

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, July 11, 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, July 11, 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:** Councilwoman Betty Ray.
3. **APPROVAL OF MINUTES:** Pre-Council Work Session and the Regular City Council Meeting held June 27, 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. Resolution to consider adopting 7(k) exemption of Fair Labor Standards Act.
- b. Consider on first reading - an ordinance changing the zoning district boundaries as shown below and set a public hearing for July 25, 1985.
 1. **Z-05785** - request of Holmes & Perry (representing Nathan Coulter) to rezone from RS-6 (Residential Single Family) to PDS (Planned Development Shopping) district, located at South 27th Street & Buffalo Gap Road.
 2. **Z-05885** - request of Reuben Rouse to rezone from AO (Agricultural Open Space) to PDMX (Planned Development Mixed Use) district, located in the 3900 Block of Beltway South.
 3. **Z-06085** - request of Gary & Sheryle Owens to rezone from AO (Agricultural Open Space) to RS-12 (Residential Single Family) district, located on Rainey Road.
 4. **Z-06185** - request of Richard R. Dillard to add H (Historic) overlay to underlying RS-12 (Residential Single Family) district, located at 642 Sayles Boulevard.
 5. **Z-06285** - request of E. E. Goodrich (representing J. Lynn Kitchens) to rezone from AO (Agricultural Open Space) to PDMX (Planned Development Mixed Use) district, located at 5500 South Clack.
 6. **Z-06385** - request of B. Jack Turner (representing Eddie Chase) to rezone from AO & RM-2 (Agricultural Open Space & Residential Multi-Family) to GC & LC (General Commercial & Limited Commercial) district, located at Catclaw Drive and Curry Lane.
- c. Resolution to consider an easement release - **ER-01787-5** - request from Craft-Barnett Properties (representing Cadco Architects - Engineers, Inc.), for release of a drainage easement, located at Oldham Lane & Loop 322.
- d. Consider amending Resolution #67-1985 calling a Special Election for August 10, 1985, regarding - participation in the Stacy Reservoir Project.
- e. Consider recommendation from Visual Arts Jury concerning permanent placement of "Rainmaker" sculpture on the ground of the Abilene Civic Center.

5. AWARD OF BID:

- a. C-900 8" water pipe - Bid #056.
- b. Traffic signal equipment for South 11th & Oldham and Judge Ely Blvd. & E.N. 16th.

REGULAR AGENDA

6. Public Appearances:

- a. Russell Evans, Executive Director Mental Health-Mental Retardation, to update Council on MH-MR Center Services.

7. Ordinances & Resolutions:

- a. Oral Resolution to authorize City Manager to sign contract with Freese & Nichols to update 1978 Water Distribution System Study.
- b. Resolution to authorize Mayor to sign agreement with State Department of Highway Public Transportation for signalization of F.M. 3438 and Hartford Street/new Dyess AFB Main entrance.
- c. Amending contract with West Central Texas Municipal Water District.

8. Other Business:

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

ADJOURN

PRE-COUNCIL WORK SESSION
THURSDAY, JULY 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 July 11, 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 A. E. Fogle, Jr., Welton Robinson and Harold Nixon. Councilman Walter E. Wheat was absent. 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, JULY 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 July 11, 1985, at 9:00 a.m. in the City Council Chambers of City Hall.

Invocation was given by Councilwoman Betty Ray.

The minutes of the Pre-Council Work Session and Regular City Council Meeting held June 27, 1985.

Councilman Fogle moved to approve the consent agenda items being 4a, 4b, 4c, 4d, 4e, 5a and 5b as presented by the staff. The motion was seconded by Councilwoman Ray and the motion carried:

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

NAYS: None.

4. Ordinances & Resolutions:

- a. Resolution to consider adopting 7(k) exemption of Fair Labor Standards Act. The resolution is numbered 70-1985 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, PROVIDING FOR 7(k) EXEMPTION OF FAIR LABOR STANDARDS ACT.

- b. Consider on first reading - an ordinance changing the zoning district boundaries as shown below and set a public hearing for July 25, 1985.

AN ORDINANCE AMENDING CHAPTER 23, "PLANNING & 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.

1. Z-05785 - request of Holmes & Perry (representing Nathan Coulter) to rezone from RS-6 (Residential Single Family) to PDS (Planned Development Shopping) district, located at South 27th Street & Buffalo Gap Road.
2. Z-05885 - request of Reuben Rouse to rezone from AO (Agricultural Open Space) to PDMX (Planned Development Mixed Use) district, located in the 3900 Block of Beltway South.

3. Z-06085 - request of Gary & Sheryle Owens to rezone from AO (Agricultural Open Space) to RS-12 (Residential Single Family) district, located on Rainey Road.
 4. Z-06185 - request of Richard R. Dillard to add H (Historic) overlay to underlying RS-12 (Residential Single Family) district, located at 642 Sayles Boulevard.
 5. Z-06285 - request of E. E. Goodrich (representing J. Lynn Kitchens) to rezone from AO (Agricultural Open Space) to PDMX (Planned Development Mixed Use) district, located at 5500 South Clack.
 6. Z-06385 - request of B. Jack Turner (representing Eddie Chase) to rezone from AO & RM-2 (Agricultural Open Space & Residential Multi-Family) to GC & LC (General Commercial & Limited Commercial) district, located at Catclaw Drive and Curry Lane.
- c. Resolution to consider an easement release - ER-01787-5 - request from Craft-Barnett Properties (representing Cadco Architects - Engineers, Inc.), for release of a drainage easement, located at Oldham Lane & Loop 322. The resolution is numbered 71-1985 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. Consider amending Resolution #67-1985 calling a Special Election for August 10, 1985, regarding - participation in the Stacy Reservoir Project. The resolution is numbered 72-1985 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, SUPPLEMENTING THE RESOLUTION APPROVED ON JUNE 27, 1985, THAT ORDERED A SPECIAL ELECTION TO CONSIDER CITY PARTICIPATION IN STACY RESERVOIR.

- e. Consider recommendation from Visual Arts Jury concerning permanent placement of "Rainmaker" sculpture on the ground of the Abilene Civic Center.

5. AWARD OF BID:

- a. C-900 8" water pipe - Bid #056. The bid was awarded to Trans-Tex Supply.
- b. Traffic signal equipment for South 11th & Oldham and Judge Ely Blvd. & E.N. 16th - Bid #051. The bid was awarded to Consolidated Traffic Controls, Inc., in the amount of \$12,005.

Russell Evans, Executive Director of Mental Health-Mental Retardation, updated the Council on MH-MR Center Services. He gave a brief history on the creation of the Agency and the services provided by the Center. He gave a slide presentation depicting the various facilities throughout the City and some clients that are served by the facilities.

No action was necessary.

Dwayne Hargesheimer, Director of Water Utilities, briefed the Council on an oral resolution authorizing the City Manager to sign a contract with Freese & Nichols to update the 1978 Water Distribution System Analysis. Since this 1978 report was prepared, there have been several annexations that were not projected to be served by our distribution system. We have now reached a point where an update of the water distribution system facilities is needed. He stated that the study could be performed this summer, and any recommendations could be made available to the Capital Improvements Subcommittee for Water & Sewer. This proposal is based on actual time spent on the project with a not-to-exceed fee of \$33,000. Staff recommends the Council by oral resolution, authorize the City Manager to sign the proposal.

Councilman McCaleb, by oral resolution, moved to authorize the City Manager to sign a contract with Freese & Nichols to update the 1978 Water Distribution System Analysis. The motion was seconded by Councilman Fogle and the motion carried:

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

NAYS: None.

James Condry, Director of Traffic & Transportation, briefed the Council on a resolution authorizing the Mayor to sign an agreement with the State Department of Highways and Public Transportation for signalization of F.M. 3438 at Hartford Street/new Dyess AFB Main entrance. The project design includes signalization of the intersection of Dub Wright Boulevard and the entrance road to the new main gate of Dyess AFB. By State policy, the signalization will not be paid for with State money but must be paid for by the local government, i.e., the City of Abilene.

In order to proceed with the bid letting on this project, the State must have an agreement with the City for the signalization and must have a warrant from the City in the amount of \$60,130 made payable to the State Treasurer. The staff recommends the Council approve a resolution which provides for entering into an agreement with the State for signalization of FM 3438 and Hartford Street. Staff also recommends the Council authorize payment for the signalization from the 1979 Bond Program Fund.

Councilman Fogle moved to approve a resolution authorizing an agreement with the State Department of Highways & Public Transportation for signalization of FM 3438 and Hartford Street and authorizing payment for same out of the 1979 Bond Program Fund, as recommended by the staff. The motion was seconded by Councilman McCaleb and the motion carried:

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

NAYS: None.

The resolution is numbered 73-1985 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE STATE OF TEXAS CONCERNING THE CONSTRUCTION OF TRAFFIC SIGNALS.

Roy McDaniel, Assistant City Manager, briefed the Council on a resolution amending the contract with the West Central Texas Municipal Water District. He stated that the purpose of amending the contract is to allow the City to take more than 15.5 million gallons of water per day from Hubbard Lake and fully utilize a second pipeline. He explained what each recommended change is and how the City would benefit from same.

Councilman Fogle moved approval of the resolution amending the contract with the West Central Texas Municipal Water District. The motion was seconded by Councilman Robinson and the motion carried:

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

NAYS: None.

The resolution is numbered 74-1985 and is captioned as follows:

RESOLUTION APPROVING FORM OF WATER CONTRACT AMENDMENT WITH WEST CENTRAL TEXAS MUNICIPAL WATER DISTRICT.

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.

Councilwoman Ray moved to appoint Carlton (Sonny) Strand to the Mental Health-Mental Retardation Board of Trustees, to fill the unexpired term of John McGaughey, with a term expiring August 31, 1986. The motion was seconded by Councilman Robinson and the motion carried:

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

NAYS: None.

The resolution is numbered 75-1985 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPOINTING MR. CARLTON (SONNY) STRAND TO THE MENTAL HEALTH-MENTAL RETARDATION BOARD OF TRUSTEES.

Councilman Nixon moved to appoint Jonathan K. Graham as First Assistant City Attorney for the City of Abilene. The motion was seconded by Councilman Fogle and the motion carried:

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


NAYS: None.

The resolution is numbered 76-1985 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING THE APPOINTMENT OF A FIRST ASSISTANT CITY ATTORNEY FOR THE CITY OF ABILENE.

There being no further business, the meeting was adjourned at 10:25 a.m.


Patricia Patton
City Secretary


David Stubbeman
Mayor