

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, January 23, 1986, 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, January 23, 1986, 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 Regular City Council Meeting held January 9, 1986.

4. **AWARDS:** Employee Service.

| | | |
|-----------------|--------------------------------|----------|
| Lloyd W. Skiles | Police Lieutenant | 30 Years |
| James R. Grant | Communication Svcs. Supervisor | 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. **APPEALED ITEM:**

- a. Consider on first reading - an ordinance changing zoning district boundaries - **Z-1086** Request from John Steven & Diane Arthur to rezone from **RM-3** (Residential Multi-Family) to **O** (Office) district located at 2058 Fulton, and set a public hearing for February 13, 1986.
- b. Resolution to consider agreement with Meals on Wheels for disbursement of CDBG funds for construction of a kitchen facility.

6. **Award of Bid:**

- a. 4-inch and 6-inch C-900 pipe for Water Department - Bid #095.
- b. #4 Sulfite paper for the Print Shop - Bid #092.
- c. Senior Citizens Building, second floor renovation - Bid #091.

REGULAR AGENDA

7. **Ordinances & Resolutions:**

- a. Consider on first reading - an ordinance amending golfing fees at the Abilene Municipal Golf Course.
- b. **Public Hearing** - Consider on second and final reading - an ordinance changing zoning district boundaries - **Z-286** - Request from David Todd (representing Hendrick Medical Development Board Corporation), to rezone from **A0**, **RS-6** & **RM-3** (Agricultural Open Space, Residential Single Family, and Residential Multi-Family) to **PDMX** (Planned Development Mixed Use) district, located at Buffalo Gap and Forrest Hill Roads.
- c. **Public Hearing** - Consider on second and final reading - an ordinance changing zoning district boundaries - **Z-386** - Request from Larry J. and Geneva Cunningham to add **H** (Historic overlay) to underlying **RM-3** (Residential Multi-Family) district located at 760 Mulberry.
- d. **Public Hearing** - Consider on second and final reading - an ordinance changing zoning district boundaries - **Z-486** - Request from Eddie Browder to rezone from **A0** (Agricultural Open Space) to **GC** (General Commercial) district located at 5550 Highway 277 South.

- e. **APPEALED ITEM:**
Public Hearing - Consider on second and final reading - an ordinance changing zoning district boundaries - Z-586 - Request from Barbara Waxler (representing Dick Waxler) to rezone from RS-12 (Residential Single Family) to RM-3 (Residential Multi-Family) district located at 5618 Buffalo Gap Road.
- f. **Public Hearing- Consider on second and final reading - an ordinance changing street names - SNG-1186 - Request from Kenneth Musgrave, agent, Eddie Chase, being the following streets in Section 1, Quail Valley Northeast: Rhynold St., Mandi St., Wayne St., Judson St., Kim St., Debbie Ct., Ralph St., Dennis St., Douglas St., and Pam St. to Plymouth Rock Rd., Boston Rd., Independence Dr., Patriot Commons Rd., Valley Forge Rd., Revere Ct., Beacon Hill Rd., Liberty Blvd., Constitution Ave., and Township Ct., respectively.**
- g. Discuss Ordinance #83-1985 relative to sign regulations.
8. **Other Business:**
- a. Pending and Contemplated Litigation.
 - b. Appointment and Evaluation of Public Officials.
 - c. Consider acquisition of real property in Central Abilene.

WORK SESSION

1. Review Annual Financial Report from Condley and Company for year ending September 30, 1985.
2. Review of first quarter financial status for fiscal year 1985-86.
3. Discuss Capital Improvements Program.
4. Review Quarterly Project Status Reports.

ADJOURN

PRE-COUNCIL WORK SESSION, THURSDAY
January 23, 1986, 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 January 23, 1986, 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., Assistant City Secretary Debbie Hurley 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
January 23, 1986, 9:00 A.M.

CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,
CITY COUNCIL CHAMBERS OF CITY HALL

Mayor Stubbeman left the meeting. Mayor Pro Tempore Nixon reconvened the City Council of the City of Abilene, Texas, into Regular Session January 23, 1986, 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 January 9, 1986, stand approved.

Mayor Pro Tempore Nixon presented employee service awards to Lloyd Skiles, Police Lieutenant, for 30 years service; and to James R. Grant, Communications Services Supervisor, for 20 years service to the Citizens of Abilene.

Councilman Wheat moved to approve the consent agenda items, being 5a, 5b, and 6a through 6c, 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, and Mayor Pro Tempore Nixon.

NAYS: None.

ABSTAIN: Councilman McCaleb on item 5b only.

5. Ordinances & Resolution

a. APPEALED ITEM:

Consider on first reading - an ordinance changing zoning district boundaries - Z-1086 - Request from John Steven & Diane Arthur to rezone from RM-3 (Residential Multi-Family) to O (Office) district located at 2058 Fulton, and set a public hearing for February 13, 1986.

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.

- b. Resolution to consider agreement with Meals on Wheels for disbursement of CDBG funds for construction of a kitchen facility. The resolution is numbered 2-1986 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF ABILENE, TEXAS, APPROVING AN AGREEMENT WITH MEALS ON WHEELS PLUS, INC., FOR DISBURSEMENT OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR THE CONSTRUCTION OF A KITCHEN AND OFFICE FACILITY.

6. Award of Bid:

- a. 4-inch and 6-inch C-900 pipe for Water Department - Bid #095. The bid was awarded to C & C Municipal Supply.
- b. #4 Sulfite paper for the Print Shop - Bid #092. The bid was awarded to Palmer Paper Company.
- c. Senior Citizens Building, second floor renovation - Bid #091. The bid was awarded to Harris Acoustics.

Mike Hall, Director of Community Services, presented to the Council an ordinance for the consideration of an adjustment of golfing fees at the Abilene Municipal Golf Course. He introduced Mr. Ken James, Regional Director of the American Golf Corporation, who listed numerous past, as well as proposed, improvements to the City's golf course; and indicated that there had not been any type of adjustment to the fee schedule since February, 1982.

Councilman Fogle moved to approve the ordinance amending golfing fees at the Abilene Municipal Golf Course on first 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, and Mayor Pro Tempore Nixon.

NAYS: None.

John Hancock, Principal Planner, briefed the Council on an ordinance considered on second and final reading being Z-286 - request from David Todd (representing Hendrick Medical Development Board Corporation), to rezone from AO, RS-6 & RM-3 (Agricultural Open Space, Residential Single Family, and Residential Multi-Family) to PDMX (Planned Development Mixed Use) district, located at Buffalo Gap and Forrest Hill Roads. The Planning and Zoning Commission, as well as the staff, recommended approval of the request.

Mayor Pro Tempore Nixon opened a public hearing to consider the aforementioned request and the following person spoke in favor of the request:

Gary Pullin, representing the proponent.

No one else present and desiring to be heard, the public hearing was closed.

Councilman Robinson moved to approve the ordinance, on second and final reading, to rezone from AO, RS-6 & RM-3 to PDMX district located at Buffalo Gap and Forrest Hill Roads. The motion was seconded by Councilman McCaleb and the motion carried.

AYES: Councilmen McCaleb, Wheat, Robinson, and Mayor Pro Tempore Nixon.

NAYS: none.

ABSTAIN: Councilwoman Ray, Councilman Fogle.

The ordinance is numbered 2-1986 and is captioned as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,
AMENDING CHAPTER 23, SUBPART E, ZONING, OF THE ABILENE MUNICIPAL
CODE, CONCERNING MESA SPRINGS PLANNED DEVELOPMENT DISTRICT;
CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE
D A T E .

John Hancock, Principal Planner, briefed the Council on an ordinance considered on second and final reading being - Z-386 - request from Larry J. and Geneva Cunningham to add H (Historic overlay) to underlying RM-3 (Residential Multi-Family) district located at 760 Mulberry. The Landmarks Commission, Planning and Zoning Commission, and staff recommend approval of the request.

Mayor Pro Tempore Nixon 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 McCaleb moved to approve the ordinance, on second and final reading, to add Historic Overlay zoning to underlying RM-3 district at 760 Mulberry. The motion was seconded by Councilwoman Ray and the motion carried.

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

NAYS: None.

The ordinance is numbered 3-1986 and is captioned as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, 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 considered on second and final reading being - Z-486 - request from Eddie Browder to rezone from AO (Agricultural Open Space) to GC (General Commercial) district located at 5550 Highway 277 South. The Planning and Zoning Commission recommends approval; however, staff recommends disapproval of the request, indicating that if GC zoning was approved on this lot, it could potentially spur future GC requests in area, resulting in an undesirable strip commercial development.

Mayor Stubbeman returned to the meeting.

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

- . Eddie Browder, proponent, 5550 Highway 277 South.
- . Tommy Mills, Rt. 3, Box 32, stated he had lived in the area for 20 years and saw no problem with Mr. Browder continuing his business at the present location.

No one else present and desiring to be heard, the public hearing was closed.

Mayor Stubbeman suggested the Council table the item in order for Mr. Browder to consider Planned Development District as opposed to General Commercial District, which would be more acceptable to the Council and staff in an attempt to prevent the entire area from becoming a commercial district. Mr. Browder agreed to consider the Planned Development District and return to the Council at a later date, when appropriate.

Councilman Wheat moved to **TABLE** the item to allow Mr. Browder to consider Planned Development District. 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.

John Hancock, Principal Planner, briefed the Council on an ordinance considered on second and final reading being - Z-586 - request from Barbara Waxler (representing Dick Waxler) to rezone from RS-12 (Residential Single Family) to RM-3 (Residential Multi-Family) district located at 5618 Buffalo Gap Road. The Planning and Zoning Commission, as well as 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:

- . Tammy Snow, representing the proponents, indicated that physical appearance of the property would not be changed with the exception of a privacy fence to contain children in the day care center.
- . Denny Waxler, proponent.

No one else present and desiring to be heard, the public hearing was closed.

Councilman Robinson moved to approve the ordinance on second and final reading, as recommended by the staff, to rezone from RS-12 to RM-3 district, located at 5618 Buffalo Gap Road. The motion was seconded by Councilman Wheat.

The motion **FAILED** as follows:

AYES: Councilmen Wheat, Robinson, and Nixon.

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

John Hancock, Principal Planner, briefed the Council on an ordinance considered on second and final reading being - SNG-1186 - request from Kenneth Musgrave, agent, Eddie Chase, being the following streets in Section 1, Quail Valley Northeast: Rhynold St., Mandi St., Wayne St., Judson St., Kim St., Debbie Ct., Ralph St., Dennis St., Douglas St., and Pam St. to Plymouth Rock Rd., Boston Rd., Independence Dr., Patriot Commons Rd., Valley Forge Rd., Revere Ct., Beacon Hill Rd., Liberty Blvd., Constitution Ave., and Township Ct., respectively. The Planning and Zoning Commission as well as the staff recommend approval of the request.

Mayor Stubbeman opened a public hearing to consider the aforementioned item, and the following persons spoke in favor of the request:

- . Kenneth Musgrave, proponent.
- . Roy Lewis, 3150 Kim, indicates he resides in the area and is in favor of the request.

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

Councilman McCaleb moved to approve the ordinance on second and final reading as recommended by staff, to rename the above-mentioned streets. 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 4-1986 and is captioned as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, CHANGING THE NAME OF VARIOUS STREETS, LOCATED IN QUAIL VALLEY NORTHEAST SUBDIVISION.

Lee Roy George, Director of Planning, briefed the Council on Ordinance #83-1985 regarding portable signs, which goes into effect February 1, 1986. He indicated that a process of enforcement has been outlined regarding compliance. He also stated it was felt that an interim between February 1 and April 1, 1986, would be needed to achieve voluntary compliance of the ordinance. No changes in the ordinance were recommended at this time.

Gary Pullin, Chairman of the subcommittee for the sign ordinance, encouraged the council to give the ordinance an opportunity to prove itself, pointing out its advantages.

Councilman Nixon voiced his concern with Section 23-139, "Appeals, Interpretations, Variances", page 17 of the Ordinance.

Mayor Stubbeman stated he felt the purpose of putting this item on the agenda was to let everyone know not only the fact that it would be going into effect February 1, but to allow a time for the Council to offer amendments to the ordinance. No motions were offered.

Mayor Stubbeman recessed the Council into executive session in accordance with State law, Sections 2e, 2f and 2g of the Open Meetings Act, to consider pending and contemplated litigation, and the appointment and evaluation of public officials, and discuss the purchase, exchange, or value of real property.

The Council reconvened from executive session and reported no action taken.

Councilman Robinson moved to appoint Claudia Evans-Clinton as Assistant City Attorney. 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 3-1986 and is captioned as follows:

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

The City Council recessed into a work session to review the annual financial report for the year ended September 30, 1985; review first quarter financial status for FY 85-86; discuss Capital Improvements program; and review quarterly project status reports.

The meeting began with a review of the Annual Financial Report for the year ending September 30, 1985. Mr. Jerry Crisp, Condley and Company, reviewed the Financial Report with the Council, specifically referencing the General Fund statement of revenues, expenditures and changes in fund balance - budget and actual - budget basis; and Enterprise Funds combining statement of revenues, expenses, and changes in retained earnings - budget and actual - budget basis.

Mr. Crisp closed his presentation by stating that the City of Abilene, generally is in good, sound condition. He also stated that the company depended upon City staff a lot more this year and commended all involved. Mr. Joe Smith, First Southwest Company and the City's financial advisor, commented that the City's debt service is in good condition and he emphasized the importance of controlling the debt service in order to maintain a good credit rating.

Councilman McCaleb moved to accept the Annual Financial Report for the fiscal year ending September 30, 1985, and authorize payment to Condley and Company for same. 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.

David Wright, Director of Finance, reviewed with the Council the current status of the 1985-86 budget. He presented several charts depicting graphically the changes in the budget in specific revenue areas over the past three years, and compared them with the first quarter of the current budget. The specific areas addressed

include: current taxes, interest or investments, sales and hotel-motel tax, mixed beverage tax, refuse collection fees, building inspection permits and licenses, water and sewer sales and fund revenues, general fund budget versus actual, and water and sewer budget versus actual.

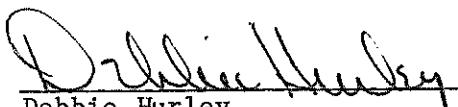
Revenues for the first quarter of the current budget appear to be meeting anticipated projections with the exception of sales tax, and there have not been any major unexpected expenditures. The staff will continue to closely monitor the budget throughout the remainder of the year and keep the Council apprised if any unexpected situations arise.

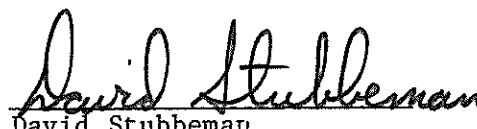
Rickey Childers, Assistant City Manager, disseminated a Project Status Report notebook to each City Council Member. The purpose of the Report is to provide either capital or major project summaries to the staff and City Council for review and monitoring. Quarterly updates on each project will be supplied to the Council for inclusion in the Report notebook.

Mr. Blagg discussed with the Council proposed federal legislation (H.R. 3838) regarding capital improvements and future municipal bond sales. Mr. Joe Smith, First Southwest Company, discussed the implications of the proposed legislation on any of the City's future bond issues. He highlighted the significant changes that may be caused by the legislation.

Therefore, it is the staff's recommendation that the staff continue to monitor the progression of the Bill through the Senate; review the City's financing plan in relation to possible requirements from the legislation; and as the progress of the Bill develops, return to the Council with suggestions on a timely schedule to call a bond election.

There being no further business, the meeting was adjourned at 1:30 p.m.


Debbie Hurley
Assistant City Secretary


David Stubbeman
Mayor