- f. Consider on first reading reclassification request Z-03785 request of John Hancock (Representing Michael McPhail) to rezone from AO & RM-3 (Agricultural Open Space & Residential Multi-Family) to GC (General Commercial) district, located in the 600-700 block of E.S. llth Street, and set a public hearing for April 25, 1985.
- g. Consider on first reading reclassification request Z-03585 request of Frank R. Carmichael, Jr., to rezone from RS-6 (Residential Single Family) to LC (Limited Commercial) district, located at 2002 Sayles Boulevard, and set a public hearing for April 25, 1985.
- h. Consider on first reading reclassification request Z-03885 request of Michael E. McClellan to add H (Historic overlay) to underlying RM-3 (Residential Multi-Family) district, located at 1366 Orange, and set a public hearing for April 25, 1985.
- 1. Consider on first reading reclassification request Z-03985 request of Billie J. Massey (Representing McMurry College) to rezone from RM-3 (Residential Multi-Family) to CU (College-University) district, located in the 2100-2300 blocks of Hunt Street, and set a public hearing for April 25, 1985.
- j. Resolution to consider and easement release request ER-1792-2 request of Eddie Chase (Representing Brad Stephens) being a West Texas Utilities centerline easement and a 7' utility easement in Lot 12, Blk. A, Sec. 1, Lytle Shores West Addition and located on Lakeshore Drive.
- k. Consider on first reading ordinance amending Chapter 4, Airports, Sections 4-16, 4-23 and 4-26 Abilene Municipal Code, concerning landing fees at the Abilene Municipal Airport.
- 1. Consider on first reading an ordinance amending Chapter 18, of the Abilene Municipal Code, prohibiting parking near North 3rd and Wall.
- m. Consider on first reading ordinance amending Chapter 32, Water Conservation, of the Abilene Municipal Code, and set a public hearing for April 25, 1985.
- n. Resolution requesting the Council to oppose House Bill 1330 and Senate Bill 897 eliminating cities use of amortization to deal with signs.

7. Award of Bid:

- a. Water treatment chemicals for Water Utilities Department, Bid #018 and #024.
- b. Library freight elevator rennovation, Bid #013.
- c. Chiller inspection and set up for Civic Center and City Hall, Bid #031.
- d. Hex prism acrylic light grid for Library, Bid #028.
- e. Heating and cooling units for Central Fire Station, Bid #030.

REGULAR AGENDA

8. Resolutions:

- a. Resolution opposing the repeal of the Texas Local Parks, Recreation and open space fund.
- b. Resolution to consider acquisition of approximately 66 acres adjacent to the Abilene Municipal Airport.
- c. Resolution to consider approval of Drainage Standards as referenced in the Stormwater Management Ordinance.

9. Other Business:

- a. Update on Cedar Creek Program.
- b. Pending and Contemplated Litigation.
- c. Appointment and Evaluation of Public Officials.

ADJOURN

PRE-COUNCIL WORK SESSION THURSDAY, APRIL 11, 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 April 11, 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., 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.

Mr. Rick Weatherl, Architect, gave the Council a brief review of the proposed new Fire Station #5 to be located at E. N. 16th and Pemelton.

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, APRIL 11, 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 April 11, 1985, at 9:00 a.m. in the City Council Chambers of City Hall.

Invocation was given by Councilman Harold Nixon.

The minutes of the Pre-Council Work Session and the Regular City Council Meeting held March 28, 1985, stand approved.

Patricia A. Patton, City Secretary, briefed the Council on an oral resolution to consider adopting a Records and Information Management Policy Statement. Approval of the policy is the first step in developing an overall program and it must be approved before further development can take place. The purpose of this policy is to establish the need for a program and assign responsibility for its development and implementation.

Councilwoman Proctor-Shaw moved to adopt the Records and Information Management Policy Statement, by oral resolution, as recommeded 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.

Councilman Fogle moved to remove from the table a thoroughfare abandonment - TC-01985 - request near Industrial Boulevard and Woods Place. 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.

Brad Stone, Principal Planner, briefed the Council on an ordinance on second and final reading being 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 580 feet. Staff recommends approval of the request subject to the following conditions being met:

- 1. Retention of the entire length and width of the street as an access and utility easement.
- Resubdivision of adjoining land so that all lots front onto a publicly dedicated street.

The Planning & Zoning Commission also recommends approval of the request subject to the same conditions.

Although, a public hearing was held at a previous meeting, the Council felt it was important to hear comments on the request.

IN FAVOR:

- Harry Root, representing Woods Psychiatric Institute, stated the primary purpose of the request is to improve security.
- Burl Harris, office at 1358 Petroleum Drive, is interested in extending Energy Drive through Treadaway.
- . Jack Lytle, Vice President of City State Savings in San Angelo-Homestate Savings in Abilene, is in favor of the request since Burl Harris is considering extending Energy Drive.

The Council asked Mr. Root if he could replat this property and he stated that they could not at the present time because they have separate financing on the two pieces of property but they could replat in the future.

Councilman Fogle moved to approve a thoroughfare abandonment request - TC-01985 - beginning at the south right-of-way line of Industrial Boulevard and extending south a distance of 580 feet under the following conditions: 1. Retention of the entire length and width of the street as an access and utility easement. 2. That Woods Psychiatric Institute replat the aforementioned property in 15 years, when financing will be completed, or the thoroughfare would be reverted back to a public thoroughfare. The motion was seconded by Councilwoman Proctor-Shaw and the motion carried:

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

NAYS: Councilmen Wheat and Robinson.

The ordinance is numbered 32-1985 and is captioned as follows:

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.

Patricia A. Patton, City Secretary, briefed the Council on a resolution canvassing the results of the Regular City Election held April 6, 1985, declaring that Gary D. McCaleb is elected to Council Place I and Betty Ray is elected to Council Place II. Ballots were issued to each precinct as required by state law to be duly recorded as follows:

	REGULAR CITY ELECTION April 6, 1985	
Precincts	Ballot Numbers	Amount
Absentee	0000 - 1,000	1,000
A	1,001 - 3,000	2,000
В	3,001 - 5,000	2,000
С	13,001 - 14,500	1,500
D	5,001 - 7,000	2,000
E	7,001 - 9,000	2,000
F	14,501 - 16,000	1,500
G	16,001 - 17,500	1,500
н	17,501 - 19,000	1,500
I	9,001 - 11,000	2,000
J	11,001 - 13,000	2,000
Unissued	19,001 - 25,000	1,500

Mayor Stubbeman received by mail a Ballot and Seal Certficate from each presiding judge, duly signed by same and released to the City Secretary for filing in the official election records.

Councilman Bridges moved to approve the resolution canvassing the returns and declaring the results of the Regular City Election held April 6, 1985. 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 34-1985 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, CANVASSING THE RETURNS AND DECLARING THE RESULTS OF A GENERAL ELECTION HELD IN THE CITY OF ABILENE ON APRIL 6, 1985.

Patricia A. Patton, City Secretary, disseminated to each member of the City Council their annual pay check of one (\$1.00) dollar. Presentations, together with a "Certificate of Appreciation", were given to Billye Proctor-Shaw and Julian Bridges by Mayor Stubbeman.

Gary D. McCaleb, Council Place I, and Betty Ray, Council Place II, were inducted into office for a three-year term by Patricia A. Patton, City Secretary. A reception followed.

Councilman Fogle moved to elect Harold Nixon and Welton Robinson as Co-Mayors Pro Tempore. The motion was seconded by Councilman Wheat and the motion carried:

AYES: Councilman McCaleb, Councilwoman Ray, Councilmen Wheat, Fogle, and Mayor Stubbeman.

NAYS: None.

ABSTAIN: Councilmen Robinson and Nixon.

Councilman Wheat moved to approve the consent agenda items being 6a, 6b, 6c, 6d, 6e, 6f, 6g, 6h, 6i, 6j, 6k, 6l, 6m, 6n, 7a, 7b, 7c, 7d and 7e, as recommended by the staff. The motion was seconded by Councilman Fogle and the motion carried:

AYES: Councilman McCaleb, Councilwoman Ray, Councilmen Wheat, Fogle, Robinson, Nixon and Mayor Stubbeman.

NAYS: None.

6. Ordinances & Resolutions:

a. APPEALED ITEM:

Consider on first reading - a thoroughfare abandonment -TC-04085 - request of Clyde L. Smith, Jr., beginning at the southwest corner of Lot 13, Block 3, Lacy Morrow Subd. and extending north a distance of 40.5 feet and being 7.0 feet wide, located in the 1400 block of Ash Street, and set a public hearing for April 25, 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.

b. APPEALED ITEM:

Consider on first reading - reclassification request -Z-03685 - request of J. Lynn Kitchens (Representing Noble Craft) to rezone from AO (Agricultural Open Space) to GC (General Commercial) district, located at U.S. Highway 83-84 & F.M. 707, and set a public hearing for April 25, 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 - reclassification request -Z-03285 - request of Victor R. & Peggi J. Gooch to rezone from A0 (Agricultural Open Space) to PDD (Planned Development) district, located at 3701 West Lake Road, and set a public hearing for April 25, 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.

d. Consider on first reading - reclassification request -Z-03385 - request of T. E. Bratton to rezone from RM-3 (Residential Multi-Family) to GC (General Commercial) district, located at 233 Kirkwood, and set a public hearing for April 25, 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-03485 - request of C. A. Walker to rezone from AO (Agricultural Open Space) and RM-3 (Residential Multi-Family) to GC (General Commercial) district, located at 440 and 450 E. S. 11th Street, and set a public hearing for April 25, 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-03785 - request of John Hancock (Representing Michael McPhail) to rezone from AO & RM-3 (Agricultural Open Space & Residential Multi-Family) to GC (General Commercial) district, located in the 600-700 block of E.S. 11th Street, and set a public hearing for April 25, 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-03585 - request of Frank R. Carmichael, Jr., to rezone from RS-6 (Residential Single Family) to LC (Limited Commercial) district, located at 2002 Sayles Boulevard, and set a public hearing for April 25, 1985.
- h. Consider on first reading reclassification request -Z-03885 - request of Michael E. McClellan to add H (Historic) overlay to underlying RM-3 (Residential Multi-Family) district, located at 1366 Orange, and set a public hearing for April 25, 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-03985 - request of Billie J. Massey (Representing McMurry College) to rezone from RM-3 (Residential Multi-Family) to CU (College-University) district, located in the 2100-2300 blocks of Hunt Street, and set a public hearing for April 25, 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 and easement release request -ER-1792-2 - request of Eddie Chase (Representing Brad Stephens) being a West Texas Utilities centerline easement and a 7 foot utility easement in Lot 12, Blk. A, Sec. 1, Lytle Shores West Addition and located on Lakeshore Drive.

The resolution is numbered 35-1985 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. Consider on first reading - ordinance amending Chapter 4, Airports, Sections 4-16, 4-23 and 4-26 Abilene Municipal Code, concerning landing fees at the Abilene Municipal Airport.

AN ORDINANCE AMENDING CHAPTER 4, "AIRPORTS" BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; AND PROVIDING A SEVERABILITY CLAUSE.

 Consider on first reading - an ordinance amending Chapter 18, of the Abilene Municipal Code, prohibiting parking near North 3rd and Wall.

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.

m. Consider on first reading - ordinance amending Chapter 32, Water Conservation, of the Abilene Municipal Code, and set a public hearing for April 25, 1985.

AN ORDINANCE AMENDING CHAPTER 32, "UTILITIES" BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

n. Resolution requesting the Council to oppose House Bill 1330 and Senate Bill 897 eliminating cities use of amortization to deal with signs.

The resolution is numbered $\underline{36-1985}$ and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, REQUESTING THAT LEGISLATURE OF THE STATE OF TEXAS OPPOSE H.B. 1330 AND S.B. 897.

- 7. Award of Bid:
 - a. Water treatment chemicals for Water Utilities Department, Bid #018 and #024. Bid <u>#024</u> was awarded to the following: Chlorine - Thompson-Hayward Ammonia Gas - Dixie Petro-Chem Liquid Alum - Russ Chemical Co. Sodium Hexametaphosphate - Stinnes-Texas, Inc. 50% Caustic Soda - Delta Solvents & Chemical Co. Liquid Polymer - ChemLink, Inc. Bid <u>#018</u> was awarded to Applied Specialist.
 - b. Library freight elevator rennovation, Bid #013. The bid was awarded to Esco Elevator, Inc., in the amount of \$14,337.00.
 - c. Chiller inspection and set up for Civic Center and City Hall, Bid #031. The bid was awarded to Carrier Corporation, to include the Alternate #1 Eddie Current Test, in the amount of \$5,019.80.
 - d. Hex prism acrylic light grid for Library, Bid #028. The bid was awarded to Grandview Products Corporation, in the amount of \$6,750.

e. Heating and cooling units for Central Fire Station, Bid #030. The bid was awarded to Tri-Mech, in the amount of \$10,662.

Mike Hall, Director of Community Services, briefed the Council on a Resolution opposing the repeal of the Texas Local Parks, Recreation and Open Space Fund. He stated that the Texas Municipal League (TML) at its 72nd Annual Conference, adopted a resolution to oppose any attempt to abolish these dedicated funds. TML also urged member cities to adopt a similar resolution. The Abilene Parks and Recreation Board recommends the City Council adopt a resolution for this purpose.

Councilman Nixon moved approval of a resolution opposing the repeal of the Texas Local Parks, Recreation and Open Space Fund, as recommended by the staff. The motion was seconded by Councilman Robinson and the motion carried:

AYES: Councilman McCaleb, Councilwoman Ray, Councilmen Wheat, Fogle, Robinson, Nixon and Mayor Stubbeman.

NAYS: None.

The resolution is numbered 37-1985 and is captioned as follows:

A RESOLUTION OPPOSING THE REPEAL OF THE TEXAS LOCAL PARKS, RECREATION AND OPEN SPACE FUND.

Bob Whitehead, Director of Public Works, briefed the Council on a resolution to consider the acquisition of approximately 66 acres adjacent to the Abilene Municipal Airport. He stated that land acquisition for Fixed Based Operation (FBO) is grant eligible (90% federal - 10% city). This particular area was selected due to its proximity to proposed future taxiways along the East side of Runway 17R-35L. There is a need to protect this area of the Airport for development in accordance with the recommendations of the Airport Master Plan. Staff feels since grant funds are available for this purpose it would be wise to use a portion of the current available allocation to proceed with the resolution authorizing the acquisition of said land.

Councilman Fogle moved to approve the resolution authorizing the acquisition of 66 acres adjacent to the Abilene Municipal Airport, as recommended by the staff. The motion was seconded by Councilman Nixon and the motion carried:

AYES: Councilman McCaleb, Councilwoman Ray, Councilmen Wheat, Fogle, Robinson, Nixon and Mayor Stubbeman.

NAYS: None.

The resolution is numbered 38-1985 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, ESTABLISHING PROCEDURES FOR THE ACQUISITION OF PROPERTY ADJACENT TO THE MUNICIPAL AIRPORT FOR THE PURPOSE OF FIXED BASE OPERATION EXPANSION.

Bob Whitehead, Director of Public Works, briefed the Council on a resolution to consider approval of Drainage Standards as referenced in the Stormwater Management Ordinance. The establishment and use of the approved Drainage Standards is required by Section 23-264 of the Subdivision Regulations relative to Stormwater Management. A draft of the standards was presented to the Engineering and Development Community and reviewed thoroughly. There are some areas of disagreement in the standards, however, these standards are recommended as a beginning point. The Flood Hazard Technical Advisory Committee (Flood Tech Committee) also reviewed the draft and recommended some changes. The proposed standards before the Council include any recommendations made by the Flood Tech Committee. Staff recommends Council approve the proposed Drainage Standards, as adopted by the Flood Tech Committee.

David Todd, Engineer, stated that he just received a copy of the revised Standards yesterday and he requests that the Flood Hazard Technical Advisory Committee meet one more time. John Burleson, Engineer, agreed with David Todd in that the Advisory Committee should meet again.

Councilman Robinson, moved to table the resolution approving Drainage Standards referenced in the Stormwater Management Ordinance until April 25, 1985, to allow the Flood Hazard Technical Advisory Committee to meet again and to call a public hearing for April 25, 1985. The motion was seconded by Councilman Nixon and the motion carried:

AYES: Councilman McCaleb, Councilwoman Ray, Councilmen Wheat, Fogle, Robinson, Nixon and Mayor Stubbeman.

NAYS: None.

Bob Whitehead, Director of Public Works, updated the Council on the Cedar Creek Program. No action was taken.

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.

Harvey Cargill, Jr., City Attorney, briefed the Council on a resolution approving and authorizing the City's participation in the Southwestern Bell Telephone Rate Case.

Councilman Nixon moved to approve the resolution authorizing the City's participation in the Southwestern Bell Telephone Rate Case, as recommended by the staff. The motion was seconded by Councilman Wheat and the motion carried:

AYES: Councilman McCaleb, Councilwoman Ray, Councilmen Wheat, Fogle, Robinson, Nixon and Mayor Stubbeman.

NAYS: None.

The resolution is numbered 39-1985 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING AND AUTHORIZING THE CITY'S PARTICIPATION IN THE SOUTHWESTERN BELL TELEPHONE RATE CASE.

There being no further business, the meeting was adjourned at 12:00 p.m.

the

Patricia Patton City Secretary

A Dheman

David Stubbeman Mayor