

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, September 26, 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, September 26, 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 September 12, 1985.
4. **EMPLOYEE SERVICE AWARDS:**

L. Maynard Gulley	Fire Lieutenant	25 Years
Ramon D. Miers	Fire Lieutenant	25 Years
Bobby G. Patterson	Senior Firefighter	25 Years
W. Lee Swindle	District Fire Chief	25 Years
Kelly C. Cross	St. Lead Maintenance Worker	20 Years

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. Oral Resolution to consider Firefighting contract with Pride Refining, Inc.
 - b. Oral Resolution to consider renewal of Wrecker Service Contract.
 - c. Oral Resolution to renew the Interlocal Computer Use Agreement with the Central Tax Authority of Taylor County.
 - d. Oral Resolution to make a nomination to the Board of Directors of the Central Tax Authority of Taylor County.
6. **Award of Bid:**
 - a. Addition of 120-Ton Chiller for Civic Center, Bid #061.
 - b. Renovation of Air Conditioning Systems for City Hall, Bid #062.
 - c. Sewer Cleaning Truck, Bid #063.
 - d. Security Service at Abilene Zoo, Bid #067.
 - e. Cooling Tower for City Hall, Bid #068.
 - f. Cooling Tower for Library, Bid #069.
 - g. Weed Mowing Contract, Bid #057.
7. **Request to Advertise:**
 - a. Engine/transmission assembly for transit buses.

REGULAR AGENDA

8. **Public Appearance:**
 - a. David Weeks, Media Southwest, to discuss results of the citizen survey.

9. Ordinances & Resolutions:

- a. Oral Resolution to consider Abilene Economic Development Company's Annual Budget for FY1986.
- b. **Public Hearing - Consider on second and final reading** - an ordinance changing the zoning district boundaries as shown below:

1. **APPEALED:**

Z-06585 - request of Arthur T. Menaldi (representing MBI) to rezone from RM-1 (Residential Multi-Family) to GC (General Commercial) district, located in the 700 & 800 blocks of Vapor Trail.

2. **Z-06785** - request of Arthur T. Menaldi (representing MBI) to rezone from AO (Agricultural Open Space) to RS-6 (Residential Single Family) district, located in the 5900 block of Hartford Street.

3. **Z-07085** - request of David Ballard to rezone from O (Office) to LC (Limited Commercial) district, located at 5001 Buffalo Gap Road.

4. **APPEALED:**

Z-07385 - request of C. J. Douglas (representing H. G. Green) to rezone from RM-3 (Residential Multi-Family) to GC (General Commercial) district, located at 2141 N. 3rd Street.

- c. **Public Hearing - Consider on second and final reading** - a Thoroughfare Abandonment ordinance for property as shown below:

1. **TC-04185** - request of J. Lynn Kitchens (representing Ron Craft, Trustee) being a north-south alley 20' wide in Lots 1 & 8, in a Subdivision of Block 209, Original Town, and located between S. 13th and Dimmit Streets and S. Treadaway & Cherry Street.

- d. **Public Hearing** - to consider annexing certain territory in East Abilene.
- e. Oral Resolution to consider lease with Rio Airlines for Terminal Space at Abilene Municipal Airport.
- f. Consider on first reading - ordinance amending Chapter 23, Zoning, Section 344, Historic Overlay Zones and Chapter 30, Taxation, of the Abilene Municipal Code, concerning tax reduction for historic overlay zones, and set a public hearing for October 10, 1985.

10. Other Business:

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

ADJOURN

PRE-COUNCIL WORK SESSION, THURSDAY
SEPTEMBER 26, 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 September 26, 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 Rickey 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
SEPTEMBER 26, 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 September 26, 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 September 12, 1985, stand approved.

Mayor Stubbeman presented Employee Service Awards to the following persons for their tenure of service to the City of Abilene:

L. Maynard Gulley	Fire Lieutenant	25 Years
Ramon D. Miers	Fire Lieutenant	25 Years
Bobby G. Patterson	Senior Firefighter	25 Years
W. Lee Swindle	District Fire Chief	25 Years
Kelly C. Cross	St. Lead Maintenance Worker	20 Years

Mayor Stubbeman removed item 5b, which is an oral resolution to consider renewal of Wrecker Service Contract, from the consent agenda to be considered separately.

Councilman McCaleb moved to approve the consent agenda items being 5a, 5c, 5d, 6a, 6b, 6c, 6d, 6e, 6f, 6g, and 7a, 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.

5. Ordinances & Resolutions:

- a. Oral Resolution to consider Firefighting contract with Pride Refining, Inc.
- b. Oral Resolution to consider renewal of Wrecker Service Contract.
- c. Oral Resolution to renew the Interlocal Computer Use Agreement with the Central Tax Authority of Taylor County.
- d. Resolution to make a nomination to the Board of Directors of the Central Tax Authority of Taylor County. The resolution is numbered 97-1985 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, NOMINATING BOARD OF DIRECTOR CANDIDATES FOR THE CENTRAL TAX AUTHORITY OF TAYLOR COUNTY.

6. Award of Bid:

- a. Addition of 120-Ton Chiller for Civic Center, Bid #061. The bid was awarded to Batjer and Associated.
- b. Renovation of Air Conditioning Systems for City Hall, Bid #062. The bid was awarded to Batjer and Associates.
- c. Sewer Cleaning Truck, Bid #063. The bid was awarded to Environmental Sales.
- d. Security Service at Abilene Zoo, Bid #067. The bid was awarded to S.A.C. Security.
- e. Cooling Tower for City Hall, Bid #068. The bid was awarded to Southwest Air Conditioning.
- f. Cooling Tower for Library, Bid #069. The bid was awarded to Southwest Air Conditioning.
- g. Weed Mowing Contract, Bid #057. The bid was awarded to Big Country Mowing.

7. Request to Advertise:

- a. Engine/transmission assembly for transit buses.

Dwayne Pyburn, Assistant Chief of Police, briefed the Council on an oral resolution to consider renewal of the Wrecker Service Contract with O'Bar and Chittum Wrecker Service. He stated that the current wrecker service contract became effective July 23, 1984 and will remain in effect until October 1, 1985. The contract further stipulates that this contract shall be renewable for an additional two-year period provided the operator provides a thirty day advanced written notice of intent to renew and subject to Council approval. The notice has been properly given by the current contract holder, O'Bar and Chittum Wrecker Service. Staff recommends the contract be renewed for an additional two-year period.

Although a public hearing was not scheduled there were several citizens in the audience who wished to speak on this item:

- . Mike Farley, National Wrecker Service, feels the contract should be rebid. He feels his company could offer the City better rates.
- . Joyce O'Bar, co-owner of O'Bar Wrecker Service.
- . Tommy Stevens, past owner National Wrecker Service, presented copies of some bills paid by the City in the past that were paid to a company other than O'Bar. He questioned why that was done.
- . Don O'Bar, co-owner of O'Bar Wrecker Service.

After some discussion, Councilwoman Ray moved to table the item until the next Council meeting which will be October 10, 1985, in order for the staff to respond to Mr. Stevens questions. 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.

David Weeks, Media Southwest, Inc., handed out copies of the recent citizen survey that has been completed and introduced Dr. Shipley, Shipley & Associates, Inc., who assisted in conducting the survey. He reviewed the results of the survey with the Council.

This report summarizes the results of the comprehensive survey of 412 registered voters in the City of Abilene, Texas, performed by Media Southwest, Inc., and Shipley & Associates, Inc., of Austin, Texas. Respondents were interviewed by telephone by the subsidiary field service -- Western Opinion Research -- of Shipley & Associates, Inc. The interview period was July 7 to 10, 1985.

The poll was undertaken to provide an assessment of the current opinions of the Abilene electorate regarding municipal government, City services and problems facing the City. The questionnaire was designed to measure voters' opinions in these main areas:

- . Definition of major problems facing the City's government, as by respondents in an open ended (non-prompted) format;
- . Overall views of various City departments;
- . Rating of selected City services;
- . Generalized questions about the quality of life in Abilene;
- . Demographic data regarding the respondents.

No action taken.

Terry Meza, Executive Director of the Abilene Economic Development Company, Inc., briefed the Council on an oral resolution to consider Abilene Economic Development Company's Annual Budget for FY1986. She briefly reviewed the budget and explained that in addition to the normal Community Development Block Grant Funding, the County approved \$5,000 to provide business assistance to those people who live outside the city limits. Additionally, she reviewed with the Council the Abilene Economic Development Company, Inc., annual report of activities for 1985.

Councilman Fogle moved to approve the Abilene Economic Development Company, Inc., Annual Budget for FY1986 as recommended by 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.

Wayne Herrington, Senior Planner, briefed the Council on an ordinance on second and final reading, changing the zoning district boundaries. The first item being an appealed item Z-06585 - request of Arthur T. Menaldi (representing MBI) to rezone from RM-1 (Residential Multi-Family) to GC (General Commercial) district, located in the 700 & 800 blocks of Vapor Trail. The Planning & Zoning Commission recommends disapproval of the request by a vote of 6 in opposition on 0 in favor. Staff also recommends disapproval.

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

- . Bill Perry, 278 South Pioneer, attorney for proponent.

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

Councilman Nixon moved to DENY the request for rezoning from RM-1 to GC district, located in the 700 & 800 blocks of Vapor Trail, on second and final reading, 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.

Mayor Stubbeman stated that the reclassification request - Z-06785 - request of Arthur T. Menaldi (representing MBI) to rezone from AO (Agricultural Open Space) to RS-6 (Residential Single Family) district, located in the 5900 block of Hartford Street has been withdrawn from the agenda.

Wayne Herrington, Senior Planner, briefed the Council on a reclassification request - Z-07085 - request of David Ballard to rezone from O (Office) to LC (Limited Commercial) district, located at 5001 Buffalo Gap Road. The Planning & Zoning Commission recommends approval of the request by a vote of 4 in favor to 1 in opposition. Staff recommends disapproval of the request.

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

- . David Ballard, 717 Scott Place, proponent.

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

Councilman Robinson moved approval of the reclassification request from O to LC district, located at 5001 Buffalo Gap Road, on second and final reading. The motion was seconded by Councilman McCaleb and the motion carried:

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

NAYS: Councilman Fogle.

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

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.

Wayne Herrington, Senior Planner, briefed the Council on an appealed item being a reclassification request - Z-07385 - request of C. J. Douglas (representing H. G. Green) to rezone from RM-3 (Residential Multi-Family) to GC (General Commercial) district, located at 2141 N. 3rd Street. The Planning & Zoning Commission recommends disapproval of the request by a vote of 3 in opposition and 3 in favor. Staff recommends approval of the request.

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

- . Andy Hennig, Century 21 Real Estate, representing proponent.
- . Mrs. E. Y. Washam, 2133 North 3rd Street.
- . Marvin Smith, neighbor in the area.
- . Mike Hughes, Hughes Buick, stated he intends to fence and pave the property.

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

Councilwoman Ray moved to approve Z-07385 as a part of Ordinance #73-1985. The motion was seconded by Councilman McCaleb and the motion carried:

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

NAYS: None.

Wayne Herrington, Senior Planner, briefed the Council on an ordinance on second and final reading being a Thoroughfare Abandonment ordinance for TC-04185 - a request of J. Lynn Kitchens (representing Ron Craft, Trustee) being a north-south alley 20' wide in Lots 1 & 8, in a Subdivision of Block 209, Original Town, and located between S. 13th and Dimmit Streets and S. Treadaway & Cherry Street. The Planning & Zoning Commission and the staff recommend approval of this request subject to retention of the utility easement.

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

- . Lynn Kitchens, 162 Caddo, representing Ron Craft.
- . J. D. Thomas, 1334 Russwood Drive.

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

Councilman Nixon moved to approve thoroughfare abandonment request TC-04185 located between S. 13th and Dimmit Streets and S. Treadaway & Cherry Street, 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 74-1985 and is captioned as follows:

AN ORDINANCE PROVIDING FOR THE ABANDONMENT OF A PORTION OF A PUBLIC RIGHT OF WAY; PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH ABANDONMENT, AND CALLING A PUBLIC HEARING.

Lee Roy George, Director of Planning, briefed the Council on the East Abilene annexation. He stated that the area being proposed is approximately 2.4 square miles. He also stated that notices have been sent out to the property owners inviting them to the public hearings. Mr. George introduced Bob Payne, Principal Planner, who briefly overviewed the area under consideration for annexation.

Tony Neitzler, Assistant to the Director of Planning, briefed the Council on the property owners' meeting held on February 19, 1985. He stated that there was general opposition to the annexation and that he received a petition containing 83 names.

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

IN OPPOSITION:

- . Lowell Queen, 1718 Wichwood.
- . Nancy Robinson Masters, Rt. 8, Box 876, Elmdale Baptist Church.
- . Odis Cole, 1482 Westwood, owns 5 acres of land in this area.
- . Steve Suttle, representing Jim Rose & Dean Henninger, who combined own approximately 200 acres of land in that area.
- . Jim Rose, 1409 Woodland Trail.
- . Bertha Linahan, Operator and Manager of the Hamby Supply Corporation.
- . Bill Masters, business at 201 North Mockingbird.
- . Mr. Phil Guitar, 1467 Tanglewood, owns land in this area.
- . Marvin Smith, Rt. 6, does not live in the area but is planning on purchasing land.
- . Joe Heathington, owner of Oasis Campground.
- . Mr. L. A. Luttrell, Route 8.
- . Harold Mauldin, owner of Mauldin's Sales 6251 E. Hwy 80.
- . James Garner, Route 8.

IN FAVOR:

- . Lynn Kitchens, representing Ron & Noble Craft. He wants the Council to annex just certain land along F.M. 18 only.

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

No action taken at this time.

Bob Whitehead, Director of Public Works, briefed the Council on an oral resolution to consider a lease with Rio Airways for Terminal Space at Abilene Municipal Airport. He stated that the term of the lease is for 3 years plus option to renew twice, each renewal being for a 3-year period. Staff recommends Council authorize the Mayor to execute this lease agreement with Rio Airways and that the Council authorize the Mayor the ability to amend this lease to provide for additional space if it becomes necessary at a later time.

Councilman McCaleb, moved to authorize the Mayor to execute a lease agreement with Rio Airways and to have the ability to amend this lease to provide for additional space if it becomes necessary at a later time. 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.

Lee Roy George, Director of Planning, briefed the Council on an ordinance on first reading - amending Chapter 23, Zoning, Section 344, Historic Overlay Zones and Chapter 30, Taxation, of the Abilene Municipal Code, concerning tax reduction for historic overlay zones.

Councilwoman Ray moved to approve an ordinance on first reading amending Chapter 23, Zoning, Section 344, Historic Overlay Zones and Chapter 30, Taxation, of the Abilene Municipal Code, concerning tax reduction for historic overlay zones and set a public hearing for October 10, 1985. The motion was seconded by Councilman Wheat and the motion carried:

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

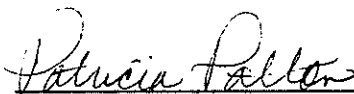
NAYS: None.


AN ORDINANCE AMENDING CHAPTER 23 AND CHAPTER 30 OF THE ABILENE CITY CODE OF 1985; PERTAINING TO THE AUTOMATIC REDUCTION OF PROPERTY TAXES FOR PROPERTIES WITHIN THE HISTORIC OVERLAY ZONING DISTRICT; AND, PROVIDING A PROPERTY TAX REDUCTION ON A CASE BY CASE BASIS FOR PARTIAL OR TOTAL COMPENSATION FOR THE COST OF IMPROVEMENT OR REHABILITATION OF PROPERTIES WITHIN HISTORIC OVERLAY ZONING DISTRICTS.

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 1:00 p.m.


Patricia Patton
City Secretary


David Stubbeman
Mayor