

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, June 26, 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, June 26, 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:** City Council Retreat held June 4, 5, and 6, 1986, Pre-Council Work Session and Regular City Council Meeting held June 12, 1986.
4. **AWARDS - Employee Service**

25 Years	Rowland R. Allen	Senior Firefighter
25 Years	Herschel L. McCormick	Fire Lieutenant
20 Years	Guadalupe Duran	Police Sergeant

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. Resolution approving a contract with Goodwill Industries of Abilene, Inc., for the disbursement of Community Development Block Grant funds.
 - b. Resolution approving license agreement with Missouri Pacific Railroad and City of Abilene to install a 12" water line crossing.
 - c. Oral resolution authorizing City Manager to sign an interlocal agreement for long distance telephone service.
6. **Award of Bid**
 - a. Sewer Pipe for Water Utilities Department - Bid #133.
 - b. Landscaping of Fire Stations #2 and #5 - Bid #131.
 - c. Tractor for airport - Bid #123.

REGULAR AGENDA

7. **Ordinances and Resolutions:**
- a. **Public Hearing** - Consider on second and final reading - An ordinance changing zoning district boundaries - **Z-5586** - Request from William & Patzie Mansker, agent, Curry Engineering, Inc., to rezone from AO (Agricultural Open Space) to RS-6 (Residential Single Family) district, located on Hartford Street, east of Baker Street.
 - b. **Public Hearing** - Consider on second and final reading - an ordinance changing zoning district boundaries - **Z-5886** - Request from Alton J. Willingham, to add an H (Historic overlay) to underlying R14-3 (Residential Multi-Family) district, located at 726 Beech.
 - c. **Public Hearing** - Consider on second and final reading - an ordinance for thoroughfare closure - **TC-5686** - Request from Ed & Peggy Kunkel, agent, Larry Holmes for a thoroughfare abandonment being a 20' alley between Lots 12-14 and 9-11, Block 190, Original Town, Abilene, Taylor County, Texas, located on the east side of 358 S. 11th Street.
 - d. **Public Hearing** - Consider on second and final reading - an ordinance amending Section 23-306.5.H, Conditional Use Provisions = Retail Trade and Section 23-306.4, Permitted Use Chart, of the Zoning Ordinance concerning open-air sale of farm products (Farmers Market).
 - e. **Public Hearing** - Consider on second and final reading - an ordinance amending the Abilene Municipal Code, Chapter 23, Subpart E, Zoning Ordinance Section 23-332.4.D., Planned Development Districts = Public Facilities and Improvements; an ordinance amending the Abilene Municipal Code, Chapter 23, Subpart D, Subdivision Regulations, Section 23-262.5, Conventional Design Standards = Streets, and Section 23-260.2, Responsibility for Facility Installation = acceptance of Dedication.
 - f. Resolution authorizing the issuance of Higher Education Facilities revenue refunding bonds to finance an educational facility (Hardin-Simmons University Project) Series 1986.
 - g. **Public Hearing** - Consider resolution concerning the Grape-Hickory Study.
8. **Other Business:**
- a. Discussion of 1986 Capital Improvements Program.
 - 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).

ADJOURN

PRE-COUNCIL WORK SESSION, THURSDAY
June 26, 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 June 26, 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., Melton 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 reviewed with the Council item 6a, being an award of bid for sewer pipe - Bid #133. After the bids were opened and tabulated, the results showed a tie-bid between two companies. The names of the two companies were placed in sealed envelopes and the Mayor selected one of the envelopes at random. The company selected is Texas Independent Pipe Supply, Brownwood. There being no further questions, the meeting was recessed to the City Council Chambers for the regular Council Meeting.

REGULAR CITY COUNCIL MEETING

June 26, 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 June 26, 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, Regular City Council Meeting held June 12, 1986, and City Council Retreat held June 4, 5, and 6, 1986 stand approved.

Mayor Stubbeman presented Employee Service awards to the following individuals for their tenure of service to the City of Abilene: Rowland R. Allen, Senior Firefighter, 25 years; and Herschel L. McCormick, Fire Lieutenant, 25 years.

Councilman McCaleb moved to approve the consent agenda items, being 5a through 6c, as presented by the staff; and including the award of bid to Texas Independent Pipe Supply on item 6a. 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.

5. **Ordinances & Resolutions:**

- a. Consider a resolution approving a contract with Goodwill Industries of Abilene, Inc., for the disbursement of Community Development Block Grant funds. The Resolution is numbered 27-1986 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF ABILENE, TEXAS, APPROVING AN AGREEMENT WITH GOODWILL INDUSTRIES OF ABILENE, INC., FOR DISBURSEMENT OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR PURCHASE OF PROPERTY.

- b. Consider a Resolution approving license agreement with Missouri Pacific Railroad and City of Abilene to install a 12" water line crossing.

The Resolution is numbered 28-1986 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING LICENSE AGREEMENT BETWEEN THE MISSOURI-PACIFIC RAILROAD COMPANY AND THE CITY OF ABILENE TO INSTALL A TWELVE INCH (12") WATER LINE CROSSING UNDER CERTAIN TRACKAGE AND RIGHT OF WAY OF THE MISSOURI-PACIFIC RAILROAD COMPANY AT MILE POST 7.13 NEAR ABILENE, TEXAS.

- c. Consider oral resolution authorizing City Manager to sign an interlocal agreement with the State Purchasing and General Services Commission for long distance telephone service.

6. **Award of Bid:**

- a. Sewer pipe for Water Utilities Department - **Bid #133.** The bid was awarded to Texas Independent Pipe Supply of Brownwood.
- b. Landscaping of Fire Stations #2 and #5 - **Bid #131.** The low bid was awarded to Rainy Creek Farms for Fire Station #2 and the alternate bid of Rainy Creek Farms for Fire Station #5.
- c. Tractor for airport - **Bid #123.** The bid was awarded to Taylor County Ford Tractor.

John Hancock, Principal Planner, briefed the Council on an ordinance considered on second and final reading -- **Z-55586** - Request from William and Patsie Mansker, agent, Curry Engineering, Inc. to rezone from AO (Agricultural Open Space) to RS-6 (Residential Single-Family) district, located on Hartford Street, east of Baker Street. 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 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, for Z-55886 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.

The ordinance is numbered 47-1986 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-5886 -- Request from Alton J. Willingham, to add H (Historic Overlay) to underlying RM-3 (Residential Multi-Family) district, located at 726 Beech. The Planning and Zoning Commission, as well as staff, recommend approval.

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.

Councilwoman Ray moved to approve the ordinance, on second and final reading, for Z-5886, as recommended by the staff. The motion was seconded by Councilman Wheat and the motion carried.

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

The ordinance is numbered 48-1986 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 -- TC-5686 -- Request from Ed & Peggy Kunkel, agent, Larry Holmes for a thoroughfare abandonment being a 20' alley between Lots 12-14 and 9-11, Block 190, Original Town, Abilene, Taylor County Texas, located on the east side of 358 E. S. 11th Street. The Planning and Zoning Commission, as well as staff, recommend approval of the request subject to retention of the alley as an open utility easement.

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 Fogle moved to approve the ordinance, on second and final reading, for TC-5686, as presented 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.

The ordinance is numbered 49-1986 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 - an ordinance amending Section 23-306.5.H, Conditional Use Provisions - Retail Trade and Section 23-306.4, Permitted Use Chart, of the Zoning Ordinance concerning open-air sale of farm products (Farmers Market). The Planning and Zoning Commission, as well as staff, recommend approval of the ordinance.

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.

David Currie of the Texas Department of Agriculture, was introduced by Mayor Stubbeman, and was available to answer questions.

Councilman Robinson moved to approve the ordinance, on second and final reading, to amend Section 23-306.5.H and 23.306.4 of the Zoning Ordinance as recommended by staff. The motion was seconded by Councilman Nixon and the motion carried.

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

NAYS: None.

The ordinance is numbered 50-1986 and is captioned as follows:

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

John Hancock, Principal Planner, briefed the Council on an ordinance considered on second and final reading - An ordinance amending the Abilene Municipal Code, Chapter 23, Subpart E, Zoning Ordinance Section 23-332.4.D., Planned Development

Districts - Public Facilities and Improvements; an ordinance amending the Abilene Municipal Code, Chapter 23, Subpart D, Subdivision Regulations, Section 23-262.5, Conventional Design Standards - Streets, and Section 23-260.2, Responsibility for Facility Installation - acceptance of Dedication. The Planning and Zoning Commission, as well as staff, recommend approval of the ordinances.

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 Wheat moved to approve the ordinances, on second and final reading, to amend the Abilene Municipal Code, Chapter 23, Subparts D, Subdivision Regulations, and E, Zoning, as stated above and 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 ordinances are numbered 51-1986 and 52-1986, and are captioned respectively as follows:

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

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

Roy McDaniel, Assistant City Manager, briefed the Council on a resolution authorizing the issuance of Higher Education Facilities revenue refunding bonds to finance an education facility (Hardin-Simmons University Project) Series 1986.

In order to take advantage of favorable market conditions, the Abilene Higher Education Facilities Corporation desires to advance refund revenue bonds sold last year. For that reason, the corporation is requesting that the City Council waive the 30 day notification requirement of the City. A public hearing was held June 11, 1986, where the public had an opportunity to make comments relative to the issuance.

Councilman Nixon moved to approve the resolution as presented 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.

The resolution is numbered 29-1986 and is captioned as follows:

RESOLUTION APPROVING ISSUANCE OF BONDS BY ABILENE HIGHER EDUCATION FACILITIES CORPORATION.

Lee Roy George, Director of Planning, briefed the Council on a resolution concerning the Grape-Hickory Study.

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.

Bob Payne, Principal Planner, gave a brief overview on the development of this study.

Walter Malone, Planner, reviewed the existing land uses in the study area.

Bob Payne described the recommendation on the adoption of the Plan, as approved by the Planning and Zoning Commission. He stated that a petition has been received from residents in the 1400 block of Hickory. The petition requests that this block be excluded from any MX (Mixed Use) zoning.

Staff recommends the plan remain as approved by the Planning and Zoning Commission, reflecting MX in the 1400 block of Hickory. However, that no preactive zoning take place in that area. Lee Roy George summarized the recommendations and requested guidance from the Council.

Councilman Nixon requested that a clarification statement be placed in the plan that would postpone preactive zoning in the petition area. Councilwoman Ray emphasized to encourage those commercial businesses, located on Pine Street (and other entrances to the City) to comply with the zoning ordinance by cleaning up their property.

Councilman McCaleb moved to approve the resolution as adopted by the Planning and Zoning Commission, including a clarification statement in the plan for the petition area as requested by Councilman Nixon. 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 30-1986 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, ADOPTING THE GRAPE/HICKORY STUDY.

Jim Blagg, City Manager, briefed the Council on a discussion of the 1986 Capital Improvements Program.

Roy McDaniel reviewed the staff recommendation on financing the bond issue.

Councilman McCaleb moved to accept the Plan for a \$10.2 million bond issues and instruct staff to prepare the necessary documents to call the election. The motion was seconded by Councilwoman Ray. Council discussed the motion.

Councilman Robinson moved to split the question. The motion was seconded by Councilman Wheat.

AYES: Councilmen Wheat and Robinson.

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

The motion failed.

Council voted on the original motion by Councilman McCaleb and the motion carried.

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

NAYS: Councilman Robinson.

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.

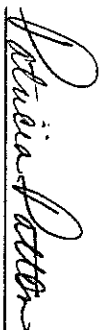
The Council reconvened from executive session and reported no action taken.

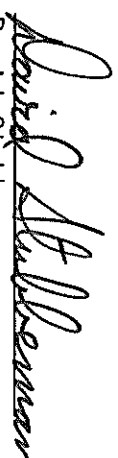
Councilwoman Ray moved to appoint to the Landmarks Commission Bill Minter as Preservation League Representative with a term expiring November, 1988; and Larry Robertson from alternate at large member to Attorney Representative with a term expiring November, 1988. Additionally, that the following be appointed to the Abilene Industrial Development Authority: Tom Boone to fill a vacant position due to expire in November, 1986; and Tommy Stroud and John Combs with terms due to expire November, 1988. 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.

There being no further business, the meeting was adjourned at 11:00 a.m.


Patricia Patton
City Secretary


David Stubbeman
Mayor