT LEASE-
4 rent-a-car
leases & 1 servi
area lease
renewed/Oral