

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 25, 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 Julian Bridges.
3. APPROVAL OF MINUTES: Regular Council Meeting held October 11, 1984, and Special Council Meetings held September 17, 18, 25, 26, 28, October 4 and 9, 1984.

4. EMPLOYEE SERVICE AWARDS:

Jack L. Monroe	Senior Firefighter	25 Years
Gerald W. Bivins	Sanitarian - Health Dept.	20 Years
Anne F. Venable	Secretary - Civil Defense/Safety	20 Years
Loyd A. Klose	Fire Captain	20 Years
Malcolm Loving	Senior Firefighter	20 Years
Carrel McKnight	Senior Firefighter	20 Years
Jack Petty	Senior Firefighter	20 Years
J. B. Ruff	Senior Firefighter	20 Years
Carl E. Collum	Fire Lieutenant	20 Years

5. Special Award:

Eddie Sharp

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.

6. Ordinances & Resolutions
 - a. Consider on first reading - ordinance amending Chapter 29, Abilene Municipal Code, concerning street and sidewalk, obstructions and concerning tree trimming.
 - b. Resolution to approve Community Development Housing Assistance Plan Annual Goals for FY 1984-85.
 - c. Resolution to authorize sale of surplus tracts of land on Barrow (Mockingbird) Street.
7. Award of Bid
 - a. Diesel fuel for Transit System.
 - b. Water Main Pipe.

REGULAR AGENDA

8. Public Appearance
 - a. George Gonzales, Chairman, to request advance for Abilene Economic Development Company.
9. Ordinances & Resolutions
 - a. **APPEALED ITEM**
Public Hearing to consider on second and final reading - a reclassification request from RS-6 & O (Residential Single Family & Office) to PDO (Planned Development Office) district, at Buffalo Gap & Chimney Rock Roads.
 - b. **APPEALED ITEM**
Public Hearing to consider on second and final reading - a reclassification request from AO (Agricultural Open Space) to O (Office) district, located at 3025 Antilley Road.

c. **APPEALED ITEM**

- c. Public Hearing to consider on second and final reading - a reclassification request from GC (General Commercial) to HI (Heavy Industrial) district, located in the 200 block of South 22nd Street.
- d. Public Hearing to consider on second and final reading - a reclassification request AO (Agricultural Open Space) to LI (Light Industrial) district, located at 3334 East Highway 80.
- e. Public Hearing to consider on second and final reading - a reclassification request from AO (Agricultural Open Space) to RS-12 (Residential Single Family) district, located at Rainey & Osage Roads.
- f. Public Hearing to consider on second and final reading - a reclassification request from RS-6 (Residential Single Family) to O (Office) district, located at 3033 South 7th Street.
- g. Public Hearing to consider on second and final reading - a reclassification request from GC (General Commercial) to HC (Heavy Commercial) district, located at 6657 West Highway 80.
- h. Public Hearing to consider on second and final reading - amendment to Chapter 18, Abilene Municipal Code, concerning prohibiting parking on portions of Ambler Avenue, South 27th Street, and Southwest Drive.
- i. Public Hearing - Oral Resolution - to consider an Oil & Gas Drilling Permit #8411, located in the NE 1/4 Section 38, Blind Asylum Lands - James N. Cup Survey.
- j. Public Hearing - Oral Resolution - to consider an Oil & Gas Drilling Permit #8410, located in the SW 1/4 of the NE 1/4 of Section 66, Blind Asylum Lands.
- k. Public Hearing - Oral Resolution - to consider an Oil & Gas Drilling Permit #8409, located in the N 1/2 of the NE 1/4 of Section 66, Blind Asylum Lands.

10. Award of Bid

- a. Cedar Creek Channel Improvements (Jobs Bill Project).

11. Other Business

- a. Discuss Water Conservation Plan.
- b. Pending and Contemplated Litigation.
- c. Appointment and evaluation of Public Officials.
- d. Consider water and sewer extensions at airport.
- e. Discuss Police Pay Petition.

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 25, 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 A. E. Fogle, Jr. Welton Robinson, and Harold Nixon. Councilman Walter E. Wheat 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 A. Patton.

Invocation was given by Councilman Julian Bridges.

There being no corrections or additions to the minutes of the Regular City Council Meeting held October 11, 1984, and the Special City Council Meetings held September 17, 18, 25, 26, 28, October 4 and 9, 1984, the minutes stand approved.

Mayor Stubbeman presented service awards to the following employees for their tenure of service to the City of Abilene:

AWARDS-employee
service

Jack L. Monroe	Senior Firefighter	25 Years
Gerald W. Bivins	Sanitarian - Health Dept.	20 Years
Anne F. Venable	Secretary - Civil Def./Safety	20 Years
Loyd A. Klose	Fire Captain	20 Years
Malcolm Loving	Senior Firefighter	20 Years
Carrel McKnight	Senior Firefighter	20 Years
Jack Petty	Senior Firefighter	20 Years
Carl E. Collum	Fire Lieutenant	20 Years

J. B. Ruff, Senior Firefighter with 20 Years of Service was not present to receive his award.

Mayor Stubbeman then presented a Certificate of Merit to Mr. Eddie Sharp for his quick and decisive action in notifying Eleanor and Delores Boyce and Andrea Safron of a fire in their residence on October 4, 1984, thereby preventing serious injury or death.

AWARD-merit to
Eddie Sharp

Item 7a, being an award of bid for diesel fuel for the Transit System was removed from the consent agenda to be considered separately.

Councilman Fogle moved to approve the consent agenda items being items 6a, 6b, 6c and 7b, as shown below and presented by the staff.

The motion was seconded by Councilman Robinson and the motion carried:

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

NAYS: None.

6. Ordinances and Resolutions

- a. Consider on first reading - ordinance amending Chapter 29, Abilene Municipal Code, concerning street and sidewalk, obstructions and concerning tree trimming. The ordinance was passed on first reading and is captioned as follows:

STREETS & SIDE.-
amend. re: tree
trimming, 1st re
appvd.

AN ORDINANCE AMENDING CHAPTER 29, "STREETS AND SIDEWALKS," BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

- b. Resolution to approve Community Development Housing Assistance Plan Annual Goals for FY 1984-85. The resolution is numbered 70-1984 and is captioned as follows:

COMM. DEVELOP-
Housing Asst.
Plan annual goal
FY 1984-85 appro
R70-1984

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING A HOUSING ASSISTANCE PLAN ANNUAL GOAL.

- c. Resolution to authorize sale of surplus tracts of land on Barrow (Mockingbird) Street. The resolution is numbered 71-1984 and is captioned as follows:

STR. IMPROVE.-
Barrow Str. auth
sale of surplus
tracts, approved
R71-1984

A RESOLUTION OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE SALE OF SURPLUS TRACTS OF LAND ALONG BARROW (MOCKINGBIRD) STREET FROM SOUTH 3RD TO SOUTH 14TH.

7. Award of Bid

- a. Removed from the consent agenda to be considered separately.
- b. Water Main Pipe awarded to Trans-Tex Supply Company in the amount of \$13,574.40.

AWARD BID-water
main pipe to
Trans-Tex Supply

Wayne Kurfees, Director of Traffic and Transportation, briefed the Council on the award of bid for diesel fuel for the Transit System. Staff recommends the bid be awarded to Pride Refining at the fixed price of 96¢ per gallon. Funds are budgeted in the FY 85 Abilene Transit Operating budget. Fuel will be purchased on an as-needed basis throughout the year.

The Council was concerned with awarding the bid at a fixed price instead of an adjusted price. They feel the price will continue to decrease instead of increasing throughout the year. After some discussion Councilman Bridges moved approval of the award of bid for diesel fuel for the Transit System to Pride Refining for an adjusted price. The motion was seconded by Councilman Nixon and the motion carried:

AWARD BID-diesel
fuel/Transit

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

NAYS: None.

Terry Meza, Executive Director of the Abilene Economic Development Company, Inc., briefed the Council on an request for monthly advances to the Abilene Economic Development Company, Inc. The Abilene Economic Development Company, Inc., will turn in a monthly report to the City; HUD, an independent C.P.A., and the City will be able to audit the books.

The City provided the accounting and payroll services during the organizational phase of Abilene Economic Development Company, Inc. Now that this phase is completed, the Abilene Economic Development Company, Inc., is ready to assume that responsibility as was intended upon Abilene Economic Development Company, Inc., creation.

The request being made is a technicality in that the City will place the monthly advances to Abilene Economic Development Company, Inc., in their bank account rather than keeping them in ours as is currently done. Since the City will write the check to Abilene Economic Development Company, Inc., in the amount of \$15,000 for their monthly expense, City Council approval is necessary. Staff recommends the Council approve the Abilene Economic Development Company, Inc., request.

Councilwoman Proctor-Shaw moved approval of the request, as presented by the staff. The motion was seconded by Councilman Bridges and the motion carried:

AEDC BOARD-auth.
monthly advances
ORAL

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

NAYS: None.

John Hancock, Senior Planner, briefed the Council on an appealed item being a reclassification request from RS-6 & 0 (Residential Single Family & Office) to PDO (Planned Development Office) District, located at Buffalo Gap and Chimney Rock Roads. Staff recommends approval of the request subject to the proponent moving the driveway that opens towards homes, along Chimney Rock Road. The Planning and Zoning Commission, however, recommends disapproval of the request. Mayor Stubbeman opened a public hearing for the purpose of considering the aforementioned request and the following spoke:

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

NAYS: None.

IN FAVOR:

Bill Watson - Rainey Creek Development, Inc.
Terry Franklin, President - Moore Southwest Financial Corp.
Dr. Ron Morely - One of the Doctors that will be utilizing
the facility.
Dale Scoggins, President - Rainey Creek Development, Inc.;
One of the developers of the Gilmer Office Plaza.

IN OPPOSITION:

Jim Guthrie, 3448 Chimney Rock Road, representing Country-
side South residents and others South of the proposed
development.

There being no one else present and desiring to be heard,
Mayor Stubbeman closed the public hearing.

Wayne Kurfees, Director of Traffic and Transportation, spoke
on the issue of traffic and stated there would not be a significant
increase in traffic. A letter is on file in the Planning Department
stating that the developer will change the location of the driveway
facing Chimney Rock Road that currently opens directly across from
residences. The driveway will be moved east so that it is located
directly across the alley. This will require a change in the Site
Plan, Exhibit B to the ordinance.

Councilwoman Proctor-Shaw moved to approve the reclassification
request from RS-6 & 0 to PDO, located at Buffalo Gap and Chimney
Rock Roads, subject to moving the driveway that currently opens
towards homes, on second and final reading, as presented by the staff.
The motion was seconded by Councilman Bridges and the motion carried:
AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen
Fogle, Robinson, Nixon and Mayor Stubbeman.
NAYS: None.

ZONING RE-RS-6 to
PDO/Buf. Gap Rd.
& Chimney Rock Rd.
2nd read. apprvd.
0103-1984

The ordinance is numbered 103-1984 and is captioned as follows:

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.

John Hancock, Senior Planner, briefed the Council on an appealed
item being a reclassification request from A0 (Agricultural Open Space)
to 0 (Office) District, located at 3025 Antilley Road. Both the
staff and the Planning and Zoning Commission recommend disapproval
of the request.

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

IN FAVOR:

LeRoy Stearns - private citizen, representing the owners.

IN OPPOSITION:

Charley Johnson - 2941 Antilley.

There being no one else present and desiring to be heard, Mayor
Stubbeman closed the public hearing.

After some discussion Councilman Bridges moved to DENY the
reclassification request from A0 to 0 District, located at 3025
Antilley Road, on second and final reading. The motion was
seconded by Councilman Robinson and the motion carried:

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Council-
men Fogle, Robinson, Nixon and Mayor Stubbeman.
NAYS: None.

ZONING RE-A0 to
3025 Antilley Rd
2nd read. DENIED

The request was DENIED.

John Hancock, Senior Planner, briefed the Council on a reclassification request from GC (General Commercial) to HI (Heavy Industrial) District, located in the 200 block of South 22nd Street. Both the Staff and the Planning and Zoning Commission recommend disapproval of the request.

Mayor Stubbeman opened a public hearing for the purpose of considering the aforementioned request and the following person spoke in opposition of the request:

Randy Scarborough - 274 South 22nd Street.

There being no one else present and desiring to be heard Mayor Stubbeman closed the public hearing.

Councilman Fogle moved to DENY the reclassification request from GC to HI District, located in the 200 block of South 22nd Street, on second and final reading. The motion was seconded by Councilman Nixon and the motion carried:

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

NAYS: None.

The request was DENIED.

John Hancock, Senior Planner, briefed the Council on a reclassification request from AO (Agricultural Open Space) to LI (Light Industrial) District, located at 3334 East Highway 80. Both the staff and the Planning & Zoning Commission recommend approval of the request.

Mayor Stubbeman opened a public hearing for the purpose of considering the aforementioned request and with no one present and desiring to be heard, Mayor Stubbeman closed the public hearing.

Councilman Julian Bridges left the meeting.

Councilwoman Proctor-Shaw moved approval of the reclassification request from AO to LI District, located at 3334 East Highway 80, on second and final reading, as presented by the staff. The motion was seconded by Councilman Robinson and the motion carried:

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

NAYS: None.

The ordinance is numbered 104-1984 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.

John Hancock, Senior Planner, briefed the Council on a reclassification request from AO (Agricultural Open Space) to RS-12 (Residential Single Family) District, located at Rainey and Osage Roads. Both the staff and the Planning and Zoning Commission recommend approval of the request.

Mayor Stubbeman opened a public hearing for the purpose of considering the aforementioned request and with no one present and desiring to be heard, Mayor Stubbeman closed the public hearing.

Councilman Robinson moved to approve the reclassification request from AO to RS-12 District, located at Rainey & Osage Roads, on second and final reading, as presented by the staff.

ZONING RE-GC to I
/200 blk S. 22nd
2nd read. DENIED

ZONING RE-AO to
/3334 E. Hwy 80,
2nd read. appvd.
0104-1984

ZONING RE-AO to
12/Rainey & Osag
Rds., 2nd read.
approved
0105-1984

The motion was seconded by Councilman Nixon and the motion carried:

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

NAYS: None.

The ordinance is numbered 105-1984 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.

Councilman Bridges returned to the meeting.

John Hancock, Senior Planner, briefed the Council on a reclassification request from RS-6 (Residential Single Family) to O (Office) District, located at 3033 South 7th Street. Both the staff and the Planning and Zoning Commission recommend approval of the request.

Mayor Stubbeman opened a public hearing for the purpose of considering the aforementioned request and the following person spoke in favor of the request:

Manuel Jacques - proponent.

There being no one else present and desiring to be heard, Mayor Stubbeman closed the public hearing.

Councilwoman Proctor-Shaw moved to approve the reclassification request from RS-6 to O District, located at 3033 South 7th Street, on second and final reading, as presented by the staff. The motion was seconded by Councilman Nixon and the motion carried:

ZONING RE-RS-6 to
/3033 S. 7th,
2nd read. appvd.
0106-1984

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

NAYS: None.

The ordinance is numbered 106-1984 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.

John Hancock, Senior Planner, briefed the Council on a reclassification request from GC (General Commercial) to HC (Heavy Commercial) District, located at 6657 West Highway 80. Both the staff and the Planning and Zoning Commission recommend approval of the request.

Mayor Stubbeman opened a public hearing for the purpose of considering the aforementioned request and the following person spoke in favor of the request:

Jess Holloway - agent for the proponent.

There being no one else present and desiring to be heard, Mayor Stubbeman closed the public hearing.

After some discussion Councilwoman Proctor-Shaw moved to approve the reclassification request from GC to HC District, located at 6657 West Highway 80, with the stipulation that any future outdoor storage be appropriately screened with an opaque fence, on second and final reading, as presented by the staff.

ZONING RE-GC to HI
6657 W.Hwy 80,
2nd read. appvd.
0107-1984

The motion was seconded by Councilman Bridges and the motion carried:

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

NAYS: None.

The ordinance is numberes 107-1984 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.

Wayne Kurfees, Director of Traffic and Transportation, briefed the Council on an amendment to Chapter 18, Abilene Municipal Code, concerning prohibiting parking on portions of Ambler Avenue, South 27th Street and Southwest Drive. Council approved this amendment of first reading on October 11, 1984, however, staff would like to revise their recommendation for Ambler Avenue and South 27th Street only. Staff's revised recommendations for those two streets are as follows:

Ambler Avenue: On-street parking be prohibited on both sides from Grape Street to the Winters Freeway except for the following:

- . the north side from Bridge Avenue to Mimosa Drive.
- . the north side from Yorktown Drive to Westwood Drvie.

Staff's recommendations for South 27th Street/Southwest Drive remains the same as was passed on first reading, which is:

On-street parking be prohibited from Buffalo Gap Road to the Winters Freeway except as follows:

- . the south side from Buffalo Gap Road to Barrow.
- . the south side from Willis to Catclaw Creek.

Mayor Stubbeman opened a public hearing for the purpose of considering the aforementioned item. With no one present and desiring to be heard, Mayor Stubbeman closed the public hearing.

Councilman Nixon moved to approve the amendment to Chapter 18, Abilene Municipal Code, on second and final reading, as revised and recommended by the staff. The motion was seconded by Councilman Fogle and the motion carried:

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

NAYS: None.

The ordinance is numbered 108-1984 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.

Sandra Trosky, Assistant Land Agent, briefed the Council on an oral resolution being Oil & Gas Drilling Permit #8411. The applicant is Chalmers Operating Company, Inc., and the surface owner is Pierre E. Conner, Jr. The drill site is located within the City Limits but is on private property and is not within the floodplain. The location is in the NE 1/4 Section 38, B.A.L. - James N. Cup Survey.

CODE & TRAFFIC-
amend ch. 18 re:
parking prohibiti
2nd read. apprvd
0108-1984

Mayor Stubbeman opened a public hearing for the purpose of considering the aforementioned request and with no one present and desiring to be heard, Mayor Stubbeman closed the public hearing.

Councilman Bridges moved approval of the Oil & Gas Drilling Permit #8411, located in the NE 1/4 Section 38, B.A.L. - James N. Cup Survey, by oral resolution, as presented by the staff. The motion was seconded by Councilman Nixon and the motion carried:

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

NAYS: None.

OIL & GAS-Permit
#8411 approved
ORAL

Sandra Trosky, Assistant Land Agent, briefed the Council on an oral resolution being Oil & Gas Drilling Permit #8410, located in the SW 1/4 of the NE 1/4 of Section 66, B.A.L. The applicant is Gillespie Oil Company and the surface owner is Bonita Shook Hanson. The drill site is located within the City Limits but is on private property and is not within the floodplain.

Mayor Stubbeman opened a public hearing for the purpose of considering the aforementioned request and the following person spoke in favor of the item:

Oliver Howard - 1151 Elmwood Drive.

With no one else present and desiring to be heard, Mayor Stubbeman closed the public hearing.

Councilman Nixon moved approval of the Oil & Gas Drilling Permit #8410, located in the SW 1/4 of the NE 1/4 of Section 66, B.A.L., by oral resolution, as presented by the staff. The motion was seconded by Councilman Bridges and the motion carried:

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

NAYS: None.

OIL & GAS-Permit
#8410 approved
ORAL

Sandra Trosky, Assistant Land Agent, briefed the Council on an oral resolution being Oil & Gas Drilling Permit #8409, located in the N 1/2 of the NE 1/4 of Section 66, B.A.L. The applicant is Gillespie Oil Company and the surface owner is Ruth Mullins Cox. The drill site is located within the City Limits on private property and is within the Regulatory Floodway. Since the drill site is located in the Floodway, Gillespie Oil was required to obtain a development permit from the City. The development permit was thoroughly reviewed by the Engineering Division and granted on October 18, 1984, with a special provision that the tank batteries not be built in the Regulatory Floodway. The staff has reviewed the drilling permit and recommends approval with the provision that the tank batteries not be build in the Regulatory Floodway.

Mayor Stubbeman opened a public hearing for the purpose of considering the aforementioned request and the following persons spoke in favor of the item with no one speaking in opposition:

Oliver Howard - 1151 Elmwood Drive;
Lynn Gillespie - 2518 Shoreline Drive;
Robert Gillespie - 1318 Glenwood Drive.

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

Councilman Bridges questioned the provisions of the City Code, and the resolution adopting the lease form, including special provisions for drilling around lakes. He disagrees

00381

with the staff recommendation and feels that by approving this permit, the Council will be setting a precedent for allowing drill sites to be located in the Floodway.

The legal staff reviewed the permit requirements for drilling around lakes on City property. This drill site is on private property and, therefore, governed by the permit requirements of the City Code. Additionally, the City Code allows the Council, during the permit process within the City Limits and on private property, to impose any reasonable restrictions and conditions, other than those contained in the City Code, on the drilling and operation of the proposed well.

Councilman Fogle moved to approve the Oil & Gas Permit #8409 as recommended by the staff, since it is in compliance with the City's current regulations and requirements for drilling within the city Limits on private property. The motion FAILED for lack of a second.

Councilman Nixon moved to table the item until November 15, 1984, and as such time as the Petroleum Engineer for the City could be present to address the Council's concerns regarding this permit. The motion was seconded by Councilman Fogle and the motion carried:

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

NAYS: None.

The Council will study the provisions of the City Code and the provisions of the new lease form and provisions for drilling around City lakes on City property. The questions today relate to the individual interpretation of what the ordinance says and the areas of risk.

Bob Whitehead, Director of Public Works, briefed the Council on an award of bid for Cedar Creek Channel Improvements (Jobs Bill Project). He gave an overview of the entire program and then explained in detail the time schedule for work in Cedar Creek and the Jobs Bill Project.

After some discussion, Councilman Bridges moved to approve, by oral resolution, the base bid and authorize the City Manager to negotiate a change order not to exceed \$95,474 (the balance of the Jobs Bill funds after the base bid is deducted), to extend the excavation/concrete work to be completed under the base bid, and authorize the City Manager to execute the change order once it has been negotiated. The base bid is to go to Bontke Brothers Construction in the amount of \$145,526. The motion was seconded by Councilman Nixon and the motion carried:

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

NAYS: None.

Dwayne Hargesheimer, Director of Water Utilities, updated the Council on the Water Conservation Plan. He stated that Fort Phantom Lake is 18.4' below spillway. He also mentioned that water consumption is extremely low. Staff recommends, at this time, that we stay at Stage 4 to anticipate getting through the summer of 1985.

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.

Bob Whitehead, Director of Public Works, reviewed with the Council a request for water and sewer extensions at the airport for a rent-a-car facility. Budget Rent-A-Car made the request to move from their current facility at Hughes Buick to somewhere on the airport, which would require a new property lease. Staff recommends the City fund the water and sewer extensions; lease the lots to the rent-a-car companies,

OIL & GAS-Permit
#8409 Tabled
until 11/1/84

AWARD BID &
CREEK IMPROVEMENT
Cedar Crk Channel
Improvements
approved
Bontke Bros. Cons
ORAL

WATER CONSERVATIO
PLAN-discussed
remain in Stage 4

EXECUTIVE SESSION

00382

and the companies will build their facilities on the lot provided.

Roy McDaniel, Assistant City Manager, explained that the estimated cost is \$63,800 and the funds are available from some various projects from revenue sharing.

Councilwoman Proctor-Shaw moved to authorize the extensions at the airport at an approximate cost of \$63,800 and authorize the staff to set up a budget in Revenue Sharing for this purpose and for constructing the road in front of the facility per the Airport Master Plan. The motion was seconded by Councilman Fogle and the motion carried:

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

NAYS: None.

AIRPORT-auth. W&S extensions for Rental Car Facility approved ORAL

Harvey Cargill, Jr., City Attorney, read aloud a statement regarding the current Police Association Pay Petition. He recommended that if such petition is presented to the Council that an election not be called due to the invalidity of the petition.

POLICE-salary pay petition discussed/27% petition invalid City Attorney opinion

Sgt. Roger Dickey, Spokesman for the Abilene Police Association, commented on Mr. Cargill's statement about the petition being invalid because of it binding three future Councils. He feels that setting the increase over a three-year period instead of only a one-year period has saved the Council from having to deal with such a large amount of money in one budget.

No formal vote was taken, however, it appeared to be the consensus of the Council to take the advice of the City Attorney.

There being no further business, the meeting was adjourned at 3:15 p.m.

Patricia A. Patton
Patricia A. Patton
City Secretary

David Stubbeman
David Stubbeman
Mayor