

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, May 9, 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, May 9, 1985, at 9:00 a.m.

CITY COUNCIL: Mayor David Stubbeman; Council - Gary D. McCaleb, Betty Ray, Walter E. Wheat, A. E. Fogle, Jr., Welton Robinson and Harold Nixon.

1. Call to Order.
2. **INVOCATION:** Councilman Harold D. Nixon.
3. **APPROVAL OF MINUTES:** Pre-Council Work Session and Regular City Council Meeting held April 25, 1985, and the Special Council Meeting held April 26, 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 & Resolutions:**

- a. Oral Resolution to approve revised Housing Assistance Plan for the period October 1, 1982, to October 1, 1985.
- b. Consider on first reading - ordinance regulating Tatoo Parlors.
- c. Consider on first reading - reclassification request - **Z-04485** - request of Robert P. Terry (representing Dennis Hodge) to rezone from O (Office) to GC (General Commercial) district, located at 2890 South 7th Street, and set a public hearing for May 23, 1985.
- d. Consider on first reading - reclassification request - **Z-02085** - request of J. Lynn Kitchens (representing Olympia Joint Venture #1) to rezone from PI (Park Industrial) to PD (Planned Development) district, located in the 5200 block of South Clack, and set a public hearing for May 23, 1985.
- e. Consider on first reading - reclassification request - **Z-04285** - request of Charles A. McClure, III, to rezone from AO (Agricultural Open Space) to PDMX (Planned Development Mixed Use) district, located in the 2000-2200 block of Antilley Road, and set a public hearing for May 23, 1985.
- f. Consider on first reading - reclassification request - **Z-04385** - request of W. N. Casey to rezone from AO & RM-3 (Agricultural Open Space & Residential Multi-Family) to GC (General Commercial) district, located at 750 E. S. 11th Street, and set a public hearing for May 23, 1985.
- g. Consider on first reading - reclassification request - **Z-04585** - request of Joe C. Frush (representing Hendrick Medical Center) to rezone from O (Office) to MU (Medical Use) district, located at North 19th & Hickory Streets, and set a public hearing for May 23, 1985.
- h. Consider on first reading - reclassification request - **Z-04685** - request of Jack Sharp to rezone from RS-6 (Residential Single Family) to GC (General Commercial) district, located at Truman & Grape Streets, and set a public hearing for May 23, 1985.
- i. Consider on first reading - reclassification request - **Z-04785** - request of John Hancock (representing Jack Chamberlain) to rezone from RS-6 (Residential Single Family) to LC, RM-3 & MRH (Limited Commercial, Residential Multi-Family & Modular Home overlay to underlying RS-6) districts, located at Corsicana Avenue and Sagehen Ridge Drive, and set a public hearing for May 23, 1985.
- j. Consider on first reading - reclassification request - **Z-04885** - request of Bill Proctor (representing Wylie Church of Christ) to rezone from AO & RS-8 (Agricultural Open Space & Residential Single Family) to RM-3 (Residential Multi-Family) district, located at 6090 Buffalo Gap Road, and set a public hearing for May 23, 1985.

- k. Consider on first reading - reclassification request - **Z-04985** - request of Curry Engineering, Inc., (representing Mercury Exploration) to rezone from AO (Agricultural Open Space) to LI (Light Industrial) district, located on E. Hwy 80 (north side) between Bandera Park Drive and Oil Center Drive, and set a public hearing for May 23, 1985.
- l. Consider on first reading - a thoroughfare abandonment - **TC-03085** - request from Eddie Chase (representing Hillcrest Church of Christ) being a 20' east-west alley approximately 420' in length between Blocks 114 & 15, Section 5; a 20' north-south alley approximately 238' in length between Blocks 15 & 16, Section 5; and a 20' north-south alley approximately 425' in length between Block 2, Section 1, and Blocks 15 & 114, Section 5, Hillcrest Addition, located in the 600 block of E. Ambler Avenue, and set a public hearing for May 23, 1985.
- m. Consider on first reading - a thoroughfare abandonment - **TC-04185** - request from J. Lynn Kitchens (representing Ron Craft, Trustee) being a north-south alley 20' in width in Lots 1 & 8, between South 13th and Dimmit Streets and South Treadaway and Cherry Street, and set a public hearing for May 23, 1985.

**5. Award of Bid:**

- a. Two 1-MGD Submersible Pumps, Motors and Controls for Lake Abilene Well Pump - Bid #037.
- b. Signalization of E.N. 16th & Judge Ely Blvd. and E. S. 11th & Oldham - Bid #042.
- c. Frontend mower for Parks Division - Bid #038.

**REGULAR AGENDA**

**6. Public Appearance:**

- a. Gary Pullin to discuss goals of Planning & Zoning Commissions' Subcommittee on sign regulations.

**7. Ordinances & Resolutions:**

- a. **Public Hearing** - Consider on second and final reading - ordinance amending Section 23-306.4 of the Zoning Ordinance, permitted use, to permit location of museums as a right of use in Shopping Center (SC) zoning districts.
- b. **Public Hearing** - Consider on second and final reading - ordinance amending Section 23-306.4 of the Zoning Ordinance, permitted use, to permit location of motorcycle sales and service as a right of use in Heavy Industrial (HI) zoning districts.
- c. **Public Hearing** - Consider on second and final reading - ordinance amending Section 23-306.4 of the Zoning Ordinance, permitted use, to permit location of art galleries in Office (O) zoning districts.
- d. Oral Resolution regarding the use of City-owned land subject to Al-Car Housing Development Corporation, Inc., receiving HUD approval for a housing project.
- e. Resolution to approve a contract with Al-Car Housing Development Corporation, Inc., for disbursement of FY 1982-83 funds for application for an elderly housing project.
- f. Consider on first reading - ordinance increasing cable franchise fee.
- g. Resolution to consider establishing a Citizens Advisory Committee for a Capital Improvements Program.
- h. Resolution to consider authorizing a Joint Venture Water Line Agreement for watering Fairway Oaks Golf Course.
- i. Discussion of east Abilene annexation area.

**8. Award of Bid:**

- a. Fire Station #5, located at E.N. 16th & Pemelton.

**9. Other Business:**

- a. Pending and Contemplated Litigation.
- b. Appointment and Evaluation of Public Officials.

**ADJOURN**

PRE-COUNCIL WORK SESSION  
THURSDAY, MAY 9, 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 May 9, 1985, at 8:30 A.M. in the Basement Conference Room of City Hall. Mayor David Stubbeman was present and presiding with Councilman Gary D. McCaleb, Councilwoman Betty Ray, 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.

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.

REGULAR CITY COUNCIL MEETING  
THURSDAY, MAY 9, 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 May 9, 1985, at 9:00 a.m. in the City Council Chambers of City Hall.

Invocation was given by Councilman Harold D. Nixon.

The minutes of the Pre-Council Work Session and Regular City Council Meeting held April 25, 1985; and the Special Council Meeting held April 26, 1985, stand approved.

Mayor Stubbeman removed the following items from the agenda, since they were denied by the Planning & Zoning Commission and not appealed at the present time:

- 4c. Reclassification request - Z-04485 - to rezone from O to GC district, located at 2890 South 7th Street.
- 41. A thoroughfare abandonment - TC-03085 - request located in the 600 block of E. Ambler Avenue.

Mayor Stubbeman also removed the following item since it was tabled by the Planning & Zoning Commission:

- 4m. A thoroughfare abandonment - TC-04185 - request located between South 13th and Dimmit Streets and South Treadaway and Cherry Street.

Councilwoman Ray moved to approve the consent agenda items being 4a, 4b, 4d, 4e as amended, 4f, 4g, 4h, 4i as amended, 4j, 4k, 5a, 5b and 5c, as presented 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.

4. Ordinances and Resolutions:

- a. Oral Resolution to approve revised Housing Assistance Plan for the period October 1, 1982, to October 1, 1985.
- b. Consider on first reading - ordinance regulating Tatoo Parlors.

AN ORDINANCE AMENDING CHAPTER 13, "HEALTH AND SANITATION," BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

- d. Consider on first reading - reclassification request - Z-02085 - request of J. Lynn Kitchens (representing Olympia Joint Venture #1) to rezone from PI (Park Industrial) to PD (Planned Development) district, located in the 5200 block of South Clack, and set a public hearing for May 23, 1985.

AN ORDINANCE AMENDING CHAPTER 23, "PLANNING AND COMMUNITY DEVELOPMENT" SUBPART E, "ZONING" OF THE ABILENE MUNICIPAL CODE, CONCERNING SOUTH CLACK PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

- e. Consider on first reading - reclassification request - Z-04285 - request of Charles A. McClure, III, to rezone from AO (Agricultural Open Space) to PDMX (Planned Development Mixed Use) district, located in the 2000-2200 block of Antilley Road, and set a public hearing for May 23, 1985.

AN ORDINANCE AMENDING CHAPTER 23, "PLANNING AND COMMUNITY DEVELOPMENT" SUBPART E, "ZONING" OF THE ABILENE MUNICIPAL CODE, CONCERNING HUMANA WEST PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

- f. Consider on first reading - reclassification request - Z-04385 - request of W. N. Casey to rezone from AO & RM-3 (Agricultural Open Space & Residential Multi-Family) to GC (General Commercial) district, located at 750 E. S. 11th Street, and set a public hearing for May 23, 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-04585 - request of Joe C. Frush (representing Hendrick Medical Center) to rezone from O (Office) to MU (Medical Use) district, located at North 19th & Hickory Streets, and set a public hearing for May 23, 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 - an appealed item being a reclassification request - Z-04685 - request of Jack Sharp to rezone from RS-6 (Residential Single Family) to GC (General Commercial) district, located at Truman & Grape Streets, and set a public hearing for May 23, 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-04785 - request of John Hancock (representing Jack Chamberlain) to rezone from RS-6 (Residential Single Family) to MRH (Modular Home overlay to underlying RS-6) district, located at Corsicana Avenue and Sagehen Ridge Drive, and set a public hearing for May 23, 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. Consider on first reading - reclassification request - Z-04885 - request of Bill Proctor (representing Wylie Church of Christ) to rezone from AO & RS-8 (Agricultural Open Space & Residential Single Family) to RM-3 (Residential Multi-Family) district, located at 6090 Buffalo Gap Road, and set a public hearing for May 23, 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.

- k. Consider on first reading - reclassification request - Z-04985 - request of Curry Engineering, Inc., (representing Mercury Exploration) to rezone from AO (Agricultural Open Space) to LI (Light Industrial) district, located on E. Hwy 80 (north side) between Bandera Park Drive and Oil Center Drive, and set a public hearing for May 23, 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.

5. Award of Bid:

- a. Two 1-MGD Submersible Pumps, Motors and Controls for Lake Abilene Well Pump - Bid #037. The bid was awarded to Flygt's, in the amount of \$6,250.
- b. Signalization of E.N. 16th & Judge Ely Blvd. and E. S. 11th & Oldham - Bid #042. The bid was awarded to Roy Willis Electric Company, Inc., of Abilene, in the amount of \$52,950.
- c. Frontend mower for Parks Division - Bid #038. The bid was awarded to Goldthwaite's of Texas, in the amount of \$5,797.

Dale Scoggins, Chairman of the Planning & Zoning Commission, briefed the Council on the work of the P & Z Subcommittee on Sign Regulations. He then introduced Gary Pullin, Chairman of the Subcommittee, who presented the Council with the goals of the Subcommittee on Sign Regulations. He explained that if the Subcommittee determines that a change in the Zoning Ordinance is necessary, in order to meet these goals, an appropriate recommendation will be made to the Council at a later date. Mr. Pullin introduced those members of the subcommittee that were present at the Council Meeting.

The Council commended the Subcommittee for their work on the sign regulations.

No action was necessary on this item at the time.

Lee Roy George, Director of Planning, briefed the Council on an ordinance on second and final reading amending Section 23-306.4 of the Zoning Ordinance, permitted use, to permit location of museums as a right of use in Shopping Center (SC) zoning districts. The Planning & Zoning Commission and the staff recommend approval of the request.

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

Councilman Nixon moved to approve the ordinance amending Section 23-306.4 of the Zoning Ordinance, to permit location of museums as a right of use in Shopping Center zoning districts, on second and final reading, as presented by the staff. The motion was seconded by Councilman Fogle and the motion carried:

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

NAYS: None.

ABSTAIN: Councilman McCaleb.

The ordinance is numbered 44-1985 and is captioned as follows:

AN ORDINANCE AMENDING CHAPTER 23, "PLANNING AND COMMUNITY DEVELOPMENT" SUBPART E, "ZONING" OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY AND CALLING A PUBLIC HEARING.

Lee Roy George, Director of Planning, briefed the Council on an ordinance on second and final reading amending Section 23-306.4 of the Zoning Ordinance, permitted use, to permit location of motorcycle sales and service as a right of use in Heavy Industrial (HI) zoning districts. The Planning & Zoning Commission and the staff recommend approval of the request.

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

Councilman Wheat moved to approve the ordinance amending Section 23-306.4 of the Zoning Ordinance, to permit location of motorcycle sales and service as a right of use in Heavy Industrial zoning districts, on second and final reading, as presented 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 ordinance is numbered 45-1985 and is captioned as follows:

AN ORDINANCE AMENDING CHAPTER 23, "PLANNING AND COMMUNITY DEVELOPMENT" SUBPART E, "ZONING" OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY AND CALLING A PUBLIC HEARING.

Lee Roy George, Director of Planning, briefed the Council on an ordinance on second and final reading - amending Section 23-306.4 of the Zoning Ordinance, permitted use, to permit location of art galleries in Office (O) zoning districts. The Planning & Zoning Commission and the staff recommend approval of the request.

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

- . Pete Jones, Jones-McClure Company, agent.

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

Councilman Fogle moved to approve the ordinance amending Section 23-306.4 of the Zoning Ordinance, to permit location of art galleries as a special exception in Office zoning districts, on second and final reading, as presented by the staff. The motion was scconded by Councilwoman Ray and the motion carried:

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

NAYS: None.

The ordinance is numbered 46-1985 and is captioned as follows:

AN ORDINANCE AMENDING CHAPTER 23, "PLANNING AND COMMUNITY DEVELOPMENT" SUBPART E, "ZONING" OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY AND CALLING A PUBLIC HEARING.

Lewis Wood, Assistant Community Development Coordinator, briefed the Council on an oral resolution authorizing the City Manager to sign an Option to Lease document for land to Al-Car/VOA Elderly Housing, Inc., for the proposed development of an elderly housing project.

Mary Island, Chairwoman of Al-Car/VOA Elderly Housing, Inc., respectfully asked the Council to support this resolution.

Councilman Fogle moved, by oral resolution, to authorize the City Manager to sign an Option to Lease document for land to Al-Car/VOA Elderly Housing, Inc., as presented 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.

Lewis Wood, Assistant Community Development Coordinator, briefed the Council on a resolution to approve a contract with Al-Car/VOA Elderly Housing, Inc., for disbursement of FY 1982-83 funds for application for an elderly housing project.

Councilman McCaleb moved to approve the resolution authorizing a contract with Al-Car/VOA Elderly Housing, Inc., for disbursement of FY 1982-83 funds for application for an elderly housing project. 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.

Harvey Cargill, City Attorney, briefed the Council on an ordinance on first reading increasing the cable franchise fee from three (3%) percent to five (5%) percent. He stated that the Cable Franchise Policy and Communications Act of 1984 specifically allows cable franchising authorities to increase franchise fees up to a maximum of five (5%) percent. Staff recommends approval of the ordinance.

Councilman Fogle moved to approve an ordinance on first reading increasing the cable franchise fee from three (3%) percent to five (5%) percent. The motion was seconded by Councilman Nixon and the motion carried:

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

NAYS: Councilman Robinson.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, ESTABLISHING THE COMPENSATION TO BE PAID TO THE CITY BY TELEVISION CABLE SERVICE OF ABILENE, INC., FOR THE PRIVILEGE OF EXERCISING ITS FRANCHISE HERETOFORE GRANTED BY THE CITY COUNCIL.

Jim C. Blagg, City Manager, briefed the Council on a resolution to consider establishing a Citizens Advisory Committee for a Capital Improvements Program. He stated that the Committee would automatically disband once a final report is accepted by the City Council.

Councilman Wheat moved to approve a resolution establishing a Citizens Advisory Committee for a Capital Improvements Program, as presented by the staff. The motion was seconded by Councilwoman Ray and the motion carried:

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

NAYS: None.

The resolution is numbered 48-1985 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, CREATING AND APPOINTING A CITIZENS ADVISORY COMMITTEE TO INVESTIGATE CAPITAL IMPROVEMENT NEEDS.

Dwayne Hargesheimer, Director of Water Utilities, briefed the Council on a resolution to consider authorizing a Joint Venture Water Line Agreement for watering Fairway Oaks Golf Course. This line would provide water to irrigate the Fairway Oaks Golf Course from water wells that are being developed by a local joint venture group. Staff feels that it is in the best interest of the City of Abilene to assist the venture in obtaining the necessary permits from the State through a contractual agreement.

Terry Franklin, President of Moore Southwest Financial Company, representing the joint venture group stated that the wellwater will be the primary source of water for the golf course and Lake Kirby will be the second source.

Councilman Fogle moved to approve the resolution authorizing the Mayor to execute a contract between the City of Abilene and the Landlords, a joint venture, requiring the City to secure all necessary permits and rights which would allow the venture to construct a water pipeline partially within the Texas Highway Department Right-of-Way, 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 49-1985 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 CONTRACT BY AND BETWEEN THE CITY OF ABILENE AND THE LANDLORDS, A JOINT VENTURE, REQUIRING THE CITY OF ABILENE TO SECURE ALL NECESSARY PERMITS AND RIGHTS WHICH WOULD ALLOW THE VENTURE TO CONSTRUCT A WATER PIPELINE PARTIALLY WITHIN TEXAS HIGHWAY DEPARTMENT RIGHT-OF-WAY.

Lee Roy George, Director of Planning briefed the Council on the east Abilene annexation area.

Bob Payne, Principal Planner, reviewed the study area with the Council.

Tony Neitzler, Assistant to the Director of Planning, discussed the input received from property owners during a public hearing held February 19, 1985. He stated that Hamby Water Supply Corp. would like additional dialogue with the Council prior to the annexation in reference to the concern they have with the impact on the Water Supply Corporation if this area is annexed. He stated that all the citizens present at the public hearing were emphatically in opposition to being annexed, except for one property owner.

Councilman McCaleb moved to authorize the staff to study Alternative Area "C" of the east Abilene area annexation. The motion was seconded by Councilman Fogle and the motion carried:

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

NAYS: Councilmen Wheat, Robinson and Nixon.

Chief Knopf, Fire Chief, briefed the Council on an award of bid for Fire Station #5, located at E.N. 16th & Pemelton. He stated that funding is available from the 1979 Fire Improvement Bond Issue. Staff recommends the construction contract be awarded to the low bid of Burl Nash, in the amount of \$736,500.

Councilman Nixon moved to award the bid for construction of Fire Station #5, located at E. N. 16th & Pemelton Avenue, to Burl Nash in the amount of \$736,500 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.

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.

There being no further business, the meeting was adjourned at 11:30 a.m.

  
Patricia Patton  
City Secretary

  
David Stubbeman  
Mayor