

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, April 24, 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, April 24, 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:** Councilman A. E. Fogle, Jr.
3. **APPROVAL OF MINUTES:** Pre-Council Work Session, and Regular City Council Meeting held April 10, 1986.

4. **AWARDS:**

30 years	Curtis Caffey	Construction Inspector	Engineering
20 years	Bill Brewer	Superintendent	Equipment Services
20 years	Samuel L. Kay	Firefighter	Fire Department
20 years	George Black	Lieutenant	Fire Department
20 years	Spencer H. Taylor	Lieutenant	Fire Department
20 years	Charles W. Parker	Equipment Operator II	Refuse Division

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:**

Consider on first reading - an ordinance changing zoning district boundaries - **Z-1786** - Request from Albert Ravanelli to rezone from AO (Agricultural Open Space) to LC (Limited Commercial) district, located at 3202 Buffalo Gap Road, and set a public hearing for May 8, 1986, at 9:00 a.m.

b. **APPEALED ITEM:**

Consider on first reading - an ordinance for street name change - **SNC-3186** - Request from Jerry Smith for a street name change, being Dub Wright Boulevard to Arnold Boulevard, located from the South right-of-way line of West Highway 80 to the north right-of-way line of Highway 277, and set a public hearing for May 8, 1986, at 9:00 a.m.

c. **Consider on second and final reading** - an ordinance amending Ordinance No. 69-1985, Part 5, regarding the number of classified positions in the Police Department.

d. Oral resolution to authorize City Manager to sign a contract for architectural services for Cobb Recreation Center.

6. **Award of Bid:**
a. Asphalt products for Street Services Division, **Bid #116.**

REGULAR AGENDA

7. **Ordinances and Resolutions:**

- a. **Public Hearing** - Consider on second and final reading an ordinance changing zoning district boundaries - **Z-2986** - Request from the Kroenke Group to rezone from AO (Agricultural Open Space) to PDMX (Planned Development Mixed Use) district, located on N. Judge Ely Blvd., 1/4 mile north of US Highway 80 East.
- b. **Public Hearing** - Consider on second and final reading an ordinance changing zoning district boundaries - **Z-3686** - Request from FM 600 Fleamarket, agent Eddie Adams, to rezone from AO (Agricultural Open Space) to PDMX (Planned Development Mixed Use) district, located at 4051 West Lake Road.
- c. **Public Hearing** - Consider on second and final reading an ordinance changing zoning district boundaries - **Z-3786** - Request from Holmes & Perry, agent, Nathan Coulter, to amend PDMX (Planned Development Mixed Use) Ordinance #68-1985 by expanding the district to include land within an RS-6 (Residential Single Family) district and changing its classification to PDMX (Planned Development Mixed Use), and by amending the existing site plan and ordinance, located at South 27th Street & Buffalo Gap Road.
- d. **Public Hearing** - Consider on second and final reading an ordinance for thoroughfare closure - **TC-3286** - Request from Gatclaw II Joint Venture, agent, Charles A. McClure III, for thoroughfare abandonment, being a portion of Curry Lane right-of-way south of and adjacent to a tract of land located in J. C. Donley Survey No. 95.
- e. **REMOVE FROM TABLE:**
Consider on second and final reading an ordinance amending Ordinance No. 21-1986 concerning the Holiday Hills Planned Development district, located at North 10th and Clack Streets.
- f. Consider on second and final reading - an ordinance amending Chapter 18, Traffic, of the Abilene Municipal Code, changing various traffic schedules.
- g. Oral resolution to consider request from Civic Abilene, Inc., to enter into a contract with National Display Systems for construction of electric marquee.
8. **Other Business:**
a. Discussion regarding the establishment of policy dealing with private streets.
b. Pending and Contemplated Litigation (see Notice for Executive Session, Litigation for Listing subjects).
c. Appointment and Evaluation of Public Officials (see Notice for Executive Session, Personnel for Listing subjects).

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PRE-COUNCIL WORK SESSION, THURSDAY
April 24, 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 April 24, 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., City Secretary Patricia Patton and various members of the city staff.

The Council briefly discussed various consent and regular agenda items. Staff briefed the Council on the liability insurance provision on contract for architectural services for Cobb Recreational Center Expansion. At this time, staff recommends the contract be authorized without a provision for liability insurance. The insurance provisions for future architectural contracts will be handled on an individual basis. There being no further questions, the meeting was recessed to the City Council Chambers for the Regular Council Meeting.

REGULAR CITY COUNCIL MEETING
April 24, 1986, 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 April 24, 1986, 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 April 10, 1986, stand approved.

Councilwoman Ray moved to approve the consent agenda items, being 5a through 6a, as presented 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.

5. Ordinances & Resolutions:

- a. Consider on first reading an ordinance changing zoning district boundaries - Z-1786 - Request from Albert Ravanelli to rezone from AO (Agricultural Open Space) to LC (Limited Commercial) district, located at 3202

Buffalo Gap Road, and set a public hearing for May 8, 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. Consider on first reading an ordinance for street name change - SNC-3186 - Request from Jerry Smith for a street name change, being Dub Wright Boulevard to Arnold Boulevard, located from the south right-of-way line of West Highway 80 to the north right-of-way line of Highway 277, and set a public hearing for May 8, 1986.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, CHANGING THE NAME OF DUB WRIGHT BOULEVARD TO ARNOLD BOULEVARD.

- c. Consider on second and final reading an ordinance amending Ordinance No. 69-1985, Part 5, regarding the number of classified positions in the Police Department.

The ordinance is numbered 22-1986 and is captioned as follows:

AN ORDINANCE AMENDING ORDINANCE NO. 69-1985, PART 5, REGARDING THE NUMBER OF CLASSIFIED POSITIONS IN THE POLICE DEPARTMENT.

- d. Oral resolution to authorize City Manager to sign a contract for architectural services for Cobb Recreation Center.

6. Award of Bid:

- a. Asphalt products for Street Services Division - Bid #116. The bid was awarded to American Petrofina of Big Spring for Item 1, A.C. Asphalt and Item 2, M. C. Asphalt; Koch Asphalt Company of Fort Worth for Item 3, Anionic Emulsion and Item 4, CRS Emulsion; White's Mines of San Antonio for Item 5, Rock Asphalt, Item 6, Hot Mix Asphalt, Item 7, Plant Mix Seal Asphalt, and Item 8, Pre Coat Rock; R. E. Janes Gravel Company for Item 9, Chip Seal Stone; and J. F. McGill for Item 10, Asphalt Rejuvenator.

John Hancock, Principal Planner, briefed the Council on an ordinance considered on second and final reading - 2-2986 - Request from the Kroenke Group to rezone from AO (Agricultural Open Space) to PDMX (Planned Development Mixed Use) district, located on N. Judge Ely Blvd., 1/4 mile north of U.S. Highway 80 East. The Planning and Zoning Commission recommends approval of

this request with the provision that a street be built in the location shown on the site plan; staff recommends approval.

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

- Stan Kroenke, President, Kroenke Group; proponent.

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

Councilman Fogle asked for a response on two concerns: traffic, and commercial activity in mid-block.

James Condry responded to the traffic concern.

Lee Roy George responded to the Land Use concern.

Staff reiterated their position in regard to the Rainey Creek Land Use Plan and proposed commercial development exceeding the level of intensity suggested by the Plan.

Bob Bailey and Kenneth Musgrave addressed the Council in opposition to the case after the public hearing was closed.

The Planning and Zoning Commission will, at its May meeting, be considering the actual location of the street.

Councilman McCaleb moved to deny the ordinance, on second and final reading, to rezone from AO to PDMX district. The motion failed for lack of a second.

Councilman Fogle moved to approve the ordinance, on second and final reading, to rezone from AO to PDMX district. The motion was seconded by Councilman Nixon and the motion carried.

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

NAYS: Councilman McCaleb.

The ordinance is numbered 23-1986 and is captioned as follows:

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, ZONING, OF THE ABILENE MUNICIPAL CODE, CONCERNING JUDGE ELY BLVD. PDMX PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING AND PROVIDING A PENALTY AND AN EFFECTIVE DATE.

John Hancock, Principal Planner, briefed the Council on an ordinance considered on second and final reading - 2-3686 - Request from FM 600 Fleamarket, agent Eddie Adams, to rezone from AO (Agricultural Open Space) to PDMX (Planned Development Mixed Use) district, located at 4051 West Lake Road. The Planning and Zoning Commission, as well as staff, recommend approval.

Mayor Stubbeman opened a public hearing to consider the aforementioned request and the following persons spoke in response to the request:

IN FAVOR:

- Eddie Adams, applicant, requested to use a corrugated metal fence for screening.
- Cindy Adams, co-applicant. She disagrees with the restriction on the outside use.
- Albert Ravanelli, 941 Kenwood.

AGAINST:

- Mr. J. C. Haines, Rt. 8, owner of property north of the property in question. He is concerned with parking problems caused by the flea market activities.
- Dan Dankworth, Rt. 8, Box 630, owner of property in area.
- Sheila Dankworth, Rt. 8, Box 630. She is concerned with visitors of the flea market parking on the street and creating traffic problems.
- Lloyd Presswood, Rt. 6, Box 36.

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

Councilwoman Ray moved to approve the ordinance, on second and final reading, to rezone from AO to PDMX district located at 4051 West Lake Road, as recommended by the staff.

The ordinance is numbered 24-1986 and is captioned as follows:

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, ZONING, OF THE ABILENE MUNICIPAL CODE, CONCERNING F.M. 600 PDMX PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

John Hancock, Principal Planner, briefed the Council on an ordinance considered on second and final reading - Z-3786 - Request from Holmes & Perry, agent, Nathan Coulter, to amend PDMX (Planned Development Mixed Use) Ordinance #68-1985 by expanding the district to include land within an RS-6 (Residential Single Family) district and changing its classification to PDMX (Planned Development Mixed Use), and by amending the existing site plan and ordinance, located at South 27th Street & Buffalo Gap Road. The Planning and Zoning Commission, as well as the staff, recommend approval of this request.

Mayor Stubbeman opened a public hearing to consider the aforementioned request and the following persons spoke in regard to the request:

IN FAVOR:

- Nathan Coulter, proponent.
- Bill Griffith, 1949 Ross, representing owners of property in the area.

AGAINST:

- Mrs. Garrett, 4917 Yale. Requested the homes along Ross remain and not be destroyed.

Councilman Fogle moved to approve the ordinance, on second and final reading, to amend PDMX Ordinance # 68-1985 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 25-1986 and is captioned as follows:

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE AND ORDINANCE NO. 68-1985, CONCERNING THE OVERPLACE PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

John Hancock, Principal Planner, briefed the Council on an ordinance considered on second and final reading - TC-3286 - Request from Catclaw II Joint Venture, agent, Charles A. McClure III, for thoroughfare abandonment, being a portion of Curry Lane right-of-way south of and adjacent to a tract of land located in J. C. Donley Survey No. 95. The Planning and Zoning Commission, as well as staff, recommend approval of this request.

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

- David Todd, representing the proponent.

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

Councilman Wheat moved to approve the ordinance, on second and final reading, for thoroughfare closure 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 26-1986 - 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, AND CALLING A PUBLIC HEARING.

Councilwoman Ray moved to remove from the table a request to amend Ordinance No. 21-1986 concerning the Holiday Hills Planned Development District, located at North 10th and Clack Streets Councilman Robinson seconded the motion 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 amending Ordinance No. 21-1986 concerning the Holiday Hills Planned Development district, located at North 10th and Clack Streets. Staff recommends approval of this request.

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

- Brad Stone, representing the proponent. He requested the prohibition on the sale of mobile homes be eliminated.
- James McMillon, representing the residents in the area which originally opposed to the ordinance.
- Mr. L. C. Dairy, 5026 N. 9th Street.

Staff recommends that if the prohibition on mobile homes is eliminated, that some time period or time restriction on such sale be considered. Mr. Dairy disagreed with staff.

- Burl Harris favors sale of mobile homes.

Councilman Robinson moved to approve the Ordinance amendment subject to the deletion of the restriction on sale of mobile homes. The motion was seconded by Councilman Nixon.

Councilman Fogle offered amendment to the motion that the following prohibition be added: "Adult arcade or peep show, or adult oriented bookstore, or adult motion picture theatre." 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 motion to approve the ordinance amending Ordinance No. 21-1986 subject to the deletion of the restriction on the sale of mobile homes and the addition of a prohibition of adult arcade or

peep show or adult oriented book store or adult motion picture theatre was accepted and the motion carried.

AYES: Councilman McCaleb, Councilwoman Ray, Councilmen Wheat, Fogle, Robinson, Nixon, and Mayor Stubbeman.
NAYS: None.

The ordinance is numbered 27-1986 and is captioned as follows:

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING", OF THE ABILENE MUNICIPAL CODE AND ORDINANCE NO. 21-1986, CONCERNING THE HOLIDAY HILLS PDMX PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

James Condry, Director of Traffic and Transportation, briefed the Council on an ordinance considered on second and final reading amending Chapter 18, Traffic, of the Abilene Municipal Code, changing various traffic schedules.

Councilman Wheat moved to approve the ordinance as recommended by 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 28-1986 and is captioned as follows:

AN ORDINANCE AMENDING CHAPTER 18, "MOTOR VEHICLES AND TRAFFIC", OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

Mike Hall, Director of Community Services, introduced Marilyn Roberts, Chairperson of Civic Abilene, Inc., who briefed the Council on an oral resolution to consider a request from Civic Abilene, Inc., to enter into a contract with National Display Systems for construction of an electric marquee.

Councilwoman Ray moved to approve the oral resolution as presented. 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.

Iee Roy George, Director of Planning, briefed the Council on a resolution establishing a policy for acceptance of private streets. The Planning & Zoning Commission, as well as staff, recommend approval of the policy.

Councilman Nixon moved to approve the resolution as presented by staff. Councilman McCaleb seconded the motion and

the motion carried.

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

NAYS: None.

The resolution is numbered 13-1986 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TAYLOR COUNTY, TEXAS, ESTABLISHING A POLICY FOR REVIEW OF PROPOSALS TO DEVELOP PRIVATE STREETS AND REQUESTS TO ACCEPT PRIVATE STREETS FOR APPROPRIATE ORDINANCES TO REQUIRE THAT PRIVATE STREETS MEET PUBLIC STREET STANDARDS.

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

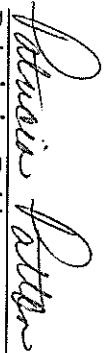
The Council reconvened from executive session and reported no action taken.

Councilwoman Ray moved to appoint Ms. Bernice Proctor to fill the unexpired term of Martha King on the MH/MR Board, due to expire August, 1987. 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.

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


Patricia Patton
City Secretary


David Stubbeman
Mayor