

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, May 22, 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, May 22, 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 Gary D. McCaleb.
3. APPROVAL OF MINUTES: Pre-Council Work Session, Regular City Council Meeting held May 8, 1986, and Special Council Meeting held May 14, 1986.
4. AWARDS - Employee Service:

| | | | |
|--------------------|-----------------------|--------------------|----------|
| James L. Cheek | Utility System Super. | Water Distribution | 25 Years |
| Agustine F. Sigala | Equip. Operator II | Refuse Collection | 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 second and final reading - an ordinance amending the Abilene Municipal Code, Chapter 18, "Traffic", to prohibit parking at various locations.
 - b. Consider on first reading - an ordinance amending the Abilene Municipal Code, Chapter 8, Construction, Article VI, Division 2, Uniform Building Code, for the purposes of adopting the Revised 1985 Uniform Building Code, and set a public hearing for June 12, 1986, at 9:00 a.m.
 - c. Consider on first reading - an ordinance amending the Abilene Municipal Code, Chapter 18, "Traffic", concerning prohibition of parking on Compara Blvd. and Simmons Ave., and set a public hearing for June 12, 1986, at 9:00 a.m.
 - d. Consider on first reading - an ordinance amending the Abilene Municipal Code, Chapter 32, "Utilities", by amending Article VI "Drought Contingency Plan" and set a public hearing for June 12, 1986; Oral resolution adopting the Water Management Plan.

- e. Consider on first reading - an ordinance pursuant to the requirements of the Internal Revenue Code, approving the designation of contributions made by Abilene Firefighters under the Abilene Firemen's Relief and Retirement Fund.
- f. Consider acceptance of private street.
- g. Oral resolution to consider donation of land at Sears Park.

6. Award of Bid

- a. Portable meter reading system for Water Utility Office - Bid #090.
- b. Backhoe loader for Water Department - Bid #101.
- c. Motorgrader for Street Division - Bid #117.
- d. Equipment Purchase of a trailer, riding mowers, and air compressor - Bid #122, #124, and #125.

REGULAR AGENDA

7. Ordinances and Resolutions:

- a. Representatives of Texas Sesquicentennial of Abilene to discuss upcoming activities.
- b. Oral Resolution to consider authorizing the Mayor to sign a contract with the West Central Texas Municipal Water District for construction of a parallel pipeline to Hubbard Creek Lake.
- c. **Public Hearing - Consider on second and final reading - an ordinance changing zoning district boundaries - Z-4286 - Request from Eddie Chase (representing Bill Musgrave, Inc.) to rezone from AO (Agricultural Open Space) to PDR (Planned Development Residential) district, located at Chimney Rock Road and Catclaw Drive.**
- d. **Public Hearing - Consider on second and final reading - an ordinance changing zoning district boundaries - Z-4186 - Request from Brad Stone (representing Larry Brewster and Nathan Morris) to rezone from GC (General Commercial) and RM-3 (Residential Multi-Family) to PDC (Planned Development Commercial) district, located at S. Clack and Edgemont Streets.**
- e. **Public Hearing - Consider on second and final reading - an ordinance changing zoning district boundaries - Z-4786 - Request from Brad Stone (representing Lucia and Willie Carrillo) to rezone from RM-3 (Residential Multi-Family) to GC (General Commercial) district, located at 1641 N. 10th Street.**
- f. **Public Hearing - Consider on second and final reading - an ordinance changing zoning district boundaries - Z-5086 - Request from Lory Dennis to add Historic Overlay to underlying RM-3 (Residential Multi-Family) district for property located at 1642 Grape Street.**
- g. **Public Hearing - Consider on second and final reading - an ordinance changing zoning district boundaries - Z-5186 - Request from Jack Young (representing United Centre Limited) to add Historic Overlay to underlying CB (Central Business) district, located at 1049 N. 3rd Street.**
- h. **Public Hearing - Consider on second and final reading - an ordinance changing zoning district boundaries - Z-5286 - Request from Carmen Carter to add Historic Overlay to underlying RM-2 (Residential Multi-Family) and O (Office) district, located at 1545 N. 5th Street.**

- i. Public Hearing - Consider an second and final reading - an ordinance - Z-4986 - Request from the Kroenke Group, to amend a Planned Development Shopping district ordinance (#23-1986) for property located on Judge Ely Blvd., 1/4 mile north of E. Hwy. 80.
 - j. Public Hearing - Consider an second and final reading - an ordinance for thoroughfare closure - TC-4086 - Request from Hendricks Medical Center to abandon a portion of a 20' alley between Ambler and N. 21st, and Orange and Hickory Streets.
 - k. Public Hearing - Consider an second and final reading - an ordinance amending the Abilene Municipal Code, Chapter 23, Subpart B, Mobile Homes and Travel Trailers.
 - l. Public Hearing - Consider an second and final reading - an ordinance amending the Abilene Municipal Code, Chapter 23, Subpart E, Zoning, Section 23-306.5.A(8) concerning vacation travel trailer parks.
 - m. Oral Resolution to consider adoption of Abilene Clean and Proud Bylaws; and status update.
 - n. Oral Resolution authorizing Mayor to sign amendment to contract with Fairway Oaks and agreements with Abilene Country Club and American Golf, Inc., for purchase of raw water.
 - o. Resolution to consider sanitary sewer waiver request for Lot 1, Block A, Continuation No. 1, Brooks Addition, Abilene, Taylor County.
 - p. Resolution approving the issuance of bonds by the Abilene Health Facilities Development Corporation to finance a project for Mesa Springs Retirement Village, Inc.
8. Other Business:
- a. Pending and Contemplated Litigation (see Notice for Executive Session, Litigation for listing subjects).
 - b. Appointment and Evaluation of Public Officials (see Notice for Executive Session, Personnel for listing subjects).

ADJOURN

PRE-COUNCIL WORK SESSION, THURSDAY
May 22, 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 May 22, 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. There being no further questions, the meeting was recessed to the city council chambers for the regular Council Meeting.

REGULAR CITY COUNCIL MEETING
May 22, 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 May 22, 1986, at 9:00 a.m. in the city council chambers of city Hall.

Invocation was given by Councilman Gary D. McCaleb

The minutes of the Pre-Council Work Session, Regular City Council Meeting held May 8, 1986, and Special City Council Meeting held May 14, 1986 stand approved.

Assistant City Manager Rickey Childers shared with the City Council the City's participation in the recent Corporate Challenge with General Dynamics. He recognized each captain representing members of their team which participated in the Challenge as follows: Pascual Mirelez, Golf; Velvet Chesser, Softball; Willie Leggett, Horseshoes; Margaret Sullivan, Bowling; Diane Callander, 5K Run; Jay Singleton, Volleyball; Harvey Cargill, Tennis; and Tony Neitzler and Sandy Test, Planning Committee. He stated that the City encourages physical activity for the health and welfare of the employees and hoped this Corporate Challenge will lead to future endeavors of this nature for all City employees.

Mayor Stubbeman presented Employee Service awards to the following individuals for their tenure of service to the City of Abilene: James L. Cheek, Utility System Supervisor, Water Distribution, 25 years; and Agustine F. Sigala, Equipment Operator II in the Refuse Collection Division, 20 years.

Councilman McCaleb moved to approve the consent agenda items, being 5a through 6d, 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 on second and final reading - an ordinance amending the Abilene Municipal Code, Chapter 18, "Traffic", to prohibit parking at various locations.

The Ordinance is numbered 32-1986 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.

- b. Consider on first reading - an ordinance amending the Abilene Municipal Code, Chapter 8, Construction, Article VI, Division 2, Uniform Building Code, for the purposes of adopting the Revised 1985 Uniform Building Code, and set a public hearing for June 12, 1986.

AN ORDINANCE AMENDING CHAPTER 8, "CONSTRUCTION REGULATIONS," ARTICLE VI, "UNIFORM CODES AND OTHER REGULATIONS," DIVISION 2, "BUILDING CODE," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

- c. Consider on first reading - an ordinance amending the Abilene Municipal Code, Chapter 18, "Traffic", concerning prohibition of parking on Compere Blvd. and Simmons Ave., and set a public hearing for June 12, 1986, at 9:00 a.m.

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.

- d. Consider on first reading - an ordinance amending the Abilene Municipal Code, Chapter 32, "Utilities", by amending Article VI "Drought Contingency Plan" and set a public hearing for June 12, 1986; Oral Resolution adopting the Water Management Plan.

AN ORDINANCE AMENDING CHAPTER 32, "UTILITIES," BY REPEALING ARTICLE VI "WATER CONSERVATION" AND ENACTING NEW ARTICLE VI "DROUGHT CONTINGENCY PLAN: AS SET OUT

BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

- e. Consider on first reading - an ordinance pursuant to the requirements of the Internal Revenue Code, approving the designation of contributions made by Abilene Firefighters under the Abilene Firemen's Relief and Retirement Fund.

AN ORDINANCE PURSUANT TO THE REQUIREMENTS OF THE INTERNAL REVENUE CODE SECTION 414(b), REVENUE RULINGS 77-462, 81-35, AND 81-36, APPROVING THE DESIGNATION OF CONTRIBUTIONS MADE BY ABILENE FIREFIGHTERS UNDER THE ABILENE FIREMEN'S RELIEF AND RETIREMENT FUND AS EMPLOYER CONTRIBUTIONS ("PICKED-UP CONTRIBUTIONS") SUBJECT TO CERTAIN CONDITIONS.

- f. Oral resolution accepting public dedication of Courtyard Lane, by means of subdivision plat, and more particularly described as Lots 201 through 207, a replat of Lots 101 through 107, a replat of Lot 9, Block A, Section 3, Countryside South Addition, Abilene.

- g. Oral Resolution accepting donation of land at Sears Park, from H. C. Toombs and being located contiguous to Sears Park.

6. Award of Bid:

- a. Portable meter reading system for Water Utility Office - Bid #090. The bid was awarded to Datamatic, Inc. of Richardson.
- b. Backhoe loader for Water Department - Bid #101. The bid was awarded to Taylor County Ford Tractor, Inc.
- c. Motorgrader for Street Division - Bid #117. The bid was awarded to Treanor Equipment Company.
- d. Equipment Purchases for a trailer, Bid #122, was awarded to Treanor Equipment Company; for riding mowers, Bid #124, was awarded to Goldthwaite's; and for an air compressor, Bid #125, was awarded to Godsey Equipment Company.

Mr. Jerry Emmons, Chairman of the Texas Sesquicentennial Committee of Abilene, was present to discuss with the Council upcoming activities for the Sesquicentennial celebration, and intentions to raise money for an historical museum. He read aloud several events that have occurred on behalf of the Sesquicentennial celebration, which include the arrival of the wagon train June 7, the Jaycees Boomtown celebration beginning June 6, a musical event on June 8 at the coliseum, and the visit in October from the chorale from Elizabeth Australia.

Roy McDaniel, Assistant City Manager, briefed the Council on a Resolution to consider authorizing the Mayor to sign a contract with the West Central Texas Municipal Water District for construction of a parallel pipeline to Hubbard Creek. The item will be brought back on June 12 to continue the proceedings. Members of the West Central Texas Municipal Water District present were: Ed Seegmiller, Executive Director; Harold Crawford, Fred Lee Hughes, Jerry Johnson, Ken Murphy, W. T. Dupree, James Potter, and Fred Sandlin.

Also present were: Jim Nichols of Freese & Nichols, Joe Smith, First Southwest Co.; and Pete Tart, McCall, Parkhurst & Horton Bond Attorneys; and Water Now Committee members Paul Washburn, Seaton Higginbotham, and Syd Niblo.

Councilman Nixon moved to approve the Resolution as presented by staff, authorizing execution of a water transmission line contract with the West Central Texas Municipal Water District. 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 17-1986 and is captioned as follows:

RESOLUTION AUTHORIZING EXECUTION OF WATER TRANSMISSION LINE CONTRACT WITH WEST CENTRAL TEXAS MUNICIPAL WATER DISTRICT.

John Hancock, Principal Planner, briefed the Council on an ordinance considered on second and final reading - Z-4286 - Request from Eddie Chase (representing Bill Musgrave, Inc.) to rezone from AO (Agricultural Open Space) to PDR (Planned Development Residential) district, located at Chimney Rock Road and Catclaw Drive. The Planning and Zoning Commission, as well as staff, recommends approval of this request.

Mayor Stubbeman opened a public hearing to consider the aforementioned request, and no one present and desiring to be heard, the public hearing was closed.

Councilwoman Ray moved to approve the ordinance, on second and final reading, for Z-4286 as recommended by 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 33-1986 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 ROYAL CREST PDR 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 - Z-4186 - Request from Brad Stone (representing Larry Brewster and Nathan Morris) to rezone from GC (General Commercial) and RM-3 (Residential Multi-Family) to PDC (Planned Development Commercial) district, located at S. Clack and Edgemont Streets. 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 person spoke in favor of the request:

- Brad Stone, representing the proponent.

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

Councilman Fogle moved to approve the ordinance, on second and final reading, for Z-4186, as recommended by the staff. The motion was seconded by Councilman Robinson and the motion carried.
AYES: Councilman McCaleb, Councilwoman Ray, Councilmen Wheat, Fogle, Robinson, Nixon and Mayor Stubbeman.

The ordinance is numbered 34-1986 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 GARDEN WORLD PDC 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-4786 - Request from Brad Stone (representing Lucia and Willie Carrillo) to rezone from RM-3 (Residential Multi-Family) to GC (General Commercial) district, located at 1641 N. 10th Street. The Planning and Zoning Commission recommends approval of this request. The staff recommends the request be tabled pending completion of the Grape/Hickory Street Study.

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

- Brad Stone, representing the proponent. Proponent requests approval specifically due to a fact that portable signs cannot be placed in a residential district, which puts their business at a disadvantage.

It was stated that June or July is the scheduled completion date of the Grape/Hickory Street study.

Councilman Robinson moved to approve the ordinance, on second and final reading, for Z-4786, as recommended by the Planning and Zoning Commission. 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 ordinance is numbered 35-1986 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 considered on second and final reading - Z-5086 - Request from Lory Dennis to add Historic Overlay to underlying RM-3 (Residential Multi-Family) district for property located at 1642 Grape Street. The Landmarks Commission, as well as staff, recommends approval of the request.

Mayor Stubbeman opened a public hearing to consider the aforementioned request, and there being 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 to underlying RM-3 district, located at 1642 Grape Street as recommended. 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 36-1986 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 considered on second and final reading - Z-5186 - Request from Jack Young (representing United Centre Limited) to add Historic Overlay to underlying CB (Central Business) district for property located at 1049 N. 3rd Street. The Landmarks Commission, as well as staff, recommends approval of the request.

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

- Jack Young, representing the proponents.

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 add Historic Overlay to underlying CB district, located at 1049 N. 3rd Street as recommended. 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.

The ordinance is numbered 37-1986 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 considered on second and final reading - Z-5286 - Request from Carmen Carter to add Historic Overlay to underlying RM-2 (Residential Multi-Family) and O (Office) district, located at 1545 N. 5th Street.

Mayor Stubbeman opened a public hearing to consider the aforementioned request, and there being 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 to RM-2 and O district, located at 1545 N. 5th Street as recommended. 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 38-1986 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 considered on second and final reading - Z-4986 -

Request from the Kroenke Group, to amend a Planned Development Shopping district ordinance (#23-1986) for property located on Judge Ely Blvd, 1/4 mile north of E. Hwy. 80. The Planning and Zoning Commission as well as staff, recommend approval of the request.

Mayor Stubbeman opened the meeting for public hearing, and there being no one present and desiring to be heard, the public hearing was closed.

Staff and Council discussed the site plan which depicts the addition of a street across the entire property. The proposed ordinance amendment reflects a 30' wide street flared to 36' at intersections.

James Condry, Director of Traffic and Transportation, briefed the Council on the reasoning behind the size width of the street. He recommended 36' width for the entire length of the street is preferred. However, he stated that the 30' flared to 36' at intersections can work, and is what the Planning and Zoning Commission approved.

Councilman Nixon moved to approve the ordinance on second and final reading with an amendment to the street width being 36' width with 60' right-of-way the entire length of the street. The motion was seconded by Councilman Robinson and the motion carried.

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

NAYS: None.

The ordinance is numbered 39-1986 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. 23-1986, CONCERNING THE JUDGE ELY BLVD 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 - **TC-4086** - Request from Hendricks Medical Center for thoroughfare abandonment, being a portion of a 20' alley between Ambler and N. 21st, and Orange and Hickory Streets. 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:

- Glenn Craig, Assistant Vice President of Hendricks Medical Center.

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, for thoroughfare closure TC-4086, as recommended by the staff. The motion was seconded by Councilman Wheat and the motion carried.

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

NAYS: None.

ABSTAIN: Councilwoman Ray, Councilman Fogle.

The ordinance is numbered 40-1986 - 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.

John Hancock, Principal Planner, briefed the Council on an ordinance considered on second and final reading - Request for an ordinance amending the Abilene Municipal Code, Chapter 23, Subpart B, Mobile Homes and Travel Trailers.

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

- Paul Washburn, concerned with the variance provisions to the Ordinance. He proposed several amendments to the Ordinance.
- Larry Holmes responded to the amendments proposed by Mr. Washburn and stated he does not favor the proposed amendments.

Harvey Cargill, City Attorney, advised the Council of their options. He advised them not to pass the amendments as proposed by Mr. Washburn due to the special exception process that is proposed, which is incorrect. Staff would like an opportunity to review the amendments.

Additionally, Council was concerned that the Planning & Zoning Commission and the Mobile Home Subcommittee has not had an opportunity to hear these amendments.

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

Councilman Fogle moved to refer the ordinance back to the Planning & Zoning Commission to allow them to consider the proposed amendments. 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.

Councilman Wheat moved to table a request to amend the Abilene Municipal Code, Chapter 23, Subpart E, Zoning, Section 23-306.5.A(8) concerning vacation travel trailer parks until the Mobile Home Ordinance returns for Council consideration. Councilman Robinson seconded the motion and the motion carried.

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

Bob Whitehead, Director of Public Works, introduced Sandy Chisum, the City's new Abilene Clean and Proud program coordinator. Sandy introduced Mr. Jim McCurdy, Chairman of the Abilene Clean and Proud, who briefed the Council on the Bylaws and gave a program status update.

Councilman McCaleb moved to approve, by oral resolution, the adoption of the Bylaws of the Abilene Clean and Proud Committee as recommended by staff. The motion was seconded by Councilwoman Ray, and the motion carried.

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

Jim Blaggy, City Manager, briefed the Council on an oral resolution authorizing the Mayor to sign an amendment to the contract with Fairway Oaks and agreements with the Abilene Country Club and American Golf, Inc., for the purchase of raw water.

Councilwoman Ray moved to approve, by oral resolution, the agreement with Fairway Oaks, Abilene Country Club, and American Golf, as presented. 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.

Bob Whitehead, Director of Public Works, briefed the Council on a resolution to consider a sanitary sewer waiver request for Lot 1, Block A, Continuation No. 1, Brooks Addition, Abilene, Taylor County. Staff recommends denial of the request.

Mr. Earl McMillan, representing AT&T Company, was present and responded to the Council's questions in regard to the proposed use of the property and justification for AT&T Company's request.

Councilwoman Ray moved to deny the resolution as recommended by staff. Mayor Stubbeman seconded the motion and the motion carried.

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

Roy McDaniel, Assistant City Manager, briefed the Council on a resolution approving the issuance of bonds by the Abilene Health Facilities Development Corporation to finance a project for Mesa Springs Retirement Village, Inc.

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

IN FAVOR:
• Jane Beard, attorney representing Handricks Home.

OPPOSED:
• Vita Willis, 1255 Matador, objects to the tax shelters allowed for these type of bonds.

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

Councilman McCaleb moved to approve the request as presented by staff. The motion was seconded by Councilman Wheat and the motion carried.

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

NAYS: None.
ABSTAIN: Councilwoman Ray, Councilman Fogle.

The Resolution is numbered 18-1986 and is captioned as follows:

RESOLUTION OF THE CITY COUNCIL APPROVING THE ISSUANCE OF BONDS BY THE ABILENE HEALTH FACILITIES DEVELOPMENT CORPORATION TO FINANCE A PROJECT FOR MESA SPRINGS RETIREMENT VILLAGE, INC.

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.

Councilman Fogle moved to approve the Spring 1986 Board Appointments as reflected in Exhibit "A", attached and made a part of these minutes for all purposes; and approval of the Resolution appointing Mr. Eleazar C. (Charles) Maciel to the Mental Health-Mental Retardation Board of Directors. 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.

M E M O R A N D U M

May 22, 1986

TO: Members of the City Council
FROM: David Stubbeman, Mayor
SUBJECT: Spring 1986 Board Appointments

I am submitting for your approval the following persons for appointment and reappointment to various Boards and Commissions:

ABILENE COMMUNITY DEVELOPMENT CO., INC. DIRECTORS OF - 1 year Term Expiring May 1987

| <u>Entity</u> | <u>Primary Member</u> | <u>Alternate</u> |
|-------------------------------------|-----------------------|--------------------|
| MBank | Rode Ammons | Betty Sneed |
| Independent American Savings & Loan | Fred Bradley | Robert P. Stephens |
| Bank of Commerce | Leon Shorey | Randall Blingaman |
| InterFirst Bank N.A. | Carolyn Tate | Tommy Michaels |
| First National Bank | Dana McCabe | Jim Nixon |
| Commodore S & L | Bonita S. Grogan | N/A |
| First State Bank | Steve Holcomb | Gary Miller |
| Southwest S & L | Ruby Jackson | Sue Kapke |
| InterFirst Bank South | Pam Young | James Rose |
| Security State Bank | Kirby Leeson | Darrel Knight |
| City Legal Department | Karen L. Anderson | Jonathan Graham |
| Community Development | Mike Morrison | N/A |
| City Manager | Jim C. Blagg | Rick Childers |
| City Mayor | David Stubbeman | |

ABILENE HIGHER EDUCATION AUTHORITY, Inc. - 2 year Term expiring May 1988

(2) Reappointments:
Dr. William Teague
Hudson Smart

(1) Appointment:
Mike Brooks, President
First National Bank

ABILENE HIGHER EDUCATION FACILITIES CORP. - 2 year Term expiring May 1988

(2) Reappointments:
Dr. William Teague
Hudson Smart

- (1) Appointment:
Mike Brooks, President
First National Bank

ABILENE HOUSING FINANCE CORPORATION - 2 year Term expiring May 1988

- (1) Reappointment:
Earl Williams

- (2) Appointments:
Dave Dalzell, Realtor
John Clark, Asst. VP, Real Estate Dept.
InterFirst Bank, N.A.

CIVIC ABILENE, INC. - 3 year Term expiring May 1989

- (3) Reappointments:
Col. David Tompkins
Joe Russey
Mary Jo North

- (3) Appointments:
Gerry Slaughter, Images Fashions
James Aneff, C-K Enterprises
Curtis Wheat, Wheat Rental Service

MENTAL HEALTH - MENTAL RETARDATION - 2 year Term expiring August 1988

- (4) Reappointments:
Betty Hardwick
Julian Bridges
Jane Varner Beard
Carlton (Sonny) Strand

- (1) Appointment:
Eleazar C. (Charles) Maciel
Ambler Baptist Church

PARKS & RECREATION BOARD - 3 year Term expiring May 1989

- (1) Reappointment:
Frank Meyers

- (1) Appointment:
Jimmy Wadley, Optometrist

WEST CENTRAL TEXAS MUNICIPAL WATER DISTRICT, DIRECTORS OF - 2 year Term expiring May 1988

- (3) Reappointments:
Harold Crawford
Fred Lee Hughes
Fred Sandlin

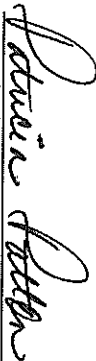
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W.L. AP


The resolution is numbered 19-1986 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPOINTING MR. ELEAZAR C. (CHARLES) MACIEL TO THE MENTAL HEALTH-MENTAL RETARDATION BOARD OF TRUSTEES.

There being no further business, the meeting was adjourned at 11:45 a.m.



Patricia Patton
City Secretary



David Stubbeman
Mayor