

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, March 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, March 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 Julian C. Bridges.
3. **APPROVAL OF MINUTES:** Pre-Council Work Session and Regular City Council Meeting held February 28, 1985.
4. **AWARD:**
Claude Hicks, Hendricks Home - Award from Mitsuko Suzuki.

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 & Resolutions
 - a. Consider on first reading - an ordinance amending Chapter 8, Construction, of the Abilene Municipal Code, and Section 304(a), Permit Fees of the Uniform Building Code by adding a permit fee for installation of mobile homes in mobile home parks, and set a public hearing for March 28, 1985.
 - b. **APPEALED ITEM**
Consider on first reading - reclassification request - **Z-03185** - request of City of Abilene Department of Planning & Development to rezone from AO (Agricultural Open Space) to RS-6 (Residential Single Family) district, located in the 4400-4500 block of Carrie Anne and at 3625-3633 Patty Lynne, and set a public hearing for March 28, 1985.
 - c. Consider on first reading - a thoroughfare abandonment request **TC-01985** - a request of H. M. Root (Representing Woods Psychiatric Institute) beginning at the south right-of-way line of Industrial Boulevard and extending south a distance of 550', and set a public hearing for March 28, 1985.
 - d. Consider on first reading - reclassification request - **Z-02285** - request of Charles Gibson to rezone from RS-6 (Residential Single Family) to O (Office) district, located at 5201 South 7th Street, and set a public hearing for March 28, 1985.
 - e. Consider on first reading - reclassification request - **Z-02385** - request of Floyd E. Miller (Representing North 10th & Treadaway Church of Christ) to rezone from RM-2 (Residential Multi-Family) to HC (Heavy Commercial) district, located at North 10th & Cottonwood Streets, and set a public hearing for March 28, 1985.
 - f. Consider on first reading - reclassification request - **Z-02585** - request of Curry Engineering, Inc., (Representing Texas Tractor Sales) to rezone from RS-8 (Residential Single Family) to RM-3 (Residential Multi-Family) district, located at South 27th & Waverly Streets, and set a public hearing for March 28, 1985.
 - g. Consider on first reading - reclassification request - **Z-02785** - request of Frank O. Murray, Jr., Trustee, to add H (Historic) overlay to underlying CB (Central Business) district, located at 790 Orange, and set a public hearing for March 28, 1985.
 - h. Consider on first reading - reclassification request - **Z-02885** - request of Randy Wilson (Representing David Ballard & Reuben Rouse) to rezone from RM-3 (Residential Multi-Family) to LC (Limited Commercial) district, located at Wisteria Way & Southwest Drive, and set a public hearing for March 28, 1985.

- i. Consider on first reading - reclassification request - **Z-02985** - request of Eddie Chase (Representing James Aneff) to rezone from RM-2 & O (Residential Multi-Family & Office) to GC (General Commercial) district located on Ridgemont Drive between John Knox & Rolling Green Drives, and set a public hearing for March 28, 1985.
 - j. Resolution to consider - an easement release **ER-277-1** - request of John R. Pruitt (Representing MBank Abilene) for a 10' utility easement, located in the 4100 block of South Danville.
 - k. Resolution to consider - an easement release **ER-952-1** - request of John Clark (Representing InterFirst Bank Abilene, N.A.) for a 3' street light easement, located on Tamarisk Circle.
 - l. Consider on first reading - an ordinance amending Chapter 18, Traffic, of the Abilene Municipal Code, regarding changes in various definitions.
6. Award of Bid
- a. Class 50 ductile pipe concrete lined for the Water Department - Bid #019.
 - b. Vibratory roller for Street Division - Bid #016.
 - c. Tractor/loader for Street Division - Bid #020.
 - d. Contract for re-roofing the airport terminal building - Bid #015.
 - e. Construction of Catclaw Drive from Curry Lane to Cedar Run - Bid #022.
 - f. Ratify emergency repair of bus engine.

REGULAR AGENDA

7. Ordinances & Resolutions
- a. Consider on first reading - ordinance amending Part 3, Ordinance #102-1983, concerning effective date of Subdivision Regulations, regarding Sunlake Village Addition.
 - b. Consider resolution amending bond issue for Abilene Christian University by the Abilene Higher Education Facility Corporation.
8. Other Business
- a. Update on Wastewater Treatment Plant Change Order #5.
 - b. Pending and Contemplated Litigation.
 - c. Appointment and Evaluation of Public Officials.

ADJOURN

PRE-COUNCIL WORK SESSION
THURSDAY, MARCH 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 March 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 Managers Roy L. McDaniel and Rick Childers, 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, MARCH 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 March 14, 1985, at 9:00 a.m. in the City Council Chambers of City Hall.

Invocation was given by Councilman Julian C. Bridges.

There being no additions or corrections to the minutes of the Pre-Council Work Session and the Regular City Council Meeting held February 28, 1985, the minutes stand approved.

Claude Hicks, Hendricks Home, presented the Mayor and the City with a picture plate from Mitsuko Suzuki.

Councilwoman Proctor-Shaw moved approval of the consent agenda items being 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 5k, 5l, 6a, 6b, 6c, 6d, 6e and 6f, listed below as presented by the staff. 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.

ABSTAIN: Councilman Robinson abstained on item 5h only.

5. Ordinances & Resolutions

- a. Consider on first reading - an ordinance amending Chapter 8, Construction, of the Abilene Municipal Code, and Section 304(a), Permit Fees of the Uniform Building Code by adding a permit fee for installation of mobile homes in mobile home parks, and set a public hearing for March 28, 1985.

AN ORDINANCE AMENDING CHAPTER 8, "CONSTRUCTION REGULATIONS," ARTICLE IV, "UNIFORM CODES AND OTHER REGULATIONS," DIVISION 2, "BUILDING CODE," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

b. APPEALED ITEM

Consider on first reading - reclassification request - Z-03185 - request of City of Abilene Department of Planning & Development to rezone from AO (Agricultural Open Space) to RS-6 (Residential Single Family) district, located in the 4400-4500 block of Carrie Anne and at 3625-3633 Patty Lynne, and set a public hearing for March 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.

- c. Consider on first reading - a thoroughfare abandonment request TC-01985 - a request of H. M. Root (Representing Woods Psychiatric Institute) beginning at the south right-of-way line of Industrial Boulevard and extending south a distance of 550', and set a public hearing for March 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.

- d. Consider on first reading - reclassification request - Z-02285 - request of Charles Gibson to rezone from RS-6 (Residential Single Family) to O (Office) district, located at 5201 South 7th Street, and set a public hearing for March 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.

- e. Consider on first reading - reclassification request - Z-02385 - request of Floyd E. Miller (Representing North 10th & Treadaway Church of Christ) to rezone from RM-2 (Residential Multi-Family) to HC (Heavy Commercial) district, located at North 10th & Cottonwood Streets, and set a public hearing for March 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.

- f. Consider on first reading - reclassification request - Z-02585 - request of Curry Engineering, Inc., (Representing Texas Tractor Sales) to rezone from RS-8 (Residential Single Family) to RM-3 (Residential Multi-Family) district, located at South 27th & Waverly Streets, and set a public hearing for March 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.

- g. Consider on first reading - reclassification request - Z-02785 - request of Frank O. Murray, Jr., Trustee, to add H (Historic) overlay to underlying CB (Central Business) district, located at 790 Orange, and set a public hearing for March 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.

- h. Consider on first reading - reclassification request - Z-02885 - request of Randy Wilson (Representing David Ballard & Reuben Rouse) to rezone from RM-3 (Residential Multi-Family) to LC (Limited Commercial) district, located at Wisteria Way & Southwest Drive, and set a public hearing for March 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. Consider on first reading - reclassification request - Z-02985 - request of Eddie Chase (Representing James Aneff) to rezone from RM-2 & O (Residential Multi-Family & Office) to GC (General Commercial) district located on Ridgmont Drive between John Knox & Rolling Green Drives, and set a public hearing for March 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. Resolution to consider - an easement release ER-277-1 - request of John R. Pruitt (Representing MBank Abilene) for a 10' utility easement, located in the 4100 block of South Danville. The resolution is numbered 26-1985 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.

- k. Resolution to consider - an easement release ER-952-1 - request of John Clark (Representing InterFirst Bank Abilene, N.A.) for a 3' street light easement, located on Tamarisk Circle. The resolution is numbered 27-1985 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.

- l. Consider on first reading - an ordinance amending Chapter 18, Traffic, of the Abilene Municipal Code, regarding changes in various definitions.

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.

6. Award of Bid

- a. Class 50 ductile pipe concrete lined for the Water Department - Bid #019. The bid was awarded to U. S. Pipe in the amount of \$64,615.98.
- b. Vibratory roller for Street Division - Bid #016. The bid was awarded to Plains Machinery Company in the amount of \$22,849.95.
- c. Tractor/loader for Street Division - Bid #020. The bid was awarded to Taylor County Ford of Abilene in the amount of \$7,490.00.
- d. Contract for re-roofing the airport terminal building - Bid #015. The bid was awarded to Barr Roofing Company in the amount of \$28,444.00.
- e. Construction of Catclaw Drive from Curry Lane to Cedar Run - Bid #022. The bid was awarded to Bontke Brothers Construction in the amount of \$68,215.48, contingent upon receiving the developers money for their share of this project.
- f. Ratify emergency repair of bus #4009 engine by Hughes Diesel Service in the amount of \$6,800.77.

Lee Roy George, Director of Planning, briefed the Council on an ordinance, on first reading, amending Part 3, Ordinance #102-1983, concerning the effective date of Subdivision Regulations, regarding Sunlake Village Addition.

Councilman Fogle moved to approve the ordinance on first reading, amending Part 3, Ordinance #102-1983, concerning the effective date of Subdivision Regulations, regarding Sunlake Village

Addition, and set a public hearing for March 28, 1985. 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.

AN ORDINANCE AMENDING ORDINANCE NO. 102-1983 CONCERNING ENACTMENT OF SUBDIVISION REGULATIONS, BY REPEALING PART 3, OF SAID ORDINANCE, WHICH SPECIFICALLY SETS FORTH THE EFFECTIVE DATE OF REVISED SUBDIVISION REGULATIONS, AND SUBSTITUTING THEREFORE THE FOLLOWING PART 3.

Roy McDaniel, Assistant City Manager, briefed the Council on a resolution amending bond issue for Abilene Christian University by the Abilene Higher Education Facility Corporation. Staff recommends the Council approve the resolution amending the Abilene Higher Education Facilities Corporation's bond issue contingent on receiving an investment grade rating.

Councilman Bridges moved to approve the resolution amending bond issue for Abilene Christian University by the Abilene Higher Education Facilities Corporation as presented. 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.

The resolution is numbered 28-1985 and is captioned as follows:

RESOLUTION APPROVING ISSUANCE OF BONDS BY ABILENE HIGHER EDUCATION FACILITIES CORPORATION (ABILENE HIGHER EDUCATION FACILITIES CORPORATION HIGHER EDUCATION REVENUE BONDS, SERIES 1985 (ABILENE CHRISTIAN UNIVERSITY PROJECT), IN THE AGGREGATE PRINCIPAL AMOUNT OF \$22,3000,000).

Dwayne Hargesheimer, Director of Water Utilities, updated the Council on Wastewater Treatment Plant Change Order #5. Staff recommends that the contractor, Gracon Construction Company, Inc., be authorized, by oral resolution, to perform \$46,617 in improvements to the Administration and Blower Buildings that are not eligible for grant funding.

Councilman Fogle moved to authorize Gracon Construction Company, Inc., to perform the improvements to the Wastewater Treatment Plant as recommended by the staff. 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.

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 View-Caps Water Supply Corporation's offer concerning three customers that are in the vicinity of Antilley Road and Highway 83-84. Basically the offer is as follows:

1. View-Caps will agree to allow the City of Abilene to take those three customers with no payment being made between View-Caps and the City of Abilene.
2. It is the City's understanding that View-Caps will reimburse those customers for any cost involved with switching over to the City of Abilene.
3. View-Caps has agreed to release all of the easements that are involved with serving those three customers.


Staff recommends the Council accept this agreement conditioned upon drafting a written acceptance agreement which would embody the aforementioned items.

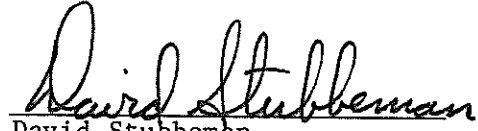
Councilman Bridges moved to accept View-Caps offer embodying all of the aforementioned items as a part of that offer of acceptance. The motion was seconded by Councilman Fogle and the motion carried:

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

NAYS: None.

There being no further business, the meeting was adjourned at 9:50 a.m.


Patricia Patton
City Secretary


David Stubbeman
Mayor