

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, December 5, 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, December 5, 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 A. E. Fogle, Jr.
3. **APPROVAL OF MINUTES:** Pre-Council Work Session and the Regular City Council Meeting held November 21, 1985.
4. **AWARDS: Ceremony for Outgoing Board Members.**
Resolution of Appreciation to Citizens' Advisory Committee.
Certificate of Appreciation for T. C. Melton, Chairman Citizens' Advisory Committee.

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 a resolution for additional funding for the Southwest Drive Bridge at Elm Creek.
- b. Consider on first reading the following ordinances for the purpose of setting public hearings for December 19, 1985, at 9:00 a.m.:

- . An ordinance changing the zoning district boundaries as shown below:

Z-07685 - request from Jimmy Partin to rezone from O (Office) to LC (Limited Commercial) district, located in the 600 Block of N. Willis Street.

Z-08385 - request from Cathrine A. Weller, to rezone from RS-6 (Residential Single Family) to RM-3 (Residential Multi-Family) district, located at 5202 Pueblo.

- . An ordinance amendment to PDMX #18-1985 as shown below:

Z-08185 - request from Charles A. McClure III, (representing Catclaw Limited Partnership), for an amendment #1 to the PDMX (Planned Development Mixed Use) ordinance #18-1985 for the use of O & LC (Office & Limited Commercial) on Tract 2, located at Southwest & Catclaw Drives.

- . Consider an emergency ordinance closing a thoroughfare as shown below:

TG-08285 - request from Dawn Development Company, (representing David Todd) to abandon a 20' wide north-south alley 400' in length, and a 24' wide north-south alley 481' in length located between South 14th & Hartford Streets.

6. Award of Bid:

- a. Computer Assisted Microfilm System - Proposal #078.

REGULAR AGENDA

7. Public Appearance:

- a. Betty Prude, Taylor County MADD - to discuss an ordinance related to the consumption of alcoholic beverages in an automobile.

8. Ordinances & Resolutions:

- a. **Public Hearing** - Consider on second and final 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.
- b. Consider a resolution designating City election precincts and polling places.
- c. **Public Hearing** - Consider on second and final reading - an ordinance amending Chapter 29, "Streets & Sidewalks," of the Abilene Municipal Code to permit use of public right-of-way as construction staging area; and oral resolution establishing permit fees.

9. Other Business:

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

Work Session

1. To Discuss Capital Improvement Projects.

ADJOURN

PRE-COUNCIL WORK SESSION, THURSDAY
December 5, 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 December 5, 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
December 5, 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 December 5, 1985, at 9:00 a.m. in the City Council Chambers of City Hall.

Invocation was given by Councilman A. E. Fogle, Jr..

The minutes of the Pre-Council Work Session and Regular City Council Meeting held November 21, 1985, stand approved.

Mayor Stubbeman read aloud a Resolution of appreciation to the Citizens' Advisory Committee on Capital Improvements, which has completed its work. Councilman Wheat moved to approve the resolution recognizing the contributions made by each member of the Citizens' Advisory Committee. 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 resolution is numbered 111-1985 and is caption as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,
RECOGNIZING CONTRIBUTIONS MADE BY MEMBERS OF THE CITIZENS'
ADVISORY COMMITTEE ON CAPITAL IMPROVEMENTS.

Mayor Stubbeman presented a Certificate of Appreciation to Reverend T. C. Melton, Chairman of the Citizens' Advisory Committee, for the personal contribution he made as Chairman of the Committee.

Mayor Stubbeman presented Certificates of Appreciation to those members rotating off of various City Boards and Commissions for their tenure of service.

Mayor Stubbeman removed from the consent agenda item 6a to be considered separately. Mayor Stubbeman removed from the agenda the following zone district changes based upon the decisions of the Planning and Zoning Commission:

Z-08085 request of Charles McClure III to rezone from A0 to LC located at Curry Lane and Catclaw Drive. The item was withdrawn at the Planning and Zoning Commission.

Z-08685 request of M. L. Gill to rezone from RS-8 to O, located at 2933 Buffalo Gap Road. The item was denied by the Planning and Zoning Commission and has not been appealed at the present time.

Councilman McCaleb moved to approve the consent agenda items being 5a and the remainder of 5b, as amended and 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. Consider a resolution for additional funding for the Southwest Drive bridge at Elm Creek. Staff recommends approval of the resolution and that the City Manager be authorized to make any final adjustments necessary to the account with the State Department of Highways and Public Transportation from the 1980 General Obligation Bond Funds to a maximum of \$10,000.

The Resolution is numbered 112-1985 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE AUTHORIZING ADDITIONAL FUNDING FOR THE SOUTHWEST DRIVE BRIDGE AT ELM CREEK.

- b. Consider on first reading the following ordinances for the purpose of setting public hearings for December 19, 1985, at 9:00 a.m.:

- . An ordinance changing the zoning district boundaries as shown below:

Z-07685 - request from Jimmy Partin to rezone from O (Office) to LC (Limited Commercial) district, located in the 600 block of N. Willis Street.

Z-08385 - request from Cathrine A. Weller to rezone from RS-6 (Residential Single Family) to RM-3 (Residential Multi-Family) district, located at 5202 Pueblo.

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.

- . An ordinance amendment to PDMX #18-1985 as shown below:

Z-08185 - request from Charles A. McClure III, (representing Catclaw Limited Partnership), for an amendment #1 to the PDMX (Planned Development Mixed Use) ordinance #18-1985 for the use of O & LC (Office & Limited Commercial) on Tract 2, located at Southwest & Catclaw Drives.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE AND ORDINANCE NO. 18-1985, CONCERNING THE SOUTHWEST DRIVE PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

- . Consider an emergency ordinance closing a thoroughfare as shown below:

TC-08285 - request from Dawn Development Company, (represented by David Todd) to abandon a 20' wide north-south alley 400' in length, and a 24' wide north-south alley 481' in length located between South 14th and Hartford Streets.

The ordinance is numbered 84-1985 and is captioned as follows:

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

Patricia Patton, City Secretary, briefed the Council on an award of proposal for a computer assisted microfilm system. The two proposals most advantageous to the City were those of Kodak and Ultimate Corporation. Proposals were analyzed based upon purchase price; lease-purchase option; equipment performance; the company's reputation; past experience; and the support provided by the company for hardware, software, and future maintenance support. Staff recommends that the City Manager be authorized to execute the appropriate documents with Ultimate Corporation for a five-year purchase plan, for computer hardware, software, and micrographics.

David Yelton, Kodak, was present and addressed the Council on the issue by requesting that the Council reconsider their proposal as the most advantageous to the City.

Councilwoman Ray moved to approve the staff recommendation that the City Manager be authorized to execute the appropriate documents with Ultimate Corporation for a five-year purchase plan for the computer assisted microfilm system. The motion was seconded by Councilman McCaleb and the motion carried.

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

NAYS: Councilman Robinson.

Betty Prude, representing the Taylor County Chapter of Mothers Against Drunk Driving (MADD), was present to request the Council to consider a proposed ordinance to ban alcohol consumption in or on a motor vehicle within the City of Abilene. She recommended that the Council consider an ordinance similar to the ordinance adopted by the City of Corpus Christi, Texas.

Mayor Stubbeman thanked Ms. Prude for her presentation and stated that the Council will take the matter under consideration and bring it back for discussion when appropriate.

Tony Neitzler, Assistant Director of Planning, briefed the Council on an ordinance annexing to the City certain properties adjacent to the eastern City limits in the vicinity of F.M. 18 and Elmdale Road. The present area under consideration is approximately 2.4 square miles.

Mayor Stubbeman opened a public hearing for the purpose of considering the aforementioned item and the following persons spoke in opposition to the annexation:

IN OPPOSITION:

- . Odis Cole, 1482 Westwood.
- . W. H. Blackburn, Jr., owner property #44. He requested that the Council not annex his 50 acre agricultural land.
- . Bertha Linahan, Operator and Manager of the Hamby Water Supply Corporation. She read aloud a prepared statement regarding the impact the proposed annexation would have on the Water Supply Corporation. She requested to negotiate an agreement with the City prior to annexing the area her company serves.
- . Marion Rue, Overland Tank Company.
- . Marvin Smith, Rt. 6.
- . L. A. Luttrell, Rt. 8.

There being no one else present and desiring to be heard, the public hearing was closed. Discussion among City Council Members followed.

Councilman Nixon moved to approve an ordinance on second and final reading annexing only properties #6, 10 through 36 inclusive. The motion was seconded by Councilman Wheat and the motion carried.

AYES: Councilmen McCaleb, Wheat, Nixon and Mayor Stubbeman.

NAYS: Councilwoman Ray, Fogle and Robinson.

The ordinance is numbered 85-1985 and is captioned as follows:

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.

Harvey Cargill, City Attorney, briefed the Council on a resolution designating new City election precincts and polling places to be used in City elections effective March 1, 1986. A voting rights submission will be forwarded to the Justice Department for their approval.

Councilman Nixon moved adoption of the resolution designating City election precincts and polling locations to be effective March 1, 1986. 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 resolution is numbered 113-1985 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, DESIGNATING ELECTION PRECINCTS AND POLLING PLACES; ALLOCATING ELECTION EXPENSES; PROVIDING FOR BILINGUAL ELECTION FOR ELECTIONS PRIOR TO AND EFFECTIVE MARCH 1, 1986.

Bob Fowler, Director of Building Inspection, briefed the Council on an ordinance amending the Abilene Municipal Code to permit the use of public right-of-way as a construction staging area; and an oral resolution establishing permit fees for same.

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

Councilman Wheat moved to approve the ordinance, on second and final reading, amending the Abilene Municipal Code regarding the use of public right-of-way as a construction staging area; and adopting, by oral resolution, the schedule of fees for same. 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 86-1985 and is captioned as follows:

AN ORDINANCE AMENDING CHAPTER 29, "STREETS AND SIDEWALKS", DIVISION 2, "PERMIT", ARTICLE VIII OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

Mayor Stubbeman recessed the Council into executive session in accordance with Article 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.

Councilman Robinson moved to appoint the following persons to the Abilene Economic Development Company and the Housing Authority of the City of Abilene. 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.

Jim Heaney, Abilene Economic Development Company, term to expire 11/88.

Becky Joy, Abilene Economic Development Company, term to expire 11/86.

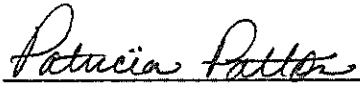
Dr. Morris Baker, Housing Authority of the City of Abilene, term to expire 11/87.

The City Council recessed into a Work Session to discuss possible capital improvement projects. City Manager Jim Blagg reviewed with the Council each proposed capital improvement project as presented by the Citizens' Advisory Committee.

Assistant City Manager, Roy McDaniel, reviewed with the Council the proposed financing plan, which includes the issuance of general obligation bonds.

It was the consensus of the Council to call a public hearing at the next regular City Council meeting to consider various capital improvement projects; and that the staff prepare a proposed election schedule and proposed propositions that might be considered for a bond election.

There being no further business, the meeting was adjourned at 12:30 p.m.



Patricia Patton
City Secretary



David Stubbeman
Mayor