

Pre-Council Work Session of the Mayor and City Council of the City of Abilene, Texas, to be held in the Basement Conference Room of City Hall on Thursday, February 14, 1985, at 8:30 a.m. to consider the following:

1. Discuss consent and/or regular agenda items.

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 14, 1985, 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 A. E. Fogle, Jr.
3. APPROVAL OF MINUTES: Pre-Council Work Session and Regular City Council Meeting held January 24, 1985.

#### CONSENT AGENDA

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

4. Ordinances
  - a. Consider on second and final reading - an ordinance amending Chapter 18, Abilene Municipal Code, to repeal various traffic and parking regulations on South 15th Street near the former Barrow Street Post Office.
  - b. Consider on second and final reading - an ordinance amending Chapter 18, Abilene Municipal Code, concerning prohibiting parking adjacent to a driveway at Brookhollow Shopping Center.
  - c. Consider on first reading - an ordinance amending Chapter 8, Construction Regulations of the Abilene Municipal Code, by adding a Page 12 to the new Plumbing Code (Ordinance #111-1984) that was adopted on November 15, 1984.
  - d. Consider on first reading - an ordinance amending Chapter 18, Abilene Municipal Code, to make a portion of South 13th Street, at Crockett Elementary School, one-way westbound during certain hours, school days only.
  - e. Consider on first reading - an ordinance amending Chapter 18, Abilene Municipal Code to make corrections to various Traffic Code Schedules.
  - f. Consider on first reading - a thoroughfare abandonment request TC-00985 - request from Ray Scott (Representing Abilene Christian University) being certain dedicated streets and alleys located in Section 7, Hillcrest Addition, located in the 2500-2600 block of North Judge Ely, and set a public hearing for February 28, 1985.
  - g. Consider on first reading - reclassification request Z-01185 - request of Paul R. Goebel (Representing Catclaw-Southwest Joint Venture) to rezone from AO (Agricultural Open Space) to PDMX (Planned Development Mixed Use) district, located at Southwest and Catclaw Drives, and set a public hearing for February 28, 1985.
  - h. Consider on first reading - reclassification request Z-01385 - request of Gordon Asbury, Jr., (Representing Alexander R. Prince and Alton C. Dorsett, TR,) to rezone from RM-1 (Residential Multi-Family) to HC (Heavy Commercial) district, located in the 400 block of North 8th Street, and set a public hearing for February 28, 1985.
  - i. **APPEALED ITEM**  
Consider on first reading - reclassification request Z-01485 - request of James R. McMillon (Representing Larry Sommers and Jim Simpkins) to rezone from AO (Agricultural Open Space) to MH (Mobile Home) district, located on Nora Street, and set a public hearing for February 28, 1985.
  - j. Consider on first reading - reclassification request Z-01585 - request of Frank Richardson to rezone from RM-3 (Residential Multi-Family) to GC (General Commercial) district, located at 2434 South 2nd Street, and set a public hearing for February 28, 1985.

- k. Consider on first reading - reclassification request **Z-01685** - request of Arthur T. Menaldi (Representing MBI, Inc.,) to rezone from AO (Agricultural Open Space) to RS-6 (Residential Single Family) district, located in the 5400 block of Hartford Street, and set a public hearing for February 28, 1985.
- l. Consider on first reading - reclassification request **Z-01785** - request of Marcy G. Bellman to rezone from RS-6 (Residential Single Family) to LC (Limited Commercial) district, located at 2302 South 41st Street, and set a public hearing for February 28, 1985.
- m. Consider on first reading - reclassification request **Z-01885** - request of Ken Hicks (Representing Abilene National Bank) to rezone from LC (Limited Commercial) to GC (General Commercial) district, located in the 2700 block of South Clack, and set a public hearing for February 28, 1985.
- n. Consider on first reading - **Z-01285** - a request from Rainey Creek Development, Inc., (Representing Professional Plaza) for an amendment to PDO (Planned Development Office) Ordinance #103-1984, Countryside South Addition, located at Buffalo Gap & Chimney Rock Roads, and set a public hearing for February 28, 1985.
- o. Consider on first reading - **Z-01085** - a request from Bixby, Inc., for an amendment to PDR (Planned Development Residential) Ordinance #1159, Lytle Place Addition, located on Lytle Trail, and set a public hearing for February 28, 1985.

#### 5. Resolutions

- a. Resolution appointing Election Judges and Clerks for City Council Election to be held April 6, 1985.
- b. Oral Resolution to consider request from WTU for a utility easement across Airport Lands, being out of Section 53, Blind Asylum Land, Taylor County, Texas.
- c. Resolution to consider - an easement release **ER-128518** - request from Ray Scott (Representing Abilene Christian University) for a utility easement and power pole and down guy easement, located in the 2500-2600 block of North Judge Ely.
- d. Resolution to consider - an easement release **ER-1225-0** - request from Burl McAlister for a north-south utility easement, located on I-20, east of Shirley Road.
- e. Resolution to consider - an easement release **ER-02185** - request from Catclaw-Southwest Joint Venture, for floodway purposes, located west of Catclaw Drive, north and south of Southwest Drive.

#### 6. Award of Bid

- a. (Res.) to award the sale of City property being the East 144' of the South 175.25' of Lot 1, Block 2, Fair Park Acres, Out-Lot 2 - Bid #011.
- b. Five (5) Mobile Radios for the Police Department - Bid #004.
- c. Motor Grader - Bid #009 and Hydraulic Excavator for Street Department - Bid #010.
- d. 20" Ductile Pipe for Water Department - Bid #012.
- e. Emergency Repair of Electric Motor at Hamby Plant.

#### REGULAR AGENDA

#### 7. Public Appearance

- a. Becky Terry, President of Dyess Elementary PTA to request crossing guard at intersection of Jennings and Delaware.

#### 8. Ordinances & Resolutions

- a. **Public Hearing** - consider on second and final reading - an ordinance revising Section 206 (b) of the amendments to the 1979 Uniform Mechanical Code.
- b. Resolution to consider approving a police pay referendum settlement agreement.
- c. Resolution to consider sewer contract with Sunbeam Cookie Company.
- d. Resolution to consider establishing Water Conservation Review Committee.
- e. **REMOVE FROM TABLE**  
Consider Landmark Commission's survey of Historic Structures.

#### 9. Other Business

- a. Discuss Keep America Beautiful Program.
- b. Update on Missouri & Pacific Beautification Project.
- c. Pending and Contemplated Litigation.
- d. Appointment and Evaluation of Public Officials.

#### ADJOURN

00031

ADDENDUM  
CITY COUNCIL MEETING AGENDA  
February 14, 1985 - 9:00 a.m.  
City Council Chambers, City Hall

The following item is hereby added to the agenda as item 8.1, due to the urgent public necessity that the law requires that the following bonds be sold and the official documents closed within forty-five (45) days of the official notice from the State. Therefore, it is imperative that the City Council consider this item as soon as possible and it is declared an emergency item.

- 8.1 Consider resolution granting approval to the West Central Texas Housing Finance Corporation for the use of its Series 1985 single family mortgage revenue bonds for acquiring home mortgages for homes within the City of Abilene.

I hereby certify that the above addendum to the City Council Meeting agenda was posted on the bulletin board at City Hall on the 12th day of February, 1985, at 5:00 p.m., within such time as required for emergency items to be posted by law.

  
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City Secretary

PRE-COUNCIL WORK SESSION  
THURSDAY, FEBRUARY 14, 1985,  
8:30 A.M.

CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,  
BASEMENT CONFERENCE ROOM, CITY HALL

The City Council of the City of Abilene, Texas, met in a Pre-Council Work Session on February 14, 1985, at 8:30 A.M. in the Basement Conference Room 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 Welton Robinson and Harold Nixon. Also present were City Manager Jim C. Blagg, Assistant City Manager Roy L. McDaniel, City Attorney Harvey Cargill, Jr., City Secretary Patricia Patton, and various members of the City Staff.

The Council briefly discussed various consent and regular agenda items. There being no further questions, the meeting was recessed to the City Council Chambers for the Regular Council Meeting.

CITY COUNCIL MEETING  
THURSDAY, FEBRUARY 14, 1985,  
9:00 A.M.

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

Mayor Stubbeman reconvened the City Council of the City of Abilene, Texas, into Regular Session February 14, 1985, at 9:00 a.m. in the City Council Chambers of City Hall.

Invocation was given by Councilman A. E. Fogle, Jr.

There being no additions or corrections to the minutes of the Pre-Council Work Session and the Regular City Council Meeting held January 24, 1985, the minutes stand approved.

Mayor Stubbeman removed from the agenda the following items, since they were denied by the Planning and Zoning Commission and not appealed at the present time: Item 4j, being a request of Frank Richardson (Z-01585) to rezone from RM-3 to GC district, located at 2434 S. 2nd Street; and item 4L, being a request of March G. Bellman (Z-01785) to rezone from RS-6 to LC district, located at 2302 S. 41st Street.

Councilwoman Proctor-Shaw moved to approve the consent agenda items being 4a, 4b, 4c, 4d, 4e, 4f, 4g, 4h, 4i, 4k, 4m, 4n, 4o, 5a, 5b, 5c, 5d, 5e, 6a, 6b, 6c, 6d, 6e, as shown below and as recommended by the staff. The motion was seconded by Councilman Bridges and the motion carried:

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

NAYS: None.

5. Ordinances

- a. Consider on second and final reading - an ordinance amending Chapter 18, Abilene Municipal Code, to repeal various traffic and parking regulations on South 15th Street near the former Barrow Street Post Office. The ordinance is numbered 11-1985 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.

- b. Consider on second and final reading - an ordinance amending Chapter 18, Abilene Municipal Code, concerning prohibiting parking adjacent to a driveway at Brookhollow Shopping Center. The ordinance is numbered 12-1985 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.

- c. Consider on first reading - an ordinance amending Chapter 8, Construction Regulations of the Abilene Municipal Code, by adding a Page 12 to the new Plumbing Code (Ordinance #111-1984) that was adopted on November 15, 1984.

AN ORDINANCE AMENDING CHAPTER 8, "CONSTRUCTION REGULATIONS," ARTICLE IV, "UNIFORM CODES AND OTHER REGULATIONS," DIVISION 4, "PLUMBING," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

- d. Consider on first reading - an ordinance amending Chapter 18, Abilene Municipal Code, to make a portion of South 13th Street, at Crockett Elementary School, one-way westbound during certain hours, school days only.

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.

- e. Consider on first reading - an ordinance amending Chapter 18, Abilene Municipal Code to make corrections to various Traffic Code Schedules.

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.

- f. Consider on first reading - a thoroughfare abandonment request TC-00985 - request from Ray Scott (representing Abilene Christian University) being certain dedicated streets and alleys located in Section 7, Hillcrest Addition, located in the 2500-2600 block of North Judge Ely, and set a public hearing for February 28, 1985.

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.

- g. Consider on first reading - reclassification request Z-01185 - request of Paul R. Goebel (representing Catclaw-Southwest Joint Venture) to rezone from AO (Agricultural Open Space) to PDMX (Planned Development Mixed Use) district, located at Southwest and Catclaw Drives, and set a public hearing for February 28, 1985.

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

- h. Consider on first reading - reclassification request Z-01385 - request of Gordon Asbury, Jr., (representing Alexander R. Prince and Alton C. Dorsett, TR,) to rezone from RM-1 (Residential Multi-Family) to HC (Heavy Commercial) district, located in the 400 block of North 8th Street, and set a public hearing for February 28, 1985.

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.

- i. Appealed item: Consider on first reading - reclassification request Z-01485 - request of James R. McMillon (representing Larry Sommers and Jim Simpkins) to rezone from AO (Agricultural Open space) to MH (Mobile Home) district, located on Nora Street, and set a public hearing for February 28, 1985.

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.

- j. Removed from agenda.

- k. Consider on first reading - reclassification request Z-01685 - request of Arthur T. Menaldi (representing MBI, Inc.,) to rezone from AO (Agricultural Open Space) to RS-6 (Residential Single Family) district, located in the 5400 block of Hartford Street, and set a public hearing for February 28, 1985.

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.

- l. Removed from agenda.

- m. Appealed item: Consider on first reading - reclassification request Z-01885 - request of Ken Hicks (representing Abilene National Bank) to rezone from LC (Limited Commercial) to GC (General Commercial) district, located in the 2700 block of South Clack, and set a public hearing for February 28, 1985.

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.

- n. Consider on first reading - Z-01285 - request from Rainey Creek Development, Inc., (representing Professional Plaza) for an amendment to PDO (Planned Development Office) Ordinance #103-1984, Countryside South Addition, located at Buffalo Gap & Chimney Rock Roads, and set a public hearing for February 28, 1985.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, ZONING, OF THE ABILENE MUNICIPAL CODE, AND ORDINANCE NO. 103-1984, CONCERNING PROFESSIONAL PLAZA PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

- o. Consider on first reading - Z-01085 - request from Bixby, Inc., for an amendment to PDR (Planned Development Residential) Ordinance #1159, Lytle Place Addition, located on Lytle Trail, and set a public hearing for February 28, 1985.

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

##### 5. Resolutions

- a. Resolution appointing Election Judges and Clerks for City Council Election to be held April 6, 1985. The resolution is numbered 11-1985 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPOINTING VARIOUS ELECTION OFFICIALS AND FIXING THEIR RATE OF COMPENSATION.

- b. Oral Resolution to consider request from WTU for a utility easement across Airport Lands, being out of Section 53, Blind Asylum Land, Taylor County, Texas.
- c. Resolution to consider an easement release ER-128518, request from Ray Scott (Representing Abilene Christian University) for a utility easement and power pole and down guy easement, located in the 2500-2600 block of North Judge Ely Blvd. The resolution is numbered 12-1985 and is captioned as follows:

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

- d. Resolution to consider an easement release, ER-1225-0, request of Burl McAlister for a north-south utility easement, located on I-20, east of Shirley Road. The resolution is numbered 13-1985 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.

- e. Resolution to consider an easement release ER-02185, request from Catclaw-Southwest Joint Venture, for floodway purposes, located west of Catclaw Drive, north and south of Southwest Drive. The resolution is numbered 14-1985 and is captioned as follows:

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

6. Award of Bid

- a. Resolution to award the sale of City property being the East 144' of the south 175.25' of Lot 1, Block 2, Fair Park Acres, Out-Lot 2 - Bid #011. The bid was awarded to Abilene Equities, Inc., in the amount of \$10.00. The resolution is numbered 15-1985 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS AWARDING THE SALE OF CITY OWNED LAND AS DESCRIBED BELOW.

- b. Five (5) mobile radios for the Police Department - Bid #004, awarded to General Electric in the amount of \$8,050.
- c. Motor Grader - Bid #009, awarded to Godsey Equipment of Abilene in the amount of \$35,000; and Hydraulic Excavator for Street Department - Bid #010, awarded to HiWay Machinery of Dallas in the amount of \$175,711.
- d. Ratify and approve emergency purchase of 20" Ductile Pipe for Water Department - Bid #012, awarded to Trans-Tex Supply for \$9,092.49.
- e. Ratify and approve emergency repair of electric motor at the Hamby Wastewater Plant for work done by National Electric in the amount of \$7,716.75.

Becky Terry, President of Dyess Elementary PTA, made a public appearance before the City Council to request a crossing guard at the intersection of Jennings and Delaware. She presented a map of the area depicting the intersection and the associated problems for the children crossing the intersection going to and from school.

Wayne Kurfees, Director of Traffic and Transportation, addressed the question and echoed the concerns of Ms. Terry regarding the unique intersection and the congestion and danger at the intersection.

Councilman Bridges moved approval of the addition of a crossing guard for this intersection and commended Ms. Terry for bringing this item to the attention of the Council. The motion was seconded by Councilman Fogle and the motion carried.

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

NAYS: None.

Roy McDaniel, Assistant City Manager, briefed the Council on an emergency item being a resolution concerning the use of 1985 Series single family mortgage revenue bonds by the West Central Texas Housing Finance Corporation for acquiring home mortgages for homes within the City of Abilene. The Abilene Housing Finance Corporation and the West Central Texas Housing Finance Corporation request that the City Council consent to the acquisition of home mortgages within the City of Abilene by the West Central Texas Housing Finance Corporation so that planning for a mortgage revenue bond issue for the West Central Corporation can proceed, and if successful, close within forty-five (45) days from the date of the Corporation's reservation.

At least ninety (90%) percent of the mortgages acquired with these bond proceeds must be made to first time home buyers and mortgages will be limited to persons of low to moderate income with a maximum income of \$40,000 per family.

Councilman Wheat moved approval of the resolution granting the West Central Texas Housing Finance Corporation the use of its single family mortgage revenue bonds, as presented. The motion was seconded by Councilman Fogle and the motion carried.

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

NAYS: None.

The resolution is numbered 16-1985 and is captioned as follows:

RESOLUTION GRANTING APPROVAL TO THE WEST CENTRAL TEXAS HOUSING FINANCE CORPORATION FOR THE USE OF ITS SINGLE FAMILY MORTGAGE REVENUE BONDS, SERIES 1985 FOR ACQUIRING HOME MORTGAGES RELATED TO HOMES WITHIN THE CITY OF ABILENE, TEXAS.

Roy McDaniel, Assistant City Manager, briefed the Council on an ordinance revising Section 206 (b) of the amendments to the 1979 Uniform Mechanical Code.

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

Councilwoman Proctor-Shaw moved approval of the ordinance, on second and final reading, revising Section 206 (b) of the amendments to the 1979 Uniform Mechanical Code, as presented by the staff. The motion was seconded by Councilman Bridges and the motion carried.

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

NAYS: None.

The ordinance is numbered 13-1985 and is captioned as follows:

AN ORDINANCE AMENDING CHAPTER 8, "CONSTRUCTION REGULATIONS," ARTICLE IV, "UNIFORM CODES AND OTHER REGULATIONS," DIVISION 5, "MECHANICAL CODE," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

Mayor Stubbeman recessed the Council into executive session in accordance with State law, Sections 2e and 2g of the Open Meetings Act, to consider pending and contemplated litigation and the appointment and evaluation of public officials.

The Council reconvened from executive session and reported no action taken.



Jim Blagg, City Manager, briefed the Council on a resolution approving a police pay referendum settlement agreement. He commended members of his staff, members of the Abilene Police Association, and members of the committee of petitioners for the effort displayed in reaching this agreement.

Councilman Fogle moved approval of the resolution approving a police pay referendum settlement agreement, as presented by the staff. The motion was seconded by Councilman Bridges and the motion carried.

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

NAYS: Councilmen Wheat and Robinson.

The resolution is numbered 17-1985 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING A POLICE PAY REFERENDUM SETTLEMENT AGREEMENT.

Roger Dickey, member of the Police Committee of Petitioners, presented to Mayor Stubbeman a letter, signed by all the members of the Committee of Petitioners, accepting the alternate salary proposal of the City Council and requesting that the proposed police pay referendum election not be called. Mayor Stubbeman accepted the letter and entered it into the official record.

C Dwayne Hargesheimer, Director of Water Utilities, briefed the Council on a sewage disposal agreement with Sunbeam Cookie Company and reiterated the current City policy (R72-1982) pertaining to utility extensions outside the City limits. In lieu of the current policy, staff recommends that the proposed contractual agreement, stipulating special provisions and providing the service to Sunbeam Cookie Company, be approved.

Mr. David Gaddis, President, Sunbeam Cookie Company, was present and responded to questions from the Council.

Councilman Nixon moved approval of the resolution authorizing a sewage disposal agreement with Sunbeam Cookie Company as presented by the staff. The motion was seconded by Councilman Robinson and the motion carried.

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

NAYS: None.

The resolution is numbered 18-1985 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A SEWAGE DISPOSAL CONTRACT WITH SUNBEAM COOKIES, INC.

Dwayne Hargesheimer, Director of Water Utilities, briefed the Council on a resolution establishing a Water Conservation Committee for the purpose of reviewing the proposed revised Water Conservation Ordinance.

Councilman Bridges moved to amend the resolution, Part 3 - Membership, last sentence to read "all members of the committee shall be residents of or employed in the City while serving on the committee". The motion was seconded by Councilwoman Proctor-Shaw and the motion carried.

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

NAYS: None.

Councilman Robinson moved to amend the resolution, Part 3 - Membership, to add an additional committee member representing the Water Supply Corporations and to serve as an ex-officio member. The motion was seconded by Councilman Bridges and the motion carried.

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

NAYS: None.

Councilman Bridges moved to adopt the resolution establishing a Water Conservation Committee, as presented by the staff and as amended. The motion was seconded by Councilman Nixon and the motion carried.

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

NAYS: None.

The resolution is numbered 19-1985 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF ABILENE, TEXAS, ESTABLISHING A WATER CONSERVATION COMMITTEE.

Councilwoman Proctor-Shaw removed from the table consideration of the Landmark Commission's survey of historic structures. The motion was seconded by Councilman Wheat and the motion carried.

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

NAYS: None.

Lee Roy George, Director of Planning, briefed the Council on the Landmark Commission's survey of Historic Structures, which was last considered by the Council at the January 10, 1985, meeting. At that time, a public hearing was held and the list was thoroughly discussed. Due to the absence of one Council Member at that meeting, the item was tabled until such time as the Council Member could be present. Mr. George then gave a synopsis of the events leading up to consideration of this item by the City Council. Additionally, he reviewed the procedure involved in initiating the (H) Historic overlay zone and the appeal process as provided for in the Landmarks Ordinance.

Councilman Wheat moved to approve the resolution adopting the Landmark Commission's survey of historic structures with the amendment to exclude those properties who have indicated a preference for not being included on the list. The motion was seconded by Councilman Robinson and the motion carried.

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

NAYS: None.

Therefore, structures #15, 16, 49, 51, 59, 7, 24, 40 and 60 were deleted from the survey, since owners of those structures have expressed, either verbally or in writing, their opposition to being on the survey and as identified during the January 10, 1985, Council Meeting.

The resolution is numbered 20-1985 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, ADOPTING THE HISTORIC SURVEY AS AN OFFICIAL SURVEY OF HISTORIC SITES.

Councilwoman Proctor-Shaw moved to instruct the Planning and Zoning Commission to study that part of the Landmarks Ordinance regarding the (H) Historic overlay zone, with the intent that the Historic overlay zone cannot be placed on an individual's property without the owner's consent, unless there was irreparable damage or imminent destruction to the property. The motion was seconded by Councilman Robinson and the motion carried.

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

NAYS: None.

Pennie Boyett, Special Projects Coordinator, gave a brief slide presentation on the Keep America Beautiful System. Bob Whitehead, Director of Public Works, updated the Council on the status of the Program since Council authorized participation in April, 1983. The Project Team, consisting of Lynda Calcote, civic representative; Mel Richards, business representative; and Marva Pritchett, government representative, has received pre-certification training.

Staff recommends the Council (1) authorize the staff to seek certification for the City of Abilene with the Keep America Beautiful System; (2) authorize the staff to negotiate a contract with the Abilene Chamber of Commerce to cooperatively underwrite the program through the end of Fiscal Year 1986, in order for program implementation to begin as soon as certification is complete; and, (3) authorize the necessary budget transfers in the FY 1984-85 budget to fund the program from the Public Works Department's budget during the remainder of the fiscal year.

Lynda Calcote, Team Member, was present and responded to several questions from the Council concerning development plans for the Program and future financial support.

Councilwoman Proctor-Shaw moved to approve the three staff recommendations, as presented, for the Keep America Beautiful Program. The motion was seconded by Councilman Fogle and the motion carried.

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

NAYS: Councilman Robinson.

Mr. H. C. Zachry, Chairman of the Abilene Centennial Committee, briefed the Council on Phase II of the Missouri and Pacific Railroad Beautification Project. Phase II consists of the area between Sayles Boulevard to Willis with site work to begin in March and April, 1985; planting trees in April and June; irrigation in April through July; and hydromulching of grass in June and July. Funds for the project have been budgeted for the City's share and the private sector will contribute \$99,000. Certain City in-kind services from the Community Services and Public Works Departments will be provided. No action is necessary from the Council at the present time.

Councilwoman Proctor-Shaw left the meeting.

Mayor Stubbeman recessed the Council into executive session in accordance with State law, Sections 2e and 2g of the Open Meetings Act, to consider pending and contemplated litigation and the appointment and evaluation of public officials.

The Council reconvened from executive session and reported no action taken.

Councilman Nixon moved to amend resolution number 19-1985, establishing a Water Conservation Committee, Part 3 - Membership, to add an additional representative from Dyess Air Force Base to serve as an ex-officio member. The motion was seconded by Councilman Fogle and the motion carried.

AYES: Councilmen Bridges, Wheat, Fogle, Robinson, Nixon and Mayor Stubbeman.

NAYS: None.

Councilman Bridges moved to appoint the persons shown below to serve on the Water Conservation Committee. The motion was seconded by Councilman Wheat and the motion carried.

AYES: Councilmen Bridges, Wheat, Fogle, Robinson, Nixon and Mayor Stubbeman.

NAYS: None.

#### Water Conservation Committee

##### Commercial Users:

Tommy Simons, Bill's North Side Car Wash  
Earle Zalanka, Burger King Restaurants

##### Industrial User:

Dan Thompson, Abilene Linen Service

##### Landscape Representative:

Ben Fisher, Abilene Lawn Masters

Water Conservation Committee (Continued)

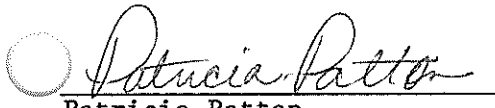
Residents:

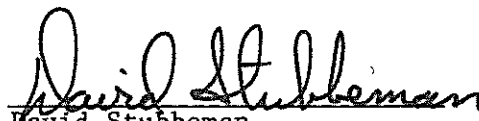
Dr. Taylor Rankin, Biologist, Hardin-Simmons University  
Jeanette Davis, Homemaker  
Carlos Rodriguez, Director of Energy Management, Abilene  
Christian University

Ex-officio Members:

Joe Montgomery, Rt. 1, Hamby, Water Supply Corps.' Rep.  
Floyd Ball, Dyess Air Force Base Civil Engineer

There being no further business, the meeting was adjourned at  
12:20 p.m.

  
Patricia Patton  
City Secretary

  
David Stubbeman  
Mayor