

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, October 24, 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, October 24, 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 the Regular City Council Meeting held October 10, 1985.

4. **EMPLOYEE SERVICE AWARDS:**

Don Price	Police Officer	30 Years
Jerry W. Franklin	Police Sergeant	20 Years
Floyd R. Grimm	Police Officer	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. Consider on first reading - an ordinance annexing to the City of Abilene certain properties adjacent to the eastern City limits in the vicinity of F.M. 18 and Elmdale Road and set a public hearing for December 5, 1985, at 9:00 a.m.
- b. Resolution to consider approving a 3-year Housing Assistance Plan for the City of Abilene.
- c. Resolution to consider approving a contract for disbursement of Community Development Block Grant Funds for the construction of a Half-Way House for the Abilene Regional Center for Mental Health-Mental Retardation.

6. **Award of Bid:**

- a. Repair/Modernization of automation control system for the Civic Center - Bid #073.
- b. Underground fuel storage tank at Airport - Bid #075.

REGULAR AGENDA

7. **Ordinances & Resolutions:**

- a. **Public Hearing - Consider on second and final reading** - an ordinance changing the zoning district boundaries as shown below:
 1. **Z-07585** - request of Randy Nicholson, TR, to rezone from GC, O, & RM-3 (General Commercial, Office & Residential Multi-Family) to PDMX (Planned Development Mixed Use) district, located at E. N. 10th Street & Judge Ely Boulevard.
 2. **APPEALED ITEM:**
Z-07685 - request of Jimmy Partin, to rezone from O (Office) to GC (General Commercial) district, located in the 600 block of North Willis Street.
 3. **Z-07885** - request of Scott Dueser (representing First National Bank of Abilene), to rezone from AO (Agricultural Open Space) to LI (Light Industrial) district, located on Newman Road, between I-20 & Elmdale Airport.

- b. **Public Hearing - Consider on second and final reading** - a Thoroughfare Abandonment ordinance for property as shown below:
 - 1. **TC-07785** - request of Russell C. Beard (representing Green Oaks Town Homes Association, Inc.), being a 30' north-south alley between Lot 16 and Lots 201-213 and a 30' east-west alley adjacent to the north property line of Lot 213, Block M, The Fairways and a 30' north-south alley between Lot 19 and Lots 120-132, Block N, The Fairways, located on Antilley Road.
 - 2. **TC-07985** - request of the City of Abilene, being certain unnamed public streets located in Redbud Park, located at South 32nd & Barrow.
 - c. **Public Hearing - Consider on second and final reading** - an ordinance amending Section 23-306.4 of the Zoning Ordinance permitting Retail Trade in Office Supplies and Equipment in Light Industrial (LI) Districts.
 - d. **Public Hearing - Consider on second and final reading** - an ordinance amending Section 23-306.4 of the Zoning Ordinance to allow Veterinary Services and Kennels in Limited Commercial (LC) Districts.
 - e. **Public Hearing - Consider on second and final reading** - an ordinance amending Sections 23-257 and 23-258 of the Subdivision Regulations concerning plat fees.
 - f. Oral Resolution to consider the extension of outside sign control into the Extraterritorial Jurisdiction.
 - g. **Public Hearing** - to consider an oral Resolution for Oil & Gas Drilling Permit #8507, from Oil Well Operators, Inc., located West of the Abilene Municipal Airport, out of the North 1/2 of Section 61, Blind Asylum Lands, Taylor County Texas.
 - h. Resolution - to consider Supporting and Endorsing the Approval of Constitutional Amendments One and Two.
 - i. Resolution - to consider funding for Curry Lane Bridge.
8. **Award of Bid:**
- a. **Public Hearing** - to consider Oil & Gas Lease #1985-03, being 163 acres of SE 1/4 of Section 52, Block 14, T & P RR Co. Survey, Jones County, Texas.
9. **Other Business:**
- a. Report from Animal Control Advisory Committee.
 - b. Pending and Contemplated Litigation.
 - c. Appointment and Evaluation of Public Officials.

ADJOURN

PRE-COUNCIL WORK SESSION, THURSDAY
October 24, 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 October 24, 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
October 24, 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 October 24, 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 October 10, 1985, stand approved.

Mayor Stubbeman presented the following employees with service awards for their tenure of service to the City of Abilene:

Don Price	Police Officer	30 Years
Jerry W. Franklin	Police Sergeant	20 Years
Floyd R. Grimm	Police Officer	20 Years

Mayor Stubbeman removed item 5a, which is an ordinance on first reading annexing certain property, from the consent agenda to be considered separately.

Councilman Fogle moved to approve the consent agenda items being 5b, 5c, 6a and 6b, 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:

- b. Resolution to consider approving a 3-year Housing Assistance Plan for the City of Abilene. The resolution is numbered 100-1985 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING A THREE YEAR HOUSING ASSISTANCE PLAN.

- c. Resolution to consider approving a contract for disbursement of Community Development Block Grant Funds for the construction of a Half-Way House for the Abilene Regional Center for Mental Health-Mental Retardation. The resolution is numbered 101-1985 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING AN AGREEMENT WITH THE ABILENE REGIONAL CENTER FOR MENTAL HEALTH-MENTAL RETARDATION FOR DISBURSEMENT OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR THE CONSTRUCTION OF A MENTAL HEALTH/SUBSTANCE ABUSE HALFWAY HOUSE.

6. Award of Bid:

- a. Repair/Modernization of automation control system for the Civic Center - Bid #073. The bid was awarded to Honeywell, Inc.
- b. Underground fuel storage tank at Airport - Bid #075. The bid was awarded to Allied Steel General Contractors of Abilene.

Lee Roy George, Director of Planning, briefed the Council on an ordinance on first reading to annex into the City of Abilene certain properties adjacent to the eastern City limits in the vicinity of F.M. 18 and Elmdale Road, including approximately 2.4 square miles (and labeled as Alternate B). Mr. George stated that the action necessary today was to approve the annexation ordinance on first reading and set a public hearing for December 5, 1985.

Councilman Nixon made several comments regarding the annexation. He stated that the record shows that at the previously held public meetings, all property owners, with the exception of one, are in opposition to annexation; there is a lack of perceived benefits to property owners; and there is concern of a possible negative impact on the Hamby Water Supply Corporation. Councilman Nixon's points of concern are: property owner opposition; that a previous Council authorized these water lines that are outside the City limits; all the citizens are already being served water service by either Abilene, Potosi, or Hamby; the Fire Department already provides fire protection in the area; testimony indicates that the County can better maintain the roads in the area; ninety percent of the area is agricultural use; there is no evidence of major development at this time in the area; that the City is facing major water funding projects immediately; and where would the revenues for this annexation come from?

Therefore, Councilman Nixon moved to DISAPPROVE the ordinance annexing property in east Abilene. The motion was seconded by Councilman Robinson.

Mayor Stubbeman stated that his primary desire is to annex into the City the water and sewer lines that are owned by the City. Councilman Fogle stated that there are several considerations taken into account when annexing property--one being the interest of the City. He feels there is major development in the area and that this area is one of the major entrances to the City. It is his opinion that the Council needs to consider some portion of this area for annexation and that the Council would not be representing the best interest of the City if they did not.

The motion was voted on and the motion FAILED:

AYES: Councilman Wheat, Robinson and Nixon.

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

Councilman Nixon moved to annex the Craft property (#21) only, since he was the only property owner that publicly favored annexation. The motion was seconded by Councilman Robinson and the motion FAILED:

AYES: Councilman Wheat, Robinson and Nixon.

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

Councilman Fogle stated that he agreed with Councilman Nixon in the regard that the City does not need to annex farm and ranch land or undeveloped land, and to eliminate that land from the annexation would be satisfactory to him. Therefore, Councilman Fogle moved to exclude from annexation the following properties: #7, 8, 9, 38, 38a, 39, 40, 41, 94, 98, 99, 100, 100a, 103, 104, 105a and portions of 105 and 106. The motion was seconded by Councilwoman Ray.

Councilman Nixon proposed an amendment to Councilman Fogle's motion which would additionally eliminate the following properties: #1, 1a, 2, 2a, 3, 4, 5, and 42 through 78 inclusive. This would eliminate those property owners on the Hamby Water Supply Corporation's System. The amendment was seconded by Councilman Wheat and FAILED:

AYES: Councilman Wheat, Robinson and Nixon.

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

Councilman Fogle amended his original motion to also exclude properties #1, 1a, 2, 2a, 3, 4, and 5. The motion was seconded by Councilwoman Ray and the motion CARRIED:

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

NAYS: Councilman Wheat, Robinson and Nixon.

To clarify the area desired to be annexed by the Council and to square off the boundary lines, Mr. Blagg asked Mr. Fogle to eliminate from annexation the entire properties #105 and #106. Therefore, Councilman Fogle moved to adopt on first reading an ordinance annexing the following property in east Abilene and to set a public hearing for December 5, 1985, at 9:00 a.m.: properties #6, #10 through #37 inclusive, and #42 through #78 inclusive, as shown on Exhibit "A", Map of Proposed East Abilene Annexation, attached and incorporated herewith. The motion was seconded by Councilwoman Ray and the motion carried:

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

NAYS: Councilman Wheat, Robinson and Nixon.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, PROVIDING FOR THE EXTENSION OF THE BOUNDARY LIMITS OF THE CITY OF ABILENE, TEXAS, AND THE ANNEXATION OF CERTAIN TERRITORY LYING ADJACENT TO AND ADJOINING THE PRESENT BOUNDARY LIMITS OF THE CITY OF ABILENE.

John Hancock, Principal Planner, briefed the Council on an ordinance on second and final reading, being Z-07585 - request of Randy Nicholson, TR, to rezone from GC, O, & RM-3 (General Commercial, Office & Residential Multi-Family) to PDMX (Planned Development Mixed Use) district, located at E. N. 10th Street & Judge Ely Boulevard. 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 request:

. Olen Frazier, 1317 North 8th.

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

Councilman Nixon moved to approve the rezoning request from GC, O & RM-3 to PDMX district, located at E. N. 10th Street & Judge Ely Boulevard, on second and final reading as recommended by the staff. 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.

The ordinance is numbered 76-1985 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.

John Hancock, Principal Planner, briefed the Council on an ordinance on second and final reading, being an appealed rezoning request Z-07685 - request of Jimmy Partin, to rezone from O (Office) to GC (General Commercial) district, located in the 600 block of North Willis Street. The Planning & Zoning Commission and the staff recommend disapproval of the request.

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

- . Jimmy Partin, III, Resides at 25 Jennifer Circle, business at 3434 North 6th Street. Representing proponent.
- . John Price, proposed buyer of this property.
- . Jerry Leal, 3089 Buttonwillow Avenue, contractor for John Price.

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

The Council questioned the staff regarding the purpose of this rezone request and the relationship it has to another agenda item being a request from Mr. Price for a zoning ordinance amendment to allow office supplies and equipment in Light Industrial districts. Staff responded that Mr. Price is considering two locations for his office supply store and either location will require a zoning change. The Council was sympathetic to Mr. Price's situation. There was concern on the Council's behalf to approve GC zoning at the location requested based on the uses allowed in a General Commercial district and the Planning & Zoning Commission and staff recommendations.

The staff proposed alternatives to the Council, being (1) to deny the request; (2) to approve the request, or (3) to refer the request back to Planning & Zoning with some kind of direction.

Councilman Wheat moved to approve the reclassification request Z-07685 - from O to GC district, located in the 600 block of North Willis Street. The motion was seconded by Councilman Robinson.

After some discussion, it was concluded that the most expeditious course of action would be to refer the item back to the Planning & Zoning Commission. Therefore, the proponent can amend his request to a lesser classification and at the same time the staff could initiate a zoning ordinance amendment to allow office supplies and equipment in a Limited Commercial (LC) district.

After some discussion the proponent withdrew his request and Councilman Wheat withdrew his motion.

Councilman Fogle moved to refer the reclassification request Z-07685, to rezone from O to GC, located in the 600 block of North Willis Street, back to the Planning & Zoning Commission, to allow the proponent to amend his application to a lesser classification, possibly to Limited Commercial (LC) and to initiate a Zoning Ordinance amendment to allow an office supply store in LC districts. 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.

John Hancock, Principal Planner, briefed the Council on an ordinance on second and final reading, being a rezoning request Z-07885 - request of Scott Dueser (representing First National Bank of Abilene), to rezone from AO (Agricultural Open Space) to LI (Light Industrial) district, located on Newman Road, between I-20 & Elmdale Airport. 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 there being no one present and desiring to be heard the public hearing was closed.

Councilman McCaleb moved to approve Z-07885 as a part of Ordinance #76-1985, as recommended by the staff. The motion was seconded by Councilman Robinson and the motion carried:

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

NAYS: None.

ABSTAIN: Councilman Fogle.

John Hancock, Principal Planner, briefed the Council on an ordinance on second and final reading being a Thoroughfare Abandonment ordinance for TC-07785 - request of Russell C. Beard (representing Green Oaks Town Homes Association, Inc.), being a 30' north-south alley between Lot 16 and Lots 201-213 and a 30'

east-west alley adjacent to the north property line of Lot 213, Block M, The Fairways and a 30' north-south alley between Lot 19 and Lots 120-132, Block N, The Fairways, located on Antilley Road. The Planning & Zoning Commission and the staff recommend approval of the request, subject to retention of the entire length and width of said alleys as utility, drainage and emergency access easement, and an access agreement for refuse pick up on private property. Additionally, that no structure be placed on the easement.

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

. J. W. Patterson, #80 Fairway Oaks Boulevard.

There being on one else present and desiring to be heard the public hearing was closed.

Councilman McCaleb moved approval of thoroughfare abandonment request TC-07785, located on Antilley Road, on second and final reading, as recommended 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 ordinance is numbered 77-1985 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.

John Hancock, Principal Planner, briefed the Council on an ordinance second and final reading being a Thoroughfare Abandonment ordinance for TC-07985 - request of the City of Abilene, being certain unnamed public streets located in Redbud Park, located at South 32nd & Barrow. 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 there being no one present and desiring to be heard the public hearing was closed.

Councilman Wheat moved to approve TC-07985 as a part of Ordinance #77-1985, on second and final reading, 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.

Wayne Herrington, Senior Planner, briefed the Council on an ordinance on second and final reading to amend Section 23-306.4 of the Zoning Ordinance permitting Retail Trade in Office Supplies and Equipment in Light Industrial (LI) 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 there being no one present and desiring to be heard the public hearing was closed.

Councilman McCaleb moved to amend Section 23-306.4 of the Zoning Ordinance, on second and final reading, 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.

The ordinance is numbered 78-1985 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; AND DECLARING A PENALTY AND CALLING A PUBLIC HEARING.

Wayne Herrington, Senior Planner, briefed the Council on an ordinance on second and final reading to amend Section 23-306.4 and Section 23-306.5 of the Zoning Ordinance to allow Veterinary Services and Kennels in Limited Commercial (LC) Districts. The Planning & Zoning Commission and the staff recommend amendments to the Zoning Ordinance to permit Veterinary Services, for small animals only, in Limited Commercial zoning districts subject to Special Exception approval and compliance with certain Conditional Use provisions. The Planning & Zoning Commission and the staff also recommend no changes to the Zoning Ordinance as pertains to kennels.

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

. Dr. Bill Core, proponent's husband.

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

Councilman Fogle moved to amend Section 23-306.4 and Section 23-306.5 of the Zoning Ordinance, permitting Veterinary Services (Small Animals) in Limited Commercial (LC) zoning districts, on second and final reading and as recommended by the staff. The motion was seconded by Councilman McCaleb and the motion carried:

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

NAYS: None.

The ordinance is numbered 79-1985 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; AND DECLARING A PENALTY AND CALLING A PUBLIC HEARING.

John Hancock, Principal Planner, briefed the Council on an ordinance on second and final reading to amend Sections 23-257 and 23-258 of the Subdivision Regulations concerning plat fees. Staff recommends that the Subdivision Regulations be amended so that the County's recordation fees are collected separately and in addition to regular fees at the time an application is submitted. It is further recommended that these fees for recordation be set at the then current rate as established by the County. It is also recommended that no corresponding reductions be made in the City's basic fees since these fees do not, presently, cover processing costs.

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

Councilman Robinson moved to amend Section 23-257 and 23-258 of the Subdivision Regulations, concerning plat fees, on second and final reading, 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.

The ordinance is numbered 80-1985 and is captioned as follows:

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

Lee Roy George, Director of Planning, briefed the Council on a request to consider the extension of sign control into the Extraterritorial Jurisdiction. The Planning & Zoning Commission's Subcommittee on Sign Regulations recommends that the City not extend the proposed new regulations into the extraterritory. The Staff

concurs with the Subcommittee's recommendation and recommends the City Council decline the extension of sign controls outside City limits and rely upon the State Department of Highways and Public Transportation to exercise the restrictions found in H.B. 1330.

Councilman Fogle moved to DENY the extension of the City's sign regulations into the extraterritorial jurisdiction, as recommended 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.

Sandra Trosky, Assistant Land Agent, briefed the Council on an oral Resolution for Oil & Gas Drilling Permit #8507, from Oilwell Operators, Inc., located West of the Abilene Municipal Airport, out of the North 1/2 of Section 61, Blind Asylum Lands, Taylor County Texas. The drill site is located within the City limits and on private property and is not within the floodplain. Staff recommends approval of the permit.

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

Councilwoman Ray moved approval of the oral resolution for Oil & Gas Drilling Permit #8507, from Oilwell Operators, Inc., 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.

Roy McDaniel, Assistant City Manager, briefed the Council on a resolution Supporting and Endorsing the Approval of Constitutional Amendments One and Two. He explained that Amendment Number One provides funding mechanisms for certain types of projects that cities might qualify for. Amendment Number Two provides for the sale of bonds to create an agricultural water conservation program. While neither of these amendments may directly benefit the City of Abilene anytime in the near future, the staff feels that they are important as a first step toward establishing a statewide water plan.

Councilman Robinson moved to adopt the resolution approving Constitutional Amendments Number One and Two, 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 102-1985 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, SUPPORTING AND ENDORSING THE APPROVAL OF CONSTITUTIONAL AMENDMENTS ONE AND TWO.

Bob Whitehead, Director of Public Works, briefed the Council on a Resolution to consider funding for Curry Lane Bridge. Staff recommends the City Council authorize the Mayor to sign the resolution and to place the City's share of this project (\$193,304) in escrow with the State.

Councilman Nixon moved to approve the resolution adjusting the funding level for the City in its participation in this program and placing the City's share in escrow with the State. 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.

The resolution is numbered 103-1985 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE,
ADJUSTING THE FUNDING LEVEL FOR THE CITY IN ITS
PARTICIPATION IN THE FEDERAL OFF-SYSTEM BRIDGE REPLACEMENT
PROGRAM.

Sandra Trosky, Assistant Land Agent, briefed the Council on Oil & Gas Lease #1985-03, being 163 acres of SE 1/4 of Section 52, Block 14, T & P RR Co. Survey, Jones County, Texas, which is a part of the City's New Sewer Farm. She stated that one bid was received and staff is recommending the Council award the lease to Chalmers Operating Company, Inc.

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

Councilman Fogle moved to award the bid for Oil & Gas Lease #1985-03, to Chalmers Operating Company, Inc., as recommended 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.

Dr. Jack Callan, Chairman of the Animal Control Advisory Committee, reported to the Council the Committee's findings of the recent trip to M. D. Anderson Research Facilities. On September 19, 1985, Committee Members Dr. Callan and Dr. Larry Ellis, along with Councilman Walter E. Wheat, Director of Community Services Mike Hall, and Mrs. Sam Madison, representing the Taylor-Jones Humane Society made an on-site inspection of the M. D. Anderson Facility. The purpose of the trip was to investigate the facilities and determine whether it was a good idea to continue sending dogs to the Research Facility.

Dr. Callan stated that the Facility was inspected by the U. S. Department of Agriculture, National Institute of Health and the American Association for Accreditation of Animal Laboratory Care. The Facility is inspected without notice by these governmental agencies to see that they are operating according to regulations and that any break in these regulations would jeopardize the entire research. They found the Facility clean and the dogs being treated humanly. He also stated that the dogs are only used when no other species of animal is acceptable. The Committee recommends the Council authorize the Animal Control Superintendent to continue sending animals to M. D. Anderson for research.

Councilwoman Ray moved to authorize the staff to continue the ongoing agreement with M. D. Anderson Research Facility. 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 11:45 a.m.


Patricia Patton
City Secretary


David Stubbeman
Mayor