

NOTICE OF SPECIAL MEETING

A SPEICAL MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, WILL BE HELD IN THE ADMINISTRATIVE CONFERENCE ROOM OF CITY HALL, FOR THE PURPOSE OF CONSIDERING THE FOLLOWING AGENDA:

Thursday, October 4, 1984, at ~~10:00~~ a.m.

4:00pm

AGENDA

1. Call to Order.
2. Appointment and Evaluation of Public Officials.
3. Adjourn.

CERTIFICATE

I hereby certify that the above notice of meeting was posted on the bulletin board at City Hall in the City of Abilene, Texas on the 1st day of October, 1984 at 10:00 a.m., within such time as required by law.

  
Patricia A. Patton  
Patricia A. Patton  
City Secretary

NOTICE OF SPECIAL MEETING

EMERGENCY NOTICE

A special meeting of the Mayor and City Council of the City of Abilene, Texas, will be held in the City Council Chambers of City Hall.


Whereas, the City Council of Abilene feels there is an urgent public necessity that they review applicants for the City Manager position, an interview is hereby set for Tuesday, October 9, 1984, at 10:30 a.m., in order that the interview process proceed orderly and that a City Manager be appointed as soon as possible.

AGENDA

1. Call to Order.
2. Appointment and Evaluation of Public Officials.
3. Adjourn.

CERTIFICATE

I hereby certify that the above notice of meeting was posted on the bulletin board at City Hall in the City of Abilene, Texas, on the 9th day of October, 1984, at 8:00 a.m., within such time as required by Law.

  
Patricia A. Patton  
City Secretary

SPECIAL CITY COUNCIL MEETINGS  
SEPTEMBER 17, 18, 25, 26, 28 and  
OCTOBER 4 and 9, 1984

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

The City Council of the City of Abilene, Texas, met in special sessions on September 17, 18, 25, 26, 28, October 4 and 9, 1984, at various times, as shown on the official agenda for that specific day, for the purpose of conducting interviews with individuals and discussing the City Manager position. Mayor David Stubbeman was present and presiding with Councilman Julian Bridges, Councilwoman Billye Proctor-Shaw, Councilmen Walter E. Wheat, A. E. Fogle, Jr., Welton Robinson and Harold Nixon. Also present was City Secretary Patricia Patton.

At the beginning of each session, Mayor Stubbeman recessed the Council into executive session, in accordance with law, to consider the appointment and evaluation of public officials. The Council reconvened from executive session on September 17, 18, 25, 26, 28, and October 4, 1984, and reported no action taken. There being no further business, each of the aforementioned meetings was adjourned.

On October 9, 1984, the Council reconvened from executive session and reported no action taken. Mayor Stubbeman entertained a motion to appoint Mr. Jim Blagg, Deputy City Manager of Lubbock, as City Manager for the City of Abilene. Councilman Bridges moved to appoint Mr. Jim Blagg as City Manager for the City of Abilene to be effective November 5, 1984, at a salary of \$70,000 per year, plus \$2,000 expense allowance, use of a City car, and the City will pay for all moving expenses from Lubbock. The motion was seconded by Councilman Fogle and the motion carried.

CITY MANAGER-  
appoint Jim Blagg  
effective 11/5/84  
approved

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Wheat, Fogle, Nixon and Mayor Stubbeman.

NAYS: Councilman Robinson.

There being no further business, the meeting was adjourned.



Patricia Patton  
City Secretary



David Stubbeman  
Mayor

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, October 11, 1984, at 9:00 a.m.

CITY COUNCIL: Mayor David Stubbeman; Council - Dr. Julian Bridges, Billye Proctor-Shaw, Walter E. Wheat, A. E. Fogle, Jr., Welton Robinson and Harold Nixon.

1. Call to Order.
2. INVOCATION: Councilman Harold Nixon.
3. APPROVAL OF MINUTES: Regular Council Meeting held September 27, 1984.

#### 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 & Resolutions
  - a. **APPEALED ITEM**  
Consider on first reading - a reclassification request from RS-6 & O (Residential Single Family & Office) to PDO (Planned Development Office) district, at Buffalo Gap & Chimney Rock Roads, and set a public hearing for October 25, 1984, at 9:00 a.m.
  - b. Consider on first reading - a reclassification request from LC (Limited Commercial) to GC (General Commercial) district, located at T & P Lane and Midway Street, and set a public hearing for October 25, 1984 at 9:00 a.m.
  - c. Consider on first reading - a reclassification request from AO (Agricultural Open Space) to O (Office) district, located at 3025 Antilley Road, and set a public hearing for October 25, 1984, at 9:00 a.m.
  - d. Consider on first reading - a reclassification request from GC (General Commercial) to HI (Heavy Industrial) district, located in the 200 block of South 22nd Street, and set a public hearing for October 25, 1984, at 9:00 a.m.
  - e. Consider on first reading - a reclassification request AO (Agricultural Open space) to LI (Light Industrial) district, located at 3334 East Highway 80, and set a public hearing for October 25, 1984, at 9:00 a.m.
  - f. Consider on first reading - a reclassification request from AO (Agricultural Open Space) to RS-12 (Residential Single Family) district, located at Rainey & Osage Roads, and set a public hearing for October 25, 1984, at 9:00 a.m.
  - g. Consider on first reading - a reclassification request from (RS-6 (Residential Single Family) to O (Office) district, located at 3033 South 7th Street, and set a public hearing for October 25, 1984, at 9:00 a.m.
  - h. Consider on first reading - a reclassification request from GC (General Commercial) to HC (Heavy Commercial) district, located at 6657 West Highway 80, and set a public hearing for October 25, 1984, at 9:00 a.m.
  - i. Consider on first reading - amendment to Chapter 18, Abilene Municipal Code, concerning prohibiting parking on portions of Ambler Avenue, South 27th Street, and Southwest Drive, and set a public hearing for October 25, 1984, at 9:00 a.m.
  - j. Consider an easement release being a 20' WTU easement, located on Southwest Drive.
  - k. Resolution to consider the reappointment of the Municipal Court Judge.

#### REGULAR AGENDA

5. Public Appearance
  - a. Mrs. Robert Briley - concerning transportation for Handicapped.

6. Discussion of City personnel and benefit programs.
  
7. Ordinances & Resolutions
  - a. **APPEALED ITEM:**  
Public Hearing - consider on second and final reading - a reclassification request from RS-8 (Residential Single Family) to GC (General Commercial) district, located on Lincoln Drive, north of Ambler Avenue.
  - b. Oral Resolution to consider appointment of independent auditors for 1984-85.
  - c. Resolution to consider amendment to Civic Abilene, Inc., Bylaws.
  
8. Other Business
  - a. Discuss Water Conservation Plan.
  - b. Discuss tree trimming program.
  - c. Discuss interlocal agreement with Taylor County for joint use of jail facility.
  - d. Pending and Contemplated Litigation.
  - e. Appointment and evaluation of Public Officials.

The following item is hereby added to the agenda as item:

8. f. Tour by City Council Members of certain areas within the City relating to the proposed tree trimming program.

ADJOURN

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

The City Council of the City of Abilene, Texas, met in Regular Session October 11, 1984, at 9:00 a.m. in the City Council Chambers of City Hall. Mayor David Stubbeman was present and presiding with Councilman Julian Bridges, Councilwoman Billye Proctor-Shaw, Councilmen Walter E. Wheat, A. E. Fogle, Jr., and Harold Nixon. Councilman Welton Robinson was absent. Also present were Acting City Manager Curtis E. Hawk, Assistant City Manager Roy L. McDaniel, City Attorney Harvey Cargill, Jr., and City Secretary Patricia Patton.

Invocation was given by Councilman Harold Nixon.

There being no corrections or additions to the minutes of the Regular City Council Meeting held September 27, 1984, the minutes stand approved.

Mayor Stubbeman removed from the agenda item 4b, being a reclassification request from LC (Limited Commercial) to GC (General Commercial) district, located at T & P Lane and Midway Street, since the item was denied by the Planning and Zoning Commission and not appealed at the present time.

Councilwoman Proctor-Shaw moved approval of the consent agenda items being 4a, and 4c through 4k, as presented by the staff and as shown below. The motion was seconded by Councilman Wheat and the motion carried.

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Wheat, Fogle, Nixon and Mayor Stubbeman.

NAYS: None.

4. Ordinances and Resolutions

- a. Appealed item-consider on first reading a reclassification request from RS-6 & O (Residential Single Family & Office) to PDO (Planned Development Office) district, at Buffalo Gap & Chimney Rock Roads, and set a public hearing for October 25, 1984, at 9:00 a.m.

ZONING RE-RS-6 & O to PDO/Buf. Gap Rd. & Chimney Rd, 1st read, appr.

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

- b. Removed from the agenda.  
c. Appealed item-consider on first reading a reclassification request from AO (Agricultural Open Space) to O (Office) district, located at 3025 Antilley Road, and set a public hearing for October 25, 1984, at 9:00 a.m.

ZONING RE-AO to O 3025 Antilley Rd. 1st read, appr.

Items 4c through 4h contain an identical caption and, therefore, it will only appear onetime as shown below.

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.

- d. Appealed item-consider on first reading a reclassification request from GC (General Commercial) to HI (Heavy Industrial) district, located in the 200 block of South 22nd Street, and set a public hearing for October 25, 1984, at 9:00 a.m.

ZONING RE-GC to HI 200 blk S. 22nd, 1st read, appr.

- e. Consider on first reading a reclassification request from AO (Agricultural Open Space) to LI (Light Industrial) district, located at 3334 East Highway 80, and set a public hearing for October 25, 1984, at 9:00 a.m.

ZONING RE-AO to LI 3334 E. Hwy 80, 1st read, appr.

- f. Consider on first reading a reclassification request from AO (Agricultural Open Space) to RS-12 (Residential Single Family) district, located at Rainey & Osage Roads, and set a public hearing for October 25, 1984, at 9:00 a.m.

ZONING RE-AO to RS-12/Rainey & Osage Rds, 1st r appr.

- g. Consider on first reading a reclassification request from RS-6 (Residential Single Family) to O (Office) district, located at 3033 South 7th Street, and set a public hearing for October 25, 1984, at 9:00 a.m.
- h. Consider on first reading a reclassification request from GC (General Commercial) to HC (Heavy Commercial) district, located at 6657 West Highway 80, and set a public hearing for October 25, 1984, at 9:00 a.m.
- i. Consider on first reading an amendment to Chapter 18, Abilene Municipal Code, concerning prohibiting parking on portions of Ambler Avenue, South 27th Street, and Southwest Drive, and set a public hearing for October 25, 1984, at 9:00 a.m.

ZONING RE-RS-6 to  
O/3033 S.7th, 1st  
read., appr.

ZONING RE-GC to  
HC/6657 W.Hwy 80, 1st  
read. appr.

TRAFFIC CODE-amend  
to prohibit park.  
on portions of  
Ambler, S. 27th,  
and SW Dr., 1st  
read. appr.

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.

- j. Consider an easement release being a 20' WTU easement, located on Southwest Drive. The resolution is numbered 67-1984 and is captioned as follows:

EASEMENT REL-20'  
WTU/SW Dr. approv  
R67-1984

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

- k. Resolution to consider the reappointment of the Municipal Court Judge. The resolution is numbered 68-1984 and is captioned as follows:

MUN. COURT JUDGE-  
reappoint Phil  
Wetherbee for  
two years, appr.  
R68-1984

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, REAPPOINTING PHILLIP L. WETHERBEE MUNICIPAL COURT JUDGE FOR A TERM OF TWO (2) YEARS.

Mr. Robert Briley, representing the handicapped citizens of Abilene, in regard to the public transportation for the handicapped. He wanted to make the Council aware of the problems for the handicapped caused by the inoperable wheelchair lifts on the buses. He has communicated with Wayne Kurfees, Director of Traffic and Transportation, in this regard and Mr. Kurfees explained the situation to him. They discussed the grant that funded the purchase of the buses and the requirement for the wheelchair lifts at that time. Additionally, at that time, the City surveyed the handicapped citizens and it was concluded that a door-to-door service would better meet the needs of the handicapped community. Therefore, the City petitioned against the purchase of the wheelchair lifts, but was unsuccessful and the government required the City to purchase the lifts. However, the law has changed and Mr. Kurfees is currently making application for funding to provide a door-to-door van service and that application will be brought back for Council consideration. Presently, it is uneconomical to repair the wheelchair lifts when they break. Mr. Briley concluded his presentation by stating that he did want to make the Council aware of the problems to the handicapped community and ask the Council's consideration to the problems.

PUBLIC APPEAR-  
Robert Briley,  
Re: handicapped  
citizenry and  
public transporta-  
tion.  
No action taken

Mr. Dennis Bean, representing the handicapped community of Abilene, requested the assistance of the City Council in providing lift equipped vans for several purposes and he read aloud a statement detailing those purposes, which included social, medical, educational, employment, and religious purposes.

Mr. Curtis Hawk, Acting City Manager, reported to the Council that a different group of handicapped citizens had also approached the City staff in this regard. The staff supports the van service concept and will continue to investigate the possibility of receiving funding to provide for such a service.

Pam Collins, Personnel Director, began the discussion of the City's personnel and benefit programs by reviewing with the Council the following benefits that are provided to employees by the City:

PERSONNEL &  
BENEFITS PROGRAM  
Reviewed with  
Council

health insurance, life insurance, workers' compensation insurance, unemployment compensation, vacation and sick leave, leaves with pay, such as holiday, compensatory time off, jury duty, etc., social security, retirement system, death benefits, firemens' retirement system, salaries for non-civil service, stability pay, and civil service longevity and certification pay.

Curtis Hawk, Acting City Manager, reviewed with the Council the City's current status as compared to other area cities in regard to pay increases granted, salary increase history, civil service employees base and rank pay, and salaries for other selected non-civil service positions, such as maintenance workers and department directors. Generally, the City of Abilene is behind in pay in comparison to the other cities such as, Amarillo, Lubbock, Midland, Odessa, San Angelo, Waco and Wichita Falls. Councilman Fogle stated that he feels the City of Abilene is behind and would like to see the City at least meet the average. He feels the Council is sympathetic to all employees and that the Council is doing well with the resources available to them at the present time. He supports merit pay for employees that show initiative. The Council was also given a copy of the Police Department employees' petition for a proposed pay increase over the next four years. The staff is of the opinion that the petition is invalid.

Mr. John Hancock, Principal Planner, briefed the Council on an appealed item being a reclassification request from RS-8 (Residential Single Family) to GC (General Commercial) district, located on Lincoln Drive, north of Ambler Avenue. There is presently, a 20' wide utility easement extending north and south across the subject tract. The Planning and Zoning Commission, as well as the staff, oppose the GC zoning because it would expand commercial zoning in the area to nearby adjoining existing single family development, thereby inviting future incompatibility between neighboring land uses. A change in zoning to RM-3, rather than GC, would further improve the buffer between commercial activities along Ambler Avenue and the single family neighborhood to the north. Staff and the Planning and Zoning Commission would support the RM-3 zoning.

Mayor Stubbeman opened a public hearing for the purpose of considering the aforementioned reclassification request and the following persons spoke either in favor or in opposition to the zoning change:

IN FAVOR:

Mr. Roy Varner, 333 Moore Drive, agent to the applicant. He spoke in regard to the easement across the property which limits the use of the property. He stated the owner also owns land directly to the south of the property in question and it is currently zoned general commercial. The owner would like to utilize both pieces of property in conjunction with one another.

IN OPPOSITION:

William B. Decker, 480 E. Ambler;  
Mrs. W. D. Holdem, 2508 Madison, representing 15 neighbors in the area that were present in the Council Chambers;  
R. W. Cathy, 2572 Madison;  
Bill Wright, Madison;  
Mrs. McWhorter, 2450 Lincoln;  
Mr. A. T. Sikes, 2602 Madison.

No one else present and desiring to be heard, the public hearing was closed. The Council questioned Mr. Varner as to why the RM-3 was not satisfactory and Mr. Varner responded that the owner wishes to use the property in question together with the property directly to the south, which is currently zoned general commercial.

Councilman Fogle moved to deny the reclassification request from RS-8 to GC district, located on Lincoln Drive north of Ambler Avenue, on second and final reading. The motion was seconded by Councilman Nixon and the motion carried.

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Wheat, Fogle, Nixon and Mayor Stubbeman.

NAYS: None.

ZONING RE-RS-8  
to GC/Lincoln Dr  
north of Ambler,  
2nd & final,  
DENIED



Roy McDaniel, Assistant City Manager, briefed the Council on making an appointment of the independent audit for 1985 and beyond. The City is just completing a five year engagement with Condley and Company of Abilene and requested proposals from interested companies for a term of one, three, and five years. He presented the tabulation of proposals as submitted by Davis Kinard & Company, Condley and Company, Ray & Company, Deloitte Haskins & Sells, and Arthur Young & Company. Staff suggests that Condley and Company be reappointed for either a three or five year engagement, due to their familiarity with our system and situation and the cost savings of their proposal.

Councilman Nixon moved to appoint Condley and Company of Abilene as independent auditors for the City of Abilene for only one year, being fiscal year 1984-85, in order that the Council can review this again next year. The motion was seconded by Councilman Wheat and the motion FAILED:

AYES: Councilman Wheat and Nixon.

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

Councilman Bridges moved to appoint Condley and Company of Abilene as independent auditors for the City of Abilene for a three year engagement beginning with fiscal year 1984-85. The motion was seconded by Councilwoman Proctor-Shaw and the motion carried.

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

NAYS: Councilman Wheat.

Ray Williams, Assistant Director of Community Services, briefed the Council on an amendment to the Civic Abilene, Inc., bylaws, as approved by the Board of Directors of Civic Abilene, Inc., on April 10, 1984. Most changes are in the format to provide for standard language in coordination with the City's other corporations.

Councilman Fogle moved to approve the amendments to the Civic Abilene, Inc., bylaws as presented and approved by the Board of Directors. The motion was seconded by Councilwoman Proctor-Shaw and the motion carried.

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Wheat, Fogle, Nixon and Mayor Stubbeman.

NAYS: None.

The resolution is numbered 69-1984 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING AMENDMENTS TO THE BY-LAWS OF CIVIC ABILENE, INC.

Dwayne Hargesheimer, Director of Water Utilities, briefed the Council on the Water Conservation Plan and stated that, generally, there is no change in the situation and recommended that the City remain in Stage 4 until further notice.

Bob Whitehead, Director of Public Works, briefed the Council on a proposed tree trimming program, as authorized by City ordinance. Since the 1982 City Council Retreat, the Council has discussed and authorized a comprehensive street sweeping program. Other discussions evolved regarding problems relative to overhanging tree limbs, ordinance changes regarding parking regulations and minimum height for tree limbs overhanging public parkways. Other departments in the City are impacted by the problem, such as Street Services, Refuse Collection and the Fire Department. Proposals to solve the problem were reviewed with the Council and following the Council Meeting, a tour of some of the severe areas will be conducted to allow the City Council an opportunity to see the problem on-site. The Council questioned whether the City could assess property owners for the tree trimming service and Mr. Whitehead responded that it could, however, that is not his recommendation. Also, whether the City could charge the Reinvestment Zone for the service. It was concluded that the staff prepare a proposal to bring back to the Council addressing those areas of concern.

Roy McDaniel, Assistant City Manager, briefed the Council on current discussions with Taylor County in regard to joint use of the jail facility in the Criminal Justice Center. The staff proposes

AUDIT-appoint  
Condley & Company  
3 yr. engage. beg  
w/FY 1984-85  
approved/Oral

CIVIC ABILENE, INC  
amend bylaws  
approved  
R69-1984


WATER CONSERVATION  
PLAN - discussed  
No action


STREETS & TREE  
TRIMMING PROGRAM-  
discuss amending  
ordinance to  
allow for inc.  
height require.  
No action taken

that the City contract with the County for joint use of the jail facility for purposes of cost effectiveness. The staff is preparing a contract that can be considered by the Council and then presented to the Taylor County Commissioners Court. The Council concurred with the proposal and asked the staff to bring the item back to the Council for consideration when appropriate.

Mayor Stubbeman recessed the City Council into executive session, in accordance with law, to consider the appointment and evaluation of public officials and pending and contemplated litigation. The Council convened into open session and reported no action taken.

There being no further business, the meeting was adjourned at 1:00 p.m.

  
\_\_\_\_\_  
Patricia Patton  
City Secretary

  
\_\_\_\_\_  
David Stubbeman  
Mayor